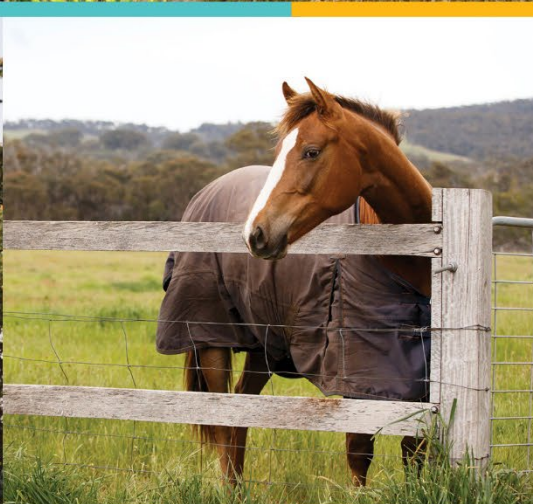
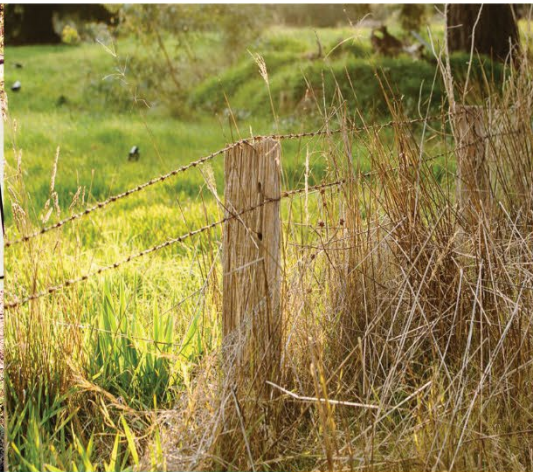


# COMMUNITY AND ENVIRONMENT LOCAL LAW 2022



**MITCHELL SHIRE COUNCIL**



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# PART 1 – INTRODUCTION

## 1.1 Local Law

This Local Law is titled Community and Environment Local Law 2022.

## 1.2 Objectives

The objectives of this Local Law are to:

- (a) provide for the peace, order and good government of the **municipal district**;
- (b) protect, maintain and enhance the natural environment of the **municipal district**;
- (c) ensure the protection of **Council assets** and the sustainable use of resources;
- (d) protect the health and safety of **persons** within the **municipal district**;
- (e) regulate the management of animals on **land** and in **municipal places**; and
- (f) provide uniform and fair administration of this Local Law.

## 1.3 Power to make this Local Law

This Local Law is made under section 71 of the **Act** and section 42 of the *Domestic Animals Act 1994*.

## 1.4 Commencement and revocation

1.4.1 This Local Law:

- (a) commences on 1 September 2022; and
- (b) unless sooner revoked, will cease to operate 10 years after the date on which it commenced.

1.4.2 On the commencement of this Local Law **Council's Community and Environment Local Law 2013** is revoked save any notice, consent given, business, matter or thing commenced, made or done under the repealed Local Law is not affected.

## 1.5 Application of Local Law

This Local Law operates throughout the **municipal district**.

## 1.6 Other legislation

Anything allowed under any Act, Regulation or the **Planning Scheme**, is not affected by any prohibition, requirement or restriction under this Local Law.

## 1.7 Guidelines

Council may prepare operational Guidelines for the purposes of assisting Council officers in the administration and enforcement of this Local Law.

## 1.8 Definitions

In this Local Law, unless inconsistent with the context:

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

**advertising sign** means a placard, board, sign, card or banner, whether portable or fixed to any land, building or vehicle which:

- (a) provides information about a business, industry or organisation; or
- (b) advertises goods, services, an event or a competition.

**authorised officer** means a person appointed by Council under sections 224 or 224A of the *Local Government Act 1989*;

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

**building work** means any work for which a building permit is required to be issued under the *Building Act 1993* where the cost of those works is greater than \$20,000;

**bulk rubbish container** means a bin, skip or other structure designed or used for holding a substantial quantity of rubbish and which cannot be lifted without mechanical assistance;

**camping** means using a caravan, tent, motor vehicle or like structure for residential accommodation (either temporary or permanent) of a person and 'camp' has the corresponding meaning;

**caravan** includes a mobile home or moveable dwelling;

**collection bin** means a receptacle used for the placement of donated goods;

**commercial land** means land zoned as Commercial 1 Zone or Commercial 2 Zone under the Planning Scheme;

**Council** means Mitchell Shire Council;

**Council asset** means any road, drain, drainage infrastructure, tree, road sign or other property vested in or under the control of the Council;

**Council land** means any land or road owned, vested in, managed by or under the control of **Council** and includes any building, structure, street sign, fence, tree and plant situated on that land;

**farming zoned land** means land zoned as Farming Zoned Land under the Planning Scheme;

**goods** includes produce, articles, items, tables, chairs, planter boxes, umbrellas, heaters and anything similar;

**industrial land** means land zoned as Industrial 1 zone or Industrial 3 Zone under the Planning Scheme;

**land** means any land other than a municipal place, and includes land which is privately owned and occupied and structures and fixtures on that land;

**livestock** has the same meaning ascribed by the *Impounding of Livestock Act 1994* meaning an animal (including a bird) of any species used in connection with primary production or kept or used for recreational purposes or for the purposes of recreational sport, other than a dog or cat;

**liquor** means a beverage containing alcohol;

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

**municipal place** means any land, building, park, river, creek, lake or body of water, which is owned, occupied or under the control of Council, but excludes roads;

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

- (a) state prohibited weed;
- (b) regionally prohibited weed;
- (c) regionally controlled weed; or
- (d) restricted weed;

**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 Owners Corporation created upon the registration of a Plan of Subdivision affecting that land;

**outdoor eating facility** means an area, adjacent to a shop from which food is ordinarily sold, containing outdoor furniture for use by patrons;

**penalty unit** has the same meaning used in the *Sentencing Act 1991*;

**permit** means a permit, required or issued under this Local Law;

**person** includes a corporation;

**person in charge** means:

- (a) the person named as the builder on a building permit issued in respect of those building works;
- (b) where a building permit hasn't been obtained, the principal contractor undertaking works at the site; or
- (c) if a contractor has not been engaged for those works, the owner of the land on which the works took place;

**pest animal** has the meaning ascribed to it by section 3 of the *Catchment and Land Protection Act 1994* being a;

- (a) a restricted pest animal; or
- (b) an established pest animal;

**planning scheme** means the Mitchell Planning Scheme;

**recreational vehicle** means a wheeled device, propelled by an internal combustion motor that forms part of the vehicle which is and ordinarily used for recreation or play, but excludes electric vehicles;

**residential land** means land zoned as Low Density Residential Zone, Mixed Use Zone, Township Zone, General Residential Zone and Neighbourhood Residential Zone under the Planning Scheme;

**resource recovery centre** means a waste facility operated by Council;

**retailer** means an organisation that provides more than 25 shopping trolleys to its customers;

**road** has the meaning ascribed to it by section 3 of the *Local Government Act 1989* and includes every part of a road;

**roadside trading** means selling or offering for sale or hire, goods or services from a temporary location, or vehicle;

**rural land** means land zoned as Rural Living Zone and Rural Conservation Zone under the Planning Scheme;

**schedule** means a schedule to this Local Law;

**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;
- (e) keep or have in possession for sale; and
- (f) directing, causing or attempting any such acts or things;

**temporary dwelling** includes a caravan, shed or similar type structure used for accommodation.

**unsightly** includes land which contains:

- (a) unconstrained rubbish such as paper, cardboard, plastic bags, styrene, household rubbish, or second hand containers;
- (b) second hand timber or second hand building material;
- (c) discarded, rejected, surplus or abandoned solid or liquid materials;
- (d) dilapidated structures;
- (e) graffiti;
- (f) machinery or machinery parts visibly stored on the land for more than 28 days;
- (g) unregistered, unroadworthy, disassembled, incomplete or deteriorated motor vehicles, caravans, trailers or similar, visibly stored on the land for more than 2 months;
- (h) anything being built which is left incomplete and is detrimental to the appearance of the surrounding area; or
- (i) any other thing making the land visually unsightly or detrimental to the general amenity of the area, including land which is neglected or unsecured;

but excludes an enclosed building or structure on the land which complies with the *Building Act 1993* or the *Planning and Environment Act 1987*;

**vegetation** includes any vegetation whether alive or dead, standing or not standing;

**vehicle** has the same meaning ascribed to it by the *Road Safety Road Rules 2017*; and

**vehicle crossing** means a Council approved constructed surface between the property boundary and roadway required for vehicular access to land.

## PART-2 - MUNICIPAL PLACES AND ROADS

### 2.1 Behaviour in municipal places

A **person** must not, in a **municipal place**:

- (a) commit any **nuisance**;
- (b) conduct an activity or behave in a manner which may likely interfere with another **person's** reasonable use and enjoyment of the **municipal place**;
- (c) act in a manner which endangers any **person** or animal;
- (d) damage, destroy or interfere with anything located within a **municipal place**; or
- (e) act contrary to any conditions of use or signage which apply to the **municipal place**.

### 2.2 Vegetation

An owner or **occupier** of **land** must not allow any **vegetation**, to grow in such a manner which:

- (a) overhangs onto or over the footpath or **road** to an extent where it impedes or obstructs its reasonable use;
- (b) obstructs traffic signage or impairs the vision of a **person** travelling along a **road** adjacent to the **land**; or
- (c) otherwise interferes with the safe and convenient use of the footpath or **road** adjacent the **land**.

### 2.3 Property numbering

Where a property has been allocated a property number by **Council**, the owner of that property must clearly display that number on that property.

### 2.4 Shopping trolleys

2.4.1 A **person** must not leave a shopping trolley other than in the area designated.

2.4.2 Where more than 25 shopping trolleys are provided for use by a customer, the **retailer** must ensure that the shopping trolleys are fitted with either a functioning coin deposit and release mechanism or an alternate, satisfactory locking mechanism.

### 2.5 Advertising signs

A **person** must not, without a **permit**, erect or place an **advertising sign**, or authorise another **person** to erect or place an **advertising sign**;

- (a) on a **road**; or
- (b) in a **municipal place**.



## 2.6 Displaying goods

A **person** must not, without a **permit**, display any **goods** or authorise another **person** to display **goods** on a **road** or in a **municipal place**.

## 2.7 Outdoor eating facilities

2.7.1 A **person** must not, without a **permit**, establish or use an **outdoor eating facility** on a **road** or in a **municipal place**.

2.7.2 A **person** must leave an **outdoor eating facility** when requested to do so by the **permit** holder, **authorised officer** or a police officer.

## 2.8 Roadside trading

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

- (a) erect or place on a **road** or in a **municipal place**, a **vehicle**, **caravan**, trailer, table, chairs, stall or other similar structure for the purpose of selling or offering for sale any **goods** or services; or
- (b) **sell** or offer to **sell goods** or services on a **road** or in a **municipal place**.

## 2.9 Bulk rubbish containers

A **person** must not, without a **permit**, place a **bulk rubbish container** on a **road** or in a **municipal place**.

## 2.10 Events

A **person** must not, without a **permit**, hold or participate in a street party, festival, market event or procession on a **road** or in a **municipal place**.

## 2.11 Repair of vehicles

A **person** must not dismantle, paint, carry out maintenance on or repair a **vehicle** on a **road** or in a **municipal place**, or authorise another **person** to do so.

## 2.12 Consumption of liquor

A **person** must not, without a **permit**, consume **liquor** or carry an open receptacle of **liquor** on a **road** or in a **municipal place**, except:

- (a) in a municipal reserve between the hours of 12.00pm and 8.00pm;
- (b) at a location which is licensed under the *Liquor Control Reform Act 1998*; or
- (c) in an area or at any event otherwise permitted by **Council**.

### 2.13 Collection bins

A **person** must not, without a **permit**, place a **collection bin** on any **land** within the **municipal district**, including on a **road** or in a **municipal place**.

### 2.14 Street collections

A **person** must not, without a **permit**, solicit, collect or sell, gifts of money, subscriptions, **goods** or hard waste materials on a **road** or in a **municipal place**.

### 2.15 Removal of fallen timber

A **person** must not, without a **permit**, collect fallen timber from a **road** or **municipal place**.

### 2.16 Signs

A **person** must not, without a **permit**, place a sign, post or other similar object on **Council land**.

### 2.17 Council land

A **person** must not, without a **permit**, undertake, or cause to undertake any activity, works or erect any structure which:

- (a) damages;
- (b) interferes with;
- (c) destroys;
- (e) obstructs; or
- (f) makes unsafe -

any **Council asset** vested in or under the control of **Council**.

### 2.18 Vehicle crossings

An owner of **land** must not without a **permit**, construct, install, remove or alter a **vehicle crossing**, or cause such works to be undertaken, either temporarily or permanently.

### 2.19 Circus animals

A **person** must not operate a circus which includes animals.

## PART 3 – AMENITY, PUBLIC HEALTH AND SAFETY

### 3.1 Condition of land

3.1.1 An owner or **occupier** of **land**, must not cause or allow the **land** to be:

- (a) **unsightly**;
- (b) kept in a manner which is dangerous or likely to cause danger to life, health or property.

3.1.2 An owner or **occupier** of **Residential Land**, **Commercial Land** or **Industrial Land**, must ensure that the **land** does not contain grass or weeds which exceed 200mm in height.

3.1.3 An owner or **occupier** of all **land** must take all reasonable steps to control, reduce and manage regionally prohibited weeds\*, prevent the growth and spread of regionally controlled weeds,\* and prevent the spread as far as possible of **pest animals**.

*\*Note: The terms 'regionally prohibited weeds' and 'regionally controlled weeds' are referred to in this Local Law within the definition of 'noxious weed' and are also defined under the Catchment and Land Protection Act 1994.*

### 3.2 Shipping containers

A **person** must not, without a **permit**, place or allow to remain in place, a shipping container on any **land** within the **municipal district**.

### 3.3 Fires in the open air

3.3.1 A **person** must not, without a permit, on **land** other than **Farming Zoned Land**, light, or allow to remain lit –

- (a) a fire in the open air; or
- (b) a fire lit for burning off or fuel reduction purposes,

other than on a Wednesday and/or Saturday between 10am and 3pm.

3.3.2 A fire lit in the open air or for burning off or fuel reduction purposes, as permitted by sub-clause 3.3.1 must not exceed 2 cubic metres in size and must not include:

- (a) green or wet materials;
- (b) non-timber based building materials, furnishings or carpet;
- (c) rubber, plastic, manufactured chemicals, petroleum, oil products or food products;
- (d) manure or straw;
- (e) any other offensive material.

3.3.3 A **person** must not light, or allow to remain lit, a fire in the open air on **land** during a Country Fire Authority declared fire danger period without having obtained from the Country Fire Authority a **permit** to do so.

3.3.4 If an **authorised officer** is of the opinion that the fire is causing a **nuisance** to any **person**, the **authorised officer** may direct the owner or **occupier** of the **land**, or the **person** supervising the fire, to extinguish the fire.

### 3.4 Wood heaters, internal open fires and pizza ovens

An owner or **occupier** of **land** must not allow a wood heater, internal open fire or pizza oven used on that **land** to cause a **nuisance**.

### 3.5 Fireworks

A **person** must not, without a **permit**, conduct fireworks on any **land**, including on a **road** or in a **municipal place**.

### 3.6 Wasp nests

An owner or **occupier** of **land** who is aware that there is a European wasp nest on that **land** must cause it to be removed or destroyed.

### 3.7 Bees

A **person** who keeps bees or bee hives or **permits** bees or bee hives to be kept on **land** must:

- (a) comply with the Apiary Code of Practice; and
- (b) ensure that the keeping of bees or bee hives does not cause a **nuisance**.

### 3.8 Recreational vehicles

3.8.1 A **person** must not use a **recreational vehicle** on **Residential Land** or **land** less than 0.4 hectares.

3.8.2 A **person** must not, without a **permit**, use a **recreational vehicle** within 200 metres of **land** used for residential purposes.

### 3.9 Camping

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

- (a) in a **municipal place**; or
- (b) on any **road** managed by **Council**.

3.9.2 An owner or **occupier** of **Residential Land** or **land** under 0.4 hectares, must not without a **permit** allow **camping** to occur on that **land** for more than 28 days in total, over a 12 month period.

### 3.10 Temporary dwellings

A **person** must not, without a **permit**, erect, establish or occupy a **temporary dwelling** on any **land**, on a **road**, or in a **municipal place**.

## PART 4 – ANIMALS

### 4.1 Keeping animals

4.1.1 An owner or **occupier** of **land** must not without a **permit** keep or allow to be kept any more in number for each kind of animal than as set out in the table below:

Type of animal	Permitted number of animals on Residential Land or land under 0.4 hectares	Permitted number of animals on Rural Land or land over 0.4 hectares	Permitted number of animals on Farming Zoned Land
<b>Dogs</b>	2	3	6
<b>Cats</b>	2	3	4
<b>Poultry</b>	10	20	Not limited by Local Law but planning controls may apply
<b>Geese</b>	2	2	Not limited by Local Law but planning controls may apply
<b>Domestic birds</b>	20	30	Not limited by Local Law but planning controls may apply
<b>Roosters</b>	Not permitted	<b>Permit</b> required	Not limited by Local Law but planning controls may apply
<b>Guinea pigs</b>	4	6	Not limited by Local Law but planning controls may apply
<b>Domestic rabbits</b>	4	6	Not limited by Local Law but planning controls may apply
<b>Ferrets</b>	2	4	Not limited by Local Law but planning controls may apply
<b>Horses and donkeys</b>	<b>Permit</b> required	Not limited by Local Law but <b>Planning Scheme</b> controls may apply (exemption equine areas)	Not limited by Local Law but planning controls may apply
<b>Cattle</b>	<b>Permit</b> Required	Not limited by Local Law but <b>Planning Scheme</b> controls may apply	Not limited by Local Law but planning controls may apply
<b>Sheep</b>	<b>Permit</b> required	Not limited by Local Law but <b>Planning Scheme</b> controls may apply	Not limited by Local Law but planning controls may apply
<b>Goats</b>	<b>Permit</b> required	Not limited by Local Law but <b>Planning Scheme</b> controls may apply	Not limited by Local Law but planning controls may apply
<b>Other animals not listed</b>	<b>Permit</b> required	Not limited by Local Law but <b>Planning Scheme</b> controls may apply	Not limited by Local Law but planning controls may apply
<b>Pigs</b>	Not permitted	<b>Permit</b> required	Not limited by Local Law but planning controls may apply



4.1.2 Sub-clause 4.1.1 does not apply to:

- (a) dogs and cats under 3 months of age; and
- (b) **land** that is lawfully used for the purposes of a pet shop, veterinarian business, **Council** pound, animal breeding or boarding establishment or any other use permitted under the **Planning Scheme**.

*NOTE: Council's cat curfew made under the Domestic Animals Act 1994 prescribes the hours which cats may be outside their owner's premises.*

## 4.2 Animal housing

The owner or **occupier** of any **land** on which animals are kept must provide housing which is adequate and appropriate in the circumstances, taking into consideration:

- (a) the type and number of animals to be kept;
- (b) the capacity to maintain the housing in a sanitary and inoffensive condition; and
- (c) the capacity to protect neighbours from noise from animals on the **land**.

## 4.3 Animal nuisance

An owner or **occupier** of **land** must ensure that all animals kept on that **land** do not:

- (a) habitually make an objectionable noise at unreasonable times; or
- (b) cause a **nuisance** to any **person**.

*NOTE: Clause 4.3 does not apply to dogs or cats which are regulated under the Domestic Animals Act 1994.*

## 4.4 Removal of animal excrement

A **person** who is in charge of an animal in a **municipal place** or on a **road** must:

- (a) carry a suitable device for the collection of excrement from that animal; and
- (b) collect and dispose of the excrement in a manner which does not cause any **nuisance** or health hazard to any **person** or detriment to the environment.

## 4.5 Disposal of deceased animal

A **person** who is in charge of a deceased animal must ensure that the animal is disposed of in a timely and humane manner without creating any **nuisance**, health or environmental hazard.

## 4.6 Livestock on roads

A **person** must not, without a **permit**, move or graze any **livestock** on a **road**.

#### 4.7 Fencing

- 4.7.1 An owner or **occupier** of **land** on which **livestock** are kept must ensure that the fencing on that **land** is adequate to prevent the escape of **livestock**.
- 4.7.2 A **person** must not, without a **permit**, install an electric fence other than on **Rural Land** or **Farming Zoned Land**.

## PART 5 - WASTE

### 5.1 Domestic waste

5.1.1 The **occupier** of **land** to which **Council** provides a garbage or recyclable collection service must ensure that any **Council** issued bin is:

- (a) appropriately maintained and positioned for collection with the lid closed;
- (b) not overloaded to a weight exceeding 70 kilograms;
- (c) not filled with inappropriate materials including non-domestic waste, e-waste, hot or burning ashes, commercial materials or explosive, hazardous or dangerous materials;
- (d) placed adjacent to the kerb outside the front of the premises, at least half a metre clear of any other object or obstruction;
- (e) only filled with refuse generated from the household to which the bin has been issued to; and
- (f) placed out for collection and returned inside the property boundary within 24 hours of collection.

5.1.2 A **person** must not remove or interfere with any waste, refuse or recyclable materials placed out for collection.

### 5.2 Restriction of use of public bins

A **person** must not use a public bin to dispose of waste or recyclables generated from domestic, commercial or industrial premises.

### 5.3 Municipal Resource Recovery Centre

A **person** must not, without a **permit**, remove any materials from a Municipal **Resource Recovery Centre**.

## PART 6 – ASSET PROTECTION

### 6.1 Asset protection permit

#### 6.1.1 Prior to the commencement of **building works**:

- (a) on **land**;
- (b) in a **municipal place**; or
- (c) on Crown land for which **Council** manages -

the **person in charge** of the **building works** must apply to **Council** and obtain an Asset Protection Permit.

#### 6.1.2 Prior to allowing a **vehicle**, having a gross weight exceeding two tonnes to enter a building site:

- (a) on **land**;
- (b) in a **municipal place**; or
- (c) on Crown land for which **Council** manages –

the **person in charge** of the building site must apply to **Council** and obtain an Asset Protection Permit.

#### 6.1.3 Where an application for an Asset Protection Permit relates to more than one dwelling, **Council** may require the applicant to obtain an Asset Protection Permit for each dwelling.

## PART 7 - PERMITS

### 7.1 Applications for permits

If this Local Law requires a **permit** to be obtained, the application for the **permit** must:

- (a) be made to **Council** in writing, using the prescribed form, and signed by the **permit** applicant; and
- (b) be accompanied by the fee prescribed by **Council**, unless the fee has been waived by **Council**.

### 7.2 More information

**Council** may require a **permit** applicant to provide more information before it deals with the application.

### 7.3 Decision on permit application

After considering all relevant documentation, **Council** may decide:

- (a) to grant a **permit**;
- (b) to grant a **permit** subject to conditions;
- (c) refuse to grant a **permit**; or
- (d) exempt a **person** or class of **persons** from the requirement to obtain a **permit**.

### 7.4 Correction of a permit

**Council** may amend or revoke a **permit** granted by it under this Local Law.

### 7.5 Review

Within 28 days of receiving notification of **Council**'s decision, an applicant for a **permit** may apply to **Council** for a review of a decision to:

- (a) refuse to grant a **permit**;
- (b) grant a **permit** subject to conditions;
- (c) amend a **permit**; or
- (d) revoke a **permit**.



## PART 8 - ENFORCEMENT

### 8.1 Offences

#### 8.1.1 A **person** who:

- (a) contravenes or fails to comply with any provision of this Local Law or any document incorporated by reference;
- (b) contravenes or fails to comply with any condition contained in a **permit** issued under this Local Law;
- (c) knowingly provides false information in support of an application for a **permit** issued under this Local Law;
- (d) knowingly supplies false or misleading information to an **authorised officer**;
- (e) fails to comply with a direction issued, or a Notice to Comply served, by an **authorised officer**;
- (f) fails to comply with a sign erected by **Council**; or
- (g) makes or attempts to make any agreement with an **authorised officer** to induce that **authorised officer** to compromise his or her duty -

is guilty of an offence and is liable to -

- (i) a maximum penalty of 20 penalty units; and
- (ii) a further penalty of 2 penalty units for each day after a finding of guilt or conviction for an offence during which the contravention continues.

8.1.2 Where a corporation commits an offence under this Local law, any directors or officers of that corporation also commit an offence.

### 8.2 Infringement notices

8.2.1 As an alternative to a prosecution for an offence, an **authorised officer** may serve a **person** with an infringement notice in a form approved by **Council**.

8.2.2 A **person** to whom an infringement notice has been issued must pay to **Council** the amount specified in the notice within 28 days.

8.2.3 The amount of the fixed penalty to be specified in an infringement notice is set out in **Schedule 1**.

### 8.3 Notice to Comply

8.3.1 Where an **authorised officer** reasonably believes that a **person** has committed an offence against this Local Law, the officer may issue a written direction called a Notice to Comply requiring a **person** to stop offending and do anything necessary to rectify the offence.

8.3.2 A Notice to Comply must specify the time and date by which the **person** specified in the Notice to Comply must comply with the specified directions.

- 8.3.3 The period required to comply with a Notice to Comply must be reasonable in the circumstances having regard to:
- (a) the amount of work involved;
  - (b) the degree of difficulty;
  - (c) the availability of necessary materials or other items;
  - (d) climatic conditions;
  - (e) the degree of risk or potential risk; and
  - (f) any other relevant factor.

#### 8.4 Power to issue a direction

- 8.4.1 Where an **authorised officer** reasonably believes that a **person** has committed an offence against this Local Law, the officer may issue a direction, requiring a person to stop offending and do anything necessary to rectify the offence.
- 8.4.2 A direction may be verbal or written.

#### 8.5 Urgent circumstances

In any urgent circumstance arising under this Local Law, an **authorised officer** may take any reasonable action to remedy the circumstance without first serving a Notice to Comply.

#### 8.6 Impounding objects

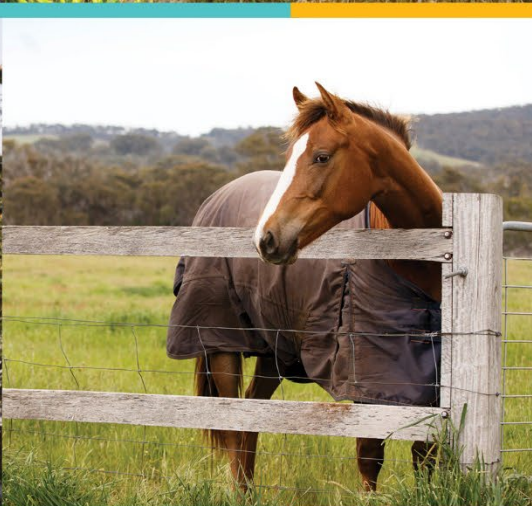
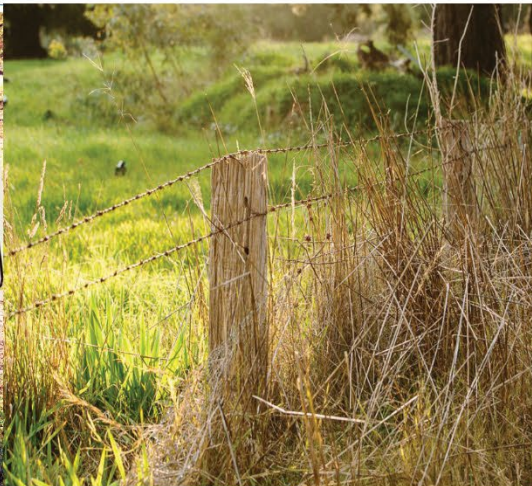
- 8.6.1 An **authorised officer** may:
- (a) require any **person** responsible for an obstructing object on **Council land** to move it;
  - (b) immediately move or impound any object that contravenes this Local Law;
  - (c) return the object to its owner on payment of the prescribed fee; or
  - (d) sell, dispose of or destroy the object if the owner has not paid the fee within 7 days of impounding.
- 8.6.2 Where any item has been impounded under this clause, **Council** must, if practicable, serve written notice on the **person** who appears to be the owner of the impounded item.

## Schedule 1 – Infringement notice penalties

Clause	Activity	Penalty Unit
	<b>PART 2 – MUNICIPAL PLACES &amp; ROADS</b>	
2.1	Behaviour in municipal places	2
2.2	Vegetation	2
2.3	Property numbering	1
2.4	Shopping trolleys	1
2.5	Advertising signs	2
2.6	Displaying goods	2
2.7	Outdoor eating facilities on roads	2
2.8	Roadside trading	3
2.9	Bulk rubbish containers	2
2.10	Events	2
2.11	Repair of vehicles	1
2.12	Consumption of liquor	2
2.13	Collection bins	5
2.14	Street collections	2
2.15	Removal of fallen timber	6
2.16	Signs	2
2.17	Council land	2
2.18	Vehicle crossings	2
2.19	Circus animals	
	<b>PART 3 – AMENITY, PUBLIC HEALTH &amp; SAFETY</b>	
3.1	Condition of land	2
3.2	Shipping containers	2
3.3	Fires in the open air	2
3.4	Wood heaters, internal open fires and pizza ovens	1
3.5	Fireworks	2
3.6	Wasp nests	1
3.7	Bees	2
3.8	Recreational vehicles	3
3.9	Camping	1
3.10	Temporary dwellings	2
	<b>PART 4 – ANIMALS</b>	
4.1	Keeping animals	1
4.2	Animal housing	2
4.3	Animal nuisance	2
4.4	Removal of animal excrement	2
4.5	Disposal of animal	1
4.6	Livestock on roads	2
4.7	Fencing	2
	<b>PART 5 – WASTE</b>	
5.1	Domestic waste	1
5.2	Restriction of use of public bins	1
5.3	Municipal Resource Recovery Centre	1
	<b>PART 6 – ASSET PROTECTION</b>	
6.1.1 6.1.2 6.1.3	Asset protection permit	5 (for a natural person) 10 (for a corporation)
	<b>PART 8 – ENFORCEMENT</b>	
8.1.1(a)	Breach of condition of an asset protection <b>permit</b>	4
8.1.1(b)	Breach of condition of any other <b>permit</b>	2
8.1.1(c)	Knowingly provide false information with respect to a <b>permit</b> application	2
8.1.1(d)	Knowingly supply false information or misleading information	2
8.1.1(e)	Fail to comply with a direction issued or Notice to Comply	2
8.1.1(f)	Fail to comply with a sign erected by Council	2
8.1.1(g)	Make or attempt to make an agreement to induce an authorised officer	2



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