



PROPOSED CASEY COMMUNITY LOCAL LAW 2025

COMMUNITY IMPACT STATEMENT

Part A - General Comments

INTRODUCTION

The City of Casey is one of Victoria's fastest-growing and most diverse municipalities. The proposed Casey Community Local Law 2025 ("**proposed Local Law 2025**") has been developed following a comprehensive review and update of the Casey Community Local Law 2023 ("**current Local Law**"), and in response to changing community needs, growth, and legislative requirements. The Local Law aims to balance individual freedoms with the collective wellbeing, safety, and amenity of the community.

Council is proposing to make a new Local Law 2025, which will supersede and replace the current Local Law. This Community Impact Statement has been prepared to inform the community about the proposed Local Law 2025 and to assist any member of the public who may wish to make a submission to Council during the public consultation process, as required under the *Local Government Act 2020*.

Following the conclusion of the public consultation period, Council is anticipating consideration of a report recommending the adoption of the proposed Local Law 2025 in December 2025. If adopted, the new Local Law is expected to commence in January or February 2026, following publication in the Victorian Government Gazette. Unless revoked earlier, it will remain in effect for 10 years from its commencement date.

BACKGROUND

The *Local Government Act 1989* first gazetted Local Laws in 1989 and are now also authorised under the *Local Government Act 2020*. The legislation allows Councils to create laws to assist in supporting the peace, health, safety and wellbeing of the community. Councils utilise local laws to respond to local issues and community needs and typically support, but are not limited to, the protection of local amenities, as well as regulating activities on Council land and roads.

The current local law was developed in accordance with the *Local Government Act 2020*, with a focus on community safety, safeguarding public assets and enhancing neighbourhood amenity. It applies throughout the whole of the municipal district (Council Area) of Council but does not apply in cases where a matter is authorised by, or under, any Act, Rule or Regulation, or by the Casey Planning Scheme.

Having completed the legislated public consultation process, the legal review and obtained Certification from an Authorised Person, the current Local Law 2023 was adopted by Council in December 2023, published in the Government Gazette and commenced on 1 July 2024.

At its meeting on 18 March 2025, Council endorsed a comprehensive review of the current local law 2023. This was following community feedback which had raised significant concerns relating to the Land and Neighbourhood Amenity clauses, private land use and permits.

OVERVIEW OF PROPOSED LOCAL LAW

The objectives of the proposed Local Law 2025 are to:

- encourage and promote peace, order and community connectedness within the municipality;
- apply a consistent, fair and equitable application of this Local Law;
- 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;
- prevent and manage nuisances which may adversely affect the enjoyment of life within the municipality or the health, safety and welfare of the community;
- foster vibrant and prosperous businesses in the municipality,

and to achieve these objectives by:

- 1) regulating and managing 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;
- 2) regulating and managing the use of and activity on Council land, roads and Council assets; and
- 3) providing standards and conditions for specified activities to protect the safety and the welfare of people within, and the environment of, the municipality.

Council is required to give public notice of the proposed Local Law and invite submissions for a period of at least 28 days, in accordance with its [Community Engagement Policy](#) and the *Local Government Act 2020*.

Anyone who makes a written submission can request to be heard in support of their submission at a Council Meeting which considers the making of the proposed Local Law, details of which are available on Council's engagement portal Casey Conversations at conversations.casey.vic.gov.au/llreview 25.

Part B – Comments on Proposed Local Law Overall

Part B of this Community Impact Statement provides comments on the proposed Local Law 2025. It includes how the law will be measured for success, its relationship to existing legislation, risks, competition assessment, compatibility with the Charter of Human Rights and Responsibilities and the results of the community consultation.

COMMUNITY ENGAGEMENT SUMMARY

To inform the proposed Local Law 2025, Council engaged external consultants, Conversation Co, to design and deliver a comprehensive community consultation program. The consultation ran from Monday 21 April to Sunday 1 June, and generated over 1,200 contributions from across the municipality. Engagement activities included:

- 1,095 survey responses
- 140 in-person pop-up responses
- 6 community group workshop responses
- Over 400 door knocks
- 12 pop-up events (one in each ward) and 4 community workshops

Pop-ups were held at diverse locations including farmers markets, community centres, youth hubs, shopping precincts, and parkrun events.

The engagement explored community views on Council's role in managing 24 local law topics, grouped into five broad areas. A sliding scale was used to assess whether Council's involvement was considered reasonable, based on the 'Reasonable Person' framework used by Local Laws Officers. Key findings included:

- Strong support for Council management of:
 - Hazardous fire, unsightly land, dangerous land
 - Commercial waste, bulk rubbish containers/donation bins
 - Dilapidated buildings, pests, harmful weeds, waste on private land
 - Obstructions and fireworks discharge
- Lower support for Council management of:
 - Waste removal from collection (36%)
 - Placement of domestic waste bins (40%)
 - Vehicle repairs (42%)
 - Temporary dwellings (44%)
 - Shipping containers (48%)
 - Recreational vehicles (48%)

Rural residents were generally less supportive of Council involvement across most topics (except fireworks). There was high support for Council's education-before-enforcement approach (82%) and a reactive enforcement model (58%).

Further community and internal consultation will be undertaken with the commencement of the 28-day exhibition period. Submitters will have the opportunity to speak to their submissions made during the exhibition period, should they choose to do so, prior to the Local Law being presented at a future Council Meeting for endorsement. A copy of the proposed Local Law 2025 is available online at Council's engagement portal, Casey Conversations at conversations.casey.vic.gov.au/llreview 25. Hard copies are also available at Customer Service centres of Bunjil Place and Cranbourne Park Shopping Centre.

MEASURES OF SUCCESS

Council will measure the success of the proposed Local Law 2025 through:

- Creation of the Community Local Law guidance manual.
- Local Law education across Council and the community
- Monitoring and comparing the level of compliance and non-compliance.
- Volume of complaints received against key provisions.
- Community satisfaction surveys regarding local amenity and safety.
- Annual community update on the operation of the Local Law via Performance Report.

EXISTING LEGISLATION

Council has considered the following State and Federal legislation, which addresses some of the issues covered by the proposed Local Law 2025. However, these Acts do not fully address the specific local circumstances or needs of the City of Casey, and therefore a local law is required to supplement and support these frameworks:

- *Building Act 1993*
- *Country Fire Authority Act 1958*
- *Crown Land (Reserves) Act 1978*
- *Domestic Animals Act 1994*
- *Environment Protection Act 2017*
- *Fire Rescue Victoria Act 1958*
- *Impounding of Livestock Act 1994*
- *Liquor Control Reform Act 1998*
- *Monetary Units Act 2004*
- *Planning and Environment Act 1987*
- *Public Health and Wellbeing Act 2008 and Public Health and Wellbeing Regulations*
- *Road Management Act 2004*
- *Road Safety Act 1986 and the Road Safety Road Rules 2017*
- *Sentencing Act 1991*
- *Summary Offences Act 1966*
- *Tobacco Act 1987*
- *Water Act 1989*
- *Graffiti Prevention Act 2007*
- *Infringements Act 2006*
- *Food Act 1984*

Council has reviewed these Acts and determined that while they provide important regulatory frameworks, there remain local issues and gaps that are best addressed through the proposed Local Law 2025.

The proposed Local Law 2025 has been reviewed to ensure it does not duplicate, overlap or conflict with existing legislation. Where overlap exists (e.g. noise guidance, animal management) the proposed local law 2025 supplements state provisions to address local circumstances.

The proposed Local Law 2025 has been checked for consistency with the Casey Planning Scheme. Where relevant, the proposed Local Law 2025 defers to the Planning Scheme or includes disclaimers to avoid inconsistency.

Risk Assessment

Risk assessments are a key element of the City of Casey's Enterprise Risk Management Framework (ERMF), which ensures a consistent approach to identifying, analysing, and managing risks across the organisation. This process supports informed decision-making and aligns with Council's risk appetite and governance requirements.

While the City of Casey considers the Community Local Law within its broader risk context, a formal risk assessment has not yet been completed beyond the preliminary identification of potential risks outlined below.

Risk	Risk Rating (High, Medium, Low)	Plan to mitigate risk
Inadequate regulation of nuisance behaviours (e.g. noise, unsightly land etc)	Medium	Enforceable standards are included in the proposed Local Law 2025, provision of education and warnings before enforcement, review of complaints and compliance data.
Overlap or conflict with state legislation (e.g. Environment Protection Act, Planning and Environment Act)	Low	Comprehensive local law review during drafting, legal review prior to adoption, specific clauses include disclaimers deferring to state law or standards where relevant, ongoing monitoring for legislative changes.
Excessive regulatory burden on residents or businesses	Medium	Comprehensive community education campaigns, fees set on a cost recovery basis, provision of clear guidance and support for compliance

Failure to address emerging risks (e.g. new forms of nuisance or population growth)	Medium	Regular review by internal teams of emerging risks and any challenges with regard to local law provisions. Established mechanisms for community feedback.
Legal challenge to validity of Local Law	Low	Ensure compliance with the <i>Local Government Act 2020</i> , Charter of Human Rights, seek legal advice prior to adoption. As required under the <i>Local Government Act 2020</i> , a legal review will be undertaken prior to the final Local Law 2025 being adopted to confirm that “the local law is consistent with the requirements of the <i>Local Government Act 2020</i> and other applicable legislation”.
Failure to request and/ or hear public submissions on the proposed Local Law	Low	Comprehensive planning for community engagement and communication of 28-day exhibition period. Submissions will be called for and heard in accordance with <i>the Local Government Act 2020</i> and the Council’s Community Engagement Policy.

Legislative approach adopted

Council has taken a low impact regulatory approach to ensure there is minimal regulatory burden placed on the community and businesses as it has approached the development of the proposed Local Law 2025 by:

- ensuring the Local Law does not conflict with, overlap or duplicate State legislation, including other statutory rules;
- providing reasonable penalties; and
- developing reasonable enforcement procedures, including an education approach, official warnings and internal review process for infringement notices.

Council has also ensured that the proposed Local Law 2025 is:

- written in plain language, using common terms and in an unambiguous manner which is in accordance with modern standards of drafting local laws;
- consistent with the principles, objectives and intent of the *Local Government Act 2020*;
- does not contain any matter that should be dealt with by any other Act;
- does not unduly trespass on rights and liberties of person; and
- not inconsistent with the principles of justice and fairness.

Penalties

The proposed Local Law 2025 includes a schedule of penalties for breaches of specific provisions. These penalties are designed to:

- Promote compliance with the Community Local Law;
- Deter unlawful behaviour; and
- Support fairness and proportionality in enforcement.

Penalties are set in accordance with the *Monetary Units Act 2004*, which standardises penalty units across Victoria. The proposed Local Law 2025 assigns penalty units to each offence based on the severity and impact of the breach. For example:

- Minor breaches (e.g. failure to comply with a Council sign) may attract 1 penalty unit;
- Moderate breaches (e.g. obstructions on a road that is dangerous) may attract 3 penalty units; and
- Serious breaches (e.g. allowing a building on land to be dilapidated - Corporation) may attract 20 penalty units.

Through benchmarking it was identified that that:

- Councils such as Greater Dandenong, Wyndham, and Melton use similar penalty frameworks;
- Penalty levels vary between Councils, however most aligning to the *Monetary Units Act* and applying graduated enforcement; and
- Councils prioritise education and warnings before issuing penalties, especially for first-time or low-risk breaches.

In line with the Charter of Human Rights and Responsibilities, the penalty framework:

- Ensures that penalties are proportionate to the offence;
- Provides for internal review and appeal mechanisms; and
- Avoids arbitrary or discriminatory enforcement.

Council's enforcement approach emphasises:

- Education-first strategies, including verbal and written warnings;
- Proposal for greater community awareness campaigns to promote understanding of the Community Local Law; and
- Support for voluntary compliance before penalties are issued.

Permits and Fees

The proposed Local Law 2025 makes provision for the issue of permits which is required for various activities. Fees and charges are set through the Council's annual budget process and are subject to separate community consultation.

Performance Standards or Prescriptive Details

Council has, where appropriate and possible, adopted a performance-based approach to the proposed Local Law 2025. Prescriptive requirements are used only where necessary for clarity or enforceability.

Restriction on competition

In accordance with the National Competition Principles, local laws must not restrict competition unless Council can demonstrate:

- that the benefits of the restriction to the community outweigh the costs; and
- there is no other way of achieving the objective.

The proposed Local Law 2025 defines behavioural requirements and usage standards for public places, which include Council-run activities and businesses. These requirements and standards are designed to ensure public safety, amenity, and equitable access, and do not restrict competition in a way that disadvantages any particular business or individual.

If any restriction on competition is identified, Council has assessed whether the restriction is necessary and in the public interest. Where a restriction exists, it is imposed only where it is essential to achieve the objectives of the Local Law such as protecting public health, safety, or amenity and where the benefits to the community clearly outweigh any potential costs or disadvantages. Council has also considered whether alternative, less restrictive approaches could achieve the same objectives and has adopted the least restrictive means possible.

Council will continue to monitor the impact of the proposed Local Law 2025 on competition and will review any restrictions as part of its regular review process to ensure ongoing compliance with National Competition Policy.

Comparison with Neighbouring and Like Councils

As part of the review of the proposed Local Law 2025, Council engaged consultants to benchmark Casey's current local law framework against neighbouring and like Councils. This benchmarking exercise included a comparative analysis of local law structures, enforcement practices, and regulatory scope across Councils such as:

- Greater Dandenong
- Nillumbik
- City of Melton
- City of Whittlesea
- Hume City Council
- Wyndham City
- City of Yarra
- City of Greater Geelong

Key findings from Benchmarking included:

- **Structural Alignment:** Most comparable Councils have consolidated their local laws into a single Community Local Law or General Local Law, similar to Casey's proposed approach. This improves clarity and accessibility for the community.
- **Common Themes:** Shared regulatory themes include:
 - Animal management
 - Unsightly land and amenity
 - Waste and bins
 - Permits
 - Recreational vehicles
- **Enforcement Practices:** Councils vary in their enforcement models, but most use a combination of education, warnings, and infringement notices. Casey's proposed enforcement approach aligns with best practice by prioritising education, over immediate infringements.
- **Innovative Practices:** Some Councils (e.g., Wyndham and Hume) have introduced digital permit systems and clearer signage in public spaces to support compliance. These practices are being considered for future implementation in Casey.

The benchmarking confirms that the proposed Local Law 2025 is consistent with contemporary local law practices across Victoria. It reflects current regulatory trends, addresses community expectations, and aligns with legal and policy frameworks adopted by similar Councils.

HUMAN RIGHTS COMPATIBILITY

The *Charter of Human Rights and Responsibilities Act 2006* ("**Charter**") contains basic rights, which promote and protect the values of freedom, respect, equality and dignity. Council has assessed its obligations against the Charter, which is included below. Council is of the opinion that the provisions of the proposed Local Law 2025 do not impact on human rights as detailed in the Charter.

Charter Right	Assessment
Right to freedom of movement (Section 12)	Restrictions on access to public land (e.g. recreational vehicles on public land) are designed to protect public safety and amenity. These limitations are reasonable and proportionate, with exemptions and permit systems in place to minimise impact.
Right to Privacy and reputation (Section 13)	Enforcement powers (e.g. inspections, serving notices) are limited to what is necessary for compliance. Personal information is protected under privacy legislation. The impact is minimised through procedural safeguards and transparency.

Right to freedom of expression (Section 15)	Every person has the right to hold and express opinions including through speech, writing, art and other forms of communication. The Local Law allows for signage and promotional activities but requires a permit for certain types and in places in the municipality (e.g. VMS boards on Council land). Restrictions are in place to manage amenity, protect public safety, and ensure equitable access to public spaces. Permit processes are designed to be transparent, fair, and content-neutral, ensuring that expression is not restricted based on viewpoint.
Right to protection of families and children (Section 17)	Provisions relating to animal control, waste, and public behaviour promote safe and healthy environments. These support rather than limit rights.
Property rights (Section 20)	Impounding and seizure provisions include safeguards, notice requirements, and appeal rights. Any interference is lawful, proportionate, and minimised. Council's permit application process allows some items or things to be lawfully placed on Council Land. The restrictions on use of private property are limited to uses and actions that may negatively impact other peoples enjoyment of their own properties, or be detrimental to the general amenity of the neighbourhood.
Right to fair hearing (Section 24)	Enforcement actions can be subject to internal review and appeal processes, ensuring procedural fairness and minimising the risk of arbitrary decision-making.

The proposed Local Law 2025 seeks to balance:

- Individual freedoms with the collective interest in public safety, amenity and environmental protection; and
- Regulatory enforcement with education and support, ensuring that compliance is achievable and fair.

The City of Casey has assessed the proposed Local Law 2025 against the Charter and determined that:

- The Local Law is compatible with the Charter of Human Rights and Responsibilities;
- Any limitations on rights are reasonable, necessary, and demonstrably justified; and
- The proposed Local Law 2025 reflects sector best practice and includes safeguards to minimise impact and uphold individual rights.

PART C: COMMENTS ON THE MAIN CHANGES TO THE PROPOSED LOCAL LAW

All provisions of the current Local Law have been reviewed. Substantive changes are being proposed which are outlined below. Note other administrative changes (e.g. wording re-writes to improve clarity, formatting, renumbering etc) have been made to the document. Access to the current local law/ proposed local law is available online via Council's engagement portal Casey Conversations at conversations.casey.vic.gov.au/llreview 25.

Part 1 - Preliminary	Proposed Change
Introduction	Inclusion of an overview and purpose of the document.
Objectives	More clearly define the objectives of the Local Law.
Part 2 - Definitions	Proposed Change
Adversely – new definition.	Means in a manner that causes harm, nuisance, interference, or a reduction in the quality, safety, or enjoyment of land, property, public space or the environment.
Amenity - new definition.	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.
Detrimental – new definition.	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.
E-cigarette - new definition.	Has the same meaning as in the <i>Tobacco Act 1987</i> .

Recreational vehicle - amendment to definition to include electric scooter.	Means any motorised or electrically powered vehicle that is used for recreational purposes. This includes, but not limited to: • Minibike • Motor bike • Motor scooter • Electric scooter or bike • Go-kart • Or other vehicle powered by a motor
Sign - amendment to definition to include digital variable message sign (VMS).	Means any placard, board, card, banner poster, A-board or A-frame, electronic or 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.

Part 3: Your Animals	Proposed Change
Clause 12 – Animal Containment - addition of note to reference cats.	A note has been added to this clause that references: Under Section 25 of the <i>Domestic Animals Act 1994</i>, Council has previously resolved 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, including overnight). If a cat is found roaming, the owner may be guilty of an offence under the <i>Domestic Animals Act 1994</i>. Under the provisions of Section 26, <i>Domestic Animals Act 1994</i>, Council has by resolution ordered 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 Council 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 Council reserve.

Part 4: Building Works	Proposed Change
Clause 17 – Building Works - amendment to wording.	Amended wording to include owner builder or appointed agent – consistent with the Asset Protection section.

Part 5: Your Property	Proposed Change
Clause 20 – Dilapidated Buildings - addition of note.	A note has been added to this clause that references: Where a building is found to be in breach with Clause 20, and the condition of the building continues to deteriorate or remains unaddressed after a finding of guilt or conviction, Council may issue infringement notice for each day that the building remains in a dilapidated state.
Clause 22 - Obstructions and Interference from Private land - amendment to wording and new subclause.	Title change to Obstructions and Interference from Private Land. To enable officers to deal with storm water problems a new subclause (2) has been added as per below: “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 Council Land or Council Asset”.
Clause 23 – Shipping Containers - amendment to wording and new notes.	Clause updated to include exemption from requiring a Local Law permit where shipping containers are permitted under the Casey Planning Scheme or a Building permit has been issued. Notes have been added to further define definition of “residential area” as it relates to shipping containers. Specific zones of “suburban residential area”, “semi-rural residential area” and “rural areas”. For those properties in rural areas, they are generally exempt (e.g. greater than 4 hectares) from a local law permit recognising that they are predominately agricultural or undeveloped land with low residential density.
Clause 24 – Temporary Dwellings – amendment to wording.	Owners or occupiers are now allowed to use temporary dwellings for extended periods without needing a local law permit. The permitted duration has been increased from 14 days within any 60-day period to 2 months, provided that the use does not cause a nuisance or adversely impact the amenity.
Previously Clause 28 - Vehicles and Machinery - clause removed.	The clause regulating vehicle repair and unregistered vehicles on private property has been removed.

Clause 29 Recreational Vehicles - amendment to wording and new notes.	EPA guideline restrictions have been introduced, with exclusions for farming vehicles and the storage of recreational vehicles. A note has been added to this clause that references: 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) and 29(3) 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 <i>Environmental Protection Regulation 2021</i> 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.
Previously Clause 33 - Short Stay Accommodation - remove clause, definition and offense provisions.	Remove clause, definition and offense provisions. 33(1)(a) Fail to obtain a Short Stay Accommodation Permit. 33(1)(b) Fail to Comply with the Short Stay Accommodation Code of Practice.

Part 6: Council Land and Roads	Proposed Change
Clause 33 – Obstruction - amendment to wording and clause layout.	Clause split across two sub-parts (1) & (2) (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.
Clause 34 – Signs - amendment to wording.	(1) A person must not, except with a permit, act in a way that goes against any sign installed by or on behalf of Council in a public place, on Council land, in a reserve, or on a road, where the sign prohibits that action. (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.

Clause 37 (previously 39) - Council Land and Nature Strips- amendment to wording.

Subclause (8) amended to include public place and road.

The change is to provide Council the ability to enforce provisions where Council land and Roads (a roads was not previously included in the 2023 LL) are occupied by construction activities.

Part 7: Vehicles in Public Places

Proposed Change

Previously Clause 45 - Behaviour Involving Vehicles - remove clause, definition and offense provisions.

Remove clause.

Council is better placed to address hooning activities through advocacy to the state (standardized hooning laws for Victoria) and current Community Safety Teams work in crime prevention activities.

Part 8: Waste

Proposed Change

Clause 44 (previously 47) - Domestic Waste - amendment to sub-clauses.

Subclause (1) has been removed which relates to 24-hour timeframes in placing a bin out/ collecting bin within a 24-hour period.

Subclause (2) Subclause (2)(b) has been removed which related to interfere with waste placed out for public collection and hard waste (i.e. prohibiting hard rubbish fossicking).

New Subclause (2) to include deposit domestic waste in a public litter bin or public recycle bin.

Part 10: Business and Trading

Proposed Change

Clause 54 – Signs and Display Goods for Sale – new sub-clause.

New sub-clause and note added in relation to Variable message Sign, as per the below:

(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) is 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.

Clause 57 - Aerosol Paint Containers - new clause.

(1) A person who, as part of a business, sells aerosol paint containers:

(a) must 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.

(b) must 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 57(1), the Authorised Officer may direct the person to remove the aerosol paint containers that are stored or displayed contrary to subclause 57(1) from any area accessible to members of the public.

Part 14: Enforcement

Proposed Change

Clause 74 (previously 76) - Power of Authorised Officer to Seize and Impound – amendment to wording and addition of note.

Addition of “or animal” in clause 1 (a).

Addition of “remedy a breach of this Local Law” in clause 1 (b).

Addition of “road, council asset or council land” in clause 1(c).

Addition of “working” days in clause 2

Clause 5 has been amended around the dealing of impounded animals and items

A Note has also been added, as per the below:

Service of documents under this *Local Law* are 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 including *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.

Schedule 1: Penalties for Infringement Notices	Proposed Change
Schedule 1: Penalties for Infringement Notices.	Various updates to provision and clause number to reflect proposed changes in the Community Local Law.