YOUR GUIDE TO THE

CASEY COMMUNITY LOCAL LAW 2025

City of Casey

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INTRODUCTION

This guide is designed to help community members better understand the *Casey Community Local Law 2025*. It explains the clauses in simpler language and provides guidance on how the Local Law is applied in everyday situations.

RELATIONSHIP TO OTHER DOCUMENTS

This document should be read in conjunction with the *Casey Community Local Law 2025* and other relevant Codes of Practice, Policies or Guidelines.

While this guide simplifies legal language for easier understanding, the Local Law itself remains the official legal document and takes precedence where there is any uncertainty.

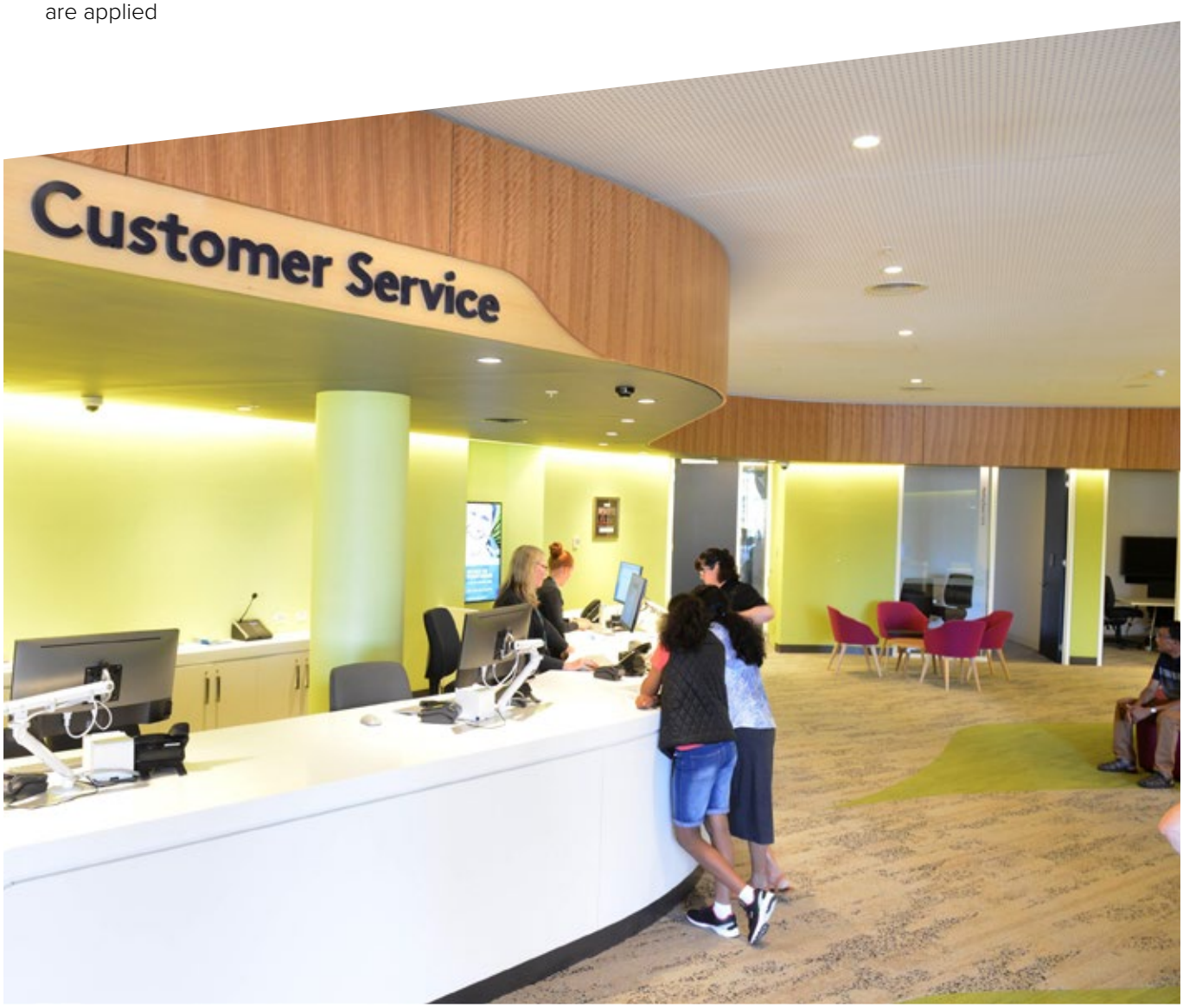
PURPOSE

The guide aims to:

- Make the *Casey Community Local Law 2025* easier to understand
- Provide more simple explanations of each clause
- Offer practical context for how the clauses are applied

DEFINITIONS

All terms used in this guide have the same meaning as defined in the *Casey Community Local Law 2025*, unless stated otherwise.



Each section in this guide is numbered to match the corresponding clause in the Local Law. For every clause, we've provided a simple explanation so you can easily understand what it means and refer back to the official wording if needed.

PART 1 – PRELIMINARY

This section sets the foundation for the *Casey Community Local Law 2025* - what it's called, why it exists, when it starts, and where it applies.

- It's officially called the *Casey Community Local Law 2025*.
- It aims to keep Casey a safe, welcoming and connected place to live, work and visit. It sets clear rules to:
  - Support a peaceful and connected community
  - Apply the rules fairly
  - Create a safe and healthy environment
  - Prevent problems that could harm people, property or the environment
  - Support local businesses
- It starts on (date to be confirmed) and will stay in place for 10 years unless it's officially replaced or removed.
- The Local Law applies across the entire City of Casey. However, it doesn't apply in situations where another law, regulation or the Casey Planning Scheme already allows something to happen.
- It replaces the *Casey Community Local Law 2023*.

PART 2 – DEFINITIONS

This section explains the meaning of key words used in the Local Law, so the rules are clear and applied fairly. Refer to the table in the Local Law for all definitions.

PART 3 - YOUR ANIMALS

10. Animal Litter

Anyone who takes an animal out in public, such as walking a dog, must carry something to clean up after it. This could be a poo bag, paper bag, plastic bag or any other tool for picking up animal waste. They must clean up the mess straight away and dispose of it properly. Council Officers may ask to see your waste bag.

11. Animal Numbers

There are limits on how many animals a resident can have on their land, depending on the size of the property. The limits for different types of animals such as dogs, cats, poultry and birds, are listed in the table in this part of the Local Law. These limits help reduce noise, smell and other impacts on neighbours.

If someone wants to keep more animals than is listed in the table under this clause, they need to apply for an excess animal permit available through Council's website or by contacting Council. When reviewing an application for excess animals, Council considers the type and breed of the animal, the size of the property, space the animal has and the potential impact on neighbours. For example, a smaller backyard may be suitable for three or four small breed dogs but not suitable for three large breed dogs. Permits are issued on a case-by-case basis after Council Officers have attended the property and assessed the needs of everyone involved.

Livestock is not permitted on private land less than 4,000sqm. Standard residential blocks are not usually suitable for livestock like cows, horses, goats and sheep.

Roosters are also not permitted on land smaller than 4,000sqm due to the noise impact they have on neighbours with early morning crowing. Only one rooster is allowed on properties greater than 4,000sqm; for more than one rooster, an excess animal permit would be required.

12. Animal Containment

It is an owner's responsibility to ensure their property is secure so that their animal cannot escape from their property. If an animal escapes, say due to insufficient fencing, a Council Officer may issue a Notice to Comply (refer to page 21), requiring the owner/resident to fix the fencing. Council Officers may also issue fines if not resolved.

Domestic Animals Act 1994

Under the *Domestic Animals Act 1994*, Council has made an order that:

- Cats must be confined to their owner's property at all times, day and night.
- Dogs must always be on a leash, chain or cord when in a public place, except in a reserve where off leash is allowed. Dog owners must also make sure their dog doesn't cause a nuisance or annoyance to others.

13. Keeping Animals

If a person keeps animals on their property, they must make sure they are looked after properly. This means providing clean and safe housing, shelter, food, water, and making sure the animals don't cause any nuisance for neighbours through noise, bad smells or conditions that attract pests like rats or mice.

If a Council Officer finds animals kept in poor conditions or in breach of the Local Law or animal welfare laws, they may issue a Notice to Comply (refer to page 21) to ensure the basic standards of animal care are provided. If a Council Officer reasonably suspects that an animal's health and safety are at risk, the animal may be taken away, and the owner may receive fines or face prosecution.

14. Animal Nuisance

Animal owners are responsible for preventing their animals from causing a nuisance to neighbours. While cat and dog nuisance issues are regulated by the *Domestic Animals Act 1994*, this Local Law enables Council Officers to manage nuisance complaints for all other animals.

Dogs or cats creating a nuisance

Under Section 32 of the *Domestic Animals Act 1994*, if you own or look after a dog or cat, you must make sure it doesn't cause problems for your neighbours. Under Victorian law, pets are considered a nuisance if:

- it injures or endangers the health of any person.
- they make ongoing noise (like barking) that unreasonably interferes with the peace, comfort or convenience of people living nearby.

PART 3 - YOUR ANIMALS

15. Animal Management Agreements

Animal Management Agreements are an agreement between an animal owner and Council. In most instances these relate to a dog which has escaped its property, bitten, chased or rushed at a person or animal.

An Animal Management Agreement outlines the owner's responsibilities, typically requiring the dog to be leashed and muzzled off their property, and may also mandate dog training.

16. Feeding Animals and Birds

Feeding wild or uncaged animals and birds must be done responsibly. If feeding creates mess, attracts pests, damages property, or negatively affects the area, for example, through smells, noise, or leftover food, it's not allowed under the Local Law.

Feeding birds

This rule is designed to help protect the environment, keep spaces clean and prevent nuisance to neighbours. It helps Council manage cases where feeding animals is causing an issue.

An example of where feeding can cause an issue might be someone regularly feeding birds such as cockatoos which can attract them to an area where they then cause damage to trees, property and create noise nuisance. Alternatively, feeding birds or animals in a controlled, tidy way (e.g. using a bird feeder in your garden, cleaning up afterwards) is generally acceptable.

PART 4 - BUILDING WORKS

17. Building Works

If you're an owner, builder or agent in charge of a building or works site, you must follow the rules in the Building and Works Code of Practice.

The code is part of the Local Law and outlines the standards builders and developers must meet to keep sites safe, clean and well-managed. This applies for all situations where a building or works permit has been issued, but not for minor building works.

Building permits

Most building works such as new constructions or extensions require a building permit - think of it as your 'licence' for your building project.

Visit Council's website for details on which building works require a permit and how to apply for one.

PART 5 - YOUR PROPERTY

Everyone has the right to enjoy their home and neighbourhood in Casey. What happens on private property can sometimes affect neighbours and the wider community. Things like overgrown grass, unsafe buildings, pests, excessive noise or obstructions can impact safety, health, and the look and feel of our suburbs.

That's why Local Laws relating to your property are in place - to keep our city safe, clean, and enjoyable for everyone. They strike a fair balance between personal freedom and our shared responsibility to help everyone feel comfortable and live peacefully in our community. They set fair expectations for property owners and residents, while giving Council Officers the chance to work with people first when issues arise before taking further action.

18. Unsightly Land

Property owners and residents must not allow their land to become unsightly or be used in a way that is detrimental to the look and feel of the surrounding area. The Local Law includes definitions of what is considered unsightly or detrimental to amenity, such as excessive rubbish, more than two unregistered, broken or dismantled vehicles, overgrown weeds or grass or graffiti on the outside of fences. Essentially, it means that those who live in Casey are required to ensure their property does not become untidy or neglected and that it is not used in a way that negatively affects the look and feel of your neighbourhood.

If a Council Officer considers a property to be unsightly, the Officer can issue a Notice to Comply (refer to page 21) to the owner or resident of that land giving 21 days to comply with the Local Law.

Officers will look to work with owners/residents to achieve compliance and may give extensions of time to complete required works. However, in instances where works to fix the breach of the Local Law are not completed, fines may be issued, and in some cases Council may complete the works and pass on the costs to the property owner.

Practical examples

Situation	Is it unsightly?	What you should do
Front yard full of old furniture, broken appliances, and weeds	Yes	Remove rubbish, mow grass, tidy up
Two unregistered cars parked in the driveway	No (if two or less)	Keep tidy, but more than two is not allowed
Graffiti on your fence facing the street	Yes	Paint over graffiti or contact Council for free graffiti removal
Piles of building materials left for months	Yes	Store neatly or remove
Lawn over 30cm high	Yes	Mow regularly
Storing machinery parts in a messy pile	Yes	Store in a shed or out of sight
Neatly stacked firewood or garden tools	No	Keep tidy and orderly

Why it matters

Unsightly properties can attract pests like rats or snakes, become fire hazards (especially with overgrown grass or rubbish), encourage vandalism or anti-social behaviour and make the area feel unsafe or unpleasant.

Imagine a house where the front yard is full of old furniture, broken appliances and overgrown weeds. Neighbours might worry about vermin nesting in the rubbish, it becoming a fire risk during summer or the street looking run-down, which could affect property values.

PART 5 - YOUR PROPERTY

19. Dangerous Land

Property owners and residents must not allow their land to become dangerous, meaning that it could cause harm or injury.

To determine whether land is dangerous, a Council Officer will consider factors like:

- Land that harbours vermin (e.g. rats or mice), noxious weeds, insects (e.g. wasps, bees); or
- Excessive vegetation growth that could be a fire risk or block visibility for neighbours or road users; or
- Anything determined by a Council Officer to be dangerous or likely to cause danger to life or property (e.g. open pits, hazardous materials).

If a Council Officer considers a property to be dangerous, the Officer can issue a Notice to Comply (refer to page 21) to the owner or resident of that land giving 21 days to comply with the Local Law.

Officers will look to work with owners/residents to achieve compliance and may give extensions of time to complete required works. However, in instances where works to fix the breach of the Local Law are not completed, fines may be issued, and Council may complete the works and pass on the costs to the property owner.

20. Dilapidated Buildings

Property owners and residents must make sure buildings on their land are kept in good condition and don't fall into disrepair. A building is considered dilapidated if it's run-down, damaged or neglected to the point it affects safety or the look of the area. Owners of vacant buildings must also take reasonable steps to secure the buildings from unauthorised access as this helps prevent theft, vandalism and anti-social behavior.

If a building is found to be dilapidated or unsecured, Council may issue a Notice to Comply (refer to page 21). If the issue isn't fixed, Council may carry out the necessary works and recover the costs from the property owner. Furthermore, should the matter progress to prosecution and a finding of guilt or conviction, Council may issue fines for each day that the building remains in a dilapidated state.

21. Overlength Grass and Noxious Weeds

Grass on private land must not exceed 30cm in height and noxious weeds are not permitted. Long grass can make a property look untidy, can be a fire risk or create an environment where vermin or snakes can thrive.

Noxious weeds has the same meaning as set out in the *Catchment and Land Protection Act 1994*. To assist in identifying weeds, Council has developed a weed identification guide available on Council's website.

A Council Officer may issue a Notice to Comply (refer to page 21) directing the property owner to cut back all grass, weeds and undergrowth to not exceed 30cm in height or to remove all noxious weeds within 21 days from the date of the notice. If an owner fails to cut their grass, they may receive a fine and Council may engage a contractor to complete the works, passing on costs to the property owner.

22. Obstructions and Interference from Private Land

Property owners or residents must ensure that anything on their land, such as trees, fences, signs or other things don't hang over or block footpaths, roads or Council land. Overhanging branches, leaning fences, or signs that block views or access can create safety risks and should be trimmed or fixed.

Owners/residents also need to make sure nothing on or under their property, like tree roots, water or gases, cause damages to Council assets such as footpaths, roads, or drains. For example, tree roots breaking a footpath or water overflowing onto a footpath and creating a slip hazard.

If a Council Officer finds an obstruction or damage, they may issue a Notice to Comply (refer to page 21), giving the owner/resident time to fix the problem. If the issue isn't resolved, Council may carry out the works and recover the costs from the property owner.

PART 5 - YOUR PROPERTY

23. Shipping Containers

Property owners or residents planning to keep or use a shipping container on their property need to ensure it does not negatively impact the amenity of the neighbourhood. Amenity refers to the overall look, feel and enjoyment of an area – things like visual look, safety and the ability for neighbours to enjoy their surroundings. Shipping containers, for example, that look rusted or damaged or are used in a way which creates noise that disturbs neighbours may result in Council investigating complaint matters. Under Victorian law *(Building Act 1993)*, shipping containers used for storage are considered building structures, which means a building permit is required before using one for storage.

If the container will hold commercial-related items on residential land, a planning permit may also be needed.

It's always best to check with Council first to understand what permits apply. More information about building and planning permits is available on Council's website.

24. Temporary Accommodation

Living in a temporary structure or accommodation, such as a tent or caravan, on private land is allowed for up to two consecutive months, as long as it doesn't cause a nuisance or negatively affect the area. In response to community concerns, Council Officers may act if the use causes problems for neighbours or impacts the amenity of the area.

If someone wants to use a temporary accommodation for more than two months, they must apply for a private land use permit. Visit Council's website for details on private land use permits and how to apply for one. Council can then assess the situation based on things like how long the caravan or temporary structure will be used, the condition of the accommodation, impact on neighbours, and access to facilities.

25. Property Numbers to be Displayed

All properties must display the official property number given by Council. This is essential to help emergency services, deliveries and visitors find the correct location quickly and safely.

The property owner or resident is responsible for putting up and keeping the number in good condition. It must be large, clear and easy to read from the street during the day. The number should be placed near the main entrance.

26. Obtrusive Lighting

Property owners or residents must ensure that any outdoor lighting installed on their land does not create "obtrusive lighting". This means artificial light that, because of its brightness or direction, causes annoyance, discomfort, distraction or makes it hard to see important things (like traffic signals). For example, a motion sensor light comes on and shines into a neighbour's bedroom every time someone walks past. This would be considered obtrusive lighting, and you would be asked to adjust the sensor or reposition the light.

27. Vehicle Crossings

Vehicles must only enter or leave a property using a Council-approved vehicle crossing - a properly constructed entry that connects the road to the property.

Driving over kerbs, footpaths or nature strips is not allowed; doing so can put pedestrians at risk, damage plants and utilities, and block visibility for others.

Property owners must not build, change or remove a vehicle crossing without a permit from Council.

Council-approved crossings help protect public land and ensure safe access for everyone.

28. Heavy and Overlength Vehicles

In residential areas, property owners must not keep heavy vehicles (e.g. truck) on their land without a permit. A heavy vehicle is classed as those vehicles longer than 7.5 metres or with a Gross Vehicle Mass (GVM) over 4.5 tonnes. This rule helps prevent noise, damage to roads and Council assets, and protects neighbourhood amenity.

If a heavy vehicle is kept on a property without a permit, Council may issue a Notice to Comply (refer to page 21), giving 28 days to remove it or apply for a permit. If not resolved, fines may follow.

Registered motorhomes, caravans and boat trailers are not included in this rule.

PART 5 - YOUR PROPERTY

29. Recreational Vehicles

Recreational vehicles, such as motorbikes and minibikes, can only be used on private land without a permit if the use is in accordance with the *Environment Protection Regulations 2021* and don't cause problems for neighbours.

The EPA noise rules allow use during the hours:

- Weekdays: 7:00 am to 8:00 pm
- Weekends and public holidays: 9:00 am to 8:00 pm

They must not disturb people, block or endanger anyone, damage property, or cause a nuisance to neighbours.

If your use goes beyond casual riding, such as regular use, group activities or riding during prohibited times, you may need a private land use permit to ensure compliance with amenity standards. Should Council receive a complaint from a member of the public, you may also be asked to apply for a private land use permit. The permit process allows Council to carefully consider each application and where appropriate, set tailored conditions. These conditions might include restricting riding times, limiting noise levels, designating specific areas for use, or setting limits on the number of riders.

By granting permits with clear conditions, Council aims to respect the rights of the riders to enjoy their activities, while also minimising impact for nearby residents.

The recreational vehicle clause does not apply to farming or property management vehicles such as tractors, or to store a recreational vehicle.

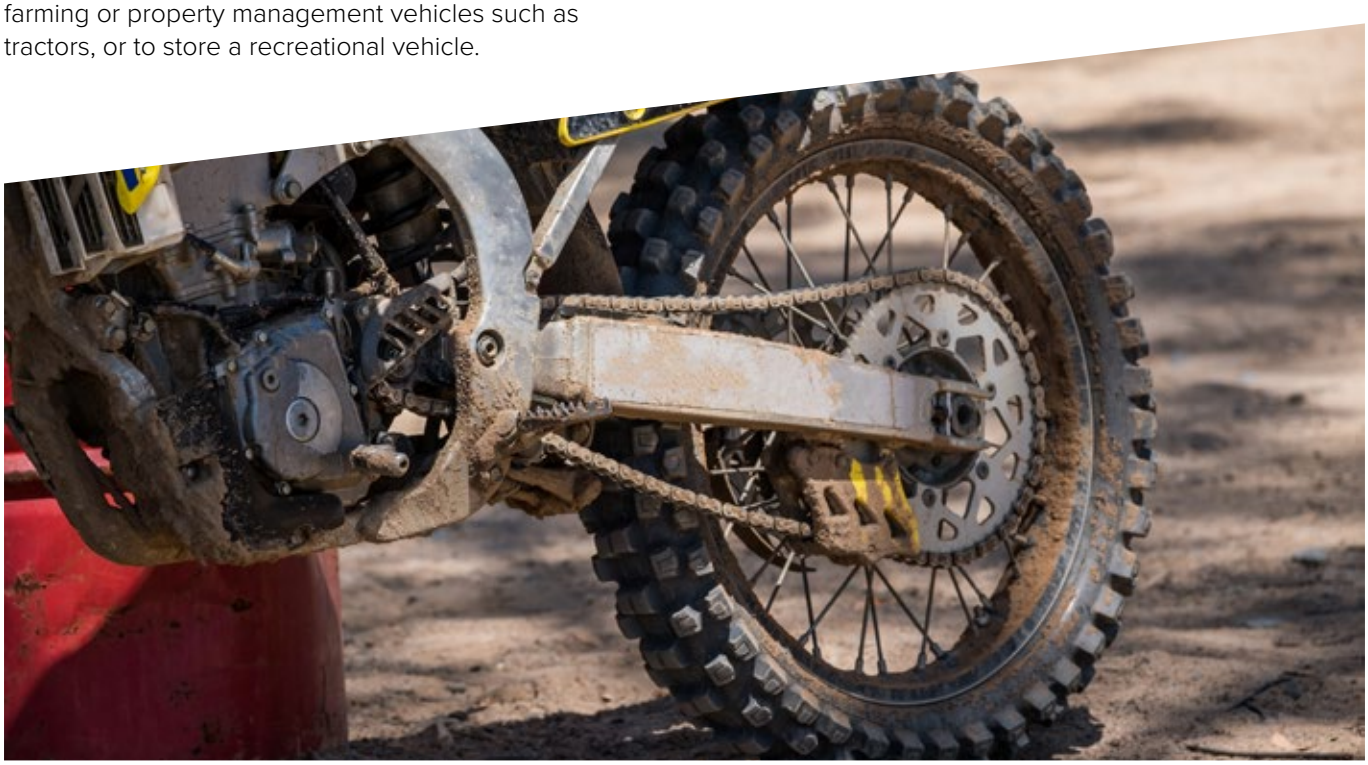
30. Pests on Private Land

If a property owner or resident becomes aware of an unmanaged beehive, wasp nest or swarm, or they have rats and mice on their property, they must take steps to have them removed.

31. Discharge of Fireworks on Private Land

Fireworks cannot be set off on private property without a permit. If fireworks are set off without a permit, a Council Officer can act including issuing fines. Cases of fireworks being discharged on public land are referred to the Police.

A 'discharge of fireworks' permit application form is available on Council's website.



PART 6 - COUNCIL LAND AND ROADS

32. Temporary Accommodation on Council land, Public Places, and Roads

Vehicles, tents, caravans, or temporary structures and accommodation must not be set up, placed or lived in on Council land, public places, or roads without a permit. Registered caravans may not be left in a public place for camping or as temporary accommodation.

If a Council Officer finds someone living in these places and believes they may be experiencing homelessness, they will work to connect that person with the right support services.

33. Obstructions

Items or objects must not be placed on a road, public place, or Council land if it causes an obstruction, is in the way of or likely to obstruct traffic or creates a danger to people or vehicles.

Council Officers may impound obstructing items and issue fines.

34. Signs

People must follow the direction of any signs put up by Council on roads or Council land.

Election signs are not allowed on public places, Council land, reserves or roads - this includes signs from political parties or candidates.

35. Busking, Fund Raising and Promotional Activities

Busking, fundraising, asking for subscriptions, or running promotional activities on roads or Council land is not allowed without a permit.

Anyone wanting to undertake these activities must apply for a public land use permit on Council's website.

36. Interfering with Vegetation

Trees or plants on Council land, public places, or roads must not be destroyed, damaged, interfered with, or removed.

37. Council Land and Nature Strips

Council land, including parks, reserves, nature strips and public spaces, must be used respectfully and safely.

Without a permit or required approval, people must not:

- enter sports fields during organised games unless they are a player or official
- play or practise golf outside designated golf areas
- ride vehicles or animals on Council land in a way that damages grass or turf
- play, organise, or take part in competitive sports or games on Council land unless you have permission from a recognised sporting body
- damage or interfere with Council plants, grass, or nature strips
- place items on Council land for storage or business use
- take over or block access to public spaces or nature strips

A Council Officer may issue a verbal warning or issue fines.

38. Festivals, Processions and Events

A festival, procession, or event must not be held on a road, public place, or Council land without approval.

Council has an events approval process which you can find out more about on Council's website. There's a form where the Events Team will assess your application to determine whether your event needs to go through our formal approval process.

Public safety is the primary concern with festivals and events and there are a number of requirements needed for some events to proceed.

PART 7 - VEHICLES IN PUBLIC PLACES

39. Abandoned, Derelict and Unregistered Vehicles

Derelict or unregistered vehicles must not be parked or abandoned on roads or Council land.

A Council Officer may issue a warning sticker to remove the vehicle. If the vehicle is not removed, it may be impounded and fines issued. If the vehicle is parked in a dangerous manner, the vehicle may be impounded immediately.

40. Storing Vehicles

Registered vehicles must not be left parked in the same spot on a road or Council land for more than 14 days in a row. This is considered storing the vehicle.

If the vehicle remains unmoved for two months, it will be treated as an abandoned vehicle and may be impounded.

Temporary permits from Vic Roads do not allow a vehicle to be parked or stored on a road, they only allow the vehicle to be driven to a testing centre to become roadworthy.

41. Repairing Vehicles

Undertaking repairs or maintenance on a vehicle is not allowed on Council land or roads unless performed by a vehicle assistance provider, such as road side assistance, or if minor repairs are needed to immediately move the vehicle.

42. Vehicles in a Public Place

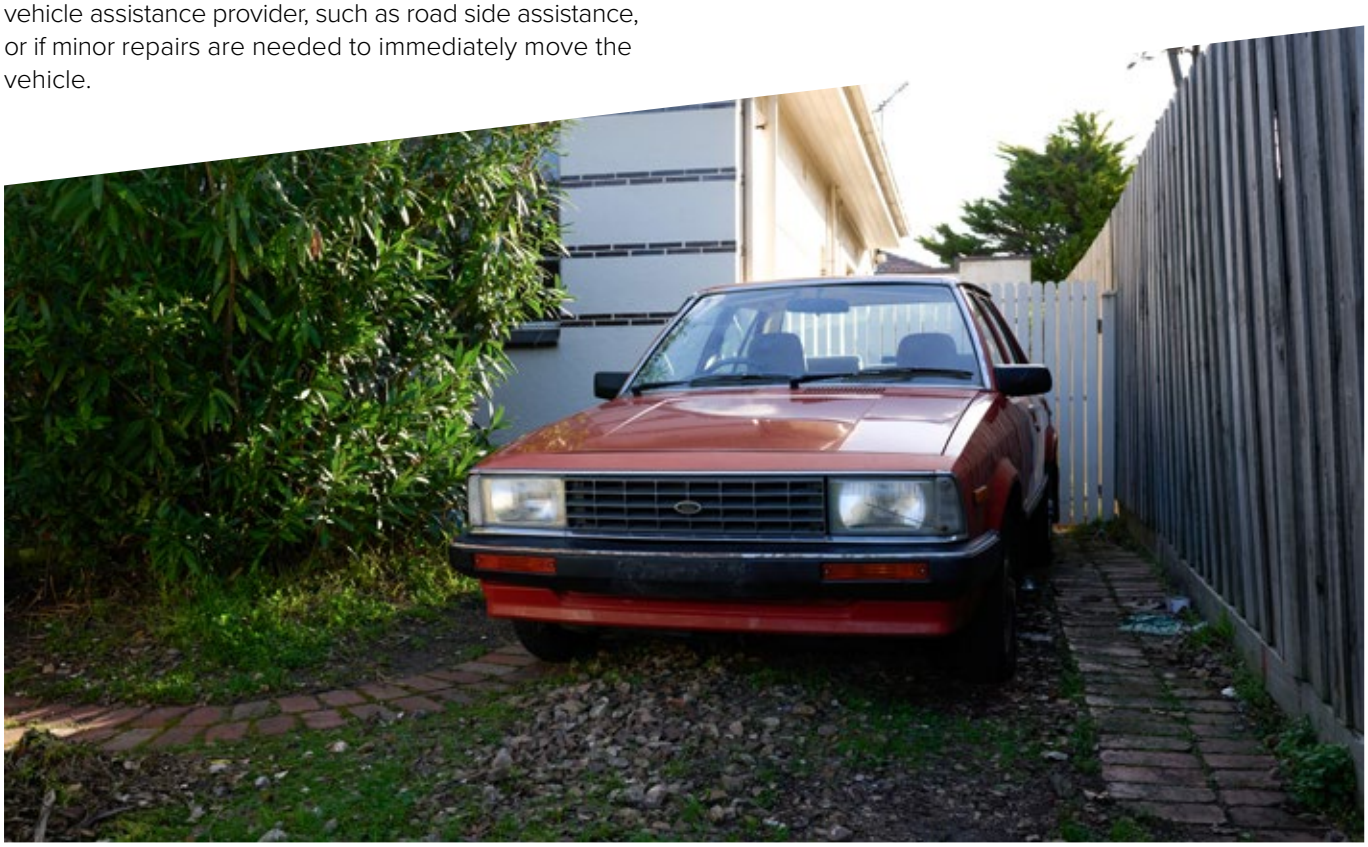
Vehicles - including cars, motorbikes, All-Terrain Vehicles, and other recreational vehicles - can only be used or parked in areas that are designed for vehicles, like roads or designated parking areas. This means that grassed areas, footpaths, sports fields, nature strips, and other parts of Council land are not for driving or parking.

If a vehicle is found in an area not meant for vehicles, a Council Officer can issue a fine or impound the vehicle.

43. Behaviour Involving Vehicles

People are not allowed to take part in, encourage or attend hoon events. Drivers must not stop or park within 200 metres of a vehicle involved in a hoon event if they're doing so to watch or join in. A hoon event is an illegal gathering where people drive dangerously, like doing burnouts, speeding or racing, often in public places.

This Local Law clause helps Victoria Police manage unsafe and disruptive driving. While Police handle the enforcement of hoon driving under state laws, Council supports their efforts by making it illegal to attend or park near these events.



PART 8 - WASTE

44. Bulk Rubbish Containers / Donation Bins

Bulk rubbish containers, also called skip bins, and donation bins are large bins used for collecting rubbish, recycling, or donated goods. They must not be placed on roads or public places without a permit. Placing them on private property does not require a permit.

These bins should only be put on a road or public place if there is not enough space or access on the property where they are needed. One-off placements on public land must either have a permit or be provided by a supplier accredited by Council.

45. Domestic Waste

Residents must not put their household rubbish or hard waste in someone else's bin or hard waste collection pile without their permission, or in public bins or recycling bins.

If a property receives Council's waste collection service, the owner/resident must ensure that waste is put in the correct bin for the type of waste it is. For example, general rubbish goes in the rubbish bin, recyclables go in the recycling bin and green waste goes in the green bin, in accordance with Council guidelines available on the City of Casey website.

Bins can only be put out within 24 hours before the collection day, and must be brought back in within 24 hours after it's been emptied.

Domestic waste bins left on or near nature strips for extended periods of time can impact visual amenity and the safety of drivers and pedestrians.

46. Vacant Land

Owners of vacant land must take steps to make sure their property does not become a dumping ground for rubbish, waste, or discarded materials. Dumping on vacant land creates health and safety risks, attracts pests, and makes the area look neglected.

To help prevent this, Council may require the landowner to put up, repair or improve fencing around the property so that rubbish or waste cannot easily be dumped there.

47. Commercial Waste

Commercial or trade bins need to be kept clean and tidy and be emptied on a regular basis so that they are not overflowing.

Commercial or trade waste must not be placed in public bins, hard waste piles, Council bins for other properties, or bins at Council facilities or sporting grounds.

Commercial or trade waste bins or containers must not be put out on a road or Council land for collection.

PART 9 - FIRE SAFETY

48. Open Air Burning

In most cases, people are not allowed to light a fire in the open air unless they have a permit from Council.

The only exceptions are:

- Fires lit on private land in a barbecue for cooking food.
- Fires lit on private land in a brazier, fire pit, or chiminea for heating.
- Fires on a reserve if they are in a barbecue provided by Council or in a portable gas barbecue.

This rule is in place to reduce the risk of fires spreading, to protect property and lives, and to make sure smoke doesn't cause problems for neighbours.

A permit to burn is primarily for larger properties and farmland that wish to have a controlled burn-off to remove tree cuttings, harvest stubble, and vegetation. Controlled burn-offs help minimise the risk of a larger, uncontrolled wildfire by reducing fuel buildup during high fire danger periods. Council does not issue permits to residents in built-up residential areas.

Permits for open air burning will not be issued during a declared Fire Danger Period.

If a Council Officer finds someone burning off without a permit, they can verbally direct the person to put the fire out immediately and stay until it is fully extinguished.

Even if you have a permit, you are still responsible for making sure the fire is safe. If the fire causes damage to property, injury to people, or breaches other laws, you may still be held liable.

49. Fire Hazards

People are not allowed to burn certain materials in the open air, as the smoke and fumes can be dangerous to people, animals and the environment. This includes:

- Rubber and tyres
- Plastic
- Petroleum or oil
- Chemicals
- Food waste
- Building or construction waste (like treated timber, paint, plaster, etc.)

Burning these things can release toxic smoke, cause serious health problems, create a fire risk, or pollute the environment.

A Council Officer or an emergency services member will give a verbal direction to extinguish a hazardous fire immediately.

If the direction is not followed, a Council Officer can issue a Notice to Comply (refer to page 21) or may issue a fine. If the problem continues, further enforcement action and fines may apply.

50. Incinerators

Incinerators are not allowed to be built, installed or used on any land. An incinerator is any type of container or structure designed for burning waste.

These are banned because burning rubbish in incinerators creates toxic smoke, health risks for the community, and can also be a fire hazard.

The safest and legal way to dispose of rubbish is through your regular household bins, hard waste collection, or at a Council approved recycling and waste facility.

51. Smoke Nuisance

Fires are not allowed to be lit in the open if it causes a nuisance to neighbouring properties, creates a health risk, makes it hard to see especially for drivers, or poses a danger near roads. For example, a chiminea burning dry wood is usually fine, but thick smoke from wet fuel can be a problem and may breach the Local Law.

52. Discharge of Chimneys

Residents must not allow chimneys to release smoke, dust or ash in a way that causes a nuisance to others or is harmful to health.

PART 10 - BUSINESS AND TRADING

53. Roadside Trading

Roadside trading refers to the sale of goods or services from a vehicle, caravan, trailer, table, stall or similar structure located on a road, reserve, or other public place. Common examples include food vans, ice cream trucks, and flower sellers.

This activity is only permitted with approval from Council. A permit must be obtained before trading begins, and the application needs to include evidence of public liability insurance that indemnifies Council, along with a map showing the proposed trading site.

When considering an application, Council considers factors such as the effect on the appearance of the area, the type and nature of the trading, how often the trading is proposed to occur, and the safety of both road users and pedestrians.

If a Council Officer identifies unapproved roadside trading, the trader may be directed to stop immediately. In addition, a Notice to Comply (refer to page 21) can be issued and fines may follow if the activity continues.

54. Footpath Trading

Footpath trading refers to the use of public land such as footpaths, roads, reserves or other Council owned spaces for business activities. This can include selling or displaying goods, providing food or drink service outdoors, or placing items such as tables, chairs, umbrellas, planters, screens or heaters connected to a business.

These activities cannot take place unless a permit has been issued by Council. The permit ensures that businesses can use public space in a way that is safe, fair, and consistent with the surrounding area.

Trading or placing items on a footpath or other public land without approval is not allowed. If this occurs, Council Officers may direct the activity to stop and can take enforcement action, including issuing a Notice to Comply (refer to page 21) or issue fines if necessary.

55. Signs and Displaying Goods for Sale

Placing goods or signs on Council land, roads, reserves, or other public places is not allowed unless a permit has been issued by Council. This includes displaying goods for sale, setting up advertising signs, or allowing someone else to do so on behalf of a business.

Real estate agencies are not permitted to place signs on public land without a permit. Electronic variable message signs may only be used for traffic management purposes such as road works, maintenance, incidents, congestion, or other roadway conditions. They must not be used for advertising.

If goods or signs are placed in public areas without approval, Council Officers can direct their removal. Officers may impound items, issue a Notice to Comply (refer to page 21), or issue fines if signs are placed out without the appropriate permits.

Business permit requirements

Every business is different and may have varying business permit requirements. Council has a dedicated Business Permit Support Service that can guide you through each stage of the application process.

Visit *casey.vic.gov.au/business* to find out more.

56. Shopping Trolleys

Shopping trolleys must not be left on roads, reserves, footpaths, or other Council land. Retailers are responsible for ensuring their trolleys are not left abandoned and trolleys must be identifiable with their trading name.

Abandoned trolleys can create safety risks, block access, and affect the appearance of public spaces. Council Officers will impound abandoned trolleys.

57. Commercial Activity

A commercial activity is any activity conducted for financial gain or run for profit. This includes businesses, street trading, and other activities where money is earned. Conducting commercial activity requires a permit when it takes place on Council land, a public place, a road, or any Council managed venue or facility.

58. Aerosol Paint Containers

Businesses that sell aerosol paint containers must ensure that access to these products is controlled. This means only the seller or an employee can handle or access the products while they are displayed or stored. Aerosol paint products must not be given away as samples to anyone under 18 years of age.

If a Council Officer has reasonable grounds to believe these rules are being broken, they may direct the person to remove any aerosol paint containers that are stored or displayed in a way that is accessible to the public contrary to the rules.

PART 11 - SMOKING AND ALCOHOL

59. Smoking on Council Land

Smoking is not allowed inside and within 10 metres of all Council buildings. This includes buildings on Council reserves and Bunjil Place.

Smoking is also not allowed within 10 metres of a playground or a sporting event on Council land where children are present.

60. Alcohol

People must not have alcohol in an unsealed container on Council land or in public places unless they have a permit. This rule does not apply at licensed venues or events with a valid liquor licence.

A permit may be appropriate for special occasions, such as weddings or events at Council venues like the Old Cheese Factory or Wilson Botanic Park.

PART 12 - ASSET PROTECTION

61. Asset Protection Permit

Before starting any building works (including deliveries to site), the owner, builder or agent must get an Asset Protection Permit from Council - unless Council confirms in writing that the works are minor. This is in addition to a building permit.

All building works that require a building permit also require an Asset Protection Permit, which can be applied for on Council's website.

An Asset Protection Permit is a Council issued permit that protects public property and infrastructure from damage during building and demolition works. It requires the permit holder to take responsibility for and pay for any damage to Council assets, such as roads, footpaths, nature strips, and street furniture, caused by their building activities. The permit ensures that damage is reported and repaired to a satisfactory standard, with a security bond often required upfront.

62. Inspections, Identifying and Repairing Damage

Council can check public assets (like footpaths, drains, and nature strips) around a building site at any reasonable time. After construction is finished, the permit holder must organise an inspection within seven days. If damage is found, Council can order the permit holder to fix it within 20 working days, or another set time.

If the damage isn't repaired properly, Council can use the security bond money to pay for repairs, may issue fines, or both. If repairs cost more than the bond, the permit holder must pay the extra. If repairs cost less, or if there's no damage at all, the leftover bond is refunded.

PART 13 - ADMINISTRATION

Why permits matter

In some cases, people need a permit from Council to carry out certain activities on public or private land. This helps to ensure neighbourhood safety, amenity and appearance are managed fairly.

Permits help Council apply rules fairly while allowing for flexibility. For example, under clause 24 of the Local Law, living in temporary accommodation like a tent or caravan on private land is allowed for up to two months - if it doesn't cause problems for neighbours or the area.

If someone needs to stay longer, they must apply for a permit. This lets Council consider personal circumstances, like housing delays or family support needs, instead of enforcing a strict time limit.

Without the permit system, the two-month rule would apply to everyone, no exceptions. But with permits, Council can assess each case individually, looking at things like how long the dwelling will be used, its impact on the area, and access to facilities.

This approach gives residents the potential for more flexibility while helping Council manage the community fairly and responsibly.

63. Permits

If the Local Law says an activity is not allowed unless you have a permit, then a permit must be obtained before doing that activity. Doing something without a required permit is against the law and may lead to enforcement action.

To apply for a permit (or renew one), you must fill out a form available on Council's website and pay the required fee.

Council might ask you to notify neighbours who could be affected by your activity or ask for more information before deciding on your application.

Permits are not transferable. If a business or house changes owners, the new owner must apply for a new permit.

64. Duration of Permits

Unless the Local Law or the permit itself says otherwise, a permit is valid for one year from the date it's issued.

65. Correction of Permits

If a Permit has a mistake, like a typo, missing information, or a wrong description, Council can fix it. Council must let the Permit holder know in writing whenever a correction is made.

66. Granting and Refusal of a Permit

Council may issue a Permit, issue it with conditions, or refuse to issue one. If someone doesn't follow the Permit conditions, they are in breach of the Local Law.

When deciding if a Permit should be issued, Council considers things like public safety, impacts on neighbours, protection of Council property, relevant laws and policies, and any feedback from the community. If a Permit is refused, the person can write to Council within 28 days explaining why it should be approved. Council will consider the reasons and may allow the person to speak in person before making a final decision.

67. Cancellation of a Permit

Council may cancel a Permit if the holder breaks the Permit conditions, ignores a notice to fix something, gave wrong information on their application, or if there's another good reason for cancellation.

68. Fees and Charges

Council sets the fees and charges for Permits, bonds, or other related costs. Fees are reviewed and endorsed each year as part of Council's budget process, and the final budget and list of fees and charges is published and available on Council's website.

69. Security Bonds

When Council gives a Permit, they can ask the applicant to pay a security bond. If the permit holder breaks any conditions or causes damage, Council can keep part of the bond to fix it. When the Permit ends, any leftover bond must be returned to the person who paid it.

PART 14 - ENFORCEMENT

How Council approaches enforcement

Council's goal is to support a safe, respectful and well-maintained community and aims to issue fines as a last resort. Most issues are resolved by working with residents to fix problems early.

When someone breaches the Local Law, Council usually starts by issuing a Notice to Comply. This is a written warning from Council telling someone what they need to fix and by when. If the issue isn't resolved, Council may take further steps, such as:

- Issuing a fine (infringement),
- Cancelling a permit,
- Taking legal action.

Council considers each situation carefully before taking enforcement action. Officers aim to be fair, respectful, and consistent. This approach helps maintain community standards and respond to neighbourhood complaints, while giving people a chance to do the right thing.

Investigation process

When Council identifies or receives a complaint about a possible breach of the Local Law, a Council Officer is assigned to investigate the matter further.

The Officer will visit the location where the issue was reported where they will try to speak with the people involved to understand the situation, take photographs and make detailed notes to help document what they observe.

If the Officer finds that the Local Law has been breached, Council will send a formal Notice to Comply to the property owner. This notice outlines what needs to be fixed and gives a reasonable amount of time to do so.

Once that time has passed, the Officer will return to the property to check whether the issue has been resolved. If needed, the Officer may offer an extension of time to allow more opportunity to comply.

If the breach is still ongoing after this follow-up, Council may issue fines or arrange for Council contractors to fix the problem. The person who originally made the complaint will be updated with the outcome of the investigation.

70. Offences

If a person does not follow the Local Law, they may be committing an offence and could receive a fine. Examples include:

- Not following the conditions of a permit.
- Ignoring a Notice to Comply.
- Providing false or misleading information in a permit application.
- Not following instructions from an Authorised Officer.
- Ignoring signs put up by Council.

PART 14 - ENFORCEMENT

71. Penalties

If someone doesn't follow the Local Law, they may be fined. The maximum fine is 20 penalty units (see box below that explains what a penalty unit is). The exact penalty depends on how serious the offence is - more serious breaches usually result in higher penalties.

Each clause in the Local Law has a set number of penalty units, which are listed in a table at the end of the Local Law document.

If the issue continues after a person has been found guilty in court, they may be fined an extra two penalty units for each day the offence continues.

How penalties are calculated

The amount of a fine is calculated using penalty units, which is a standard measure used across Victorian legislation.

A penalty unit is a fixed dollar amount set annually by the Victorian Government, usually adjusted for inflation. Council does not set the value of a penalty unit.

The amount of a fine is determined by multiplying the number of penalty units assigned to an offence by the current value of a penalty unit. For example, if an offence carries a penalty of two penalty units and the State Government has set the value of one penalty unit as $203.51, the total fine would be two x $203.51 - the fine would be $407.02.

Council considers several factors when setting the number of penalty units for each offence:

- the seriousness of the breach and its impact on public health, safety, or amenity
- consistency with similar offences in other legislation
- the need to deter repeat offences
- legal limits set out in the Local *Government Act 2020*, which caps penalties at 20 units per offence.

72. Notice to Comply and Directions

When a Council Officer believes that a person is not complying with the Local Law, they can issue a written Notice to Comply. The Notice will specify what the person must do and by what date. If the person doesn't comply with the requirements of the Notice, fines may be issued, and Council may engage contractors to do the work with those contractor costs being passed onto the person in breach of the Local Law.

People must also follow any reasonable instructions from Council Officers, Police, Emergency Services, or Fire Prevention Officers that relate to this Local Law.

Documents such as a Notice to Comply can be delivered by hand, left at a person's home or business, or sent by post. For companies, documents can be sent to their registered office address. It is the responsibility of individuals to ensure their contact details are kept up to date with Council.

73. Infringement Notices

When a Council Officer reasonably believes someone has breached the Local Law, they may issue an infringement notice, commonly known, and referred to in this document, as a fine. The fine amount is either what's listed in the Local Law's Schedule 1 or, if no amount is listed, two penalty units.

74. Power of Authorised Officer to Act in Urgent Circumstances

In urgent situations where someone hasn't followed the Local Law, a Council Officer may take immediate action to fix the problem - especially if waiting to issue a formal Notice to Comply could put people, animals, property or the environment at risk. This action is only taken when absolutely necessary and will be limited to what's needed to reduce or remove the danger.

Council will contact the person affected as soon as possible to explain what happened and why the action was taken.

75. Power of Authorised Officer to Seize and Impound

Council Officers have powers under the *Local Law* to seize and impound animals or items where there is a breach of the Local Law. Officers may seize an animal or item if it's necessary to prevent injury, remedy a Local Law breach, prevent damage to property, roads, Council assets or land, or protect the area's amenity. If the owner is known, Council will notify them and provide an impound notice within four working days. Owners may reclaim their animal or item by paying a fee, unless doing so would lead to the offence happening again.

Documents such as a Notice of Impound can be delivered by hand, left at a person's home or business, or sent by post. For companies, documents can be sent to their registered office.

Council Officers have powers of entry under the *Local Government Act 1989*. They may enter any land at any reasonable time (usually considered during the day) to investigate a matter under the Local Law. However, Officers cannot enter private residential premises, such as a house or any part of a building where people live, without the residents consent, unless they have a warrant issued by a court.

PART 14 - ENFORCEMENT

Every situation is different, and Council responds based on the specific circumstances. Our goal is always to protect community safety and amenity while working fairly and respectfully with residents. Below are just a couple of common examples where Council may need to act under its Local Laws.

Signs on Council Land

Signs are sometimes placed on public land without a permit, which breaches Local Law requirements. Common examples include advertising boards or real estate signs.

If the sign is not dangerous, doesn't have a significant amenity impact and the owner can be identified, Council will contact the owner and allow time for voluntary removal. Council will educate the sign owner of the Local Law requirements and explain the benefits of applying for a permit so the activity can occur safely in the future. If the sign is not removed by the deadline, Council may impound it. Council can also remove a sign immediately if it poses a safety risk, such as blocking a road sign or creating a hazard for pedestrians or drivers.

When a sign is impounded and the owner is known, Council sends a formal Notice of Impound within four days to the last known address. This notice explains the process for reclaiming the signage. If the owner cannot be identified, the sign is kept for 14 days and if not claimed during this time, the sign is disposed of.

Owners can reclaim their sign by paying a fee. Where the owner of the signage has been identified enforcement actions can include warnings, fines, cancellation of permits or commence legal proceedings.

Unsightly Land

Council may receive a complaint or observe a property that looks unsightly, such as having excessive rubbish, overgrown grass, graffiti, or scrap metal. After assessing the situation, if a breach of the Local Law is confirmed, Council Officers will attempt to speak with the property owner or resident to explain the issue and discuss solutions.

In most cases, a Notice to Comply will be issued, outlining what needs to be fixed (e.g. remove rubbish, mow grass, tidy up) and giving 21 days to complete the works. If more time is needed, an extension may be granted if there's reasonable progress and communication with Council.

If the property isn't fixed by the deadline, Council can issue warnings, fines or commence legal proceedings. In some cases, like when the property owner is unknown, Council may arrange for the works to be completed by a contractor and recover the costs from the property owner.

Council's priority is to work with residents first and only take stronger action when necessary.

PART 15 - SAVING CLAUSE

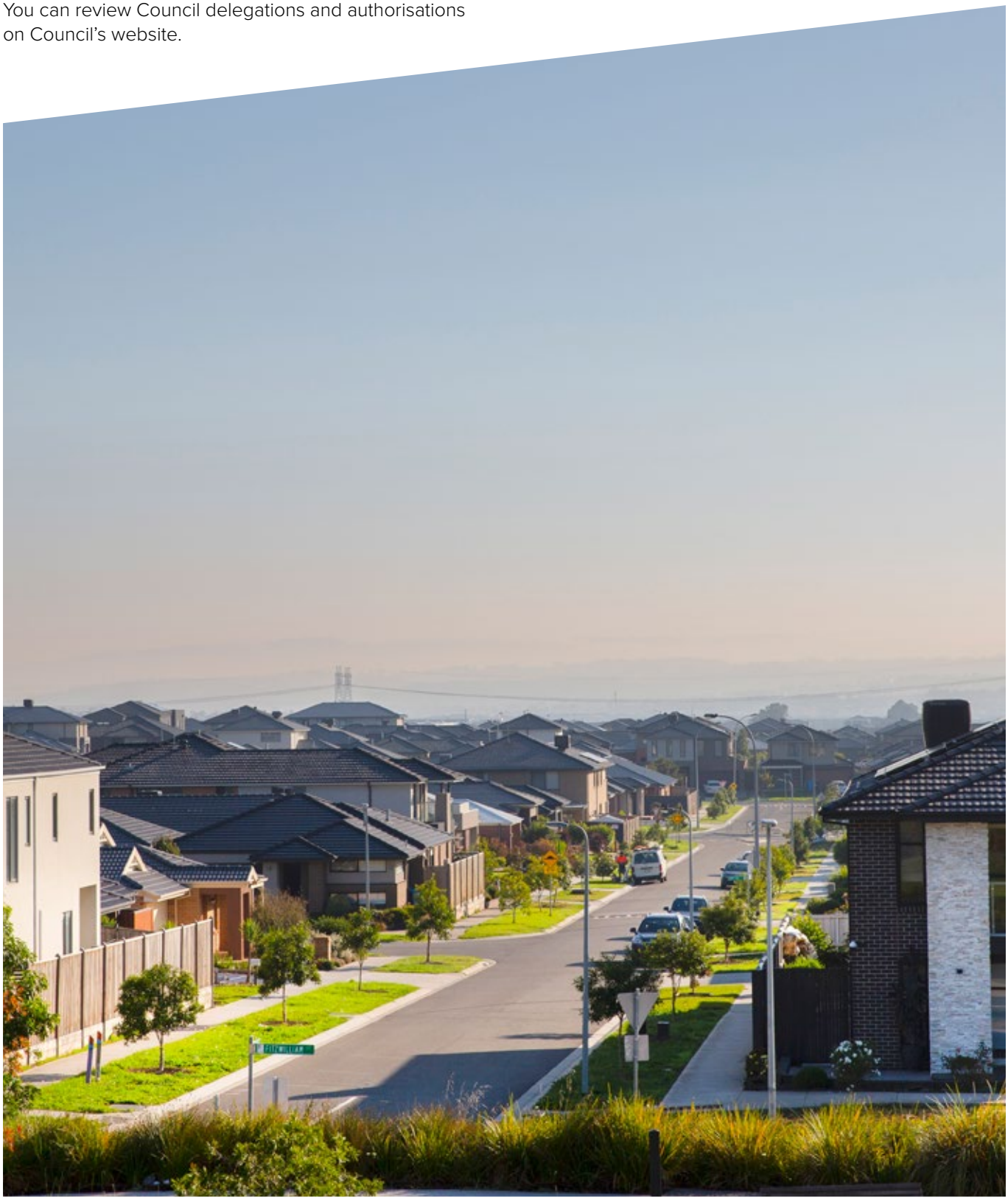
76. Delegations

The Chief Executive Officer can formally delegate (pass on) certain Council powers and responsibilities under the Local Law to staff members. This is done through a formal process called an instrument of delegation.

You can review Council delegations and authorisations on Council's website.

77. Exemptions

The Chief Executive Officer has authority to grant exemptions from provisions of the Local Law, in whole or in part.



City of Casey

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NRS: 133 677 (for the deaf, hearing or speech impaired)

Interpreter **TIS:** 131450 (Translating and Interpreting Service)
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