Environment and Community Protection
Local Law

(Local Law No. 1 of 2014)
Contents

Part A - Introduction
1. Title ................................................. 4
2. Purpose of this Local Law .................. 4
3. Power to Make this Local Law ........... 4
4. Commencement and End Dates .......... 4
5. Revocation of Earlier Local Laws ...... 4
6. Definitions ....................................... 5

Part B - Administration and enforcement
Permits
7. Permits ...................................... 10
8. Applications for Permits ..................... 10
9. Fees ........................................ 10
10. Permit Register ............................... 10
11. Permit Expiry Date ........................... 10
12. Correction of a Permit ...................... 10
Enforcement
13. Notice to Comply ............................. 11
14. Power of an Authorised Officer to Act in Urgent Circumstances ............... 11
15. Power of an Authorised Officer to Impound ........................................ 11
16. Offences in relation to an Authorised Officer ..................................... 11
17. Offences .................................. 12
18. Infringement Notices ....................... 12

Part C - Municipal property and infrastructure
20. Access to Municipal Places ............... 14
21. Use of Council Buildings or Municipal Places .................................. 14
22. Activities Prohibited in Municipal Places ........................................ 15

Part D - Municipal infrastructure
23. Protection and Use of Drains ............. 16
24. Interfere with Council Assets .......... 16
25. Vehicle Access ............................... 16
26. Protection of Council infrastructure Assets prior to, and/or during Building Work ........................................ 16
27. Building Works ................................ 17

Part E - Amenity, public health and safety
28. Condition of Land and Premises ........ 18
29. Machinery, Material, Goods or Vehicles on Land ................................ 18
30. Parking of Vehicles in Residential Zones .................................................. 18
31. Alarms ....................................... 18
32. Camping and Caravans ..................... 19
33. Abandoned Vehicles ....................... 19
34. Residential and Commercial Parking Permits ......................................... 19
35. Materials and Vegetation which may cause danger or damage ............. 20
36. Overhanging Vegetation .................. 20
37. Vermin and Noxious Weeds ............. 20
38. European Wasps ............................ 20
39. Numbering of Allotments ............... 20
40. Prevention of Fire Risks ................. 20
41. Fires in the Open Air ....................... 20
42. Incinerators ................................ 20
43. Nuisance Caused by Fire ............... 21
44. Dilapidated Buildings ..................... 21
45. Shopping Trolleys .......................... 21
46. Signs, Goods and Furniture ............. 21
47. Clothing Bins ............................... 22
48. Bulk Containers and Obstructions on Roads and Municipal Places ......... 22
49. Occupation of Roads or Municipal Places for Works ......................... 22
50. Repair of Vehicles ......................... 22
51. Substances Deposited on Road from Vehicles or Animals .................. 22
52. Consumption of Alcohol or Possession in Unsealed Container ............. 22
53. Soliciting Gifts .............................. 23
54. Distribution of Unsolicited Material .................................................. 23
55. Persons Selling Goods or Services .................................................. 23
56. Busking .................................... 23

Part F - Keeping of animals and birds
57. Restrictions of the Number of Animals or Birds that may be kept on any Premises ......... 24
58. Conditions under which Animals are Kept ........................................ 24
59. Noise and Smell ................................ 24
60. Animal Litter ................................ 24
61. Wandering Animals and Birds ........ 24

Part G - Waste collection service
62. Domestic Garbage .......................... 25
63. Recyclable Goods ............................ 25
64. Green Organic Waste ...................... 26
65. Restriction on Use of Street Litter Bins .............................................. 26
66. Interference with Refuse, Recyclable Goods or Green Waste ............. 26
67. Screening of Bins and Hoppers .................................................. 26
68. Depositing of Waste at the Waste Transfer Station ........................... 26
69. Scavenging at the Waste Transfer Station ........................................ 26
70. Bulk Rubbish Containers ................ 27
71. On site Waste Water Disposal ........ 27

Schedule 1
Notice to Comply ................................ 28

Schedule 2
Penalties for Infringement Notices Issued in respect of Offences against clauses of this Local Law ........................................ 29
Part A - Introduction

1. **Title**
This is Local Law No. 1 of 2014 and is known as the “Environment and Community Protection Local Law”.

2. **Purpose of this Local Law**
This local law should be read in conjunction with the accompanying Wodonga City Council Environment and Community Protection guidelines and standards and is made for the purposes of:

   2.1. providing for the peace, order and good government of the municipal district;
   
   2.2. regulating or controlling activities related to the use or enjoyment of, or work on, council assets;
   
   2.3. protecting the health, safety and enjoyment of persons who:
   
       2.3.1. reside in or visit the municipal district; or,
   
       2.3.2. use or work on council assets.
   
   2.4. protecting community property and council assets from damage and ensuring that such property or council asset is in a state fit for its intended or likely use;
   
   2.5. regulating or controlling conditions or activities that are detrimental, or that may cause detriment, to:
   
       2.5.1. the amenity or environment of the municipal district;
   
       2.5.2. the health and safety of any person; or,
   
       2.5.3. the safety of any property.
   
   2.6. preventing annoying and unreasonable conditions or activities which interfere with, or may cause interference with, the reasonable use by, or enjoyment of, residents, or any other person, of roads or other facilities under the care and management of the council;
   
   2.7. ensuring that public health or nuisance problems do not occur due to unsatisfactory practices in caring and providing proper and clean facilities for animals or birds, which are kept at any property within the municipal district;
   
   2.8. regulating the collection and disposal of defined items of household refuse, recyclable goods and hard garbage;
   
   2.9. regulating the use of the council’s recycling and waste centre so that public health and safety and nuisance problems are avoided; and,
   
   2.10. minimising potentially adverse environmental impacts of waste accumulation, collection or disposal.

3. **Power to Make this Local Law**
This local law is made under section 111(1) of the *Local Government Act 1989*.

4. **Commencement and End Dates**
This local law:

   4.1. commences operation on the day following the day on which notice of the making of this Local Law is published in the Victorian Government Gazette and operates throughout the *municipal district*; and,
   
   4.2. ends on June 23rd, 2024, unless revoked earlier.

5. **Revocation of Earlier Local Laws**
On the commencement of this local law, the following local law is revoked:

6. **Definitions**

In this local law, unless inconsistent with the context:

- **‘advertisement’** means any word, letter, image, device or representation or combination of any two or more thereof (by whatsoever means depicted, delineated, conveyed or effected) in the nature of and employed wholly or in part for the purpose of advertising, announcement or display.
- **‘advertising sign’** means any placard, board, sign, card, teardrop flag, partition or banner, whether portable or affixed or attached to any land or building, which:
  - (a) provides information about a business or industry; or,
  - (b) advertises goods, services, an event or a competition.
- **‘alcohol’** means a beverage or other prescribed substance intended for human consumption with an alcoholic content greater that 0.5 per centum by volume at a temperature of 20 degrees.
- **‘allotment’** means any land in separate ownership or occupation.
- **‘animal’** means every species of animal.
- **‘asset’** means any road, drain, drainage infrastructure, street tree, street sign and other property vested in, or under the control of the council.
- **‘asset protection permit’** means a permit issued by the council under clause 28.1.
- **‘authorised officer’** means a person appointed by the council under section 224 or 224A of the Act.
- **‘barbecue’** means any structure or device, erected or fixed outdoors, portable or mobile, which has as its primary purpose the cooking of food for human consumption.
- **‘bird’** includes every species of bird.
- **‘builder’** means a person to whom a building permit has been issued under the Building Act 1993.
- **‘building site’** means the land to which a building permit relates.
- **‘building work’** includes any work for which a building permit is required under the Building Act, or equivalent legislation, and includes any work with respect to construction, demolition, renovation, alteration or removal of any building or structure.
- **‘bulk rubbish container’** means a bin, skip or other container used for the deposit of waste, but excludes an approved garbage bin used in connection with the council’s refuse collection service.
- **‘busk’** means sound or play any musical instrument, sing, harangue or recite, perform conjuring tricks, juggle, dance, engage in miming or puppetry, or perform like activities.
- **‘camping’** means using a caravan, tent, motor vehicle or like structure for residential accommodation (either temporary or permanent) of a person or persons and ‘camp’ has the corresponding meaning.
- **‘caravan’** includes a mobile home and moveable dwelling.
- **‘Chief Executive Officer’** means the chief executive officer of the council or any person acting in that position during his or her absence.
- **‘circus, carnival or fair’** means entertainment such as acrobatic feats, tricks of skill, exhibiting animals, side shows, amusements, merry-go-rounds and stalls for games or food or similar.
‘clothing bin’ means a receptacle used for the donation of clothing or household goods of a type which the organisation concerned indicates can be deposited there.

‘council’ means the Wodonga City Council.

‘council building’ means any building owned, occupied or under the control of the council.

‘council infrastructure assets’ includes any road, drain, kerb and channel, nature strip, street tree, footpath or vehicle crossing, which is adjacent to a building site, or could be affected by building work.

‘council land’ means any land vested in or under the control of the council, including reserves, watercourses, reservations and the like, and includes a road vested in or under the care and management of the council.

‘dog litter device’ means an appropriate apparatus designed for, or able to be used for, the purpose of collecting and removing animal and/or dog faeces.

‘domestic animal’ means a cat or dog.

‘driveway’ means a council-approved properly constructed surface for vehicular access to properties.

‘emergency service’ means a body or corporation which has, or accepts and plays, an active role in emergency situations with regard to the protection of personal or property safety.

‘farm animals’ includes horses, cattle, sheep, donkeys, mules, goats, pigs, deer, and any other livestock of any age.

‘frontage’ means a boundary between an allotment and an adjoining road. If an allotment adjoins more than one road, the frontage is the boundary between the allotment and the road to which the largest building on the allotment fronts.

‘garbage bin’ means a wheeled mobile garbage bin supplied by the council.

‘goods’ includes but is not limited to produce, articles, items, tables and chairs, advertising signs, planter boxes, umbrellas and anything similar.

‘green organics’ means leaves, grass clippings, weeds, prunings, branches, bark, dry sawdust from untreated timber and any other similar materials which are no greater than 100mm in diameter and 300mm in length.

‘green organic waste’ means green organics and any other organic material listed for inclusion into the organics three-bin waste system.

‘hard garbage’ means refuse, rubbish or waste items which the council prescribes from time to time as hard garbage for the purposes of this local law.

‘heavy motor vehicle’ has the meaning ascribed to it by section 3 of the Road Safety Act 1986.

‘incinerator’ means an outside structure, device or piece of equipment which is designed, adapted, used or capable of being used for the burning of any unwanted material or substance and which is not a barbecue.

‘litter bin’ means a receptacle provided by the council, or with the authority of the council, in or on a road or municipal place, for use by the public in depositing small items of litter.

‘mobile billboard’ means an advertising sign which is specifically constructed to be part of a motor vehicle or pulled along on a trailer by a motor vehicle.

‘municipal district’ means the municipal district of the council.
'municipal place' means any land and/or building, river, creek, lake or body of water, which is owned, occupied or under the control of the council and includes recreation centres, libraries, shopping malls, reserves and other council land but excludes roads.

'notice to comply' means a notice to comply issued under this local law.

'noxious weed' has the meaning ascribed to it by section 3 of the Catchment and Land Protection Act 1994.

'nuisance' includes any behaviour or condition which is or is liable to be dangerous to health or is noxious, annoying or injurious to personal comfort.

'occupier' includes a resident, and in relation to land which has a lot entitlement or lot liability in respect of common property the body corporate created upon the registration of a plan of subdivision affecting that land.

'offence' includes an offence against or a breach of a provision of this local law, or a breach of a permit, notice or a direction issued under it.

'owner' has the meaning ascribed to it by section 3 of the Act.

'penalty unit' has the meaning ascribed to it by section 110 (2) of the Sentencing Act 1991.

'permit' means a permit, authorised or required under this local law, and issued in accordance with the provisions of it. (independent of any other permit under any other legislation, eg a planning permit)

'person' has the meaning ascribed to it by section 38 of the Interpretation of Legislation Act 1984.

'person in charge of building work' means:
(a) a person in charge of a building site or land where building work is to be carried out;
(b) a person who causes building work to be carried out on any land;
(c) the person whose name appears on any building permit taken out on the subject land where building work is to be undertaken; or,
(d) the owner of a building site or if the site is in the name of a company includes each director of that company.

'planning scheme' means the Wodonga Planning Scheme.

'poultry' includes chickens, ducks, geese, peacocks, pheasants, turkeys, guinea fowl and anything similar of any age.

'premises' means any land in separate ownership or occupation and includes a shop, dwelling or a factory or part thereof as may be separately owned or occupied.

'racing pigeon' means a pigeon that is kept by a person who is a registered, current member of a recognised National or State Homing Pigeon Association.

'recyclable goods' means any substances or articles declared by the council from time to time to be 'recyclable goods' for the purposes of this local law.

'recycling and waste centre' means any land and all buildings, structures and equipment on such land constructed by, or on behalf of, the council from time to time as a recycling and waste centre.

'recycling bin' means a wheeled mobile recycling bin or other receptacle supplied by the council for the purpose of collecting recyclable goods.
‘refuse’ means all waste or rubbish produced or accumulated in or on any property, but excludes:
(a) nightsoil, sewage and animal excreta;
(b) slops or liquid wastes;
(c) waste generated from building work (including bricks, concrete, rocks, timber and other building materials or waste);
(d) waste generated from the restoration, repair or servicing of motor vehicles;
(e) ash, unless it is cold, dampened and wrapped or contained in a manner which prevents its escape;
(f) trade waste;
(g) recyclable goods;
(h) oil, paints, solvents and similar substances;
(i) any broken glass or other sharp object, unless it is wrapped in impermeable material, or contained entirely within an impermeable receptacle from which it cannot escape;
(j) disposable nappies, unless any faeces have been removed from the disposable nappies and they are wrapped in impermeable material;
(k) any waste that cannot be contained in an approved garbage bin due to its size, shape, nature or volume;
(l) medical or veterinary waste;
(m) any waste which is hazardous, dangerous or infectious;
(n) any hard garbage or green waste; and,
(o) any other substances declared by the council from time to time not to constitute ‘refuse’ for the purposes of this local law.

‘schedule’ means a schedule to this local law.

‘security bond’ means a sum of money, or another means of security acceptable to the council, the amount of which has been determined by the council, after taking account of:
(a) the nature of the work;
(b) likely costs that would be incurred for repairs to Council infrastructure assets, if damage does occur to them, during or as a result of the work;
(c) requirements which are commonly applied in comparable situations; and,
(d) any relevant Act, regulation or government policy directives.

‘sell’ includes:
(a) sell by means of any machine or mechanical device;
(b) barter or exchange;
(c) agree to sell;
(d) offer or expose for sale; or,
(e) keep or have in possession for sale and directing, causing or attempting any such acts or things.

‘shopping trolley’ means a wheeled receptacle supplied by a retailer of goods to enable customers purchasing any of those goods to transport them to or from one place to another.

‘significant tree’ means any tree being assessed by council as having cultural or heritage significance and being listed on the council’s significant tree register.

‘small/lower impact event’ includes an event where there is minimal risk of impact on the amenity of the neighbourhood and the use of a council place is not restricted for that person/group’s sole use, or there is minimal risk of damage to a council asset or facility.

‘small premises’ means an allotment of less than 450 square metres, or which has less than 200 square metres of available open land adjacent and appurtenant to the premises.
‘specified wetland or lake’ means a wetland or lake which is declared by resolution of the council from time to time to be a specified wetland or lake.

‘stormwater pollutants’ means any material (including litter, sediment, soil, mud, concrete, plaster, bricks, tile dust, paint and acid) that upon entering a stormwater system degrades the quality of stormwater to the detriment of the environment.

‘stormwater system’ means the system which provides for the conveyance of stormwater runoff and includes kerb and channels, open channels, underground pipe systems and natural water.

‘toilet facilities’ means a toilet that complies with the Hire & Rental Industry Limited (HIRH) Victorian Division Temporary Site Facilities code of practice 2008.

‘toy vehicle’ means a vehicle other than a bicycle, ordinarily used by a person at play and designed to be propelled by human power or other source. It includes a child’s tricycle, scooter, skateboard, roller skates and similar toys.

‘trade waste’ means any refuse, rubbish, slops or other waste matter arising from or generated by any trade, industry or commercial undertaking.

‘trade waste hopper’ means a purpose-built receptacle for the deposit of trade waste that is ordinarily emptied by mechanical means.

‘traffic control device’ has the same meaning as defined in the Road Safety Road Rules 2009.

‘unsightly’ includes land which contains one or more of the following features or similar features:
(a) unconstrained rubbish such as paper, cardboard, plastic bags, styrene, house hold rubbish, second hand containers;
(b) storing of second-hand timber or second hand-building material;
(c) discarded, rejected, unwanted, surplus or abandoned solid or liquid materials;
(d) graffiti on exterior walls or fences;
(e) machinery, machinery parts or similar stored on the land for more than two months;
(f) unregistered, un-roadworthy, disassembled, incomplete or deteriorated motor vehicles or similar stored on the land for more than two months;
(g) anything being built which is left incomplete and constitutes a detriment to the appearance of the surrounding area; and,
(h) any other thing making the land visually repugnant; but excludes an enclosed building or structure on the land which complies with regulations made under the Building Act 1993 or Planning and Environment Act 1987.

‘vehicle crossing’ means a council-approved properly constructed surface for vehicular access to properties.

‘vehicle’ has the meaning ascribed to it by section 3 of the Road Safety Act and includes motor vehicles and motor cycles.

‘vermin’ includes rodents and insects likely, or with the potential, to cause a nuisance.

‘wastewater’ means any contaminated water from any operation before it undergoes any form of treatment. The water may be contaminated with solids (soils, organic particles or inorganic particles), chemicals (including simple salts) or changed physical properties such as changes in temperature.

‘wheeled recreational device’ has the same meaning as defined in the Road Safety Road Rules 2009.
Part B - Administration and enforcement

Permits

7. **Permits**
   The council may:
   7.1. issue a permit with or without conditions; or,
   7.2. refuse to issue a permit.

8. **Applications for Permits**
   8.1. A person who wishes to apply for a permit may do so by:
       8.1.1. lodging with the council an application; and,
       8.1.2. paying to the council the appropriate application fee.
   8.2. The council may require an applicant to provide additional information before dealing with an application for a permit.

9. **Fees**
   9.1. The council may from time to time determine fees for the purposes of this local law.
   9.2. In determining any fees and charges, the council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.
   9.3. The council may waive payment of any fee.

10. **Permit Register**
    The council must keep a register of permit applications and permits.

11. **Permit Expiry Date**
    A permit expires on the date specified in the permit or if no such date is specified the permit will expire one year after the date of issue.

12. **Correction of a Permit**
    The council may correct, cancel or amend any permit issued.
Enforcement

13. Notice to Comply
   13.1. The council may, by serving a notice to comply in the form or to the effect of Schedule 1, direct any owner, occupier or other person apparently in breach of this local law to remedy anything which constitutes an offence under this local law.
   13.2. A notice to comply must state the time and date by which the thing must be remedied.
   13.3. The time required by a notice to comply 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:
       13.3.1. the amount of work involved;
       13.3.2. the degree of difficulty;
       13.3.3. the availability of necessary materials or other necessary items;
       13.3.4. climatic conditions;
       13.3.5. the degree of risk or potential risk; and,
       13.3.6. any other relevant matter.
   13.4. A notice to comply remains in force for a period of 12 months after the date of issue.

14. Power of an Authorised Officer to Act in Urgent Circumstances
   14.1. In urgent circumstances arising as a result of a failure to comply with this local law or other urgent matters, an authorised officer may take action to remove, remedy or rectify a situation without first serving a notice to comply.

15. Power of an Authorised Officer to Impound
   15.1. The council or an authorised officer may impound any item found in contravention of this local law.
   15.2. Where any item has been impounded under this local law, the council or an authorised officer must, if practicable, serve written notice of the impounding personally or by pre-paid mail on the person who appears to be the owner of the impounded item.
   15.3. An impounded item must be surrendered to:
       15.3.1. the owner; or,
       15.3.2. a person acting on behalf of the owner who provides evidence to the satisfaction of an authorised officer of his or her authority from the owner on:
           15.3.2.1. the authorised officer being provided with evidence to his or her satisfaction of the owner’s right to the item; and,
           15.3.2.2. payment of any fee determined by the council or an authorised officer from time to time.

Any impounded item not claimed within the time specified on the Notice of Impounding or within 28 days of the impounding, may be disposed of by the council by tender, public auction, dispense to the waste transfer station or given away.

16. Offences in relation to an Authorised Officer
   A person must not directly or indirectly:
   16.1. give or offer or promise to give any bribe (pecuniary or otherwise) to an authorised officer;
   16.2. make any agreement with an authorised officer to induce that authorised officer to forego his or her duty; or,
   16.3. give information to an authorised officer acting in the course of his or her duties under this local law that the person knows or believes to be false.
17. **Offences**

A person who:

17.1. contravenes or fails to comply with any provision of this local law;
17.2. contravenes or fails to comply with any condition contained in a permit under this local law; or,
17.3. contravenes or fails to comply with a notice to comply within the time specified in the notice to comply.

Is guilty of an offence and is liable to:

17.4. a maximum penalty of 20 penalty units for a first offence;
17.5. a further penalty of one penalty unit for each day after conviction during which the contravention continues; and,
17.6. upon conviction for a second or subsequent offences, 40 penalty units.

As an alternative to prosecution for an offence, a person may be served with an infringement notice under this local law.

18. **Infringement Notices**

18.1. An authorised officer may issue an infringement notice for an offence.
18.2. The penalty fixed for an infringement notice is as listed in Schedule 2 of this local law, unless otherwise specified.
18.3. The penalty fixed for an infringement notice for offences under clauses 16 and 27 of this local law is 10 penalty units.
18.4. Payment of the fixed penalty for an infringement notice may be made to Chief Executive Office, City of Wodonga, PO Box 923 Wodonga Vic 3689 or to a member of the council’s staff authorised for this purpose at the the council’s offices.
18.5. To avoid prosecution, the penalty indicated in an infringement notice must be paid within 42 days from the date of the issue of the infringement notice.
18.6. The form of an infringement notice shall be in the form as set out in section 13 of the Infringements Act 2006.
Part C – Municipal property and infrastructure

19. **Behaviour in Municipal Places or Roads**

19.1. A person must not, without a permit, in or on a municipal place or road, disobey any council-authorised sign.

19.2. A person must not, in or on a municipal place or road:

19.2.1. commit any nuisance;

19.2.2. interfere with another person’s reasonable use and enjoyment of the municipal place or road; or,

19.2.3. act in a manner that endangers any other person.

19.3. Without limiting the ambit of clauses 19.1 and 19.2, a person must not without a permit, in or on a municipal place or road:

19.3.1. destroy, damage, foul, interfere with or deface anything located in or on the municipal place or road;

19.3.2. deposit, or leave any goods, equipment or other items;

19.3.3. sell any goods or services;

19.3.4. erect, operate or cause to be erected or operated, any amusement or similar activity;

19.3.5. sell or offer for sale any vehicles;

19.3.6. plant any vegetation;

19.3.7. use an amplifier or similar electronic device;

19.3.8. allow a horse to enter any wetland, lake or other body of water;

19.3.9. allow a dog to enter any fountain or any specified wetland or lake;

19.3.10. allow any animal, other than a domestic animal, to wander;

19.3.11. act contrary to any lawful direction of an authorised officer including, without limitation, a direction to leave the municipal place, whether or not a fee for admission has been paid;

19.3.12. use or interfere with any life-saving or emergency device located there, unless:

19.3.12.1. using the device in an emergency; or,

19.3.12.2. required by law or in accordance with a permit;

19.3.13. fish in any river, creek, lake or body of water which the council has by resolution designated as an area in which fishing is prohibited and which is signposted to indicate that fishing is prohibited;

19.3.14. swim, paddle, dive or jump into or in any way enter any wetland, pond or fountain;

19.3.15. jump or dive from any bridge or other structure into any wetland, pond, or fountain;

19.3.16. use a boat in or on any river, creek, lake or body of water which is signposted to indicate that boating is prohibited;

19.3.17. store any goods;

19.3.18. alter a nature strip; or,

19.3.19. place or erect or leave standing any fence or other potential obstruction that impedes or is likely to impede a motor vehicle driver, pedestrian, cyclist or other user.
20. **Access to Municipal Places**
   A person must not, without a permit:
   
   20.1. enter a municipal place other than through an entrance provided for that purpose;
   
   20.2. park, drive or ride a vehicle on land in any municipal place unless that land has been designed, designated or developed for the purposes of parking, riding or driving a vehicle; or,
   
   20.3. ride a bicycle, toy vehicle or wheeled recreational device in a manner that:
      20.3.1. interferes with another person’s use and enjoyment of the municipal place;
      20.3.2. endangers any other person; or,
      20.3.3. causes damage to the municipal place or road.

21. **Use of Council Buildings or Municipal Places**
   A person must not, without a permit:
   
   21.1. organise any function or event, excluding a small/low impact event, in a council building or municipal place;
   
   21.2. bring any animal into a council building, or allow any animal under his or her control to remain in a council building, except for a guide dog being used by a visually-impaired person or a hearing dog being used by a hearing-impaired person;
   
   21.3. bring any vehicle into a council building, except for:
      21.3.1. a pram or pusher being used for or by a child; or
      21.3.2. a wheelchair, a device or aid being used by a disabled person;
   
   21.4. bring into a council building or municipal place any substance, liquid or powder which may:
      21.4.1. be dangerous or injurious to health or illegal;
      21.4.2. have the potential to foul, pollute or soil any part of the council building; or
      21.4.3. cause discomfort to any persons
   
   21.5. ride a bicycle or toy vehicle in a council building, except in an area set aside or designated by a council sign as being available for such a purpose;
   
   21.6. enter or remain in a council building or municipal place during hours when those areas are not open to the public;
   
   21.7. enter or remain in a council building or municipal place without having paid any fee imposed by Council for entry or use of that area;
   
   21.8. smoke in any council building or council vehicle; or
   
   21.9. remain in a council building or municipal place after being directed to leave the area by an authorised officer.
22. **Activities Prohibited in Municipal Places**

A person must not, without a permit, in a municipal place:

22.1. unless he or she is a player, official or competitor at an authorised sporting match or gathering, enter upon or remain on any area set aside as a playing ground during the course of the sporting match or gathering;

22.2. carry any firearm, unless specifically authorised to do so under the Firearms Act 1996;

22.3. destroy or interfere with any flora or kill, injure or interfere with any fauna;

22.4. roll or throw stones or missiles that cause or may cause damage to any person, flora or fauna;

22.5. use any children’s playground equipment other than for the purposes for which it was provided;

22.6. throw, place or cause or allow to be thrown or placed any liquid, stones, sticks, paper, dirt, rubbish or any other object, substances or thing into any wetland, lake, pond or fountain;

22.7. play, engage in or practise any game or sport in a manner that is:

   22.7.1. dangerous to any other person; or,
   22.7.2. likely to interfere with the reasonable use and enjoyment of the municipal place by any other person;

22.8. walk on any plot, bed, border or other area set aside for plants in any reserve;

22.9. park any vehicle unless in a designated parking area;

22.10. use or permit to be used any powered model aeroplane, powered water craft or powered car or similar thing;

22.11. drive or park a vehicle or ride or drive a horse except for:

   22.11.1. the driving of a motor vehicle along an access road or track for the purposes of parking the vehicle in a parking area established for that purpose;
   22.11.2. the wheeling of a bicycle, pram, baby or child carriage, wheelchair or children’s toy;
   22.11.3. any staff member of the council (or other person authorised by the council for this purpose) acting in the course of his or her duties; or,
   22.11.4. in areas designated in accordance with any council signs;

22.12. light a fire or allow any fire to remain alight except in a barbecue or fireplace;

22.13. hold any circus, carnival or fair;

22.14. collect money from third parties;

22.15. occupy a council reserve, barbecue or other site that has previously been booked by others and for which a permit has been issued; or

22.16. do anything contrary to any sign erected or placed by the council or an authorised officer.
23. **Protection and Use of Drains**  
A person must not, without a permit:  
23.1. destroy, damage or tap into any drain vested in the council including a kerb and channel, open channel, underground drain, culvert, drainage pit and the like;  
23.2. allow any drain located on land of which he or she is the owner or occupier to be:  
   23.2.1. in disrepair; or,  
   23.2.2. in a condition which is:  
      23.2.2.1. a nuisance or dangerous to council assets; or,  
      23.2.2.2. dangerous to health.

24. **Interfere with Council Assets**  
A person must not, without a permit, destroy, damage or interfere with any road, watercourse, ditch, creek, gutter, tunnel, bridge, levee, culvert, fence, vegetation or any other asset which is vested in or under the control of the council.

25. **Vehicle Access**  
25.1. The owner of land must ensure that at each point of vehicular access from a carriageway on a road to the land there is a properly constructed driveway that is constructed in accordance with the specified council standard.  
25.2. A person must not cause or allow, or drive a motor vehicle from or on to land other than by an appropriate driveway.  
25.3. A person must not, without a permit, construct a temporary or permanent driveway, except that a permit is not required under this sub-clause in respect of any temporary driveway that is required under an Asset Protection Permit issued under clause 26.  
25.4. Where works on a property involve the relocation or closure of a point of vehicular access, any redundant part of the driveway must be removed and the kerb, drain, footpaths, nature strip or other part of the road be reinstated to the satisfaction of the council or authorised officer.  
25.5. An authorised officer may serve a Notice to Comply on the owner and or occupier of land requiring the repair, removal or replacement of a driveway.

26. **Protection of Council infrastructure Assets prior to, and/or during Building Work**  
26.1. In any case where a building permit has been issued, the builder, the person in charge of building work or owner of the building site, at least seven days before commencing building work on the land, must:  
   26.1.1. lodge a Road Reserve Works Permit Application; and,  
   26.1.2. not commence works until an approved Road Reserve Works Permit has been issued.
27. **Building Works**

27.1. A person in charge of building works must not undertake any building work unless the building site has:
   - 27.1.1. toilet facilities;
   - 27.1.2. a litter container with lid of sufficient size;
   - 27.1.3. emergency contact details;
   - 27.1.4. a single, stabilised and maintained vehicle crossing; and,
   - 27.1.5. an approved erosion and sediment control plan in accordance with the Erosion & Sediment Control Guidelines for Building Sites Policy, the Protection of the Council’s Assets & Infrastructure Policy, to the satisfaction of an Authorised Officer.

27.2. A person in charge of building work must:
   - 27.2.1. undertake all building work on the building site;
   - 27.2.2. store all building related material on the building site;
   - 27.2.3. place all litter capable of being blown from the building site into a litter container;
   - 27.2.4. prevent any sediment or erosion or other site run off from leaving the building site;
   - 27.2.5. store all waste on the building site;
   - 27.2.6. not allow potential stormwater pollutants to escape from the building site;
   - 27.2.7. store any potential stormwater pollutants in a manner so as to prevent it escaping from the building site;
   - 27.2.8. not allow any dust or air pollutants to escape from a building site; and,
   - 27.2.9. ensure vehicle access to the building site is via a vehicle crossing only.

27.3. Waste produced as a result of building work on a building site must be disposed of by the person in charge of the building work in a waste container, recycled or other approved method.

27.4. A person in charge of building work must not allow any vehicle to deposit any mud, sediment, slurry or similar material from the building site in any public or municipal place or road.

27.5. A person in charge of building work must not allow any building work to impede vehicular or pedestrian traffic.

27.6. A person in charge of building work must not allow any camping on a building site.

27.7. A person in charge of building work must not allow a building site to become unsightly.

27.8. A person in charge of building work must not allow litter, or waste, or waste water to be disposed of in any storm water drain.
28. **Condition of Land and Premises**

28.1. No owner or occupier of land may allow or permit the land to be kept in a manner which is dangerous or likely to cause danger to life or property including land which is:

28.1.1. a haven for vermin, rodents or reptiles, spiders, noxious weeds, insects or excessive vegetation growth; or,

28.1.2. used without a permit for the storage of any substance, which in the opinion of an authorised officer is dangerous or is likely to cause danger to life or property.

28.2. No owner or occupier may allow or permit his or her land to be kept in a manner which is unsightly, offensive or detrimental to the general amenity of the neighbourhood including land which:

28.2.1. harbours rubbish;

28.2.2. contains disused excavation or waste material; or,

28.2.3. is unsightly or detrimental for any other reason.

28.3. No owner or occupier of any property may allow or permit his or her premises to be kept in a manner which in the opinion of an authorised officer is such as to interfere with the reasonable comfort of any person, including:

28.3.1. the escape of dust, smoke or fine particulate matter;

28.3.2. the emission of light, noise, or odours; or,

28.3.3. the display of offensive words or pictures visible from a public place.

28.4. No owner or occupier of land may without a permit remove, destroy or damage a significant tree.

29. **Machinery, Material, Goods or Vehicles on Land**

Unless permitted under the planning scheme, a person must not, without a permit, use any land for the:

29.1. storage, assembly or dismantling of old, used or second-hand machinery, material or goods;

29.2. storage, assembly or dismantling of old or second-hand vehicles, or

29.3. storage or use of shipping containers.

30. **Parking of Vehicles in Residential Zones**

The owner or driver of a vehicle weighing more than three (3) tonne (including any load) must not, without a permit, park or allow the vehicle to be parked, kept, stored or repaired on any land zoned residential.

31. **Alarms**

An owner or occupier of any premises must not without a permit install or permit or allow to be installed or cause to be retained in an active state, at or upon any such premises, any alarm which emits a noise audible beyond the boundary of the premises, unless such alarm is so constructed or regulated so as to ensure that:

31.1. whenever a detection device is activated, the intruder alarm is automatically rendered inaudible beyond the boundary of the premises within 10 minutes of it being activated; and,

31.2. the intruder alarm cannot reactivate until the device has been manually reset.
32. **Camping and Caravans**

32.1. A person must not, without a permit, camp on council land, a public place or on any road in a tent, caravan, motor vehicle or other temporary or makeshift structure unless he or she is within a caravan park licensed under the *Residential Tenancies Act 1997*.

32.1.1. Notwithstanding clause 32.1, the council may declare an area or location within the municipal place as designated by the council as an area where a caravan or vehicle can park overnight for a maximum of 48 hours.

32.2. The owner or occupier of any land must not allow camping on that land in excess of four (4) weeks unless a permit has been obtained or camping is permitted under the planning scheme.

32.3. A person must not, without a permit, occupy:

32.3.1. a tent, caravan, temporary or makeshift structure; or,

32.3.2. a building or part thereof not designed and approved for human habitation.

32.4. A person must not, without a permit, keep or store more than one caravan on any land in a residential area in the municipal district unless permitted to do so under the planning scheme.

33. **Abandoned Vehicles**

33.1. A person must not, without a permit, leave, abandon or dump a registered vehicle on any road or municipal place for 14 continuous days in any three-month period, or after being served with a Notice to Comply directing its removal.

33.2. A person must not, on a road, municipal place or parking area vested in or under the control of the council, place any unregistered motor vehicle or abandon or cause to be abandoned any motor vehicle.

33.3. The council may impound any abandoned or unregistered motor vehicle found on any road or in any municipal place or parking area vested in or under the control of the council in accordance with the provisions of the Act.

34. **Residential and Commercial Parking Permits**

34.1. The council may from time to time by resolution designate any area as an area in which a residential or commercial parking scheme is in operation.

34.2. A person who resides in an area in which a residential or commercial parking permit is required may make an application to the council for a parking permit.

34.3. Any person who has been allocated a parking permit must not sell, or hire that parking permit to any person.

34.4. Any person who purchases, hires, offers to purchase or offers to hire a parking permit is guilty of an offence.

34.5. The owner and occupier of land on which an advertisement is displayed for the sale, hire, offer for purchase or offer for hire of a parking permit is guilty of an offence.

34.6. A person must not:

34.6.1. forge or counterfeit a parking permit;

34.6.2. use a forged or counterfeit parking permit; or,

34.6.3. falsely represent themselves to be a member of or agent of the council.
35. **Materials and Vegetation which may cause danger or damage**

A person who owns or occupies any land abutting any road or municipal place must not, without a permit, on that land:

35.1. place or allow any material;
35.2. erect a fence; or,
35.3. allow trees or other vegetation to grow,
35.4. to a height, or in such a manner:
   a. that impedes the ability of motor vehicle drivers, pedestrians, cyclists, or other road users to see or obtain a clear view of a traffic control device, street lighting, another motor vehicle, road user or any other vehicle using the road;
   b. as to cause damage to or interfere with council land or a building, structure or anything on council land; and,
   c. that obstructs any part of a municipal place.

36. **Overhanging Vegetation**

A person who owns or occupies any land abutting any road or municipal place must not without a permit, allow a tree, shrub or hedge or any other thing on that land to overhang a road or municipal place at a height of less than 2.5 metres from the level of the adjacent footpath or nature strip or impede any motor vehicle.

37. **Vermin and Noxious Weeds**

A person who owns or occupies any land must not without a permit, allow any vermin or noxious weeds to exist or grow on the land.

38. **European Wasps**

The owner or occupier of land on which any European wasp nest is discovered is responsible for the destruction and/or removal of the nest.

39. **Numbering of Allotments**

The owner or occupier of an allotment to which a number has been allotted by the council must mark the allotment with the number so that it is clearly visible and readable from the road on which the allotment fronts.

40. **Prevention of Fire Risks**

The owner or occupier of any land must not without a permit, allow the use of any chimney or fireplace on that land that is unsafe by reason of:

40.1. being constructed of inflammable material;
40.2. not being adequately protected;
40.3. not being constructed so as to prevent the ignition of adjacent inflammable material; or,
40.4. any other reason.

41. **Fires in the Open Air**

No person without a permit may burn in the open any material.

This Clause does not apply to:

41.1. barbecue while being used for the purpose of cooking food;
41.2. tool of trade while being used for the purpose for which it was designed;
41.3. fire lit by a member of the Country Fire Authority or other approved agency, in the course of his or her duty; or,
41.4. fire lit on land zoned rural or rural conservation.

42. **Incinerators**

A person must not without a permit, construct, erect, install, or use an incinerator.
43. **Nuisance Caused by Fire**
   A person must not without a permit, burn, or cause or allow to be burned, any substance that may:
   43.1. be dangerous to the health of any person; or,
   43.2. offensive to any person.

44. **Dilapidated Buildings**
   44.1. The owner and occupier of land on which there is a building must not allow or permit the building to be dilapidated.
   44.2. Where a building is dilapidated an authorised officer may serve a Notice to Comply on the owner and an occupier of the land specifying the works required to correct the dilapidated state.
   44.3. Where a building is dilapidated an authorised officer may serve a Notice to Comply on the owner that the building be removed or demolished.

45. **Shopping Trolleys**
   45.1. A person must not without a permit leave a shopping trolley on a road or in a municipal place, except in an area designated for the leaving of shopping trolleys.
   45.2. If a shopping trolley has been left in a public place (other than in an area designated for that purpose), an authorised officer may direct the owner of the shopping trolley, or the person in charge of the retail premises from which it has apparently been transported, to remove the shopping trolley.
   45.3. A person to whom a direction has been given under this clause must comply with that direction.

46. **Signs, Goods and Furniture**
   46.1. Unless permitted under the planning scheme, a person must not, without a permit:
      46.1.1. display or permit to be displayed any goods or material on any road or municipal place;
      46.1.2. place a mobile billboard on;
         46.1.2.1. a road, road related area or council land; or,
         46.1.2.2. any other location likely to interfere with the vision of a pedestrian or driver.
      46.1.3. place or allow to be placed an advertising sign on any road or municipal place; or,
      46.1.4. place or allow to be placed a seat, umbrella, table, chair, planter box, barrier or other items on any road or municipal place.
   46.2. A person who has placed, allowed to be placed, displayed or allowed to be displayed:
      46.2.1. goods;
      46.2.2. an advertising sign;
      46.2.3. a seat, umbrella, table, chair, planter box, barrier or other items, or,
      46.2.4. a stall, street cart or similar vending equipment;
   on any road or municipal place, whether with or without a permit, must move or remove the goods, advertising sign, seat, umbrella, table, chair, planter box, barrier or other items, stall, street cart or similar vending equipment if directed to do so by an authorised officer, a member of the Victoria Police or a member of an emergency service; and must do so in accordance with any such direction.
47. **Clothing Bins**
A person must not, without a permit, place, allow to be placed, or allow to remain, a clothing bin on any land, road or municipal place.

48. **Bulk Containers and Obstructions on Roads or Municipal Places**
48.1. A person must not, without a permit, leave or permit to be left any:
   48.1.1. bulk container on a road or municipal place;
   48.1.2. shipping container on a road or municipal place; or
   48.1.3. other thing which encroaches on, or obstructs the free use of a road or municipal place or that reduces the breadth, or confines the limits, of a road or municipal place;

unless permitted to do so under an Act, regulation or local law.

49. **Occupation of Roads or Municipal Places for Works**
A person must not, without a permit:
49.1. occupy or fence off;
49.2. erect a hoarding or scaffolding;
49.3. use a mobile crane or travel tower for any work;
49.4. make a hole or excavation;
49.5. fill a hole or excavation;
49.6. remove, damage or interfere with a traffic control device; or,
49.7. obstruct in any way;
in or on any road or municipal place.

50. **Repair of Vehicles**
A person must not, without a permit:
50.1. paint;
50.2. service;
50.3. carry out maintenance on; or,
50.4. dismantle, or repair, except to enable it to be removed;
a vehicle on a road or municipal place.

51. **Substances Deposited on Road from Vehicles or Animals**
51.1. A person who drives or operates a vehicle, must not without a permit allow any grease, oil, mud, clay or other substance to fall, or otherwise to be deposited, from the vehicle on to a road or into a drain or municipal place.
51.2. A person must not without a permit allow any mud, clay or faeces from any animals of which they are in charge, to be deposited or to remain on any road or into any drain or municipal place.

52. **Consumption of Alcohol or Possession in Unsealed Container**
52.1. A person must not, without first obtaining a permit nor otherwise than in accordance with the conditions of such permit, have in their possession or under their control, any alcohol other than in a sealed container in or on any road or municipal place unless the municipal place is a licensed premises under the *Liquor Control Reform Act 1998*.
52.2. Notwithstanding clause 52.1, the council may designate sites or area where consumption is permitted between sunrise and sunset.
52.3. Notwithstanding clause 52.1, the council may declare an event or part thereof alcohol free within the municipal places as designated by the council.
52.4. Despite clause 52.1, the council may grant a permit for the consumption of any alcohol or for the possession of alcohol in unsealed containers in or on any road or municipal place at any time.
53. **Soliciting Gifts**
   A person must not without a permit solicit:
   53.1. on a road;
   53.2. in a municipal place; or,
   53.3. from door to door;

   any gifts for any purpose or cause or authorise another person to do so.

54. **Distribution of Unsolicited Material**
   A person must not, without a permit, in a municipal place or road, distribute to any person any advertising or promotional items or any printed material.

55. **Persons Selling Goods or Services**
   A person must not, without a permit, sell any goods or services from a municipal place, vacant land or land that is not ordinarily occupied by the person.

56. **Busking**
   A person must not, without a permit, busk with the object of collecting money on any road or municipal place.
57. **Restrictions on the Number of Animals or Birds that may be kept on any Premises**

Animals other than dogs or cats.

57.1. The owner or occupier of any land, must not, without a permit, keep, allow to be kept, or remain on any land any more animals or birds other than is stated in the following table.

<table>
<thead>
<tr>
<th>Type of Animal or Bird</th>
<th>Small premises</th>
<th>Any other premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poultry excluding roosters</td>
<td>None permitted</td>
<td>10</td>
</tr>
<tr>
<td>Roosters</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Caged Birds</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Rabbits</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Guinea Pigs, mice, ferrets and hamsters</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Reptiles</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Racing Pigeons</td>
<td>0</td>
<td>40</td>
</tr>
<tr>
<td>Domestic Farm Animals</td>
<td>Only permitted where there is 2000 square metres of open land per animal</td>
<td></td>
</tr>
<tr>
<td>All other animals</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

57.2. The owner or occupier of any premises not classified as Rural 1 for rating purposes, must not, without a permit, keep, allow to be kept, or remain on any land, any more than two (2) dogs and two (2) cats.

57.3. The owner or occupier of any land who keeps bees on that land must do so in accordance with the planning scheme and the Apiary Code of Practice, May 2011.

58. **Conditions under which Animals are Kept**

The owner or occupier of any land where animal/s or bird/s are kept must maintain any structure used for housing the animal/s or bird/s:

58.1. in a clean, inoffensive and sanitary condition;

58.2. so as not to cause any nuisance; and,

58.3. in accordance with standards set by the council.

59. **Noise and Smell**

The occupier of any land on which any animal or bird is kept must not without a permit, allow any noise or smell to emanate from the animal or bird which interferes with the reasonable comfort or convenience of any person.

60. **Animal Litter**

Whenever an animal is outside the premises at which it is normally kept, the person who has the care and or control of the animal must:

60.1. not allow any faeces from the animal to remain on a road, municipal place or land owned or occupied by another person;

60.2. carry a litter device and must use it for the purposes of removing any faeces of the animal; and,

60.3. dispose of any faeces of the animal in a manner which does not cause any nuisance or health hazard to any person or detriment to the environment.

61. **Wandering Animals and Birds**

61.1. The owner or person in charge of any animal or bird must not without a permit, allow that animal or bird to wander from the property where it is normally kept.

61.2. The owner or person in charge of any animal or bird must ensure that the land in which the animal or bird is normally kept is adequately fenced to prevent the animal or bird being at large or escaping.
62. **Domestic Garbage**

The occupier of every premises to which the council supplies a garbage bin:

62.1. may deposit refuse in the garbage bin and leave the garbage bin out on the nature strip or footpath at the front of the premises, or at an alternative designated collection point, for collection on days designated by the council from time to time as collection days;

62.2. must not deposit items or material in the garbage bin other than refuse;

62.3. must not leave the garbage bin outside the premises for more than one day before or after a collection day;

62.4. must place the garbage bin in a position, details of which are specified in written advice given to the occupier by the council, in front of the premises that allows collection by a service vehicle;

62.5. must maintain the garbage bin in a clean and sanitary condition;

62.6. must ensure that the area where the garbage bin is kept on the premises is kept in a clean and sanitary condition;

62.7. must ensure that the lid of the garbage bin is closed other than when refuse is being deposited in it or removed from it;

62.8. must ensure that the garbage bin is not overflowing so that the lid can be completely closed;

62.9. must ensure that the garbage bin is not removed from the premises except for the collection of refuse in accordance with sub-clause 64.1;

62.10. must not deposit refuse in any garbage bin or other collection bin supplied to another property;

62.11. must not deposit refuse in any recycling bin or other collection bin supplied to another property; and,

62.12. must not deposit refuse in any organics bin or other collection bin supplied to another property.

63. **Recyclable Goods**

The occupier of every premises to which the council supplies a recycling bin:

63.1. may deposit recyclable goods in the recycling bin and leave the recycling bin out on the nature strip or footpath at the front of the premises, or at an alternative designated collection point, for collection on days designated by the Council from time to time as collection days;

63.2. must not deposit in the recycling bin material other than recyclable goods;

63.3. must not leave the recycling bin outside the premises for more than one day before or after a collection day;

63.4. must place the recycling bin in a position, details of which are specified in written advice given to the occupier by the Council, in front of the premises that allows collection by a service vehicle;

63.5. must maintain the recycling bin in a clean and sanitary condition;

63.6. must ensure that the area where the recycling bin is kept on the premises is kept in a clean and sanitary condition;

63.7. must ensure that the recycling bin is not removed from the premises except for collection of recyclable goods in accordance with sub-clause 65.1;

63.8. must ensure that the lid of the recycling bin is closed other than when refuse is being deposited in it or removed from it; and,

63.9. must ensure that the recycling bin is not overflowing so that the lid can be completely closed.
64. **Green Organic Waste**
The occupier of every premises to which the council provides a green organic waste collection service:

64.1. may deposit green waste in the green organic bin supplied and leave the mobile green organics bin out on the nature strip or footpath at the front of the premises, or at an alternative designated collection point, for collection on days designated by the council from time to time as collection days;

64.2. must not deposit items or material in the green organics bin other than green organics;

64.3. must not leave the green organics bin outside the premises for more than one day before or after a collection day;

64.4. must place the green organics bin in a position, details of which are specified in written advice given to the occupier by the Council, in front of the premises that allows collection by a service vehicle;

64.5. must maintain the green organics bin in a clean and sanitary condition;

64.6. must ensure that the area where the green organics bin is kept on the premises is kept in a clean and sanitary condition;

64.7. must ensure that the lid of the green organics bin is closed other than when green organic material is being deposited in it or removed from it;

64.8. must ensure that the green organics bin is not overflowing so that the lid can be completely closed;

64.9. must not deposit green organics in any green organics bin supplied to another property; and,

64.10. must ensure that the green organics bin is not removed from the premises except for collection of green organics in accordance with sub-clause 66.1.

65. **Restriction on Use of Street Litter Bins**
The owner or occupier of any premises must not without a permit, place or deposit any refuse, rubbish or waste material of any kind that has been generated on or from that premises in a street litter bin.

66. **Interference with Refuse, Recyclable Goods or Green Waste**
A person must not, without a permit, remove or interfere with any refuse, recyclable goods or green organics left out on a road or other municipal place for collection by the council.

67. **Screening of Bins and Hoppers**
The council may, by notice in writing, direct the owner or occupier of any land to install, repair, replace or modify a fence or other means of screening approved garbage and/or recycling bin or trade waste hopper from public view.

68. **Depositing of Waste at the Waste Transfer Station**
68.1. A person must not, without approval, deposit any hazardous, dangerous or infectious materials at the Waste Transfer Station.

68.2. A person, at the Waste Transfer Station, must not do anything contrary to any sign or act contrary to any lawful direction given by an authorised officer.

69. **Scavenging at the Waste Transfer Station**
No person may, without the written approval of the council, remove material of any kind which has been deposited at the Waste Transfer Station.
70. **Bulk Rubbish Containers**
No person may, without a permit, place or cause or allow another person to place a bulk rubbish container on a road.

71. **On site Waste Water Disposal**
   71.1. A person must not, without a permit, discharge sewage to a septic tank system when reticulated sewerage is available for connection.
   71.2. A person must not operate a septic tank system without a permit, or contrary to any condition, limitation or restriction of the permit.
Notice to Comply

Any Notice to Comply issued is to be printed on Wodonga City Council letterhead.

NOTICE TO COMPLY

To: Name: Address:

You have, in the opinion of the Wodonga City Council or an authorised officer of the council, committed a breach of clause .......... of the Wodonga City Council Environment and Community Protection Local Law (Local Law No. 1 of 2014) by

at:

To remedy the breach within days from the date of this notice you must –

If you require further information you may contact at the council's offices, on 60229300 between the hours of ................ and .................

If you fail to comply with this notice you will be guilty of an offence under clause ...... of this local law and may be subject to penalties of up to $2000. In addition, the council may undertake such works as specified in the notice, for the full cost of which you will be liable.

This notice remains in force for a period of three years from the date of the notice.

Date:
Name of authorised officer:
Signature of authorised officer:

Note: If this notice relates to a contravention of a permit and you do not comply with the notice, the permit may be cancelled. If you do not wish to have the permit cancelled you should comply with the directions in this Notice or show cause to the council in writing why the permit should not be cancelled.
### Schedule 2

#### Penalties for Infringement Notices Issued in respect of Offences against clauses of this Local Law

<table>
<thead>
<tr>
<th>Clause</th>
<th>Offence Description</th>
<th>Local Law No.1 (2014) @ $100</th>
<th>Penalty units</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.1</td>
<td>Failure to comply with any condition contained in a permit under this local law</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>17.2</td>
<td>Failure to adhere to a notice to comply</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>19</td>
<td>Behaviour in municipal places or roads</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>20</td>
<td>Access to municipal places</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>21</td>
<td>Use of council buildings or municipal places</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>22</td>
<td>Activities prohibited in municipal places</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>23</td>
<td>Protection and use of drains</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>24</td>
<td>Interfering with council assets</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>25</td>
<td>Vehicle crossings</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>27</td>
<td>Building work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Condition of land</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>29</td>
<td>Machinery, material, goods or vehicles on land</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>30</td>
<td>Parking of vehicles in residential zones</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>31</td>
<td>Alarms</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>32</td>
<td>Camping and caravans</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>33</td>
<td>Abandoned vehicles</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>34</td>
<td>Person fails to comply with requirements for residential and commercial parking permits</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>35</td>
<td>Materials and vegetation which may cause danger</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>36</td>
<td>Overhanging vegetation</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>37</td>
<td>Vermin and noxious weeds</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>38</td>
<td>European wasps</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>39</td>
<td>Numbering of allotments</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>40</td>
<td>Prevention of fire risks</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>41</td>
<td>Fires in the open air</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>42</td>
<td>Incinerators</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>43</td>
<td>Nuisance caused by fire</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>44</td>
<td>Dilapidated buildings</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>45</td>
<td>Shopping trolleys</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>46</td>
<td>Signs, goods and furniture</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>47</td>
<td>Clothing bins</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>48</td>
<td>Bulk containers and obstructions on roads or municipal places</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>49</td>
<td>Occupation of roads or municipal places for works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Repair of vehicles</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>51</td>
<td>Substances deposited on road from vehicles or animals</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>52</td>
<td>Consumption of alcohol or possession in unsealed container</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>53</td>
<td>Soliciting gifts</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>54</td>
<td>Distribution of unsolicited material</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>55</td>
<td>Persons selling goods or services</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Environmental Concern</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------------------</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>Busking</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>Restrictions on the number of animals or birds that may be kept on any premises</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>Conditions under which animals are kept</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>Noise and smell</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Animal litter</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>Wandering animals and birds</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>Domestic garbage</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>Recyclable goods</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>Green organic waste</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>Restriction on use of litter bins</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>Interference with refuse, recyclable goods or green waste</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>Screening of bins and hoppers</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Depositing of waste at the Waste Transfer Station</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>Scavenging at the Waste Transfer Station</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>Bulk rubbish containers</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>On site waste water disposal</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>