

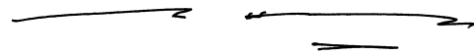
CERTIFICATE UNDER SECTION 74 OF THE *LOCAL GOVERNMENT ACT 2020*

I, **Mark Richard Hayes**, being a person who is:

- (a) an Australian lawyer who has been admitted to the legal profession for at least 5 years; and
- (b) not a Councillor of Casey City Council

certify that, in my opinion, the draft Local Law attached to this Certificate and marked “MRH-1” for identification is consistent with the local law requirements set out in section 72 of the *Local Government Act 2020*.

Dated: 20 November 2025



.....
Mark Richard Hayes
Maddocks

MRH-1



Casey
**COMMUNITY
LOCAL LAW**
2025



Introducing the Casey Community Local Law 2025

Council's in Victoria have rules in place to help keep people safe, make sure public spaces are clean and welcoming, support local businesses, and to respond to poor behaviour when it impacts others in our community.

The Casey Community Local Law 2025 has been created to work alongside State and Federal laws. It aims to strike a fair balance between personal freedom and our shared responsibility to help everyone feel comfortable and live peacefully in our community.

To develop this Local Law, we listened to the community. In 2025 we conducted a thorough community consultation of the Local Law, where over 1,000 community members shared with us what was important to see reflected in an updated Community Local Law. We asked the community the question 'is it reasonable that Council includes this in our local law?'

This Local Law seeks to respond to the diversity of our municipality, we know there are different needs in our rural areas to that of our more built up suburbs. Newer growth areas have different needs to our more established areas.

Some of the issues the Local Law seeks to address include animal management, recreational vehicle use, fire safety, use of private land that may have an impact on others and nuisance behaviours. The Local Law also protects public infrastructure, manages waste and environmental impacts, and provides clear enforcement mechanisms.

The Community Local Law 2025 aims to keep pace with our fast-growing community and considers how our community might continue to change in the future.



Introducing the Casey Community Local Law 2025

Our municipality



The City of Casey is one of the fastest growing areas in Australia.

We have more than 400,000 residents from around 150 different cultural backgrounds.



By the year 2046, our population is expected to reach over 600,000 people.



Between 2021 and 2046 the number of dwellings is expected to increase by 65%. These will be made up of a mix of housing types to meet our community's growing and different needs.



We are proud of the diverse community that lives in Casey.

We are home to one of the largest number of Aboriginal and Torres Strait Islander residents in metropolitan Melbourne.



Our residents speak over 140 different languages and are from more than 120 faiths.



Over 5,000 babies are born in the City of Casey each year.



Our community's largest age group is 35 – 39 year olds.

Our community vision

We have captured the priorities and values living in the City of Casey – in our established, growth, rural and coastal areas. This is based on extensive feedback from people right across our municipality.

The Casey Community Local Law supports us in achieving our Community Vision of a connected, innovative and resilient community by helping to create safe, accessible and respectful neighbourhoods.

It provides clear rules that protect public spaces, promote responsible behaviour, and ensure the wellbeing of all residents, now and into the future.



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PART 1



PRELIMINARY





PART 1 - PRELIMINARY

1. Title

This **Local Law** is called the “Casey Community Local Law 2025”.

2. What are the objectives of this Local Law?

The objectives of this **Local Law** are to:

- (1) encourage and promote peace, order and community connectedness within the **municipality**;
- (2) apply a consistent, fair and equitable application of this **Local Law**;
- (3) promote a physical and social environment that is safe, healthy, accessible in which residents of, and visitors to, the **municipality** can enjoy a quality of life that meets the general expectations of the community;
- (4) prevent and manage **nuisances** which may **adversely** affect the enjoyment of life within the **municipality** or the health, safety and welfare of the community; and
- (5) foster vibrant and prosperous businesses in the **municipality**;

and to achieve these objectives the intended effect of this **Local Law** is to:

- (6) regulate and manage activities of people within the **municipality** which may be **dangerous**, unsafe or **detrimental** to the quality of life of other people in, or the environment of, the **municipality**;
- (7) regulate and manage the use of and activity on **Council land, roads** and **Council assets**; and
- (8) provide standards and conditions for specified activities to protect the safety and the welfare of people within, and the environment of, the **municipality**.

3. What authorises this Local Law?

This **Local Law** is made under section 71(1) of the *Local Government Act 2020* and section 42 of the *Domestic Animals Act 1994*.

4. When does this Local Law commence?

This **Local Law** commences on INSERT DATE.

5. When does this Local Law end?

Unless sooner revoked in accordance with section 84 of the *Local Government Act 2020*, this **Local Law** is revoked on INSERT DATE.

6. To what part of the municipality does this Local Law apply?

This **Local Law** applies throughout the whole of the **municipality** of **Council** but does not apply where any Act or thing is authorised by or under any Act, Rule or Regulation, or by the Casey Planning Scheme.

7. What does this Local Law replace?

On the commencement of this **Local Law**, the Casey *Community Local Law 2023* is revoked.

8. Are there any exemptions from this Local Law?

Council may, by resolution, determine specified persons, **land** or areas within the **municipality** to be exempt from any provision of this **Local Law** for a specified time and on specified conditions.

PART 2



DEFINITIONS





PART 2 - DEFINITIONS

9. In this Local Law:

Unless the context or subject-matter indicates otherwise:

	Definition
adversely	means in a manner that causes harm, a nuisance , interference, or a reduction in the quality, safety, or enjoyment of land , property, public space or the environment.
advertising sign	means a sign advertising or promoting goods, services or a thing or event but excludes electoral signage and real estate signs .
amenity	means the condition or quality of the local environment that contributes to the comfort, safety, wellbeing and enjoyment of residents and visitors. This includes, but is not limited to, minimising the impact of noise, odour, visual disruption and other elements that may affect peace, order and community connectedness within public and private spaces.
animal	includes every living thing except for plants and human beings. This includes, but is not limited to, all species of mammal, marsupial, bird, fish, and reptile.
application form	means the form for making an application under this Local Law , as developed and published by Council .
appointed agent	means the person authorised in writing by an owner of a building or land to make an application, appeal, referral or representation on the owner's behalf.
asset	means a resource or structure that has a public service function and may require management by Council or another service authority, including, but not limited to: a) roads; b) drainage pits and pipes; c) street furniture; d) signage; e) street trees; and f) service pits.
Authorised Officer	means a person appointed pursuant to Section 224 of the <i>Local Government Act 1989</i> as an Authorised Officer contained in Council's S11 Instrument of Authorisation for the purposes of this Local Law .
builder	means a person who: a) carries out building works; b) manages or arranges the carrying out of building works; c) intends to carry out, or to manage or arrange the carrying out of, building works; or d) a person listed as a builder on any building permit.
Building and Works Code of Practice	means the Code of Practice adopted by Council regulating building works and building sites .

	Definition
building permit	means a permit issued under the <i>Building Act 1993</i> .
building site	any land on which building works are carried out or are proposed to be carried out.
building works	means any building works : a) where a building permit is required under the <i>Building Act 1993</i>, and includes any works with respect to the construction, alteration, renovation, demolition, or removal of any building; or b) that are exempt from the need for a building permit, including landscaping works.
bulk rubbish container	means a bin, skip, vehicle , trailer, container or other receptacle used for the deposit of waste or litter but excludes an approved waste bin issued by Council .
Bunjil Place	means the area described in Schedule 2 to this Local Law .
Busking	a form of public performance or entertainment for voluntary donations. Busking includes but is not limited to playing a musical instrument, singing recitations, conjuring or performing magic, performing puppetry, pavement art, juggling, miming, dancing and any other theatrical or visual performance.
Certificate of Final Inspection	means a certificate issued under Part 4 of the <i>Building Act 1993</i> .
children's playground	means an area set aside or used for the designated purpose of a children's play area.
Chief Executive Officer	means the Chief Executive Officer of Council .
commercial activity	includes any activity conducted for the purpose of financial gain or profit and includes but is not limited to: a) any business; b) any street trading; or c) filming or recording for television, radio, feature films, advertising, student film projects, documentaries or music videos.
Council	means Casey City Council.
Council land	means land , buildings and facilities, excluding a road , which is or are vested in, owned, occupied, managed or controlled by Council , and includes a reserve .
dangerous	means able to or likely to cause harm or injury.
delegated approval	means approval coming from a person who holds a position within Council that has delegated power contained in one of Council's endorsed Instruments of Delegation from the Chief Executive Officer or Council to make decisions relating to a specific clause of this Local Law .

	Definition
<i>detrimental</i>	means any act, omission, condition or circumstance that: a) causes, or is likely to cause, harm to a person's health or safety; b) results in damage to property, infrastructure, or Council assets; c) interferes with the reasonable use, enjoyment or amenity of a public place or private land; d) degrades the natural environment or contributes to pollution; or e) adversely affects the wellbeing, comfort, or convenience of the community. For the purposes of this definition, the determination of whether an activity is detrimental may consider its duration, frequency, intensity, and the context in which it occurs.
<i>dilapidated</i>	means in a state of disrepair or having deteriorated or fallen into a state of partial ruin as a result of age, neglect, poor maintenance or misuse.
<i>domestic waste</i>	means waste that is generated as a result of the ordinary day-to-day use of domestic premises and includes green/garden waste, glass waste, general recycling and Food Organics and Garden Organics.
<i>donation bin</i>	means any bin for the purpose or apparent purpose of the collection of donated goods.
<i>effective control</i>	means being capable of controlling the dog by means of an adequate chain, cord or leash, or voice control so as to ensure the dog will immediately respond and obey commands, and being able to maintain a clear and unobstructed view of the dog at all times.
<i>electoral signage</i>	means promotional signage used by candidates or political parties in connection with any Federal, State or local government election.
<i>emergency services agency</i>	means any of the following organisations, or their successors, authorised to respond to emergencies and protect public safety: a) Victoria Police; b) Fire Rescue Victoria; c) Country Fire Authority (CFA) d) Ambulance Victoria; e) Victoria State Emergency Service (VICSES); and f) Any other agency prescribed under the <i>Emergency Management Act 1986</i> or <i>Emergency Management Act 2013</i>.
<i>event</i>	includes any carnival, cultural festival, circus, street party, wedding or other public gathering.
<i>extinguish</i>	means to put out any flame or ember so that any flame or ember cannot continue or reignite in the future. The method used to extinguish must be a method recommended by an Authorised Officer , a fire prevention officer, a member or officer of Victoria Police or an emergency services agency .

	Definition
fire	means a chemical reaction involving heat, oxygen and fuel resulting in flames and smoke but for the purpose of this Local Law excludes: a) a fire lit by a member or an officer of a fire brigade acting in that capacity; or b) any fire that is lawful under the <i>Fire Rescue Victoria Act 1958</i> or <i>Summary Offences Act 1966</i>.
fodder	means grass grown for the production of food for grazing animals or livestock , either by grazing animals or livestock directly on the land or for the production of hay.
fundraise	means to seek financial support for a charity, cause or other like enterprise.
Hoon event	means an event in which one or more vehicle/s are being driven in a manner that intentionally or recklessly leads to the vehicle/s losing traction, racing, time trialling or emitting undue noise or smoke.
incinerator	means any built or manufactured device, structure, or container designed or used for the burning of waste materials. This includes backyard incinerators , drum incinerators , and any similar apparatus used for combustion but excludes a barbeque.
land	means any land (whether publicly or privately owned).
large bird	means any bird species that is typically larger in size and vocalisation than a small bird , and includes, but is not limited to, cockatoos, galahs, corellas, macaws, and large parrots. This definition excludes poultry , pigeons and livestock .
liquor	means a beverage with an alcoholic content greater than 0.5% by volume at a temperature of 20 degree celsius.
litter device	means any item or tool designed or used for the purpose of removing animal excrement, and includes, but is not limited to, paper bags, plastic bags, biodegradable bags or other sanitary implements.
livestock	has the same meaning as the <i>Impounding of Livestock Act 1994</i> : 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.
Local Law	means the Casey Community Local Law 2025.
minor building works	means any building works determined by Council or an Authorised Officer to be low risk, established upon assessing the risk of the building works causing damage to Council land and assets .
municipality	means the municipal district of Council , which is a political subdivision of the State, created by the State Government to provide local governance and services to a specific geographic area to support voting, levies taxes and essential services.

	Definition
noxious weed	has the same meaning set out in the <i>Catchment and Land Protection Act 1994</i> : a) a State prohibited weed; b) a regionally prohibited weed; c) a regionally controlled weed; or d) a restricted weed.
nuisance	means an interference with the reasonable comfort or convenience of a person who occupies adjacent or nearby land .
obtrusive light	means any artificial light that, because of quantitative or directional attributes, causes annoyance, discomfort, distraction or a reduction in the ability to see essential information such as transport signals. This includes lighting that does not comply with the <i>Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting</i> .
Occupancy Permit	means a permit issued in accordance with Part 5 of the <i>Building Act 1993</i> .
organised sporting event	means a sport or activity delivered by a club, group, association or other body whereby the sport or activity is held wholly or partly for competitive sporting reasons and is governed by a set of rules of any sporting or regulatory body.
outdoor lighting	any exterior or interior lighting that projects directly into the outdoor environment but does not include public lighting .
owner	means, in connection with land , the person who is registered on the certificate of title as the owner of the land or the person who is or is entitled to exercise any rights of ownership of the land .
permit	means a permit in writing issued by Council under this Local Law , which may include conditions.
poultry	means ducks, geese, peacock, pheasant, turkeys, guinea fowl, female chickens and other edible birds over the age of 12 weeks but excludes a rooster .
private land	means any land which is not owned or occupied or under the control or management of a public body (including Council).
promotional activities	means any activity conducted by an individual or business to communicate with potential customers.
public lighting	means lighting provided for the purposes of safety and security on roads , cyclist paths and pedestrian movement areas within public parks and gardens but excludes off road car parks.
public place	Means any place that is open to or used by the public, whether or not payment is required for entry, and includes any place defined as a public place under the <i>Summary Offences Act 1966</i> . For the purposes of this Local Law , a public place does not include Council -owned or managed public/ community halls.
real estate sign	means a sign advertising a real estate service, property for sale or rent, or promoting or describing an opportunity to inspect a property.

	Definition
recreational vehicle	means any motorised or electrically powered vehicle that is used for recreational purposes. This includes but is not limited to: • a Minibike; • a Motor bike; • a Motor scooter; • an Electric scooter or bike; • a Go-kart; and • any other vehicle powered by a motor.
reserve	means any land which is owned, leased, occupied, managed or controlled by Council and dedicated to or used for recreation, conservation, horticulture, cultural, sporting or entertainment purposes.
residential area	refers to land within the municipality that is primarily zoned and developed for residential purposes , typically characterised by established housing, infrastructure and community amenities.
residential purposes	means used for the purpose of a residence, as evident by the connection to a domestic electrical power supply.
road	has the same meaning as in the <i>Local Government Act 1989</i> : a) a street; b) a right of way; c) any land reserved or proclaimed as a street or road under the <i>Crown Land (Reserves) Act 1978</i>; d) a public road under the <i>Road Management Act 2004</i>; e) a passage; f) a cul de sac; g) by-pass; h) a bridge or ford; i) a footpath, bicycle path or nature strip; or j) any culvert or kerbing or other land or works forming part of the road.
rooster	means a male chicken of any age.
Schedule 11	means Schedule 11 to the <i>Local Government Act 1989</i> .
security bond	means the sum of money paid or payable or guarantee made to Council in respect of potential loss to Council , as specified in any condition attached to a permit .
sign	means any placard, board, card, banner poster, A-board or A-frame, electronic or digital variable message sign (VMS) (whether portable or affixed or attached to any land or building) used to advertise goods, services, events or competitions or to provide any other information but excludes electoral signage , a real estate sign and a sign regulated by the Casey Planning Scheme.
small bird	means any bird species that is typically smaller in size and vocalisation than a large bird , and includes, but is not limited to, a budgerigar, canary, finch or other smaller bird. This definition excludes poultry .

	Definition
smoke	means to smoke, hold or otherwise have control over an ignited or heated tobacco product, or use a vaping device to generate or release an aerosol or vapour.
temporary structure or accommodation	means a tent, caravan or other unfixed relocatable structure constructed of a combination of metal, wood, plastic or other organic material.
unsightly	includes land on which there is or are: a) excessive rubbish, such as paper, cardboard, plastic bags, styrene, domestic garbage or second hand containers; b) excessive second-hand timber or second-hand building material being stored; c) discarded, rejected, surplus or abandoned solid or liquid materials; d) graffiti on exterior walls or fences; e) excessive machinery, machinery parts or the like that constitutes a detriment to the appearance of the surrounding area; f) an incomplete building that constitutes a detriment to the appearance of the surrounding area; g) something making the land visually repugnant; h) more than two unregistered, unroadworthy, disassembled, incomplete or deteriorated motor vehicles, caravans or trailers; or i) weeds or grass that exceed 30 centimetres in height or length.
vehicle	has the same meaning as 'motor vehicle' in the <i>Road Safety Act 1986</i> but excludes a bicycle, motorised scooter and tram.
vehicle crossing	means a constructed area that provides for the passage of vehicles from a road to private land .
works	includes excavating, digging holes, landscaping, erecting fencing, hoarding or scaffolding, using a mobile crane or travel tower, constructing, removing or altering a vehicle crossing and installing fences, barriers or other items that restricts access to or movement on a road .
working day	means a day that is not a Saturday, a Sunday or a public holiday declared in the <i>Victoria Government Gazette</i> for the Melbourne metropolitan area.
writing	includes something duplicated, photocopied, photographed, printed and typed, and extends to both hard and soft copy form, including an email.

PART 3



YOUR ANIMALS

This section aims to provide for the responsible care, ownership and management of animals in the City of Casey. This includes regulating the number and types of animals a person may keep without a permit, and to prohibit owners of animals from allowing those animals to be a nuisance.





PART 3 - YOUR ANIMALS

10. Animal Litter

A person in charge of an **animal** in a **public place** must:

- (1) carry a **litter device** sufficient for the effective removal of any waste that may be deposited by that **animal**, and must produce a **litter device** on the request of an **Authorised Officer**; and
- (2) immediately collect and appropriately dispose of any waste deposited in the **public place** by that **animal**.

11. Animal Numbers

A person who owns or occupies **private land** must not, except with a **permit**, keep or allow to be kept any more of each of the type of **animals** than that stated in the table below:

Animal	Less than 1,000sqm	1,000sqm - 4,000sqm	Greater than 4,000sqm
Dog	2	2	4
Cat	2	2	4
Poultry	5	7	20
Rabbit	5	5	10
Large Bird	5	7	20
Small Bird	10	20	30
Pigeons	5	10	20
Rooster	Not permitted	Not permitted	1
Livestock	Not permitted	Not permitted	Permitted

Note

The limitations and restrictions in this part do not prohibit the keeping of animals or birds regulated by the Casey Planning Scheme.



PART 3 - YOUR ANIMALS

12. Animal Containment

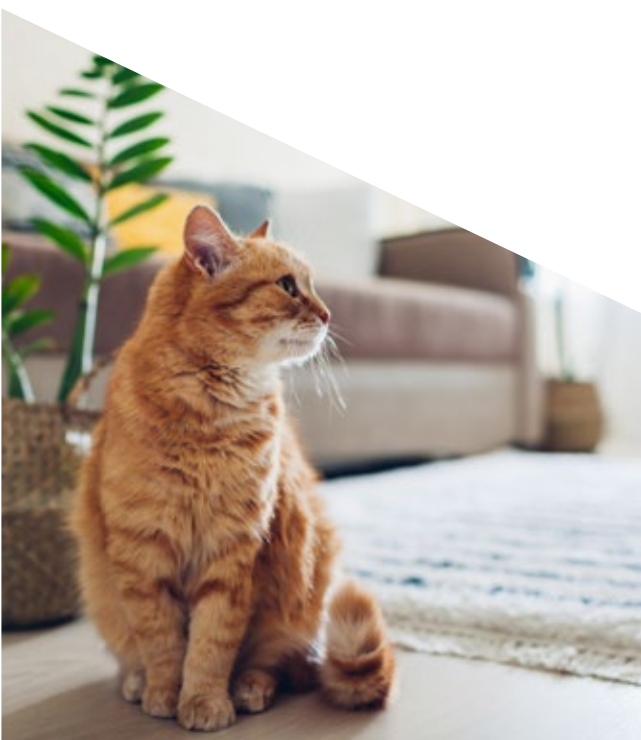
An **owner** or occupier of **private land** on which any **animal** is kept must ensure that the **private land** is adequately secured to the satisfaction of **Council** or an **Authorised Officer** to prevent such **animal** escaping from that **private land**.

Note

Under Section 25 of the *Domestic Animals Act 1994*, Council has made an order that cats must not be at large outside the premises of their owner at any time (i.e. cats must be confined to their property at all times, including overnight).

If a cat is found roaming, the owner may be guilty of an offence under the *Domestic Animals Act 1994*.

Under Section 26 of the *Domestic Animals Act 1994*, Council has made an order that all dogs are to be under **effective control** of some person by means of a chain, cord, or leash at all times in any **public place** other than a **reserve** and at no time shall a person in charge of a dog allow it to cause a nuisance or annoyance to any other person in a **public place** or **reserve**.



13. Keeping Animals

- (1) An **owner** of an **animal** and/or the **owner** or occupier of the **private land** on which the **animal** is housed must ensure that the **animal** housing:
 - (a) is constructed or altered to the satisfaction of an **Authorised Officer**, with adequate roofing, flooring and drainage;
 - (b) is maintained in a clean and sanitary condition;
 - (c) provides adequate shelter for the number of **animals** housed and for the welfare needs of each **animal**;
 - (d) is maintained in good repair so as to not cause a **nuisance** to occupiers of neighbouring properties;
 - (e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an **Authorised Officer**; and
 - (f) is kept clear of materials which may harbour vermin.
- (2) An **owner** of an **animal** and/or the **owner** or occupier of the **private land** on which the **animal** is housed must ensure that **animal** food is stored on that **private land** so as to prevent access by vermin or insects, and is stored to the satisfaction of an **Authorised Officer**.
- (3) An **owner** and occupier of **private land** must not keep any **animal** on that **private land** unless each **animal** is kept in accordance with any relevant Code of Practice made under the *Domestic Animals Act 1994* or *Prevention of Cruelty to Animals Act 1986*.

Note

Clause 13(1) does not apply to any dog kennel, cat enclosure or bird aviary used to house **small birds**.



PART 3 - YOUR ANIMALS

14. Animal Nuisance

- (1) An **owner** or occupier of **private land** on which any **animal** is kept must not allow any **animal** to cause a **nuisance** to persons who occupy adjacent or nearby **land**.
- (2) Nothing in sub-clause (1) applies to an occupier of **private land** to whom Section 32(1) of the *Domestic Animals Act 1994* applies.



15. Animal Management Agreements

- (1) An **Authorised Officer** or member of **Council's** Dangerous Dog Committee may enter into an Animal Management Agreement, on behalf of and in the name of **Council**, with an **owner** or occupier of **land** on which an **animal** is kept if the **animal** has:
 - (a) escaped from the **land** on which it was kept; or
 - (b) bitten, chased or rushed another person or **animal**.
- (2) An Animal Management Agreement must set out the obligations of the **owner** or occupier of the **private land** in relation to securing an **animal** on the **private land**.
- (3) Any **owner** or occupier of **private land** who fails to comply with any of the terms of an Animal Management Agreement commits an offence against this **Local Law**.

16. Feeding Animals and Birds

A person must not feed an uncaged bird or **animal** in a manner that **adversely** affects the **amenity** of the immediate area or causes damage to any **land**.



PART 4



BUILDING WORKS

Council owned roads, drains and footpaths are important features of our neighbourhoods. Protecting Council assets are important for keeping local amenity clean and safe for the public. This Part contains provisions which aim to improve the amenity of the municipality, with regards to building works and preventing damage by residential and commercial building works.





PART 4 - BUILDING WORKS

17. Building Works

- (1) A **owner, builder** or **appointed agent** in charge of a **building site** or a **works site** for which a **building permit** or works **permit** has been issued must comply with the requirements in the **Building and Works Code of Practice**.
- (2) The **Building and Works Code of Practice** is a document incorporated into this **Local Law**.

Note

Clause 17 does not apply to **minor building works** where a **building permit** has not been issued.



PART 5



YOUR PROPERTY

This part outlines requirements designed to ensure that the appearance of buildings and land reflects a safe and well-maintained image of the municipality. It also addresses activities that may impact the neighbourhood environment, including matters such as pests.





PART 5 - YOUR PROPERTY

18. Unsightly Land

- (1) An **owner** or occupier of **private land** must not allow that **private land** to become **unsightly**.
- (2) An **owner** or occupier of **private land** must not cause or allow that **private land** to be used in a manner so as to be **detrimental** to the **amenity** of the immediate area in which it is located.

19. Dangerous Land

An **owner** or occupier of **private land** must not allow that **private land** to become **dangerous**.

20. Dilapidated Buildings

- (1) An **owner** or occupier of **land** must not allow a building located on that **land** to:
 - (a) become **dilapidated**;
 - (b) become further **dilapidated**; or
 - (c) fall into a state of disrepair.
- (2) An **owner** of a vacant building must take all reasonable steps to secure the building from unauthorised access.
- (3) Where an **owner** or occupier of **land** fails to comply with the requirements of clause 20(1), an **Authorised Officer** may carry out or cause to be carried out the **works** required to ensure that the **land** is no longer **dilapidated** or further **dilapidated** or in a state of disrepair.

Note

Where an owner or occupier of a building is found to be in breach of Clause 20, and the condition of the building continues to deteriorate or remains unaddressed after a finding of guilt or conviction, **Council** may issue an infringement notice to that owner or occupier for each day that the building remains in a **dilapidated** state.

21. Overlength Grass and Noxious Weeds

- (1) An **owner** or occupier of **private land** must not allow any grass, weeds or undergrowth on that **private land** to exceed 30 centimetres in height or length.
- (2) An **owner** or occupier of **private land** must not allow any **noxious weed** to be present on that **private land**.

Note

Clause 21 includes grass, weeds or undergrowth that encroaches on adjoining **land**.

Consideration will be given to allowing an exemption for properties where the grass is grown for **fodder**, so that the grass can exceed 30 centimetres in height or length.

22. Obstructions and Interference from Private Land

- (1) An **owner** or occupier of **private land** must not allow any vegetation, **sign**, fence, structure or other thing on that **private land** to overhang the boundary of the **private land** so as to:
 - (a) obstruct a pedestrian or the clear view of the driver of any **vehicle** or other **road** user travelling along the **road** abutting the **private land**;
 - (b) encroach upon any adjacent **road** or **Council land**;
 - (c) obstruct **Council** staff or contractors engaged by **Council** in the execution of their duties;
 - (d) otherwise prejudice the safe and convenient use of any **road** abutting the **private land** by pedestrians, drivers or other **road** users; or
 - (e) obscure streetlights or a traffic control item.
- (2) An **owner** or occupier of **private land** must not allow any item, including vegetation, fluid or gas, on or below the **private land** to interfere with or cause damage to any **road**, **Council Land** or **Council asset**.

Note

For the purposes of Clause 22(1), vegetation must be trimmed to maintain a clearance of at least three metres above the road surface.



PART 5 - YOUR PROPERTY

23. Shipping Containers

An **owner** or occupier of **private land** must not cause or allow a shipping container on that **private land** to be used or kept in a manner so as to be **detrimental** to the **amenity** of the immediate area in which it is located.

Note

Under the *Building Act 1993*, a shipping container used for storage is deemed a building. In these cases, a building permit is legally required for the shipping container to be used for storage of goods on land.

A planning permit may be required under the *Casey Planning Scheme* if the shipping container is intended to store commercial-related items on residential land.

24. Temporary Accommodation

An **owner** or occupier of **private land** must not, except with a **permit**, use or allow to be used for **residential purposes** on that **land** a **temporary structure or accommodation** for a period exceeding two consecutive months. A **temporary structure or accommodation** may be used for **residential purposes** without a **permit** for up to two months, provided the use does not cause a **nuisance** or **adversely** impact the **amenity** of the area.

25. Property Numbers to be Displayed

- (1) **Council** may allocate a property number to each parcel of **land** on each **road** in the **municipality** and, from time to time, may make changes to property numbers.
- (2) For each parcel of **land** that has been allocated a property number under sub-clause (1), the **owner** or occupier must display the allocated property number on the **private land**. The number must be of sufficient size, in such a position, made of such material and kept in such state of repair as to be clearly readable from the **road** which the **private land** fronts, under all normal lighting conditions.
- (3) An **owner** or occupier of a parcel of **land** must not display a property number in respect of that **land** other than the property number allocated by **Council**.

26. Obtrusive Lighting

An **owner** or occupier of **private land** must ensure that **outdoor lighting** installed on that **private land** does not generate **obtrusive light**.

27. Vehicle Crossings

- (1) An **owner** or occupier of **private land** must not, except with a **permit**, allow any **vehicle** to enter or leave that **private land** except by a **Council** approved **vehicle crossing**.
- (2) An **owner** of **private land** must ensure that each point of vehicular access from a **road** to the **private land** has an appropriately constructed **vehicle crossing** approved by **Council**.
- (3) An **owner** or occupier of **private land** must not, except with a **permit**, construct, install, remove or alter a **vehicle crossing** servicing that **private land**.



PART 5 - YOUR PROPERTY

28. Heavy and Overlength Vehicles

An **owner** or occupier of **private land** in a **residential area** must not, except with a **permit**, keep on that **private land** any **vehicle** that, together with any load or projection, is 7.5 metres long or longer, or which has a Gross Vehicle Mass (GVM) greater than 4.5 tonnes.

Note

Clause 28 does not include a registered motorhome, caravan or boat trailer.

29. Recreational Vehicles

- (1) An **owner** or occupier of **private land** must not, except with a **permit**, use a **recreational vehicle** on that **private land** other than in accordance with the *Environment Protection Regulations 2021*.
- (2) A person who uses a **recreational vehicle** must ensure that the use does not inconvenience, obstruct, hinder or endanger any person, cause damage to any property or cause a **nuisance** to the occupier of any neighbouring **land**.

Note

This Clause only applies to **recreational vehicles** as defined under this **Local Law**. Vehicles used for the management of a large property (e.g. farming vehicles) are not affected by this clause. This Clause does not apply to storage of **recreational vehicles**. Clause 29(2) applies to both **public place** and **private land**. The prohibited times for residential noise refers to specific periods in which equipment, such as **recreational vehicles**, are likely to cause unreasonable noise. The prohibited times under the *Environment Protection Regulations 2021* are: Monday to Friday before 7.00 am and after 8.00 pm, weekends and public holidays before 9.00 am and after 8.00 pm.

30. Pests on Private Land

- (1) An **owner** or occupier of **private land** must, upon becoming aware of the existence of an unmanaged beehive or swarm on that **private land**, take immediate steps to have the beehive or swarm removed.
- (2) An **owner** or occupier of **private land** must, upon becoming aware of the existence of a wasp nest on that **private land**, take immediate steps to cause the nest to be destroyed.
- (3) An **owner** or occupier of **private land** must, upon becoming aware of the existence of mice or rats on that **private land**, take immediate steps to:
 - (a) destroy any such mice or rats; and
 - (b) remove or rectify any conditions on the **private land** which are conducive to the harbouring, breeding or feeding of mice and rats.

Note

Clause 30 does not apply to rats or mice bred or kept exclusively as domestic pets or bred or kept exclusively for research, scientific or educational purposes.

31. Discharge of Fireworks on Private Land

A person must not, except with a **permit**, discharge any **fireworks** on or from any **private land**.

Note

Public land is covered by Section 4(j) of the *Summary Offences Act 1966*. Firework/s discharged during the CFA declared fire danger period is regulated under Section 110(1)(z) of the *Country Fire Authority Act 1958*. Fireworks are also regulated under the *Dangerous Goods (Explosives) Regulations 2022*.

PART 6



COUNCIL LAND AND ROADS

This part contains provisions which aim to protect Council land and roads for the community by prohibiting people causing damage to Council owned land, places and roads.





PART 6 - COUNCIL LAND AND ROADS

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

A person must not, except with a **permit**, camp in, erect, place or occupy a **vehicle** or **temporary structure or accommodation** in or on any **Council land** or **public place** or camp in a **vehicle** on a **road**.

Note

Where an **Authorised Officer** becomes aware that a person occupying a **vehicle**, **temporary structure** or **accommodation** may be experiencing homelessness, the officer will seek to connect the individual with appropriate support services.

33. Obstructions

- (1) A person must not, except with a **permit**, place any item or object on any **road**, **public place** or **Council land** so as to:
 - (a) cause an obstruction;
 - (b) be in the way of, or likely to obstruct traffic.
- (2) A person must not place any item or object on any **road**, **public place** or **Council land** so as to be **dangerous**.

34. Signs

- (1) A person must comply with any **sign** erected on a **road** or **Council land** by **Council**.
- (2) A person, political party or electoral candidate must not, place, cause or allow to be placed any **electoral signage** in or on a **public place**, **Council land**, **reserve** or **road**.

35. Busking, Fund Raising and Promotional Activities

A person must not, except with a **permit** or **delegated approval**, undertake **busking**, **fundraise**, solicit subscriptions or conduct **promotional activities** on any **road** or **Council land**.

36. Interfering with Vegetation

- (1) A person must not, except with a **permit**, destroy, damage, interfere with or remove any vegetation on or in any **Council land**, **reserve**, **public place** or **road**.
- (2) Sub-clause (1) does not apply to a person employed or engaged by **Council** while acting in the course of their duties.

37. Council Land and Nature Strips

A person must not, except with a **permit** or **delegated approval**:

- (1) enter upon or remain on an area within **Council land** set aside as a playing ground during the course of an **organised sporting event** or gathering unless that person is a player, official or competitor in or at the **organised sporting event** or gathering;
- (2) play or practise golf on **Council land** or a nature strip other than in a **reserve** designated or set aside as a golf course;
- (3) ride or drive a **vehicle** or ride an **animal** on **Council land** in a manner or in a place which is likely to damage any grassed area or turf surface or otherwise interfere with the use of the **Council land** by another person;
- (4) play, organise, practice or engage in any organised competitive sport or game on **Council land** unless authorised by a sporting body to do so;
- (5) destroy, damage or interfere with any **Council** plants or **Council** grass;
- (6) destroy, damage or interfere with a nature strip;
- (7) install, construct or place any item on **Council land** for the purpose of storage or a **commercial activity**; or
- (8) exclusively occupy a **public place**, **Council land** or **road**.

38. Festivals, Processions and Events

A person must not, except with a **permit** or **delegated approval**, hold or allow to be held a festival, procession or **event** in or on any **public place**, **road** or **Council land**.

PART 7



VEHICLES IN PUBLIC PLACES

This section contains provisions which aim to enhance the appearance and safety of streets and public places by establishing rules involving vehicles in public places and minimising the impact of stationary vehicles on the local amenity and neighbourhood character.





PART 7 - VEHICLES IN PUBLIC PLACES

39. Abandoned, Derelict and Unregistered Vehicles

A person must not abandon or leave a derelict or unregistered **vehicle**, or cause or allow such a **vehicle** to be parked or left standing, on a **road** or **Council land**.

40. Storing Vehicles

- (1) A person must not allow any registered **vehicle** to be left standing continuously on any **road** or **Council land** for a period of more than 14 consecutive days.
- (2) Further to sub-clause (1) and **Schedule 11, Council** may impound a registered **vehicle** that has been abandoned or that has been left standing on any **road** or **Council land** continuously for a period of more than two months.

Note

A temporary Department of Transport and Planning permit does not allow for a vehicle to be parked or stored on a **road** – it only allows the vehicle to be driven to a testing centre for the purpose of becoming roadworthy.

41. Repairing Vehicles

A person must not, except with a **permit**, conduct or undertake any repairs or maintenance on a **vehicle** on any **road** or **Council land** unless the person is a **vehicle** assistance provider or where it is necessary to undertake minor repairs to enable the immediate removal of the **vehicle**.

42. Vehicles in a Public Place

A person must not, except with a **permit** or **delegated approval**, park, drive or ride a registered or unregistered **vehicle** or **recreational vehicle** in or on a **public place**, **road**, **reserve** or **Council land** unless that **public place**, **road**, **reserve** or **Council land** has been designed or developed for the purpose of parking, riding or driving a **vehicle** or **recreational vehicle**.

43. Behaviour Involving Vehicles

- (1) A person must not participate in, encourage or attend a **Hoon Event**.
- (2) A driver of a motor **vehicle** must not, with the intention or for the purpose of attending a **Hoon Event**, stop or park that motor **vehicle** within 200 metres of a **vehicle** involved in the **Hoon Event**.

Note

This clause supports Victoria Police in addressing **dangerous** and disruptive driving behaviour. In the absence of specific state-based legislation regulating attendance and proximity at a Hoon Event, **Council's** role is to assist enforcement efforts through complementary local law provisions. Enforcement of Hoon driving offences remains the responsibility of Victoria Police under the *Road Safety Act 1986*.



PART 8



WASTE

This part sets out provisions around how waste can be stored, collected and disposed of. This helps prevent illegal dumping, reduce litter, help protect local amenity and clean neighbourhoods.





PART 8 - WASTE

44. Bulk Rubbish Containers / Donation Bins

A person must not, except with a **permit** or **delegated approval**, place a **bulk rubbish container** or **donation bin** in or on any **public place** or **road**.

45. Domestic Waste

- (1) An **owner** or occupier of **private land** to which **Council** provides a **domestic waste** collection service must not place an approved waste bin out for collection more than 24 hours prior to the designated collection day, and must return that bin to the **private land** within 24 hours after the collection of its contents.
- (2) A person must not:
 - (a) without the consent of the relevant occupier, deposit waste, hard waste or other matter in any approved waste bin supplied to, or at any hard waste collection point designated in relation to, any **land** on which they do not reside; or
 - (b) deposit **domestic waste** in a public litter bin or public recycle bin.
- (3) An **owner** or occupier of **private land** to which **Council** provides a **domestic waste** and recycling service collection service must ensure that the waste placed in any bin is appropriate for the bin supplied to the **private land**, by being in accordance with information concerning **Council's domestic waste** collection service published on **Council's** website.

46. Vacant Land

- (1) An **owner** of any vacant **private land** must take all reasonable steps to ensure that their **private land** is not used as a place to have rubbish, disused excavation or waste materials dumped on it.
- (2) For the purposes of sub-clause (1), an **Authorised Officer** may issue a **Notice to Comply** requiring the **owner** of the vacant **private land** to erect, repair, replace or modify fencing enclosing the vacant **private land**.

47. Commercial Waste

- (1) Where an **owner** or occupier of **private land** has or stores commercial or trade waste on that **private land**, that **owner** or occupier must ensure that the:
 - (a) bin/container in which it has been deposited or stored and the surrounding area is kept in a clean and sanitary condition;
 - (b) commercial or trade waste is regularly removed, at the frequency required to ensure that the bin container is not overflowing;
 - (c) bin/container is labelled with the address of the **private land**, in accordance with any direction by an **Authorised Officer**; and
 - (d) the label on the bin/ container is maintained and clearly legible under normal lighting conditions.
- (2) A person must not, except with a **permit** or **delegated approval**, place out for collection on a **road** or **Council land** any commercial or trade waste bin/container.
- (3) A person must not place commercial or trade waste:
 - (a) in a public litter bin;
 - (b) in a public recycle bin;
 - (c) on a hard-waste collection pile;
 - (d) in a **Council** supplied waste bin that is designed or intended for residential collection;
 - (e) in a **Council** supplied waste bin that is designed or intended for commercial collection, for a property they do not own or occupy; or
 - (f) in a **Council** facility or sporting ground waste bin.



PART 9



FIRE SAFETY

This part sets out provisions for activities involving fire that may affect the neighbourhood environment, like smoke that can pose a nuisance or be hazardous to health.





PART 6 - FIRE SAFETY

48. Open Air Burning

A person must not, except with a **permit**, light a **fire** or allow a **fire** to remain alight in the open air except if the **fire** is:

- (1) lit on **private land** and the **fire** is contained in a barbeque for the purpose of cooking food for human consumption;
- (2) lit on **private land** and the **fire** is in a brazier or chiminea for the purposes of heating; or
- (3) on a **reserve** and is contained in either a barbeque provided by **Council** or a portable liquefied gas barbeque.

Note

Clause 48 open air burning **permits** will not be issued during a declared fire danger period.

49. Fire Hazards

- (1) A person must not light a **fire** and burn or allow to be burned in the open air any rubber, plastic, petroleum oil, chemicals, food wastes or building and construction waste so that the **fire** or smoke emitted from it becomes a **nuisance**, or is **dangerous** or is likely to be **dangerous** to the health and safety of any person or **animal** or is harming or is likely to be harmful to the environment.
- (2) A person who has lit a **fire** or allowed a **fire** to remain alight must **extinguish** that **fire** upon being directed to do so by an **Authorised Officer** or a member of an **emergency services agency**.



50. Incinerators

A person must not erect, construct, install, use or allow to be used an **incinerator** on any **land**.

51. Smoke Nuisance

A person must not light a **fire** in the open air that:

- (1) is offensive or a **nuisance** to another person in the vicinity or who is beyond the **land's** boundary;
- (2) may cause a hazard to a person's health;
- (3) has an adverse impact on visibility beyond the **land's** boundary, including reducing the visibility of motorists and other users of the **road**; or
- (4) creates a hazard on or near a **road**.

Note

When considering Smoke Nuisance, as an example, a chiminea reasonably emits smoke when initially lit, but very little when burning dry fuel. Small amounts of wafting smoke would not constitute a nuisance. Burning wet solid fuel, however, emits thick smoke and this can impact neighbouring properties which may constitute a nuisance.

52. Discharge of Chimneys

An **owner** or occupier of **land** must not cause or allow any chimney on that **land** to discharge dust, grit, ash or smoke to such an extent that it is **dangerous** to health or causes a **nuisance**.



PART 10



BUSINESS AND TRADING

This part sets out provisions to regulate business and trading activities conducted within the municipality, ensuring they are compatible with the surrounding environment and do not adversely affect local amenity, safety or wellbeing.





PART 10 - BUSINESS AND TRADING

53. Roadside Trading

A person must not, except with a **permit** or **delegated approval**, erect or place in or on any **public place**, **reserve** or **road**, a **vehicle**, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services.

Note

Clause 53 may require additional permits from the Department of Planning and Transport or other agencies.

54. Footpath Trading

A person must not, except with a **permit** or **delegated approval**, in or on any **public place**, **Council Land**, **reserve** or **road**:

- (1) sell, barter, exchange, display or offer for sale any goods or services;
- (2) occupy the **public place**, **Council Land**, **reserve** or **road** for the purpose of serving food or drink to people; or
- (3) place any item or thing in or on the **public place**, **Council Land**, **reserve** or **road**, including any tables and or chairs, umbrellas, planters, screens or heaters, in connection with the sale of goods or services.

55. Signs and Displaying Goods for Sale

- (1) A person must not, except with a **permit** or **delegated approval**, place or display in or on any **public place**, **Council Land**, **reserve** or **road** goods for sale, or cause or allow another person under their control to do so.
- (2) A person must not, except with a **permit** or **delegated approval**, place or cause or allow to be placed any **sign** (including an **advertising sign**) in or on a **public place**, **reserve**, **Council land** or **road**.
- (3) A person employed or engaged by a Real Estate Agency must not, without a **permit**, place a **real estate sign** in or on a **public place**, **reserve**, **Council land** or **road**.
- (4) A person must not place, cause or allow to be placed an electronic variable message **sign** in or on a **public place**, **Council land**, **reserve** or **road** for the purposes of advertising.

Note

An electronic variable message sign (VMS) can be used as a traffic control device to display one or more messages providing road users with necessary information about construction operations, maintenance, road incidents, traffic congestion, and roadway conditions.





PART 10 - BUSINESS AND TRADING

56. Shopping Trolleys

- (1) A person must not leave a shopping trolley on a **road** or **Council land**, except in an area designated for the leaving of shopping trolleys.
- (2) An **owner** of a shopping trolley must ensure that their name and any trading name are clearly marked on the shopping trolley.
- (3) An **owner** of a shopping trolley must not allow the shopping trolley to be left on a **road** or **Council land**, except in an area designated for the leaving of shopping trolleys.
- (4) An **owner** of a shopping trolley must collect that shopping trolley from a **road** or **Council land** within 24 hours of being notified to do so by **Council** or an **Authorised Officer**.

57. Commercial Activity

- (1) A person must not, except with a **permit** or **delegated approval**, conduct any **commercial activity** if the **commercial activity**:
 - (a) occurs on or in **Council land**, a **public place**, **road**, or any **Council** owned or managed venue or facility; or
 - (b) is held on or in **private land** and buildings where there are **temporary structures** erected or used for the **commercial activity**.
- (2) Nothing in sub-clause (1)(b) applies in respect of any **private land** or building where the **commercial activity** is permitted by the Casey Planning Scheme.

58. Aerosol Paint Containers

- (1) A person who, as part of a business, sells aerosol paint containers must:
 - (a) ensure that access and availability to aerosol paint products, including while they are displayed or stored, is restricted to the seller or an employee of the seller; and
 - (b) not give away samples of aerosol paint products to a person under eighteen (18) years of age.
- (2) If an **Authorised Officer** believes on reasonable grounds that a person is contravening or has contravened subclause 58(1), the **Authorised Officer** may direct the person to remove the aerosol paint containers that are stored or displayed contrary to subclause 58(1) from any area accessible to members of the public. A person who fails to comply with a direction issued under this subclause commits an offence against this **Local Law**.



PART 11



SMOKING AND ALCOHOL

This part aims to control the consumption of alcohol in public places and the regulation of smoking, recognising that these activities are also governed by legislation.





PART 11 - SMOKING AND ALCOHOL

59. Smoking on Council Land

A person must not **smoke**:

- (1) inside a building on **Council land**;
- (2) within 10 metres of the entrance to a building on **Council land**;
- (3) within 10 metres of a building on a **reserve** located on **Council land**;
- (4) within 10 metres of a **children's playground** on any **Council land**;
- (5) within 10 metres of an **organised sporting event** on **Council land** where children are present; or
- (6) in **Bunjil Place**

except where indicated in a designated smoking area.

60. Alcohol

- (1) A person must not, except with a **permit** or **delegated approval** or under a lease granted by **Council**, have in their possession any **liquor** in an unsealed container in or on any **Council land** or a **public place**.
- (2) Sub-clause (1) does not apply to a person who is at a function or venue where a licence under the *Liquor Control Reform Act 1998* has been issued.



PART 12



ASSET PROTECTION

This part outlines requirements to safeguard Council assets from damage or misuse resulting from building works, property access, or other activities. It ensures that infrastructure such as roads, footpaths, drains, and nature strips are protected during construction and development, and that any damage is appropriately managed and rectified to maintain community safety and amenity.





PART 12 - ASSET PROTECTION

61. Asset Protection Permit

- (1) An **owner, builder or appointed agent** must not commence any **building works**, including the delivery of any equipment or building materials to a **building site**, without having an Asset Protection Permit issued in respect of the **land** where the **building works** are to be carried out, unless **Council** or an **Authorised Officer** has first determined that the **works** constitute **minor building works** and have given notice **in writing** of that determination to the **owner, building or appointed agent**.
- (2) All **building works** that require a **building permit** also require an Asset Protection Permit unless **Council** or an **Authorised Officer** has determined that the **works** constitute **minor building works** and have given notice **in writing** of that determination to the **owner, building or appointed agent**.
- (3) For **Council** or an **Authorised Officer** to issue an Asset Protection Permit, the **owner, builder or appointed agent** must, at least ten (10) **working days** prior to the commencement of any **building works**:
 - (a) notify **Council** in **writing** of the proposed **building works**, by completing an **application form**, regardless of whether a **building permit** has been issued;
 - (b) advise **Council** in **writing**, including by supplying photographs, of any prior damage to any **road** (including a **road** reserve, footpath or nature strip), or any **asset**;
 - (c) pay any non-refundable **permit fee** determined by **Council**; and
 - (d) pay any **security bond** determined by **Council** or an **Authorised Officer**.
- (4) If an **application form** for an Asset Protection Permit does not include a statement and photographs in accordance with sub-clause (3)(b), it will, for the purposes of this **Local Law**, be presumed that there was no pre-existing damage prior to the **building works** taking place.
- (5) The **owner, builder or appointed agent** must comply with any conditions on an Asset Protection Permit.
- (6) An Asset Protection Permit may be issued subject to such conditions as **Council** or an **Authorised Officer** determines, including, but not limited to, conditions:
 - (a) outlined in any terms and conditions set out within an **application form**;
 - (b) requiring that any **asset** damage be repaired, replaced or reinstated within a specified time nominated by **Council**; and/or
 - (c) requiring a temporary **vehicle crossing** to be installed to **Council's** satisfaction before the commencement of any **building works**, including before or during the delivery of any equipment or materials to the **building site**.
- (7) Unless it is renewed sooner, an Asset Protection Permit expires on the date specified on it and, if not specified, two (2) years from the date of its issue.



PART 12 - ASSET PROTECTION

62. Inspections, Identifying and Repairing Damage

- (1) Inspections of any **assets** under this Part may be conducted at any reasonable time.
- (2) Within seven (7) days of completion of the **building works** and an **Occupancy Permit** or **Certificate of Final Inspection** being issued, the holder of the Asset Protection Permit must arrange with **Council** for an inspection of the **building site**.
- (3) Upon completion of an inspection under sub-clause (1) and/or (2) **Council** or an **Authorised Officer** may:
 - (a) issue a **Notice to Comply** to the holder of the Asset Protection Permit specifying damage to be repaired in accordance with standards described by **Council** or an **Authorised Officer** and requiring that all damage must be repaired within 20 **working days** or by some other date fixed by **Council** or an **Authorised Officer**;
 - (b) retain all or part of the **security bond** to offset the costs for **Council** to repair any damage, or any costs associated with carrying out immediate **works** to minimise risk or hazards caused by the damage; and/or
 - (c) refund the **security bond** to the person who lodged it, upon satisfaction that no damage has been caused, or that any damage caused has been repaired to **Council's** satisfaction.
- (4) Where a **Notice to Comply** is issued under sub-clause (3)(a) and the holder of an Asset Protection Permit fails to rectify the damage as directed by **Council** within the time, or to the standards, described in the **Notice to Comply**, **Council** or an **Authorised Officer** may:
 - (a) vary or cancel the **Notice to Comply**;
 - (b) issue an **infringement notice**; and /or
 - (c) retain all or part of the **security bond** in accordance with sub-clause (3)(b).
- (5) For any repair **works** undertaken by **Council** in accordance with sub-clause (3)(b), where the cost is greater than the amount of the **security bond**, the holder of the Asset Protection Permit must pay to **Council** the amount of the shortfall, being the difference between the cost of the repair work and the amount of the **security bond**.
- (6) For any repair **works** undertaken by **Council** in accordance with sub-clause (3)(b) where the cost is less than the amount of the **security bond**, **Council** must refund the unused portion of the **security bond** to the person who paid it to **Council**.



PART 13



ADMINISTRATION

This part outlines the administrative processes for managing permits, associated fees and charges and security bonds under this local law. Permits may be required for specific activities or uses of land, assets or public spaces and maybe subject to conditions set by Council to ensure compliance and protect community amenity.





PART 13 - ADMINISTRATION

63. Permits

- (1) A **permit** is required under this **Local Law** if, in this **Local Law**, a person is prohibited from doing a thing except with a **permit**.
- (2) A person who does the thing which is prohibited to be done without first obtaining a **permit** from **Council** is guilty of an offence.
- (3) An application for a **permit** or renewal of a **permit** under this **Local Law** must be in **writing** on a form approved or published by **Council**, and be accompanied by any fee fixed by **Council** in accordance with clause 68.
- (4) **Council** may require the applicant to give notice to any person who may be materially affected by the granting of a **permit**, in the manner determined by **Council**.
- (5) **Council** may require an applicant to provide additional information before it proceeds with the application for a **permit** or renewal of a **permit**.
- (6) A **permit** issued under this **Local Law** is non-transferrable to any other person. If a business changes ownership, the **permit** will cease and an application for a new **permit** will be required.

64. Duration of Permit

Except where expressly stated in this **Local Law** or in a **permit**, a **permit** operates from the date it is issued and expires one year after the date of issue.

65. Correction of Permits

- (1) **Council** may correct a **permit** if that **permit** contains:
 - (a) an unintentional error or an omission; or
 - (b) a material miscalculation or a material mistake in the description of a person, thing or property.
- (2) **Council** must notify a **permit** holder in **writing** of any correction under sub-clause (1).

66. Granting and Refusal of a Permit

- (1) **Council** may decide to:
 - (a) issue a **permit**;
 - (b) issue a **permit** subject to conditions; or
 - (c) refuse to issue a **permit**.
- (2) Where a **permit** has been issued, a person who does not comply with the conditions of the **permit** is guilty of an offence.
- (3) In determining whether to issue a **permit** and, if a **permit** is to be issued, the scope and conditions that will apply to it, **Council** may take into account any of the following where relevant:
 - (a) the health and safety of the public;
 - (b) the **amenity** of the **municipality**;
 - (c) the impacts on other persons or their property;
 - (d) the extent to which the issuing of the **permit** might affect the activities or enjoyment of another person or group;
 - (e) the need to protect **Council** or service authority **assets** or infrastructure from damage;
 - (f) legislative and policy directives of the Federal and State Governments;
 - (g) the need for work to occur which is authorised by Federal or State Government legislation, or by **Council** or a service authority;
 - (h) any relevant **Council** policies and guidelines;
 - (i) any policies, codes of practice, standards or guidelines used as reference by **Council**; and
 - (j) any submission or comments that may be received in respect of the application.
- (4) Where **Council** has refused to issue a **permit** under sub-clause (1)(c), the person seeking the **permit** has 28 days from the date of **Council's** notice of refusal of **permit** under sub-clause (1)(c) to provide written reasons to **Council** as to why the **permit** should not have been refused.



PART 13 - ADMINISTRATION

66. Granting and Refusal of a Permit (continued)

- (5) If a written submission is received by **Council** under sub-clause (4) within the 28 days, the reasons provided must be considered, and if applicable the person seeking the **permit** will be given an opportunity to be heard by **Council** or **Council's** delegate and any such verbal submissions must also be considered. **Council** or **Council's** delegate must then decide whether to confirm the refusal or to issue the **permit**.
- (6) An **Authorised Officer** may, with the agreement of the **Chief Executive Officer**, grant an exemption from any requirement to obtain a **permit**.
- (7) A **permit** may not be required if **delegated approval** has been given in **writing** to allow the activity to occur.

67. Cancellation of a Permit

Council may cancel a **permit** if it considers that:

- (1) there has been a serious or ongoing breach of any of the conditions of the **permit**;
- (2) a **Notice to Comply** has been issued but not complied with after the time specified in the **Notice to Comply**;
- (3) there was a significant error or misrepresentation in the application for the **permit**; or
- (4) in the circumstances, the **permit** should be cancelled.



68. Fees and Charges

- (1) **Council** may, from time to time, by resolution, determine:
 - (a) the quantum of any fee for the issue of a **permit** (including an Asset Protection Permit) or any charges, guarantee or bond to apply under this **Local Law**; and
 - (b) an administrative, inspection or processing fee or charge in addition to any fee, charge, guarantee or bond applying under this **Local Law**.
- (2) In determining a fee or charge, **Council** may establish a system or schedule of fees and charges, including a minimum or maximum fee or charge, if it considers it appropriate to do so.
- (3) **Council** may waive, reduce, alter or refund, in whole or in part, any fee, charge, bond or guarantee with or without conditions.

Note

Fees and charges referred to in this **Local Law** are determined annually by Council as part of its budget process. This ensures that all applicable costs are reviewed and adopted in accordance with Council's financial planning and community priorities. The adopted fees and charges is published each financial year and applies to permits, applications, and other regulated activities under this **Local Law**.

69. Security Bonds

- (1) In deciding to issue a **permit**, **Council** may require the applicant to lodge with **Council** a **security bond** in such amount and in such a manner as **Council** determines.
- (2) In the event of a breach of any **permit** condition in respect of which a **security bond** is paid under this **Local Law**, **Council** may retain an amount of the **security bond** as is necessary to remedy that breach and/or repair any damage caused by that breach.
- (3) Upon expiry of a **permit**, **Council** must release any remaining **security bond** to the person who paid it.
- (4) If, after 12 months from the date that the security bond would be released under sub-clause (3), it cannot locate a person entitled to the release of the **security bond** or remaining **security bond**, **Council** may retain the **security bond** or remaining **security bond** and pay the money into its general revenue.

PART 14



ENFORCEMENT

This part outlines the powers and processes for enforcing this Local Law. It establishes the roles of authorised officers, the use of infringement notices, and other compliance measures to ensure that the law is applied fairly and consistently.





PART 14 - ENFORCEMENT

70. Offences

A person who:

- (1) fails to comply with this **Local Law**;
- (2) fails to comply with a condition of a **permit**;
- (3) fails to do anything directed to be done under this **Local Law**;
- (4) fails to comply with a **Notice to Comply**;
- (5) knowingly provides erroneous, inaccurate or misleading information in an application for a **permit**;
- (6) refuses or fails to obey any lawful and reasonable direction of an **Authorised Officer** to leave **Council land** or a **road** after the **Authorised Officer** has advised the person that they have failed to comply or are failing to comply with this **Local Law**;
- (7) fails to comply with a **sign** erected by the **Council**, or
- (8) fails to comply with a direction issued under Clause 58(2).

Is guilty of an offence against this **Local Law**.

71. Penalties

A person guilty of an offence against this **Local Law** is liable to a penalty:

- (1) not exceeding 20 penalty units; and
- (2) in the case of a contravention, which continues after a finding of guilt or conviction, the penalty is 2 penalty units for each day after the finding of guilt or conviction for the offence during which the contravention continues.

72. Notice to Comply and Directions

- (1) An **Authorised Officer** may serve a **Notice to Comply** under this clause on a person whom the **Authorised Officer** reasonably suspects to be in breach of this **Local Law**.
- (2) A **Notice to Comply** under sub-clause (1) must be in **writing** and in a form approved or published by **Council**.
- (3) A **Notice to Comply** under sub-clause (1) must specify the date by which the person specified in the **Notice to Comply** is required to comply with the directions stipulated in the **Notice to Comply**.
- (4) In the event that a **Notice to Comply** is not complied with, an **Authorised Officer** may undertake any work required to be carried out to ensure compliance and recover any costs incurred.
- (5) A person must comply with any reasonable direction, instruction or **signal** of an **Authorised Officer**, member of Victoria Police, authorised litter authority, member or officer of an emergency services agency or **fire** prevention officer lawfully given in connection with this **Local Law**.

73. Infringement Notices

- (1) Where an **Authorised Officer** reasonably believes that a person has committed an offence under this **Local Law**, the **Authorised Officer** may, as an alternative to prosecution, serve on that person an **infringement notice**.
- (2) The fixed penalty in respect of an infringement notice is the amount set out in Schedule 1 to this **Local Law** or, if no amount is set out, 2 penalty units.



PART 14 - ENFORCEMENT

74. Power of Authorised Officer to Act in Urgent Circumstances

- (1) Any **Authorised Officer** may, in urgent circumstances arising as a result of a failure to comply with this **Local Law**, take action to remove, remedy or rectify a situation provided:
 - (a) they considered the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a **Notice to Comply**, may place a person, **animal**, property or thing at risk or in danger; and
 - (b) details of the circumstances and remedying action are forwarded as soon as practicable to the person on whose behalf the action was taken.
- (2) The action taken by an **Authorised Officer** under sub-clause (1) must not extend beyond what is necessary to cause the immediate abatement of or to minimise the risk or danger present.

75. Power of Authorised Officer to Seize and Impound

- (1) An **Authorised Officer** may seize and impound any **animal** or item where there has been a contravention of this **Local Law**, and where seizing and impounding the **animal** or item is reasonably necessary to:
 - (a) prevent injury to any person or **animal**; or
 - (b) remedy a breach of this **Local Law**; or
 - (c) prevent the loss of or damage to any property, **road**, **Council Asset** or **Council Land**; or
 - (d) preserve the **amenity** of the area.
- (2) Within four **working days** of impounding any **animal** or item, an **Authorised Officer** must, if the name and address of its **owner** is known, serve a Notice of Impounding on the **owner**.
- (3) Any impounded **animal** or item may be claimed by its **owner** after the payment of any fees fixed by **Council** unless reclaiming the **animal** or item would result in the original offence re-occurring or continuing.
- (4) If the identity or whereabouts of the **owner** of any **animal**, or item, impounded under this **Local Law** is or are unknown, **Council** must take reasonable steps to ascertain the **owner's** identity and/or whereabouts prior to exercising its powers under sub-clause (5).

- (5) If any impounded **animal** or item has been impounded and:
 - (a) the **owner** of the **animal** or item has not paid the fees fixed by **Council** and claimed the **animal** or item within the time specified on the Notice of Impounding (or within 14 days of the impounding, if no other period is specified);
 - (b) returning the **animal** or item would result in the original offence occurring or continuing;
 - (c) the items impounded would be considered as waste, hazardous or perishable; or
 - (d) despite taking the steps required under sub-clause (4), **Council** has not been able to ascertain the **owner's** identity and/or whereabouts,

Council may deal with an impounded **animal** by selling or destroying the **animal** in a manner consistent with **animal** welfare standards.

Council may deal with the impounded item by selling, recycling or disposing the item in a manner council sees fit.

Note

Service of documents under this **Local Law** is prescribed by the **Local Government Act 2020**, the **Corporations Act 2001** and the **Infringements Act 2006**. These documents include a **Notice to Comply**, a **Notice of Impound** and an **Infringement notice**.

A **Notice to Comply** and a **Notice of Impound** may be served on a person by delivering them by hand directly to the person or by leaving them at the persons usual or last known place of residence or business. These documents along with Infringements may also be served by sending them by post, addressed to the person at their last known residence or business.

Documents such as **Infringement notices** may be served on a company by posting it to the company's registered business address.

Authorised officers have powers of entry under the **Local Government Act 1989**. They may enter any land at any reasonable time to carry out duties under this Act, other relevant legislation, or this Local Law. However, officers cannot enter private residential premises (such as a house or any part of a building where people live) without the occupier's consent, unless they have a warrant issued by a court.

PART 15



SAVING CLAUSE

This part outlines delegations and exemptions. Council may delegate its powers, duties and functions under this Local Law to staff members through a formal instrument of delegation. Additionally, the Chief Executive Officer has authority to grant exemptions from provisions of the local law, in whole or in part.





PART 15 - SAVING CLAUSE

76. Delegations

- (1) The **Chief Executive Officer** may by instrument of delegation delegate any of **Council’s** powers, functions and duties under this **Local Law** to a member of **Council**.
- (2) A reference in an instrument of delegation to a delegate by way of the delegate’s position with **Council** includes:
 - (a) a person authorised to carry out the powers, duties and functions of that position at **Council**;
 - (b) a person acting in that capacity; or
 - (c) if that position at **Council** ceases to exist, any person exercising any power, duty or function which was previously a power, duty or function of the previous position.

77. Exemptions

The **Chief Executive Officer** may exempt any person from the operation of this **Local Law** (or any provision contained in this **Local Law**), whether in whole or in part.

This resolution for making this **Local Law** was agreed to by Casey City **Council** on / / 2025

Notice of the making of this **Local Law** was published in the *Victoria Government Gazette* on / / 2025

SCHEDULE 1

PENALTIES FOR INFRINGEMENT NOTICES

SCHEDULE 1 - PENALTIES FOR INFRINGEMENT NOTICES

Penalties for contravention of this **Local Law** will automate to the value of a penalty unit as per the *Sentencing Act 1991* and *Monetary Units Act 2004* on 1 July every year.

Provision	Offence	Penalty Units
YOUR ANIMALS		
10(1)	Failing to possess a <i>litter device</i> to remove <i>animal</i> waste.	1
10(2)	Failing to remove <i>animal</i> waste in a <i>public place</i> .	1
11	Keeping <i>animal</i> in excess of permitted numbers.	2
12	Failing to adequately secure <i>animal</i> on <i>private land</i> .	2
13(1)	Failing to maintain adequate housing for <i>animal</i> .	2
13(2)	Failing to store <i>animal</i> food securely to prevent vermin or insects.	1
13(3)	Fail to comply with relevant Code of Practice.	2
14(1)	Allowing an <i>animal</i> to make unreasonable <i>nuisance</i> .	2
15(3)	Failing to comply with an Animal Management Agreement.	3
16	Feed a bird and/or <i>animal</i> in a <i>public place</i> .	1.5

Provision	Offence	Penalty Units
BUILDING WORKS		
17(1)	Fail to comply with the requirements or conditions in the <i>Building and Works Code of Practice</i> .	2

SCHEDULE 1 - PENALTIES FOR INFRINGEMENT NOTICES

Provision	Offence	Penalty Units
YOUR PROPERTY		
18(1)	Allowing private land to be kept in an unsightly manner.	2.5
18(2)	Allowing private land to be detrimental to the amenity .	2.5
19	Allowing private land to be kept in a dangerous manner.	3
20(1)(a)	Allowing a building on land to be kept in a dilapidated manner. (Natural Person)	5
20(1)(a)	Allowing a building on land to be kept in a dilapidated manner (Corporation)	20
20(1)(b)	Allowing a building on land to become further dilapidated . (Natural Person)	5
20(1)(b)	Allowing a building on land to become further dilapidated . (Corporation)	20
20(1)(c)	Failure to maintain a building on land . (Natural Person)	5
20(1)(c)	Failing to maintain a building on land . (Corporation)	20
20(2)	Failing to secure vacant building from unauthorised access	2
21(1)	Allowing grass, weeds, or undergrowth to exceed the prescribed height or length on private land .	1.5
21(2)	Allow noxious weeds to be present on private land .	1.5
22(1)	Allow any obstruction to overhang the boundary of private land .	1.5
22(2)	Allow any item to interfere or damage Council Land or assets .	3
23	Failing to ensure that a shipping container on private land is not used or kept in a manner detrimental to the amenity of the immediate area.	2
24	Use/allow a temporary structure or accommodation for residential purposes .	1.5
25(2)	Fail to display property number on private land .	0.5
25(3)	Using an address other than allocated property address	0.5
26	Allow outdoor lighting to generate obtrusive light on private land .	2
27(1)	Fail to use a Council approved vehicle crossing .	2.5
27(2)	Fail to ensure that each point of vehicular access has an appropriately constructed vehicle crossing approved by Council .	2.5
27(3)	Construct, install, remove or alter a vehicle crossing .	2.5

SCHEDULE 1 - PENALTIES FOR INFRINGEMENT NOTICES

Provision	Offence	Penalty Units
YOUR PROPERTY (continued)		
28	Keep long or heavy vehicle on private land in a residential area .	2.5
29(1)	Use a recreational vehicle on private land in a manner that does not comply with the <i>Environment Protection Regulations 2021</i> .	2.5
29(2)	Causing a nuisance whilst using a recreational vehicle .	2.5
30(1)	Failing to remove beehive or swarm on private land .	2
30(2)	Fail to destroy wasp nest on private land .	2
30(3)(a)	Fail to destroy mice or rats on private land .	2
30(3)(b)	Fail to rectify conditions on private land which is harbouring, breeding, or feeding mice and rats.	2
31	Discharge fireworks from private land .	2.5

Provision	Offence	Penalty Units
COUNCIL LAND AND ROADS		
32	Camp, erect, place or occupy a vehicle, temporary structure or accommodation in or on any Council land, public place or road .	1.5
33(1)	Allow or cause any obstruction on a road, public place or Council land .	1.5
33(2)	Allow or cause any obstruction on a road, public place or Council land that is dangerous .	3
34(1)	Fail to comply with a Council sign on any road or Council land .	1
34(2)	Display an electoral sign on any road or Council land .	1.5
35	Undertake Busking, fundraise or conduct promotional activities on any road or Council land .	1
36(1)	Destroy, damage or interfere with or remove Council vegetation on any Council land, reserve, public place or road .	5
37	Engage in prohibited activity on any Council Land, reserve, public place, road or nature strip.	2
38	Organise or hold an event in or on a Public Place, road or Council land .	2

SCHEDULE 1 - PENALTIES FOR INFRINGEMENT NOTICES

Provision	Offence	Penalty Units
VEHICLES IN PUBLIC PLACES		
39	Abandon or leave a derelict or unregistered vehicle on a road or Council land .	2
40(1)	Leaving a registered vehicle on a road or Council land for more than 14 consecutive days.	1
41	Conduct repair or vehicle maintenance on a vehicle on a road or Council land .	1.5
42	Park, drive, or ride a vehicle or recreational vehicle in a public place, road, reserve or Council land contrary to the purpose.	1.5
43(1)	Participate, encourage or attend a Hoon Event .	5
43(2)	Stop or Park a motor vehicle within 200 metres of a vehicle involved in a Hoon Event .	3

Provision	Offence	Penalty Units
WASTE		
44	Placing a bulk rubbish container or donation bin in a public place or road .	3
45(1)	Place receptacle for collection outside permitted time.	1
45(2)(a)	Depositing waste or hard waste in a Council supplied bin or at a hard waste collection point for land on which they do not reside, without the consent of the relevant occupier.	1
45(2)(b)	Depositing domestic waste in a Council public bin	1.5
45(3)	Depositing inappropriate waste in Council supplied bin	1
46(1)	Failing to prevent litter being deposited on land .	1.5
47(1)	Storing commercial or trade waste contrary to this Local Law .	2
47(2)	Place a commercial or trade waste bin on a road or Council land .	3
47(3)	Depositing commercial or trade waste.	3

SCHEDULE 1 - PENALTIES FOR INFRINGEMENT NOTICES

Provision	Offence	Penalty Units
FIRE SAFETY		
48	Light a fire or allow a fire to remain alight on land .	3
49(1)	Light a fire and burn prohibited items.	3.5
49(2)	Fail to extinguish a fire when directed to do so.	3.5
50	Erect, construct, install, use or allow to be used an incinerator .	2
51	Allow a fire to cause a nuisance or hazard.	3.5
52	Allow matter to discharge from a chimney.	3.5

Provision	Offence	Penalty Units
BUSINESS AND TRADING		
53	Erect a vehicle , caravan, trailer, table, stall or similar structure for the purpose of selling goods or services.	2
54(1)	Sell, barter, exchange, display or offer goods for sale in a public place, Council land, reserve or road .	2
54(2)	Occupy for the purpose of serving food and or drink to people in a public place, Council land, reserve or road .	2
54(3)	Place item or thing including any tables and or chairs, umbrellas, planters, screens, or heaters in a public place, Council land, reserve or road .	1
55(1)	Place or display goods for sale in a public place, Council land, reserve or road .	1
55(2)	Display a sign in a public place, Council land, reserve or road .	1
55(3)	Display a real estate sign in a public place, Council Land, reserve or road .	1
55(4)	Place an electronic variable message sign in a public place, Council land, reserve or road .	2
56(1)	Allow a shopping trolley to remain on a road or Council land .	1
56(2)	Fail to display name of business on shopping trolley.	1
56(3)	Allow a shopping trolley to remain on a road or Council land .	1
56(4)	Fail to collect trolley from Council land or road within 24 hours of being notified.	1
57(1)	Conduct commercial activity contrary to this Local Law .	2
58(1)(a)	Fail to sell aerosol paint containers with restricted availability.	5
58(1)(b)	Give away samples of aerosol paint containers to under age person.	5
58(2)	Failing to comply with a direction to remove aerosol paint containers	2

SCHEDULE 1 - PENALTIES FOR INFRINGEMENT NOTICES

Provision	Offence	Penalty Units
SMOKING AND ALCOHOL		
59	Smoke on Council land .	1
60(1)	Possess liquor in an unsealed container on any reserve or road .	1

Provision	Offence	Penalty Units
ASSET PROTECTION		
61(1)	Failing to obtain an Asset Protection Permit.	5
61(5)	Fail to comply with the condition of an Asset Protection Permit.	2.5
62(4)	Fail to Comply with an Asset Protection Notice to Comply .	2.5

Provision	Offence	Penalty Units
ADMINISTRATION		
63(1)	Fail to obtain a permit	5

Provision	Offence	Penalty Units
ENFORCEMENT		
70(1)	Fail to comply with Local Law .	2.5
70(2)	Fail to comply with condition of a permit .	2.5
70(3)	Fail to comply with a direction.	2.5
70(4)	Fail to comply with a Notice to Comply .	2.5
70(5)	Providing false information in permit application.	2.5
70(6)	Fail to comply with a direction of an Authorised Officer .	2.5
70(7)	Fail to comply with a Council sign .	1
70(8)	Fail to comply with a direction issued under Clause 58(2)	2.5

SCHEDULE 2

BUNJIL PLACE

SCHEDULE 2 - BUNJIL PLACE





Contact City of Casey

03 9705 5200

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



TIS: 131450 (Translating and Interpreting Service)

口译员 | مترجم شفاهی | හාඥා පරිවර්තක | ਦੁਆਮੀਏ | ترجمان

PO Box 100,

Narre Warren VIC 3805

caseycc@casey.vic.gov.au

casey.vic.gov.au

Customer Service Centres

Cranbourne

Customer Service Centre Cranbourne Park Shopping Centre,
Shop 156, South Gippsland Highway, Cranbourne

Narre Warren

Bunjil Place,

2 Patrick Northeast Drive, Narre Warren



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