

# AGENDA

## Mid Month Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 11 May 2026 at 7:00 PM

This meeting will be conducted as a hybrid meeting



**Order of Business**

1 Apologies And Requests For Leaves Of Absence .....3

2 Declarations Of Conflict Of Interest.....3

3 Confirmation Of Minutes .....3

4 Officer Reports.....4

    4.1 Local Law Review .....4

    4.2 Minor Grants Program 2025-2026 Monthly Report .....227

    4.3 Ferntree Gully Cemetery Masterplan Progress Report.....249

5 Notices Of Motion .....257

6 Supplementary Items.....257

7 Urgent Business .....257

8 Confidential Items.....257

Bruce Dobson  
Chief Executive Officer

## 1 Apologies And Requests For Leaves Of Absence

## 2 Declarations Of Conflict Of Interest

## 3 Confirmation Of Minutes

Confirmation of Minutes of Mid Month Meeting of Council on Monday 13 April 2026.

## 4 Officer Reports

### 4.1 Local Law Review

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author:</b>	Head of Prosecutions & Compliance Legal Counsel, Gustav Cook
<b>Manager:</b>	Acting Manager City Safety & Health, Tania Triantafilopoulos
<b>Executive:</b>	Interim Director City Liveability, Jonathan McNally

#### **SUMMARY**

The purpose of this report is to present Council with the draft Amenity Local Law 2026 and attachments to be released for public submissions in accordance with the Local Government Act 2020 (the Act).

#### **RECOMMENDATION**

That Council resolve to:

1. Endorse the proposed Amenity Local Law 2026 as set out in Attachment 2 of the Officers report.
2. Authorise commencement of the statutory process for the making of the proposed Amenity Local Law 2026 in accordance with the Local Government Act 2020, by giving public notice in a local newspaper and on Council's website of its intention to make Amenity Local Law 2026, stating the objectives and intended effect of the proposed local law
3. Make a copy of the proposed Amenity Local Law 2026 and Attachments 1, 3 and 4 available at Council's Civic Centre and on Council's website.

#### **1. DISCUSSION**

##### **1.1 Background**

The current [Amenity Local Law 2020](#) (Local Law) came into operation in 2020 and will cease to operate on 1 July 2030, unless revoked earlier. Officers have identified certain matters that impact the effectiveness of the current Local Law and that certain improvements will enhance the delivery of its objectives.

Furthermore, a key action from the recently completed Community Laws Service Plan has identified the opportunity to review the Local Law to ensure it addresses the needs of the community, and that all provisions within the Local Law are both effective and enforceable.

In addition, the Local Law was made under the Local Government Act 1989 (LGA 1989), which required local laws to be developed with a different focus from the current Local Government Act 2020 (LGA 2020). Specifically, the LGA 2020 moved from a prescriptive to a principles-based approach with a different emphasis on compliance and enforcement.

As such a full review, with a view to adopting a new Local Law that fully aligns with the LGA 2020, is recommended.

## **1.2 Legal**

The LGA 2020 sets out the procedure for Council to follow in the review of its Local Law, and the (former) Department of Planning and Community Development Guidelines for Local Laws Manual sets out these procedures in further detail. There are restrictions on what Council may or may not include in its Local Law. For example, a Local Law must not overlap, duplicate, conflict with or be inconsistent with existing legislative provisions or Planning Schemes. This means that matters covered by State legislation, including the Domestic Animals Act, Tobacco Act, Road Safety Act, Building Act, Summary Offences Act, Food Act, Environment Protection Act and Planning and Environment Act, for example, cannot be repeated or contradicted or added to a local law provision.

## **1.3 Preparation of draft Local Law 2026**

Feedback received via an extensive consultation process is contained in the Local Law Community Consultation Phase 1 Summary Report (**Attachment 3**) and was considered and utilised in the preparation of the draft Amenity Local Law 2026. The draft Amenity Local Law 2026 was provided to internal stakeholders whose feedback has also informed the draft.

Legal advice on the draft Amenity Local Law 2026 has been sought and all amendments based on the legal advice were incorporated and form part of the draft Amenity Local Law 2026. A Comparative Analysis showing the proposed changes between the current 2020 Local Law and the draft Amenity Local Law 2026 has been completed (**Attachment 1**). A clean version of the draft Amenity Local Law 2026 (**Attachment 2**) has also been attached to this report.

## **1.4 Further Engagement and Adoption process**

Following preparation of the draft Amenity Local Law 2026, the formal statutory process of adopting the draft Amenity Local Law 2026 will commence. Subsequent to Council's resolution to release the draft Amenity Local Law 2026 for public consultation and submissions, a notice of intention to make the Amenity Local Law 2026 will be published in a local newspaper and on Council's website. Under the LGA 2020, a Community Impact Statement is no longer a requirement of the Act, however officers have completed a Community Impact Statement (**Attachment 4**) for greater transparency to support the community in understanding the likely impacts from the draft Amenity Local Law 2026.

Hard copies of the draft Amenity Local Law 2026 and all attachments will be made available for inspection at Council's Civic Centre and a soft copy on the website. Community consultation will occur between 18 May to 14 June 2026, after which all submissions will be considered to determine if amendments to the draft Amenity Local Law 2026 are required and appropriate.

The final draft Amenity Local Law 2026 will, as required under the LGA 2020, be provided to external lawyers to certify that they are of the opinion that the proposed Local Law 2026 is consistent with the local law requirements. It is intended that the draft Amenity Local Law 2026 will be presented to Council for adoption in August 2026. If adopted by Council, the draft Local Law 2026 will be gazetted immediately to confirm its validity.

## **1.5 Key issues identified in current Local Law**

Key issues have been identified in the current Local Law by internal stakeholders and after extensive consultation, Councillors were briefed in a workshop in November 2025 regarding the review of the Local Law. Councillors discussed the eight issues identified through the internal

review process and provided input and agreed on the scope of community engagement on those issues.

The community was consulted with the eight issues during the consultation process from 9 February 2026 to 9 March 2026. The community provided valuable feedback to shape the new Local Law to better support the needs of our community. The eight issues identified can be summarised as follows:

**1.5.1 Private land and neighbourhood amenity**

- Condition of private land – propose to expand the provision to also include a property manager as liable for rental property
- Propose to redefine 'Unightly property' to make it clear and understandable for the community and to eliminate any ambiguity (e.g., the word "excessive" when describing vegetation growth etc.).

**1.5.2 Private land and the environment**

- Propose to revoke the whole clause regulating Open Air Burning and divide the municipality into two areas, namely private land located within the Bushfire Management Overlay (BMO) and private land located outside the BMO. Land within the BMO can burn without a permit (subject to conditions), and those outside the BMO can only burn with a permit
- Propose to add in cultural burning to comply with the Charter of Human Rights and Responsibilities Act 2006 (Vic).

**1.5.3 Animals**

- Propose to amend the land area for excess animal permits to include all land and not land less than or equal to 4,000sq meters. Propose keeping the numbers of animals the same
- Propose adding a new clause that a person may have an assistance dog or assistance animal on land to comply with the Disability Discrimination Act 1992 (Cth) & Equal Opportunity Act 2010
- Propose adding a new clause regulating fencing of animals (specifically dogs) on private land. Dogs escaping from their property and attacking people and other animals is a major issue and there is a need for regulation to ensure responsible ownership.

**1.5.4 Use of council land and roads**

- Propose adding new clauses regulating behaviour on Council land and access to Council buildings.

**1.5.5 Trading, fundraising and promotional activities on Council land or roads**

- Election signage – amend the current clause to ensure compliance or revoke the clause in its entirety to create greater consistency during election campaigns, reduce the visual impact of excess signage and implement an approach consistent with all other municipalities in Victoria and relevant legislation. The implication being that there will be no pre-approved sites and all signs will require a permit.

### **1.5.6 Council assets, trees and regulating building sites**

- Noise is regulated under the Environment Protection Act 2017, but a new proposed clause would regulate construction during certain times. The purpose of this new clause is to fill the gap between noise nuisance and construction nuisance.

### **1.5.7 Compliance and enforcement of the local law**

- Propose to add a new clause to enforce against the owner of a vehicle as Officers have difficulty ascertaining who committed the offence if a vehicle is involved and
- Propose to add a new clause that will comply with Due Process under the Charter of Human Rights and Responsibilities Act 2006 (Vic) providing an offender with an opportunity to ask for a review of any legal notice.

### **1.5.8 Infringement penalties**

- Propose to differentiate between a natural person and a corporation regarding penalties
- The value of a penalty unit under the new Local Government Act 2020 would be amended to align with state legislation and therefore the current penalties need to be amended. This is a key reason why there is a reduction in penalty units as the standard penalty unit is around double the previous under the current Local Law.

## **2. ENGAGEMENT**

The LGA 2020 sets out the procedure for Council to follow in the review of its Local Law, and the State Government Manual for Local Laws sets out these procedures in further detail.

### **2.1 Internal consultation**

Extensive internal consultation was conducted from July to August 2025, with ten workshops held with staff who have responsibility for, or involvement with, the current Local Law. Additional meetings were held with teams that have less direct involvement with the current Local Law, e.g. the Customer Service Team.

A briefing in the format of a workshop with Councillors was conducted on 5 November 2025 where the review and community engagement process was discussed in depth and Councillor feedback sought on specific issues to be addressed in the review of the Local Law.

### **2.2 Community engagement**

Community consultation, based on the feedback received from internal stakeholders and Councillors, was conducted from 9 February to 9 March 2026. The community had the opportunity to provide feedback on the Local Law and to share ideas on other issues that should be explored as part of the review process. The engagement was promoted via a social media campaign that reached 2,644 people and was also promoted on Council's webpage and emailed to 10,087 subscribers.

Feedback was sought via a Have Your Say online portal survey where questions could be answered (with free text opportunities), or submissions made. A total of 660 people viewed the online survey. Hard copies of the survey were also available upon request at Council's main office and at the community pop-ups. Community pop-ups were held at the Library, Knox Fest and Council's main office where people made submissions. There was also one community engagement via Zoom for people that could not participate otherwise.

### 2.3 Summary of community engagement

Community consultation identified broad support for measures that improve neighbourhood amenity, safety, and environmental protection (particularly around property maintenance, noise control, and wildlife impact) while highlighting significant concerns about fairness, affordability, and potential overregulation.

Feedback reflected mixed views on animal management, with support for responsible ownership but opposition to blanket limits and increased restrictions, and similar conditional support for safety-related measures where implementation is practical.

A consistent theme was the need for clearer, more consistent enforcement of existing laws, alongside recognition that cost-of-living pressures may limit residents' ability to comply. Overall, the findings indicate a community seeking a balanced approach that protects amenity and safety without imposing unnecessary or inequitable regulatory burdens. A summary of the key themes identified from the feedback can be found on pages 7 to 11 of the Local Law Community Consultation Phase 1 Summary Report.

Theme	Proposed Change	Support Level	Summary of Feedback
<b>Private Land and Amenity</b>	Stronger rules for unsightly/dangerous land	High	Strong support for improved enforcement and neighbourhood amenity.
	Outdoor lighting nuisance controls	High	Supported, especially for impacts on neighbours and wildlife.
	Burn-offs without permit (BMO areas)	Mixed	Support for fire risk management; concerns about smoke, safety, and oversight.
<b>Animal Management</b>	Apply animal number limits to all properties	Mixed	Opposition; concerns about fairness, welfare, and impact on larger properties.
	Stronger animal housing and fencing rules	Mixed	Supported for safety, but concerns about cost, equity, and practicality.
	Dog attack management measures	Mixed	Supported in principle; concerns about enforcement and real-world application.
<b>Council Land and Roads</b>	Clearer behaviour rules on Council land	High	General support for safety and amenity improvements.
	Election signage controls	Mixed	Mixed views; safety/amenity vs democratic expression.

<b>Construction and Assets</b>	Protect Council assets (drains, roads, debris)	High	Strong support for accountability and maintenance.
	Construction noise time restrictions	High	Broad support for alignment with EPA standards.

## 2.4 Draft Local Law 2026

Council Officers have taken the views of the community and the legal advice from Council's external lawyers into account and have drafted an Amenity Local Law 2026. Following the phase 1 engagement in developing the draft, Councillors were briefed on the content and key changes in the draft Amenity Local Law prior to the item being presented for consideration in this report.

## 2.5 Legal advice from Maddocks

The draft Amenity Local Law 2026 has been prepared in conjunction with external lawyers and reviewed by them to ensure compliance with all legislative requirements under LGA 2020. The lawyers advised that they support all changes, except for the following clauses:

### Election signage clause

- The clause in the current Local Law and a proposed clause regulating election signage is not consistent with the local law requirements of the LGA 2020 as the regulation of electoral signs is incompatible with and has the capacity to burden the implied freedom of political communication. Included in the freedom 'protected' by the Charter of Human Rights and Responsibilities Act 2006 is the freedom to take part in public life and the special treatment of signs that carry electoral messages, as opposed to signs generally, is inconsistent with this freedom.
- 86.7% of submitters to the Have Your Say survey supported or strongly supported managing election signage to help keep our public spaces safe and tidy during elections by reducing clutter and making sure signs don't block visibility or create hazards.
- It is generally accepted that councils should remain apolitical. Knox City Council represents a diverse community which holds views across the political spectrum. Council should not endorse, nor be seen to endorse, any individual candidate or political party.
- Knox City Council is the only council in Victoria that has an election signage clause with designated areas. Officers suggest that it would be prudent to align with all other councils to adopt a general signage clause, which includes the requirement to obtain a permit to display any sign.
- Therefore, Officers have omitted the election signage clause in the draft Local Law 2026 and recommend replacing it with a general signage clause as described above.
- This will have the effect that in future, each sign to be placed on Council land will require an individual Local Laws permit.

### Animal management clauses

- Officers had intended to incorporate a clause requiring dog owners to remain on the scene of a dog attack until an authorised officer of Council or a member of Victoria Police attended; and to provide their details to the victim. Officers also proposed a clause to allow Council to enter into an Animal Management Agreement with the owners of the aggressor dog which was involved in a dog attack.

- Advice provided suggests that both clauses are not consistent with the *Domestic Animals Act* 1984 and potentially not consistent with the *Charter of Human Rights and Responsibilities Act* 2006. Section 42 of the *Domestic Animals Act* 1994 evidences an intention for the Act to cover the field with respect to domestic animals, other than to the extent that the Act authorises the making of a local law for the limited matters specified in section 42 of the Act.
- Therefore, Council officers have omitted these clauses from the draft Amenity Local Law 2026.

## **2.6 Major changes reflected in the draft Amenity Local Law 2026**

### Private land and neighbourhood amenity

#### *Unightly and dangerous land* (Clauses 11, 12 and 13 of the draft Amenity Local Law)

- 87.1% of survey respondents supported or strongly supported improved neighbourhood amenity.
- The clause in the current local law has been redrafted and the draft local law incorporates 3 distinct clauses dealing with dangerous land, unsightly land and land which is detrimental to the general amenity of the neighbourhood. There is a new proposed definition of ‘unsightly land’ to make it clear and transparent for the community and to eliminate any vagueness (e.g. the word “excessive” when describing vegetation growth). Graffiti is now also specifically included to address anti-social behaviour and placing an obligation on the owner of the property to clean up and maintain the property
- Redrafted the clause regulating dilapidated buildings in the current Local Law and propose further obligations on the owner of the property to prevent the building and land from being a haven for anti-social or unlawful behaviour, and to not allow graffiti to remain on the building or on the private land
- Propose to expand the provision to include a property manager to be held liable as there is a large percentage of rental properties where the owner is unavailable or absent making compliance difficult

### Private land and the environment

#### *Open air burning* (Clause 26 of the draft Amenity Local Law)

- There were mixed views from the community, but strong support from the CFA and specifically from the fire brigades in our municipality.
- 56.5% of survey respondents supported or strongly supported; 23.5% were neutral and 20% opposed or strongly opposed to these changes.
- The draft clause has extensive restrictions in place and should address any concerns about regulation. The purpose of the proposed clause is to divide the municipality into two categories to restrict burning to minimise smoke nuisance in high-density residential areas (properties outside the Bushfire Management Overlay - BMO) and to allow burning within the BMO which is for areas with higher vegetation fuel loads. The proposed clause is to achieve a greater balance between managing fire risk and addressing environmental and health concerns.
- Should this clause be adopted by Council, an extensive communications campaign will be run to inform and advise the community about the changes in which category their property sits and how to easily ascertain that information.
- The draft clauses have been designed to align with similar local laws in Yarra Ranges Council and Cardinia Shire Council local laws which are reported to be working well.

*Outdoor lighting* (Clause 20 of the draft Amenity Local Law)

- 78.6% of the community supported or strongly supported the new proposed clause aimed at limiting amenity impacts from outdoor security and flood lighting.

Animal management

*Animal numbers* (Clause 30 of the draft Amenity Local Law)

- There were mixed community views, and specific concerns expressed about fairness, welfare, and impact on larger properties. (47.1% supported or strongly supported, 32.9% was neutral and 20% opposed or strongly opposed).
- There were objections lodged by Animal Care Australia and Knox Advocats. Council Officers have attached their submissions in full in the Local Law Community Consultation Phase 1 Summary Report.
- In summary, Knox Advocats oppose the clause as it will deprive more animals of homes and leave more animals at potential risk of impoundment, and death from euthanasia.
- The majority of the objections by Knox Advocats deal mostly with issues that fall outside the scope of the Local Law and are relevant to State legislation (Domestic Animals Act 1994).
- Animal Care Australia objects against the proposed clause as they submit that it will restrict existing animal keeping practices and lacks data, detail, and transparency, and misrepresents impacts. They emphasised that animal welfare is about care conditions, not numbers.

*Animal housing and proper fencing (containment)* (Clause 31 of the draft Amenity Local Law)

- The community supported the clause for safety reasons, but had concerns about cost, equity, and practicality. However, to address the cost-of-living issues, Council Officers have drafted an alternative clause to allow an enclosure if the cost of fencing would be an issue.
- There were objections lodged respectively by Animal Care Australia and Knox Advocats. Council Officers have attached their objections in full in the Local Law Community Consultation Phase 1 Summary Report
- Knox Advocats oppose the clause as it disadvantages renters, and financially challenged residents and families as fencing can be expensive. They also view containment enclosures as cages that destroy shared spaces and gardens.
- The majority of the objections by Knox Advocats deal mostly with issues that fall outside the scope of the Local Law and should be dealt with State legislation (Domestic Animals Act 1994).
- Animal Care Australia objects against the proposed clause as they have concerns of “How does Council intend on policing animal housing security or fencing?”
- 76.5% of the survey respondents supported or strongly supported; 9.4% was neutral and 14.1% opposed or strongly opposed the proposed changes.

Council-managed land and roads

*Behaviour on Council Land (including a municipal place) and Roads & Access to a Municipal Place* (Clauses 36, 37 and 38 of the draft Amenity Local Law)

- Council Officers drafted 3 new clauses to replace the current clause to extensively address aggressive, insulting and offensive behaviour and activities on Council land and access to Council buildings. This also addresses the risk of this type of conduct during a Council Meeting
- 67% of the survey respondents supported or strongly supported stricter behaviour controls.

### Council assets, trees and regulating building sites

*Drains, Spoil on roads & Occupation of Roads* (Clauses 59, 60 and 61 of the draft Amenity Local Law)

- Council officers drafted 3 new clauses to protect Council assets
- 75.3% of the survey respondents supported or strongly supported accountability and maintenance from the community.

### Building work time restrictions

- Council officers drafted a new clause (Clause 58 of the draft Amenity Local Law) to regulate building times to align with the same time of noise nuisances as per the Environment Protection Act 2017.
- 83.5% of the community supported or strongly supported alignment with EPA standards.
- It is important to note that minor building works (defined) are excluded from these restrictions. Therefore, minor renovations will be excluded from these restrictions.

Council Officers have compiled a Comparative Analysis between the Amenity Local Law 2020 and the draft Amenity Local Law 2026 to give a clear understanding of the proposed changes, with reasons explaining the changes.

### **2.7 Incorporated documents**

Council can under section 76 of the LGA 2020 adopt or incorporate any document, code, standard, rule, specification or method as formulated in a local law. The List of Environmental Weeds and the Use of Waste Collection Services Policy were both adopted by a Council resolution on 20 May 2020 (**Attachment 5**) and as such both documents will form part of the draft Amenity Local Law 2026 as incorporated documents in order to ensure they are enforceable under the draft Amenity Local Law 2026.

### **2.8 Timelines**

Following endorsement of the draft Amenity Local Law 2026, it is intended to exhibition of the local law and associated documents 18 May 2026 – 18 June 2026.

A review of submissions and required revisions to the draft local law will be completed through June and July with the Amenity Local Law presented to Council for adoption at the August Council Meeting

## **3. SOCIAL IMPLICATIONS**

The Local Law is expected to provide a positive social response through improved health, safety and amenity within the municipality, while providing for the fair, equitable and sustainable management of Council land and assets.

## **4. CLIMATE CHANGE CONSIDERATIONS**

The subject of this report has been considered in the context of climate change and its relevance to the Knox Climate Response Plan 2021 – 2031.

Implementation of the recommendation is considered to currently have no direct implications or has no direct impacts upon Council's Net Zero 2030 target or the Community Net Zero 2040. Burning off is currently an important tool intended to reduce fuel loads and mitigate intense

wildfires. However, it will have an impact on climate change, but the only alternative is sustainable green waste management with the accompanying increased cost to Council and ratepayers.

## **5. ENVIRONMENTAL IMPLICATIONS**

The purpose of the Local Law is to address environmental and amenity issues within the Community. In particular, the Local Law includes provisions aimed at protecting the visual and environmental amenity of the municipality, in addition to protecting trees and plants on Council land.

## **6. FINANCIAL AND RESOURCE IMPLICATIONS**

The review of the Local Law will be funded through the existing City Safety and Health operational budget, noting that most of the proposed communication deliverables will be provided from internal resources at no additional cost to Council. Furthermore, Council's in-house lawyer (Head of Prosecutions & Compliance Legal Counsel) has drafted the proposed local law, with no additional cost to Council.

It should however be noted that the LGA 2020 requires an external lawyer with appropriate experience to provide Council, prior to the adoption of a local law, with a certificate confirming that the proposed local law is consistent with the requirements of the LGA 2020. This certification process will be funded via the City Safety and Health operating budget.

## **7. RISKS**

Under the LGA 2020, councils are legally required to review their Local Laws every 10 years. The proposal achieves compliance with that requirement.

Council not having a Local Law would face significant risks to community health, safety and amenity. Local Laws are the primary tools for councils to address local issues, protect health and safety, protect the environment, and regulate activities within their jurisdiction. Without them, councils would struggle to maintain order, address specific community concerns, and effectively enforce regulations related to areas like noise, property maintenance, animal management and land and asset management.

## **8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029**

### **Being a strong voice for safety**

Strategy 5.3 - Our community is more secure, connected and feel less isolated through planning, partnerships, advocacy and targeted support for our most vulnerable.

## **9. CONFLICT OF INTEREST**

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

## **10. STATEMENT OF COMPATIBILITY**

The draft Local Law has been reviewed against the Charter for Human Rights and Responsibilities prior to being presented to Council for adoption.

This report is compatible with the Charter of Human Rights and Responsibilities, as it does not raise any human rights issues.

## **11. CONFIDENTIALITY**

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

## **ATTACHMENTS**

1. Attachment 1 - Comparative Analysis - Local law 2020 & draft Local Law 2026 [**4.1.1** - 78 pages]
2. Attachment 2 - Draft Amenity Local Law 2026 [**4.1.2** - 45 pages]
3. Attachment 3 - Community Consultation Phase 1 - Summary Report & Verbatim comments [**4.1.3** - 64 pages]
4. Attachment 4 - Knox - Amenity Local Law Review 2026 - Community Impact Statement [**4.1.4** - 8 pages]
5. Attachment 5 - Council resolution - Adopting Waste Policy & List of Environmental Weeds [**4.1.5** - 17 pages]

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
<b>Section A: Preliminary</b>				
<b>Part 1: Introductory</b>				
1.1	Title  This <b>local law</b> is called the “Amenity Local Law 2020”	1	Title  This Local Law is called the “Amenity Local Law 2026”	New title.
1.2	What are the objectives of this local law?  The objectives of this Local Law are to: (a) Provide for the peace, order and good government of the <b>municipal district</b> ; (b) Promote a physical and social environment free from hazards to health, in which the residents of the <b>municipal district</b> can enjoy a quality of life that meets the general expectations of the community; and (c) Prevent and manage <b>nuisances</b> which may adversely affect the enjoyment of life within the <b>municipal district</b> or the health, safety and welfare of <b>persons</b> within the <b>municipal district</b> and to achieve these objectives by: (d) Regulating and managing activities of people within the <b>municipal district</b> which may be dangerous, unsafe or detrimental to the quality of life of other people in, or the environment of, the <b>municipal district</b> ; (e) Regulating and controlling the use and activity relating to <b>Council land, roads and Council assets</b> ; and providing standards and conditions for specified activities to protect the safety and	2	What are the objectives of this local law?  The objectives of this Local Law are to: (a) Provide for the peace, order and good government of the municipal district; (b) Promote a physical and social environment free from hazards to health, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community; (c) Prevent and manage nuisances which may adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district; (d) Regulate and manage activities of people within the municipal district which may be dangerous, unsafe or detrimental to the quality of life of other people in, or the environment of, the municipal district; (e) Regulate and control the use and activity relating to Council land, roads and Council assets; and (f) Provide standards and conditions for specified activities to protect the safety and the welfare of people within, and the environment of, the municipal district.	Minor wording updates

## Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	the welfare of people within, and the environment of, the <b>municipal district</b> .			
1.3	<p><a href="#">What authorises this Local Law?</a></p> <p>This <b>Local Law</b> is made under section 111(1) of the Local Government Act 1989 and section 43 of the Domestic Animals Act 1994.</p>	3	<p><a href="#">What authorises this Local Law?</a></p> <p>This Local Law is made under section 71 of the Local Government Act 2020 and section 43 of the Domestic Animals Act 1994.</p>	Reference to Local Government Act 2020.
1.4	<p><a href="#">When does this local law commence?</a></p> <p>This <b>Local Law</b> commences on 1 July 2020.</p>	4	<p><a href="#">When does this local law commence?</a></p> <p>This Local Law commences on TBD.</p>	New Local Law operation date.
1.5	<p><a href="#">When does this Local Law end?</a></p> <p>Unless sooner revoked, in accordance with section 122 of the Local Government Act 1989, this Local Law is revoked on 1 July 2030.</p>	5	<p><a href="#">When does this Local Law end?</a></p> <p>This Local Law ceases to operate on TBD, unless revoked sooner by Council.</p>	New Local Law revocation date.
1.6	<p><a href="#">What does this local law replace?</a></p> <p>On the commencement of this Local Law, the Knox City Council General Provisions Local Law 2010 is revoked.</p>	6	<p><a href="#">What does this local law replace?</a></p> <p>On the commencement of this Local Law, the Amenity Local Law 2020 is revoked.</p>	Repeal existing Local Law.
1.7 to 1.10	<p><a href="#">What does this local law apply to?</a></p> <p>This <b>Local Law</b> applies throughout the whole of the <b>municipal district</b> of the <b>Knox City Council</b>.</p> <p>1.7 This <b>Local Law</b> does not apply where any act or thing is authorised by or under any Act, Rule, Regulation or the <b>Planning Scheme</b>.</p> <p>1.8 <b>Council</b> may declare, by resolution, <b>private land</b> that is being used for public purposes as <b>Council land</b>.</p> <p>1.9 Any <b>private land</b> declared under clause 1.9 must be:</p>	7	<p><a href="#">What does this local law apply to?</a></p> <p>(a) This Local Law applies throughout the whole of the municipal district of the Knox City Council.</p> <p>(b) This Local Law does not apply where any act or thing is authorised by or under any Act, Rule, Regulation or the Planning Scheme.</p> <p>(c) Council may determine, by resolution, private land that is being used for public purposes as Council land.</p>	Minor wording updates

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	(a) Advertised in a newspaper generally circulating within the <b>municipality</b> ; and (b) Advised to the owner of the private land as shown on Council's rates records at the time of the declaration.			
1.11.	<p><a href="#">Are there any exemptions from this local law?</a></p> <p><b>Council</b> may, by resolution, determine specified persons, land or areas within the <b>municipal district</b> to be exempt from any provision of this <b>Local Law</b> for a specified time and on specified conditions.</p>	8	<p><a href="#">Are there any exemptions from this local law?</a></p> <p>(a) Council may determine specified persons, land or areas within the municipal district to be exempt from any provision of this Local Law for a specified time and on specified conditions.</p> <p>(b) Where this Local Law prohibits any activity or other thing or provides that such activity can only take place or other thing can only be done or exist with a permit, that prohibition or provision will not apply to a person employed or engaged by Council while acting in the course of their official or authorised function.</p>	Provides explicit appropriate exemptions for Council and Government organisations for transparency.
1.13	Where a word or phrase is given a particular meaning in the <b>Local Law</b> , other parts of speech and grammatical forms of that word or phrase have, unless the contrary intention appears, corresponding meanings.	9	<p><a href="#">Interpreting this Local Law</a></p> <p>(a) Words and phrases, the meaning of which are defined in clause 10 of this Local Law or elsewhere in it, appear in bold type in the text.</p> <p>(b) Introductions to Parts, Headings and Notes are explanatory only and do not form part of this Local Law and are provided to assist understanding.</p> <p>(c) Where a word or phrase is defined in the Local Law, other parts of speech and grammatical forms of that word or phrase have, unless the contrary intention appears, corresponding meanings.</p>	Updated to provide clarity.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
1.12	<p><b>Definitions</b></p> <p>The Words identified in <b>bold</b> throughout this <b>Local Law</b> have the following meaning: Detailed definitions list available in Amenity Local Law 2020.</p>	10	<p><b>Definitions</b></p> <p>The words and phrases identified in bold throughout this Local Law have the following meaning: Detailed definitions list available in draft Amenity Local Law 2026.</p>	All definitions have been reviewed, updated and cross-referenced against other legislation.
	<p><b>Unightly</b> means a state or condition of a property characterised by the opinion of an <b>Authorised Officer</b> as having the presence of one or more of the following features or similar features:</p> <ul style="list-style-type: none"> <li>(a) excessive waste; and/or</li> <li>(b) discarded, rejected, surplus or abandoned solid or liquid materials; and/or</li> <li>(c) an accumulation of building waste and materials; and/or</li> <li>(d) unregistered <b>vehicles</b>; and/or</li> <li>(e) disassembled or incomplete <b>vehicles</b>, excessive machinery, machinery parts or similar; and/or</li> <li>(f) excessive dead, diseased or dying vegetation; and/or</li> <li>(g) excessively long grass and/or weeds; and/or</li> <li>(h) a disused excavation; and/or</li> <li>(i) anything being built which is left incomplete or any other thing which is a detriment to the appearance of the surrounding area.</li> </ul>		<p><b>Unightly</b> means a state or condition of a property having the presence of one or more of the following features or similar features:</p> <ul style="list-style-type: none"> <li>(a) unconstrained rubbish, litter or waste material;</li> <li>(b) discarded, rejected, surplus or abandoned solid or liquid materials;</li> <li>(c) unregistered <b>vehicle(s)</b> which is either unroadworthy, disassembled, incomplete, deteriorated or derelict;</li> <li>(d) disused or derelict machinery or <b>vehicle</b> parts;</li> <li>(e) dead, diseased or dying vegetation;</li> <li>(f) growth of vegetation and undergrowth exceeding a height of 300 millimetres;</li> <li>(g) a disused excavation;</li> <li>(h) a <b>building</b> or structure which is incomplete and not currently being constructed; or</li> <li>(i) <b>graffiti</b> on the exterior walls of a <b>building</b> or exterior fence.</li> </ul>	Redrafted the clause to give clarity to the community and avoid any vagueness (e.g., excessiveness). Include graffiti and unregistered vehicles, but qualify that the aim of compliance is only for unregistered vehicle(s) which is either unroadworthy, disassembled, incomplete or deteriorated or derelict.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
		<b>Section B Neighbourhood Amenity and Your Property</b>		
		<b>Part 2: Private Land and Neighbourhood Amenity</b>		
	<p><a href="#">Introduction</a></p> <p>This Part relates to the appearance and condition of private land and properties in the <b>municipality</b>, and includes properties that have been allowed to reach a <b>dilapidated</b>, unsightly or dangerous condition. This part also contains provisions to provide for clear signage of street numbers to assist in the management of the <b>municipality</b> and to assist emergency services.</p>		<p><a href="#">Introduction</a></p> <p>This Part relates to the appearance and condition of private land and properties in the municipality and includes properties that have been allowed to reach a dilapidated, unsightly or dangerous condition. This part also contains provisions to provide for clear signage of street numbers to assist in the management of the municipality and to assist emergency services and regulate short stay rental accommodation.</p>	
<p><b>2.1 to 2.3</b></p> <p><b>2.1</b></p> <p><b>2.2</b></p> <p><b>2.3</b></p>	<p><a href="#">Condition of private land</a></p> <p>An owner or occupier of private land must not cause or allow that private land to be kept in a manner which is or is likely to constitute a danger to health or property.</p> <p>An <b>owner</b> or <b>occupier</b> of <b>private land</b> must not cause or allow that <b>private land</b> to be kept in a manner which is <b>unsightly</b> or <b>detrimental</b> to the general amenity of the neighbourhood in which it is located.</p> <p>An <b>owner</b> or <b>occupier</b> of <b>private land</b> 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.</p>	<p><b>11</b></p> <p><a href="#">Dangerous land</a></p> <p>(1) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow that <b>private land</b> to be kept in a manner which is or is likely to constitute a danger to health, life or property.</p> <p>(2) Clause 11(1) does not apply to any danger to health, life or property arising from the condition of vegetation, including trees, unless the vegetation or trees poses a risk to persons or property in a <b>public place</b>.</p> <p>(3) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not, without a <b>permit</b>, store or allow to be stored any matter, hazardous substance or thing which is dangerous or likely to cause danger to health, life or property on that land.</p>	<p>Expand provisions associated with condition of private land to also include a property manager to include liability for rental properties.</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	No Clause	12	<p>Unightly Land</p> <p>An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow that <b>private land</b> to be kept or used in a manner which is <b>unsightly</b>.</p>	<p>Expand provisions associated with condition of private land to include a property manager to include liability for rental properties.</p> <p>Unightly land redefined to improve clarity and remove vagueness (see definitions)</p>
	No Clause	13	<p>Land which is detrimental to the general amenity of the neighbourhood</p> <p>An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow that <b>private land</b> to be kept or used in a manner which is <b>detrimental</b> to the general amenity of the immediate neighbourhood in which the land is located.</p>	<p>Expand provisions associated with condition of private land to include a property manager to include liability for rental properties. Include a new definition of detrimental to provide clarity.</p>
2.4 to 2.5  2.4	<p>Obstructions from private land</p> <p>Without a <b>permit</b>, an <b>owner</b> or <b>occupier</b> of <b>private land</b> must not allow any vegetation, sign, fence, structure or other thing on that <b>private land</b> to:</p> <ul style="list-style-type: none"> <li>(a) encroach over any <b>Council land</b> or road to a height less than 2.5 metres;</li> <li>(b) encroach over any <b>road</b> comprising the <b>road</b> pavement for the traffic of <b>vehicles</b> to a height less than 5 metres; or</li> <li>(c) obstruct the clear view of traffic controls by a <b>person</b> on the adjacent <b>road</b>, or substantially interferes with vehicle or pedestrian use of any <b>Council land</b> or <b>road</b> or with street lighting.</li> </ul>	14	<p>Obstructions from private land</p> <ul style="list-style-type: none"> <li>(1) Without a <b>permit</b>, an <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow any vegetation on that private land to:                             <ul style="list-style-type: none"> <li>(a) encroach on or overhang over any <b>Council land</b> or <b>road</b> to a height less than 2.5 metres;</li> <li>(b) encroach on or over any <b>road</b> comprising the <b>road</b> pavement for the traffic of vehicles to a height less than 5 metres; or</li> <li>(c) obstruct the clear view of traffic</li> </ul> </li> </ul>	<p>Combined clauses 2.4 &amp; 2.5 and expanded to include a property manager to include liability for rental properties &amp; include a sign, fence, structure or other thing on private land encroaching on or over Council land.</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
2.5	Without a <b>permit</b> , an <b>owner</b> or <b>occupier</b> of <b>private land</b> must not encroach, place or allow to be placed any obstruction or other thing on <b>Council land</b> or <b>road</b> .		controls by a person on the adjacent <b>road</b> or substantially interferes with <b>vehicle</b> or pedestrian use of any <b>Council land</b> or <b>road</b> or with street lighting.  (2) Without a <b>permit</b> , an <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow any <b>sign</b> , fence, structure or other thing on that private land to encroach on or over any <b>Council land</b> or <b>road</b> .  (3) Without a <b>permit</b> , an <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not place or allow to be placed, store or leave any obstruction or other thing on <b>Council land</b> or <b>road</b> .	
2.6 to 2.8	<b>Dilapidated Buildings</b>  An <b>owner</b> or <b>occupier</b> of <b>private land</b> : (a) must not allow a building located on that private land to: (i) become <b>dilapidated</b> ; or (ii) become <b>dilapidated</b> further; and  (b) must not fail to maintain any building on that private land in a state of good repair.  2.7 The <b>owner</b> or <b>occupier</b> of <b>private land</b> on which there is a vacant <b>dilapidated building</b> must take all reasonable steps to secure the <b>private land</b> from unauthorised access.  2.8	15	<b>Dilapidated Buildings</b>  An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must:  (a) not cause or allow a <b>building</b> located on that <b>private land</b> to: (i) become <b>dilapidated</b> ; or (ii) become further <b>dilapidated</b> ;  (b) not fail to maintain any <b>building</b> on that <b>private land</b> in a state of good repair;  (c) take all reasonable steps to secure the <b>building</b> and <b>private land</b> from unauthorised access by a <b>person</b> , including, if required, to install secure fencing, adequate locks and any	Expanded to include a property manager to include liability for rental properties.  Included: <ul style="list-style-type: none"> <li>• Vermin</li> <li>• Graffiti</li> </ul> Expand provision to put responsibility on the owner or occupier or property manager to take proactive & preventative steps to ensure the property does not become or stay an adverse amenity issue.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	For the purposes of sub-clause 2.6(a), a <b>building</b> is <b>dilapidated</b> if it is in a state of disrepair or has deteriorated or fallen into a state of partial ruin as a result of age, neglect, poor maintenance or misuse.		other security options deemed necessary; (d) take reasonable steps to prevent or remedy the <b>building</b> and <b>private land</b> from being a haven for regular anti-social or unlawful behaviour by a <b>person</b> ; (e) not allow any <b>graffiti</b> to remain on any <b>building</b> , exterior wall or exterior fence on that <b>private land</b> ; and (f) remove any <b>vermin</b> inhabiting the <b>building</b> and <b>private land</b> .	
2.9	<a href="#">Heavy and long vehicles on Private Land</a> Without a <b>permit</b> , a <b>person</b> must not, on <b>private land</b> keep or do any work on a <b>vehicle</b> which is 7.5 metres or more in length or 4.5 tonne or more in gross <b>vehicle</b> mass.	16	<a href="#">Heavy and long vehicles on Private Land</a> Without a <b>permit</b> , a <b>person</b> must not, on <b>private land</b> park, store, or repair or allow another <b>person</b> to park, store or repair a <b>vehicle</b> which is 7.5 metres or more in length or 4.5 tonne or more in gross <b>vehicle</b> mass.	Cosmetic change
2.10	<a href="#">Temporary accommodation/camping on Private Land</a> Without a <b>permit</b> , an <b>owner</b> or <b>occupier</b> of <b>private land</b> must not occupy or allow another <b>person</b> to occupy a <b>caravan, vehicle</b> , shed, tent or any other temporary, makeshift or like structure on <b>private land</b> .	17	<a href="#">Camping on Private Land</a> Without a <b>permit</b> , an <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not <b>camp</b> on <b>private land</b> or allow another <b>person</b> to <b>camp</b> on <b>private land</b> .	Updated definition of camping (see definitions). Streamline the clause to rely on the definition of camp.  Expanded to include a property manager to include liability for rental properties.
2.11 to 2.13	<a href="#">Property Numbers</a> <b>Council</b> may allocate a <b>property address</b> to each property in the <b>municipal district</b> and, from time to time, may make changes to <b>property addresses</b> .	18	<a href="#">Property Numbers</a> (1) <b>Council</b> may allocate a <b>property address</b> to each property in the <b>municipal district</b> and, from time to time, may make changes to <b>property addresses</b> .	Streamlined the clause & expanded to include a property manager to include liability for rental properties.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
2.12	For each property that has been allocated a <b>property address</b> under clause 2.11, the <b>owner</b> or <b>occupier</b> must mark the <b>private land</b> with the street number allocated, which 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 <b>road</b> which the <b>private land</b> fronts, under all normal lighting conditions.		(2) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of any property must ensure that the property is marked with the street number allocated, which must be: <ul style="list-style-type: none"> <li>(a) of sufficient size;</li> <li>(b) in such a position; and</li> <li>(c) kept in such a state of repair as to be clearly readable during daylight hours from the <b>road</b> which the property fronts.</li> </ul>	
2.13	An <b>owner</b> or <b>occupier</b> must not use an address other than the <b>property address</b> for the <b>private land</b> .			
2.14	<b>Intruder Alarms</b> An <b>owner</b> or <b>occupier</b> of <b>private land</b> must not install or <b>permit</b> to be installed or cause to be retained in an active state; at or upon that <b>private land</b> , any alarm which emits a noise audible beyond the boundary of the land, unless the alarm is so constructed or regulated as to ensure that: <ul style="list-style-type: none"> <li>(a) whenever a detection device is activated, the intruder alarm is automatically rendered inaudible beyond the boundary of the land within ten (10) minutes of it being activated; and</li> <li>(b) the intruder alarm cannot re-activate until the device has been re-set.</li> </ul>	19	<b>Intruder Alarms</b> An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not install or permit to be installed or cause to be retained in an active state at or upon that <b>private land</b> , any alarm which emits a noise audible beyond the boundary of the land, unless the alarm is so constructed or regulated as to ensure that: <ul style="list-style-type: none"> <li>(a) whenever a detection device is activated, the intruder alarm is automatically rendered inaudible beyond the boundary of the land within ten (10) minutes of it being activated; and</li> <li>(b) the intruder alarm cannot re-activate until the device has been re-set.</li> </ul>	No change, except to include a property manager expand liability for rental properties.
	No Clause	20	<b>Lights</b>  (1) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow the beam of a security or decorative light to penetrate	New clause to address nuisance lighting from private properties,

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			beyond the property boundary. (2) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow the beam of a security or decorative light to be excessive, offensive or cause a <b>nuisance</b> to any other person.	Includes a property manager to expand liability for rental properties.
	No Clause	21	<b>Short Stay Rental Accommodation</b>  An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> who allows the <b>private land</b> to be used for <b>short stay rental accommodation</b> is guilty of an offence if, during any period of twelve (12) months, three (3) or more substantiated complaints are received by <b>Council</b> to the effect that:  (a) a <b>person</b> on the <b>private land</b> has caused a <b>nuisance</b> ; or  (b) a <b>person</b> on the <b>private land</b> is demonstrating anti-social behaviour that has unduly interfered with the use and enjoyment of another residential premises.	New clause to address amenity issues that may arise from Short Stay Accommodation properties.  Includes a property manager to expand liability for rental properties.
	No Clause	22	<b>Shipping Containers</b>  Without a <b>permit</b> , an <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not keep, store, repair or in any other manner use a shipping container unless the <b>Planning Scheme</b> requires a planning <b>permit</b> for such use and a planning <b>permit</b> under the <b>Planning Scheme</b> has been issued.	New clause to address the placement of shipping containers on private land that is not covered under the Planning Scheme.  Also includes a property manager to expand liability for rental properties.

## Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<b>Part 3: Private Land and the Environment</b>	
	<p><a href="#">Introduction</a></p> <p>This Part contains provisions which aim to preserve the environment in the municipality, for a range of matters that are not already regulated for by other legislation.</p>		<p><a href="#">Introduction</a></p> <p>This Part contains provisions which aim to preserve the environment in the municipality, for a range of matters that are not already regulated for by other legislation.</p>	
<p><b>3.1 to 3.2</b></p> <p><b>3.1</b></p> <p><b>3.2</b></p>	<p><a href="#">Environmental Weeds</a></p> <p>The <b>Council</b> may <b>determine</b> any type of vegetation to be an <b>environmental weed</b> to which this <b>Local Law</b> applies.</p> <p>An <b>owner</b> or <b>occupier</b> of <b>private land</b> of 2 hectares or less must not allow the <b>private land</b> to support the growth of any <b>environmental weed</b> as <b>determined</b> under clause 3.1.</p>	23	<p><a href="#">Environmental Weeds</a></p> <p>(1) <b>Council</b> may <b>determine</b> any type of vegetation to be an environmental weed to which this <b>Local Law</b> applies.</p> <p>(2) The <b>List of Environmental Weeds</b> is incorporated into and forms part of this <b>Local Law</b>.</p> <p>(3) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> of two (2) hectares or less must not cause or allow any <b>environmental weed</b> under Clause 23(1) and (2) to be present on the <b>private land</b>.</p>	Cosmetic change, and expand a property manager liability for rental properties. Incorporate the List of Environmental Weeds as Schedule 3 of the Local Law.
<p><b>3.3 to 3.5</b></p> <p><b>3.3</b></p> <p><b>3.4</b></p>	<p><a href="#">Tree and Vegetation Protection</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not cut, trim, lop, prune or allow to be cut, trimmed, lopped or pruned on any <b>private land</b> a <b>declared significant tree</b> or <b>declared significant vegetation</b>.</p> <p>Any <b>person</b> found guilty of an offence under clause 3.3 may be required by <b>Council</b> to provide restitution of vegetation based on a <b>net gain</b> principle.</p>	24	<p><a href="#">Tree and Vegetation Protection</a></p> <p>(1) Without a <b>permit</b>, a <b>person</b> must not cut, trim, lop, prune or authorise or allow to be cut, trimmed, lopped or pruned on any <b>private land</b> a <b>declared significant tree</b> or <b>declared significant vegetation</b>.</p> <p>(2) In addition to Clause 24 (1), <b>Council</b> may require a <b>person</b> to pay compensation to <b>Council</b> based on the <b>net gain</b> principle.</p> <p>(3) A <b>person</b> must not fail to comply with the requirement under Clause 24 (2).</p>	Cosmetic change

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
3.5	Any <b>person</b> subject to a requirement under clause 3.4 must satisfy that requirement.			
3.11 to 3.14	<b>Pests on Private Land</b> An <b>owner</b> or <b>occupier</b> of <b>private land</b> must, upon becoming aware of the existence of an unmanaged honey bee swarm on that <b>private land</b> , take immediate steps to cause the hive or swarm to be removed.  An <b>owner</b> or <b>occupier</b> of <b>private land</b> must, upon becoming aware of the existence of a wasp nest on that <b>private land</b> , take immediate steps to cause the nest to be destroyed.  An <b>owner</b> or <b>occupier</b> of <b>private land</b> must, upon becoming aware of the existence of rats or mice on that private land, take immediate steps to: (a) destroy any rats or mice on that private land; and/or (b) (b) remove or rectify any conditions on the private land which are conducive to the harbouring, (c) breeding or feeding of rats and mice.  Clause 3.13 does not apply to: (a) rats or mice bred or kept exclusively for research, scientific or educational purposes; or (b) rats or mice bred or kept exclusively as domestic pets.	25.	<b>Vermin and pests on private land</b>  (1) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must, upon becoming aware of the existence of an <b>unmanaged honey bee swarm</b> on that <b>private land</b> , immediately remove the hive or swarm.  (2) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must, upon becoming aware of the existence of a wasp nest on that <b>private land</b> , immediately destroy the nest.  (3) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow that <b>private land</b> to harbour <b>vermin</b> .  (4) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must, upon becoming aware of the existence of <b>vermin</b> on that <b>private land</b> , immediately: (a) destroy any <b>vermin</b> on that <b>private land</b> ; or (b) remove or rectify any conditions on the <b>private land</b> which are conducive to the harbouring, breeding or feeding of <b>vermin</b> .  (5) Clause 25 (3) and (4) do not apply to: (a) rats or mice bred or kept exclusively for research, scientific or educational	Redrafted clause to combine as one & use correct legal terminology of vermin and not pests & includes a property manager to expand liability for rental properties; otherwise cosmetic changes.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			purposes; or (b) rats or mice bred or kept exclusively as domestic pets.	
		<b>Part 6: Open Air Burning</b>		
3.6 to 3.10	Opening Air Burning	25	Open air burning	Revoke the whole clause regulating Open Air Burning and divide the municipality into two areas, namely private land located within the Bushfire Management Overlay (BMO) and private land located outside the BMO. Land within the BMO can burn without a permit (with conditions), and those outside the BMO can only burn with a permit.
3.6	Without a <b>permit</b> , a <b>person</b> must not light a fire or allow a fire to remain alight in the <b>open air</b> .		Nothing in this Clause permits a <b>person</b> to light a fire during a declared Fire Danger Period (including a day of Total Fire Ban) or for the months of June & July or a Smog Alert Day declared by the Environment Protection Authority or any relevant statutory authority or otherwise in contravention of the <i>Country Fire Authority Act 1958</i> or the <i>Fire Rescue Victoria Act 1958</i> .	Add in cultural burning to comply with the Charter of Human Rights and Responsibilities Act 2006 (Vic).
3.7	<b>Clause 3.6 does not apply to:</b> (a) a tool of trade; (b) a <b>barbeque</b> or similar for the purposes of cooking food for human consumption; (c) a brazier, chiminea or small receptacle built for containing a fire for the purposes of personal heating; or (d) a <b>person</b> authorised to engage in an activity for or on behalf of a public authority, (e) providing that no <b>nuisance</b> is caused by the emission of smoke, soot, ash or odours.		In this Clause “Bushfire Management Overlay” ( <b>BMO</b> ) means a geographic overlay of the <b>Planning Scheme</b> that identifies areas at risk of bushfire, requiring specific planning controls for development to reduce risk to life and property.	Add in extensive clauses with restrictions to provide clarity to the community.
3.8	A <b>person</b> who has lit or allowed a fire to remain alight contrary to clause 3.6 or any conditions in a <b>permit</b> , must extinguish the fire immediately on being directed to do so by an <b>Authorised Officer</b> .		<b>A. Open Air Burning Categories</b> (a) This <b>Local Law</b> divides the <b>municipal district</b> into two (2) <b>open air</b> burning categories: (i) Open Air Burning – <b>private land</b> located within the <b>BMO</b> ; and (ii) Open Air Burning – <b>private land</b> located outside the <b>BMO</b> .	
3.9	No <b>permit</b> to burn will be issued during a declared fire danger period.		(b) Each property within the <b>municipal district</b> is	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
3.10	An <b>owner</b> or <b>occupier</b> of <b>private land</b> must not construct, erect, install, allow to remain, use or permit to be used an <b>incinerator</b> on any <b>private land</b> .		<p>within a category and the onus is on each <b>owner</b> or <b>occupier</b> of the <b>private land</b> to know to which category their <b>private land</b> belongs and to comply with the relevant <b>open air</b> burning restrictions set out in this <b>Local Law</b> or any relevant legislation.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>Note:</b> The location of <b>private land</b> and whether it is located within or outside the <b>BMO</b> is shown in the <b>Planning Scheme</b> or can be verified using the <b>Victorian Government’s MapShare Tool:</b>  <a href="https://mapshare.vic.gov.au/vicplan/">https://mapshare.vic.gov.au/vicplan/</a></p> <p>The <b>Planning Scheme</b> and Maps is available online for inspection or at <b>Council’s</b> principal office.</p> <p>Notification of the burn must be registered with <b>Fire Permits Victoria</b> webpage:  <a href="https://firepermits.vic.gov.au/">https://firepermits.vic.gov.au/</a></p> </div>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p><b>B. Regulation of Open Air Burning</b></p> <p>(1) <b>Open Air Burning – Private land falling within the BMO</b></p> <p>A <b>person</b> may, without a <b>permit</b>, light or allow to be lit, a fire in the <b>open air</b>, if the <b>private land</b> is located within the <b>BMO</b>.</p> <p>(2) <b>Open Air Burning – Private land falling outside the BMO</b></p> <p>(a) A <b>person</b> must not, without a <b>permit</b>, light or allow to be lit, a fire in the <b>open air</b>, if the <b>private land</b> is located outside the <b>BMO</b>.</p> <p>(b) A <b>person</b> must comply with the conditions of the <b>permit</b>.</p> <p>(3) <b>Permit may be issued</b></p> <p>Upon application by a <b>person</b>, <b>Council</b> or an <b>Authorised Officer</b> may issue a <b>permit</b> in accordance with Part 4 of this <b>Local Law</b> which allows the <b>permit holder</b>, subject to any conditions outlined in the <b>permit</b>, to have on any <b>private land</b> specified in the permit a fire in the <b>open air</b> that does not comply with any of the requirements of Clause 26(4)(a).</p> <p>(4) <b>General Provisions</b></p> <p>(a) A <b>person</b> or <b>owner</b> or <b>occupier</b> of <b>private land</b> who has lit or allowed a fire to be lit in the <b>open air</b> on <b>private land</b> must ensure that:</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<ul style="list-style-type: none"> <li>(i) the <b>open air</b> burning is only for fuel reduction for the purpose of fire prevention;</li> <li>(ii) only one fire can be lit respectively on a Thursday, Friday or Saturday during daylight hours;</li> <li>(iii) the fire must be completely extinguished by the end of that day's daylight hour;</li> <li>(iv) the fire must not exceed one cubic metre in size;</li> <li>(v) the distance from the outer extremity of the fire to any other fuel is at least three metres, including above the fire;</li> <li>(vi) the fire is supervised by an adult at all times who has the capacity and means to extinguish the fire;</li> <li>(vii) sufficient fire protection equipment or an adequate water supply is readily available on site to control or extinguish the fire;</li> <li>(viii) at the site of the fire, the wind speed must not</li> </ul>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>exceed 10 kilometres per hour;</p> <p>(ix) a notification of the fire in the <b>open air</b> is registered with <b>Fire Permits Victoria</b> or any relevant statutory authority prior to the commencement of the fire; and</p> <p>(x) the immediate surrounding neighbours are notified of the fire in the <b>open air</b> at least twenty four (24) hours beforehand.</p> <p>(b) A <b>person</b> or <b>owner</b> or <b>occupier</b> of <b>private land</b>, who has lit or allowed a fire to be lit or is in charge of a fire in the <b>open air</b> on <b>private land</b> must before leaving the place of the fire:</p> <p>(i) completely extinguish the fire; or</p> <p>(ii) ensure that an adult person who has the capacity and means to extinguish the fire remains at all times in charge of the fire.</p> <p>(c) Without a <b>permit</b>, a <b>person</b> or</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p><b>owner or occupier of private land</b> is allowed to light a fire in the <b>open air on private land</b> in the following circumstances:</p> <ul style="list-style-type: none"> <li>(i) a barbecue, pizza oven or other properly constructed appliance while it is being used for cooking food;</li> <li>(ii) a fire in a brazier, fire pit or chimenea while it is being used for heating;</li> <li>(iii) a tool of trade while being used for the purpose for which it was designed;</li> <li>(iv) a fire lit during the course of duty by a member of a fire and emergency services agency; or</li> <li>(v) a fire lit for the purpose of enjoying culture or practising religion.</li> </ul> <p>(5) <b>Restrictions on Open Air Burning on private land</b></p> <ul style="list-style-type: none"> <li>(a) A <b>person or owner or occupier of private land</b> must not light or allow a fire to be lit in the <b>open air</b> on the <b>private land</b> that: <ul style="list-style-type: none"> <li>(i) is offensive or a <b>nuisance</b> to another person in the vicinity, or beyond the property boundary; may</li> </ul> </li> </ul>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			cause a hazard to a person’s health; (ii) has an adverse impact on visibility beyond the property boundary, including reducing the visibility of motorists and other users of a <b>road</b> ; or (iii) creates a hazard on, or near, a <b>road</b> . (b) A <b>person</b> or <b>owner</b> or <b>occupier</b> of <b>private land</b> must not light or allow a fire to be lit in the <b>open air</b> on the <b>private land</b> to burn: (i) green or wet vegetation; (ii) non timber based building materials; (iii) painted or treated timber; (iv) rubber or plastic, including plastic mulch, plant pots and packaging materials; (v) furnishings or carpet; (vi) manufactured chemicals or pressurised cans; (vii) petroleum or oil products; (viii) paint or any container in which paint is or was kept; (ix) food waste;	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>(x) manure or straw;</p> <p>(xi) carcasses or dead animals, unless prescribed by the Department of Energy, Environment and Climate Action (DEECA) or any relevant statutory authority as the only means of disposal; or</p> <p>(xii) any other offensive, noxious, or toxic matter.</p> <p>(6) <b>Restrictions on Open Air Burning in Public Places and on Council Land</b></p> <p>(a) A <b>person</b> must not, without a <b>permit</b> or the relevant land manager’s written consent, light or allow to be lit, a fire in the <b>open air</b> on:</p> <p>(i) a <b>road</b>;</p> <p>(ii) <b>Council land</b>;</p> <p>(iii) Crown land; or</p> <p>(iv) any <b>public place</b></p> <p>unless the fire is authorised by a <b>sign</b> erected in or on the land by <b>Council</b>.</p> <p>(b) The restrictions in Clause 26(5) apply to Clause 26(6).</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>(7) <b>Direction to Extinguish Fires</b></p> <p>A <b>person</b> who has lit or allowed a fire in the <b>open air</b> to be lit contrary to the provisions in this clause or any condition contained in a <b>permit</b>, must <b>extinguish</b> the fire immediately on being directed to do so by:</p> <ul style="list-style-type: none"> <li>(a) an <b>Authorised Officer</b>; or</li> <li>(b) a member of Victoria Police or the Country Fire Authority or Fire Rescue Victoria.</li> </ul> <p>(8) <b>Incinerators</b></p> <p>A <b>person</b> or <b>owner</b> or <b>occupier</b> of <b>private land</b> must not light or allow to be lit a fire in an <b>incinerator</b>.</p>	
		<b>Part 5: Waste Management</b>		
3.15 to 3.16	<p><a href="#">Council Waste Service</a></p> <p>The Use of Waste Collection Services Policy is incorporated into and forms part of this <b>Local Law</b>.</p> <p>3.15</p> <p>3.16 A <b>person</b> who contravenes the Use of Waste Collection Services Policy is guilty of an offence.</p>	27	<p><a href="#">Council Waste Service</a></p> <p>(1) The <i>Use of Waste Collection Services Policy</i> is incorporated into and forms part of this <b>Local Law</b>.</p> <p>(2) A <b>person</b> must comply with the <i>Use of Waste Collection Services Policy</i>.</p>	Cosmetic change

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
3.17	<p><b>Non-Council Waste Service</b></p> <p>Where an <b>owner</b> or <b>occupier</b> of <b>private land</b> uses a non-<b>Council</b> managed waste collection service in respect to that <b>private land</b>, the <b>owner</b> or <b>occupier</b> of that <b>private land</b> must ensure that the:</p> <ul style="list-style-type: none"> <li>(a) service provided be at a standard and frequency equivalent to that provided by <b>Council</b>; and</li> <li>(b) bin/receptacle be kept in a clean and sanitary condition; and</li> <li>(c) bin/receptacle not be stored or used in any manner so as to cause a <b>nuisance</b> or become detrimental to the amenity of the immediate area.</li> </ul>	28	<p><b>Non—Council Waste Service</b></p> <p>An <b>owner</b> or <b>occupier</b> of <b>private land</b>, who uses a non-<b>Council</b> managed waste collection service in respect to that <b>private land</b>, must ensure that the:</p> <ul style="list-style-type: none"> <li>(a) service provided be at a standard and frequency equivalent to that provided by <b>Council</b>;</li> <li>(b) bin be kept in a clean and sanitary condition; and</li> <li>(c) bin not be stored or used in any manner so as to cause a <b>nuisance</b> or become <b>detrimental</b> to the amenity of the immediate area.</li> </ul>	Cosmetic change
3.18 to 3.20 3.18 3.19	<p><b>Commercial or Trade Waste</b></p> <p>Without a <b>permit</b>, a <b>person</b> must not place out for collection a commercial or trade waste bin/container on a <b>road</b> or <b>Council land</b>.</p> <p>Where an <b>owner</b> or <b>occupier</b> of <b>private land</b> has or stores commercial or trade waste on that <b>private land</b>, the <b>owner</b> or <b>occupier</b> of that <b>private land</b> must ensure that the:</p> <ul style="list-style-type: none"> <li>(a) bin/container and the surrounding area be kept in a clean and sanitary condition; and</li> <li>(b) commercial waste be regularly removed, at the frequency required to ensure that the bin/container is not overflowing; and</li> </ul>	29	<p><b>Commercial Waste</b></p> <ul style="list-style-type: none"> <li>(1) Without a <b>permit</b>, a <b>person</b> must not place out for collection a <b>commercial waste</b> bin on <b>Council land</b> a <b>road</b>.</li> <li>(2) Where an <b>owner</b> or <b>occupier</b> of <b>private land</b> has stored or stores <b>commercial waste</b> on that <b>private land</b>, the <b>owner</b> or <b>occupier</b> of that <b>private land</b> must ensure that the:                             <ul style="list-style-type: none"> <li>(a) bin and the surrounding area are kept in a clean and sanitary condition;</li> <li>(b) <b>commercial waste</b> is regularly removed, at the frequency required to ensure that the bin is</li> </ul> </li> </ul>	Combine clauses. Minor amendments to provide clarity around commercial waste bins - keeping, emptying and placement & align words and definitions with those in the Policy.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
3.20	<p>(c) bin/container be labelled with the address of the property, in accordance with any direction by an <b>Authorised Officer</b>; and</p> <p>(d) label on the bin/container be maintained and be clearly readable from the <b>road</b>, which the <b>private land</b> fronts, under all normal lighting conditions.</p> <p>A <b>person</b> must not place commercial or trade waste:</p> <p>(a) in a public litter bin;</p> <p>(b) in a public recycle bin;</p> <p>(c) on a hard-waste collection pile;</p> <p>(d) in a <b>Council</b> supplied bin that is for the purpose of residential collection;</p> <p>(e) in a <b>Council</b> supplied bin that is for commercial collection, for a property they do not own or occupy.</p>	29	<p>not overflowing;</p> <p>(c) bin is labelled with the address of the property, in accordance with any direction by <b>Council</b> or an <b>Authorised Officer</b>; and</p> <p>(d) label on the bin is maintained and is clearly readable from the <b>road</b>, which the <b>private land</b> fronts, under normal lighting conditions.</p> <p>(3) A <b>person</b> must not place <b>commercial waste</b>:</p> <p>(a) in a public litter bin;</p> <p>(b) in a public recycle bin;</p> <p>(c) on a hard-waste collection pile;</p> <p>(d) in a <b>Council supplied bin</b> that is for the purpose of residential collection; or</p> <p>(e) in a <b>Council supplied bin</b> that is for commercial collection, for a property they do not own or occupy.</p> <p>(4) If the <b>owner</b> or <b>occupier</b> of a commercial or industrial premises utilises a waste collection service other than, or in addition to, a waste collection service provided by <b>Council</b>:</p> <p>(i) the <b>owner</b> or <b>occupier</b> of a commercial or industrial premises must ensure that, for the purposes of that <b>commercial</b></p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p><b>waste</b> collection service, the <b>commercial waste</b> bin provided for the storage of <b>commercial waste</b> is:</p> <ul style="list-style-type: none"> <li>(i) constructed of impervious materials, watertight and pest proof;</li> <li>(ii) emptied before it overflows;</li> <li>(iii) removed from any <b>public place</b> immediately after it is emptied;</li> <li>(iv) maintained and kept in a clean condition and free from offensive odours; and</li> <li>(v) not placed on a nature strip or other part of a <b>road</b>, for the purpose of emptying of the <b>commercial waste</b> bin for longer than 48 hours;</li> </ul> <p>(ii) a <b>person</b> or the <b>owner</b> or <b>occupier</b> of a commercial or industrial premises must not place a waste bin from a commercial premises out for collection on a nature strip or</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>other part of a <b>road</b> prior to 4.00pm prior to collection and must return that bin to the premises by 10.00am on the day of collection.</p> <p>(iii) a <b>person</b> or the <b>owner</b> or <b>occupier</b> of a commercial or industrial premises, who places or allow to be placed a <b>commercial waste</b> bin on a nature strip or other part of a <b>road</b> to be emptied, must ensure that it does not cause any obstruction or danger to any person; and</p> <p>(iv) a <b>person</b> or the <b>owner</b> or <b>occupier</b> of a commercial or industrial premises who has placed or allow to be placed a <b>commercial waste</b> bin on a nature strip or other part of a <b>road</b>, must repair any damage to the nature strip or <b>road</b> or any works in the <b>road</b>, including a vehicle crossing, that results from placing the <b>commercial waste</b> bin on the nature strip or <b>road</b> or emptying it.</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change																															
Clause	Wording	Clause	Wording																																
		<b>Section C Keeping of Animals</b>																																	
		<b>Part 6: Animals</b>																																	
	<p><a href="#">Introduction</a></p> <p>This Part contains provisions which aim to ensure that any animals kept on <b>private land</b> do not cause a <b>nuisance</b> or adverse impact on the amenity of the area.</p>		<p><a href="#">Introduction</a></p> <p>This Part contains provisions which aim to ensure that any animals kept on <b>private land</b> do not cause a <b>nuisance</b> or have an adverse impact on the amenity of the area.</p>																																
4.1 to 4.3	<p><a href="#">Limits on number of animals kept</a></p>	30	<p><a href="#">Limits on number of animals kept</a></p>	<p>Amend the land area for excess animal permits to include all land and not land less than or equal to 4,000sq meters. Animal numbers have been kept the same.</p> <p>Add a new provision that a person may have an assistance dog or assistance animal on land to comply with the Disability Discrimination Act 1992 (Cth) &amp; Equal Opportunity Act 2010.</p>																															
4.1	<p>An <b>owner</b> or <b>occupier</b> of <b>private land</b>, the area of which is less than or equal to 4,000 square metres must not, without a <b>permit</b>, keep or allow to be kept on that <b>private land</b> any more in number for each animal than is set out in the following table:</p> <table border="1"> <thead> <tr> <th>Type of animal</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Dogs</td> <td>Two (2)</td> </tr> <tr> <td>Cats</td> <td>Two (2)</td> </tr> <tr> <td>Poultry</td> <td>Five (5)</td> </tr> <tr> <td>Small birds</td> <td>Twenty Five (25)</td> </tr> <tr> <td>Large Birds</td> <td>Five (5)</td> </tr> <tr> <td>Ferrets, Guinea Pigs, Rabbits or Rodents</td> <td>Five (5)</td> </tr> </tbody> </table>	Type of animal	Number		Dogs	Two (2)	Cats	Two (2)	Poultry	Five (5)	Small birds	Twenty Five (25)	Large Birds	Five (5)	Ferrets, Guinea Pigs, Rabbits or Rodents	Five (5)		<p>(1) Without a <b>permit</b>, an <b>owner</b> or <b>occupier</b> of <b>private land</b> must not keep or allow to be kept on that <b>private land</b> any more in number for each animal than is set out in the following table:</p> <table border="1"> <thead> <tr> <th>Type of animal</th> <th>Number<sup>1</sup></th> </tr> </thead> <tbody> <tr> <td>Dogs</td> <td>Two (2)</td> </tr> <tr> <td>Cats</td> <td>Two (2)</td> </tr> <tr> <td>Poultry</td> <td>Five (5)</td> </tr> <tr> <td>Small birds</td> <td>Twenty Five (25)</td> </tr> <tr> <td>Large Birds</td> <td>Five (5)</td> </tr> <tr> <td>Ferrets, Guinea Pigs, Rabbits or Rodents</td> <td>Five (5)</td> </tr> <tr> <td>Rooster</td> <td>Nought (0)</td> </tr> <tr> <td>Livestock</td> <td>Nought (0) if private land is less than 4,000 sq metres.</td> </tr> </tbody> </table>	Type of animal	Number <sup>1</sup>	Dogs	Two (2)	Cats	Two (2)	Poultry	Five (5)	Small birds	Twenty Five (25)	Large Birds	Five (5)	Ferrets, Guinea Pigs, Rabbits or Rodents	Five (5)	Rooster	Nought (0)	Livestock
Type of animal	Number																																		
Dogs	Two (2)																																		
Cats	Two (2)																																		
Poultry	Five (5)																																		
Small birds	Twenty Five (25)																																		
Large Birds	Five (5)																																		
Ferrets, Guinea Pigs, Rabbits or Rodents	Five (5)																																		
Type of animal	Number <sup>1</sup>																																		
Dogs	Two (2)																																		
Cats	Two (2)																																		
Poultry	Five (5)																																		
Small birds	Twenty Five (25)																																		
Large Birds	Five (5)																																		
Ferrets, Guinea Pigs, Rabbits or Rodents	Five (5)																																		
Rooster	Nought (0)																																		
Livestock	Nought (0) if private land is less than 4,000 sq metres.																																		
4.2	<p>Unless specifically permitted under a <b>Planning Scheme</b> applicable to the <b>private land</b> or an Act, a <b>person</b> must not, without a <b>permit</b>, keep <b>livestock</b> on any <b>private land</b> which is less than 4,000 square metres.</p>		<p>(2) The limitations and restrictions in this Part do not prohibit the keeping of any animals for which a planning <b>permit</b> is required under the <b>Planning Scheme</b> and a planning <b>permit</b> has been issued for such keeping.</p>																																
4.3	<p>Unless specifically permitted under a <b>Planning Scheme</b> applicable to the <b>private land</b> or any Act, a <b>person</b></p>		<p>(3) <b>Council</b> or an <b>Authorised Officer</b> may exempt any person or class of <b>persons</b> from the application of Clause 30(1).</p>																																

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	must not keep a <b>rooster</b> on any <b>private land</b> .		<p>(4) Notwithstanding Clauses 30(1) and (2), a <b>person</b> is allowed to keep an <b>assistance dog</b> or <b>assistance animal</b> on <b>private land</b>, provided that the <b>assistance dog</b> or <b>assistance animal</b> is registered with <b>Council</b> or an appropriate body or Applicable Organisation, if required under legislation.</p> <p>(5) Unless specifically permitted under a <b>Planning Scheme</b> applicable to the <b>private land</b> or any Act, a <b>person</b> must not keep a <b>rooster</b> on any <b>private land</b>.</p> <p>(6) Unless specifically permitted under a <b>Planning Scheme</b> applicable to the <b>private land</b> or any Act, a person must not keep <b>livestock</b> on any <b>private land</b> which is less than 4,000 square metres.</p> <p><small>1 For the purpose of calculating the maximum number of dogs and cats allowed to be kept on land, the progeny of any dog or cat lawfully kept on the land is not to be counted for twelve (12) weeks after their birth. An assistance dog or assistance animal is not included in the total number of animals allowed in the Table.</small></p> <p><small>2 Specific bodies accredited by state government (such as the Minister for Agriculture in Victoria under the Domestic Animals Act 1994) that are authorised to train and accredit assistance animals, e.g., Dogs Victoria.</small></p>	
4.4 to 4.5 4.4.	<p><b>Animal Housing</b></p> <p>The <b>owner</b> of an animal and the <b>owner</b> or <b>occupier</b> of the <b>private land</b> on which the animal is kept, must ensure that the <b>animal housing</b>:</p> <p>(a) is constructed or altered to the satisfaction of an <b>Authorised Officer</b> with adequate roofing, flooring and drainage;</p>	31	<p><b>Animal Housing</b></p> <p>(1) The <b>owner</b> of an animal and the <b>owner</b> or <b>occupier</b> of the <b>private land</b> on which an animal is kept, must ensure that the <b>animal housing</b>:</p> <p>(a) is constructed with adequate roofing, flooring and drainage;</p> <p>(b) is maintained in a clean and sanitary condition;</p>	Cosmetic change

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
4.5	<p>(b) is maintained in a clean and sanitary condition;</p> <p>(c) provides adequate shelter for the number of and welfare needs of the <b>animal</b>;</p> <p>(d) is maintained in good repair so as to not cause <b>nuisance</b> to neighbouring properties;</p> <p>(e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an <b>Authorised Officer</b>;</p> <p>(f) is kept clear of materials which may harbour vermin.</p> <p>The <b>owner</b> of an animal and the <b>owner</b> or <b>occupier</b> of the <b>private land</b> on which the animal is housed must ensure that animal food is stored as to prevent access by vermin or insects, to the satisfaction of an <b>Authorised Officer</b>.</p>		<p>(c) provides adequate shelter for the number of and welfare needs of the animal;</p> <p>(d) is maintained in good repair so as to not cause a <b>nuisance</b> to neighbouring properties;</p> <p>(e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an <b>Authorised Officer</b>; and</p> <p>(f) is kept clear of materials which may harbour <b>vermin</b>.</p> <p>(2) The <b>owner</b> of an animal and the <b>owner</b> or <b>occupier</b> of the <b>private land</b> on which the animal is housed must ensure that animal food is stored to prevent access by <b>vermin</b>.</p>	
	No Clause	32	<p><b>Private land adequately fenced</b></p> <p>(1) The <b>owner</b> of an animal and the <b>owner</b> or <b>occupier</b> of the <b>private land</b> on which the animal is kept, must ensure that the <b>private land</b> is <b>adequately fenced</b>, and the fence is maintained to the satisfaction of <b>Council</b> or an <b>Authorised Officer</b>, so that any animal kept on the private land cannot escape from that <b>private land</b>; or</p> <p>(2) The <b>owner</b> of an animal and the <b>owner</b> or</p>	<p>New clause regulating fencing of animals (specifically dogs) on private land. An alternative clause allowing owners to install an enclosure to address cost of living issues.</p> <p>Dogs escaping from their property and attacking people and other animals is a major</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p><b>occupier</b> of the <b>private land</b> on which the animal is kept can, as an alternative to adequate fencing, install and maintain an enclosure for the animal to be kept on the <b>private land</b> to prevent the animal from escaping.</p> <p>(3) In addition to Clause 32(2), the enclosure must comply with the applicable Code of Practice applicable to the animal under the <i>Prevention of Cruelty to Animals Act 1986</i> or the <i>Domestic Animals Act 1994</i> or any other relevant state legislation.</p> <p>(4) A failure to comply with Clause 32(1), (2) and (3) is an offence.</p>	issue and there is a need for regulation to ensure responsible ownership.
4.6 to 4.7	<p><b>Removal of Animal Waste</b></p> <p>A <b>person</b> in charge of an animal on <b>Council land</b> or on a <b>road</b> must carry a facility for the effective removal of any waste that may be deposited by that animal.</p> <p>4.6</p> <p>A <b>person</b> in charge of an animal on <b>Council land</b> or on a <b>road</b> must carry a facility for the effective removal of any waste that may be deposited by that animal.</p> <p>4.7</p> <p>A <b>person</b> in charge of an animal on <b>Council land</b> or on a <b>road</b> must collect from the <b>Council land</b> or <b>road</b> and appropriately dispose of any waste deposited by that animal.</p>	33	<p><b>Removal of Animal Waste</b></p> <p>(1) A <b>person</b> in charge of an animal on <b>Council land</b> or on a <b>road</b> must carry a facility for the effective removal of any waste that may be deposited by that animal.</p> <p>(2) A <b>person</b> in charge of an animal on <b>Council land</b> or on a <b>road</b> must collect from the <b>Council land</b> or <b>road</b> and appropriately dispose of any waste deposited by that animal.</p>	No change
4.8 to 4.9	<p><b>Animal Noise and Odour</b></p> <p>4.8</p> <p>The <b>owner</b> of an animal and the <b>owner</b> or <b>occupier</b> of the <b>private land</b> on which the animal is kept must not allow noise or odour to emanate from the animal as to interfere with the amenity of the immediate area.</p>	34	<p><b>Animal Noise and Odour</b></p> <p>(1) The <b>owner</b> of an animal and the <b>owner</b> or <b>occupier</b> of the <b>private land</b> on which the animal is kept must not allow noise or odour to emanate from the animal as to interfere with the amenity of the immediate area.</p>	No change

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
4.9	Clause 4.8 does not apply to any class of animal where another <b>Act</b> or legislation applies.		(2) Clause 36(1) does not apply to any class of animal where another Act or legislation applies.	
4.10 to 4.11	<a href="#">Feeding of Animals and Birds</a> If the feeding of an uncaged bird and/or animal by a <b>person</b> interferes with the amenity of the immediate area or causes damage to property, an <b>Authorised Officer</b> may direct the <b>person</b> to cease feeding the bird and/or animal.	35	<a href="#">Feeding of Animals and Birds</a> <b>A person</b> must not feed an uncaged bird or animal so as to interfere with the amenity of the immediate area or cause damage to any land.	Cosmetic change
4.11	Any <b>person</b> who is given a direction under clause 4.10 must comply with that direction.			
		<b>Section D: Use of Council Land and Roads</b>		
		<b>Part 7: Use of Council Land and Road</b>		
	<a href="#">Introduction</a> Introduction: This Part contains provisions to protect the amenity of <b>Council land</b> or <b>roads</b> through controls prohibiting <b>persons</b> from causing damage to, or acting in a socially unacceptable manner on <b>Council land</b> or <b>roads</b> .		<a href="#">Introduction</a> Introduction: This Part contains provisions to protect the amenity of <b>Council land</b> or <b>roads</b> through controls prohibiting <b>persons</b> from causing damage to, or acting in a socially unacceptable manner on <b>Council land</b> or <b>roads</b> .	
5.1 to 5.3	<a href="#">Behaviour on Council Land and Roads</a> A <b>person</b> must not behave, on <b>Council land</b> or on a <b>road</b> in such a manner as to interfere with another <b>person's</b> reasonable use of that <b>Council land</b> or <b>road</b> .	36	<a href="#">Behaviour on Council Land (including municipal place) and Roads</a> A person must not: (1) create a <b>nuisance</b> on <b>Council land</b> or a <b>road</b> ;	Revoke old clause and replace with an expanded extensive clause dealing with behavioural issues to ensure the safety of the community and Council staff.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
5.2	A <b>person</b> must not behave, on <b>Council land</b> or on a <b>road</b> in such a manner as to endanger or be likely to endanger a <b>person’s</b> health or life, property, or an animal.		(2) act in a manner that is likely to interfere with the reasonable use and enjoyment of a <b>Council land</b> or a <b>road</b> by other persons;	
5.3	A <b>person</b> must comply with any <b>sign</b> erected on <b>Council land</b> or <b>road</b> by <b>Council</b> .		(3) act in a manner which endangers any other <b>person</b> on a <b>Council land</b> or a <b>road</b> ;  (4) use indecent, insulting, offensive or abusive language on a <b>Council land</b> or a <b>road</b> ;  (5) behave in an indecent, offensive, insulting, or riotous manner on a <b>Council land</b> or a <b>road</b> ;  (6) bring onto <b>Council land</b> any substance, liquid or powder which may: (a) be dangerous or injurious to health; (b) have the potential to foul, pollute or soil any part of the Council land; or (c) cause discomfort to any person.  (7) organise, conduct, or hold any function or <b>event</b> on a <b>road</b> or <b>Council land</b> without the consent of <b>Council</b> or an <b>Authorised Officer</b> or a <b>Council</b> staff member;  (8) act contrary to any restriction, prohibition or direction contained on a <b>sign</b> on <b>Council land</b> or a <b>road</b> ;  (9) erect, operate or cause to be erected or operated any amusement, without a <b>permit</b> , on <b>Council land</b> or a <b>road</b> ;  (10) obstruct, hinder, or interfere with a <b>Council</b> staff member in the performance of their duties on <b>Council land</b> or a	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p><b>road;</b></p> <p>(11) act contrary to any reasonable direction of an <b>Authorised Officer</b> or <b>Council</b> staff member given on <b>Council land</b> or a <b>road</b>, including, without limitation, a direction to leave the <b>Council land</b> or the <b>road</b>, whether or not a fee for admission has been paid;</p> <p>(12) make any wager for money or engage in any form of gambling, without a <b>permit</b>, on <b>Council land</b> or a <b>road</b>;</p> <p>(13) remain in a <b>municipal place</b> while under the influence of alcohol or any prohibited drug; or</p> <p>(14) remain on <b>Council land</b> or a <b>road</b> after being directed to leave by an <b>Authorised Officer</b> or a <b>Council</b> staff member.</p>	
	No Clause	37	<p><b>Council's power on Council Land (including municipal places)</b></p> <p>(1) Under this <b>Local Law</b> the <b>Council</b> or an <b>Authorised Officer</b> or a <b>Council</b> staff member may do any of the following in relation to any <b>Council land</b>:</p> <p>(a) restrict access to all or part of <b>Council land</b> to any person;</p> <p>(b) close <b>Council land</b> or any part of it to the public;</p> <p>(c) <b>determine</b> the hours <b>Council land</b> or any part of it is open to the public;</p> <p>(d) establish conditions of entry to <b>Council land</b> or any part of it;</p>	New provisions to better regulate behaviour on council land and access to council buildings and land.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<ul style="list-style-type: none"> <li>(e) establish conditions for the use or hire of <b>Council land</b> or any part of it;</li> <li>(f) set and collect fees or charges for admission to or the hire of or the use of <b>Council land</b> or any part of it, including variation in fees or charges depending upon multiple use, period of time or any other basis; and</li> <li>(g) set and collect fees or charges for the hire or use of any <b>Council</b> property or <b>asset</b> in connection with <b>Council land</b> or any part of it.</li> </ul> <p>(2) A <b>person</b> must not act contrary to any restriction, closure, condition, fee, charge, agreement or authorised instruction in relation to <b>Council land</b> unless authorised by <b>Council</b> or an <b>Authorised Officer</b> or a <b>Council</b> staff member to do so.</p>	
	No Clause	38	<p><a href="#">Access to a Municipal Place</a></p> <p>(1) A person must not, without the consent of <b>Council</b> or an <b>Authorised Officer</b> or <b>Council</b> staff member:</p> <ul style="list-style-type: none"> <li>(a) act contrary to any conditions of entry or membership applicable to a <b>municipal place</b>;</li> <li>(b) enter or remain in a <b>municipal place</b> after being directed to leave by an <b>Authorised Officer</b> or a <b>Council</b> staff member;</li> <li>(c) enter or remain in a <b>municipal place</b> during hours when the <b>municipal place</b> is not open to the public;</li> </ul>	New provisions to better regulate access to council buildings and land.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>(d) bring any animal into, or allow any animal under their control to remain in a <b>municipal place</b>, except for an <b>assistance dog</b> being used by that person; or</p> <p>(e) bring any <b>vehicle or wheeled recreational device or wheeled toy</b> into a <b>municipal place</b>, except for:</p> <ul style="list-style-type: none"> <li>(i) a pram or pusher being used by a child; or</li> <li>(ii) a wheelchair or motorised disability scooter or similar being used by a <b>person</b> with disabilities.</li> </ul> <p>(2) A <b>person</b> must not act contrary to any reasonable direction of an <b>Authorised Officer</b> or <b>Council</b> staff member given in a <b>municipal place</b>.</p>	
5.4	<p><a href="#">Camping on Council Land</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not <b>camp</b> in or on any <b>Council land</b> or <b>road</b>.</p>	39	<p><a href="#">Camping on Council Land or road or public place</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not <b>camp</b> in or on any <b>Council land</b> or <b>road</b> or <b>public place</b>.</p>	Add in a public place.
5.5	<p><a href="#">Obstructions on Roads and Council Land</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not place or <b>permit</b> to be placed or allow to remain on a <b>road</b> or <b>Council land</b>:</p> <ul style="list-style-type: none"> <li>(a) a <b>bulk rubbish container</b>; or</li> <li>(b) a shipping container; or</li> <li>(c) a <b>donation bin</b>; or</li> <li>(d) any other thing.</li> </ul>	40	<p><a href="#">Obstructions on Roads and Council Land</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not place or <b>permit</b> to be placed or allow to remain on <b>Council land</b> or a <b>road</b>:</p> <ul style="list-style-type: none"> <li>(a) a bulk rubbish container;</li> <li>(b) a shipping container;</li> <li>(c) a donation bin; or</li> <li>(d) any other thing.</li> </ul>	No change

## Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
5.6 to 5.8	<p><a href="#">Shopping Trolleys</a></p> <p>A <b>person</b> must not leave a shopping trolley on a <b>road</b> or <b>Council land</b>, except in an area designated for the leaving of shopping trolleys.</p> <p>The <b>owner</b> of a shopping trolley must ensure that their name and trading name are clearly marked on the shopping trolley.</p> <p>The <b>owner</b> of a shopping trolley must not allow the <b>shopping trolley</b> to be left on a <b>road</b> or <b>Council land</b>, except in an area designated for the leaving of shopping trolleys.</p>	41	<p><a href="#">Shopping Trolleys</a></p> <p>(1) A <b>person</b> must not leave a <b>shopping trolley</b> on <b>Council land</b> or a <b>road</b>, except in an area designated for the leaving of <b>shopping trolleys</b>.</p> <p>(2) The <b>owner</b> of a <b>shopping trolley</b> must ensure that their name and trading name are clearly marked on the shopping trolley.</p> <p>(3) The <b>owner</b> of a <b>shopping trolley</b> must not leave or allow to be left a <b>shopping trolley</b> on <b>Council land</b> or a <b>road</b>, except in an area designated for the leaving of <b>shopping trolleys</b>.</p>	No change
5.9 to 5.10	<p><a href="#">Use of Toy Vehicles or Aircraft</a></p> <p>A <b>person</b> must not use or allow to be used a <b>wheeled toy, wheeled recreational device, motorised toy vehicle</b> or <b>model aircraft</b> on a <b>road</b> or <b>Council land</b> so as to endanger, intimidate or unduly obstruct any other <b>person</b> or <b>vehicle</b> lawfully using or intending to use the same area, or damage property.</p> <p>The <b>Council</b> may <b>determine</b> a <b>road</b> or <b>Council land</b> in which the use of a <b>wheeled toy, wheeled recreational device, motorised toy vehicle</b> or <b>model aircraft</b> is prohibited, where it considers that the use of these items is reasonably likely to cause physical damage to infrastructure, or would prevent the free passage of other users of the <b>road</b> or <b>Council land</b>, or damage property, or <b>Council assets</b>.</p>	42	<p><a href="#">Use of Toy Vehicles or Aircraft</a></p> <p>(1) A <b>person</b> must not use or allow to be used a <b>wheeled toy, wheeled recreational device, motorised toy vehicle</b> or <b>model aircraft</b> on <b>Council land</b> or a <b>road</b> so as to:</p> <p>(a) endanger or intimidate or unduly obstruct or cause annoyance to any other person or vehicle lawfully using or intending to use the same area; or</p> <p>(b) damage property.</p> <p>(2) <b>Council</b> may <b>determine</b> any <b>Council land</b> or a <b>road</b>, where a <b>wheeled toy, wheeled recreational device, motorised toy vehicle</b> or <b>model aircraft</b> is used or can be used, to be prohibited, if the use of these items is reasonably likely to endanger, intimidate or unduly obstruct any other <b>person</b> or <b>vehicle</b> lawfully using or intending to use the same area or damage property to <b>Council land</b> or a <b>road</b> or a <b>Council asset</b>.</p>	Cosmetic change, however deleted the word “drone” from the definition of “model aircraft” as drones are regulated by CASA (state government).

## Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
5.11	<p><a href="#">Fireworks on Council Land and Roads</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not discharge or cause or allow to be discharged any fireworks on a <b>road</b> or <b>Council land</b>.</p>	43	<p><a href="#">Fireworks on Council Land and Roads</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not discharge or cause or allow to be discharged any fireworks on <b>Council land</b> or a <b>road</b>.</p>	No change
		<b>Part 8: Vehicles on Council Land or Roads</b>		
	<p><a href="#">Introduction</a></p> <p>This Part contains provisions regarding the placement of <b>vehicles</b> on <b>Council land</b> or <b>roads</b>, for matters that are not already regulated for by other legislation.</p>		<p><a href="#">Introduction</a></p> <p>This Part contains provisions regarding the placement of <b>vehicles</b> on <b>Council land</b> or <b>roads</b>, for matters that are not already regulated for by other legislation.</p>	
6.1	<p><a href="#">Vehicles on Council Land and Roads</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not use, or allow to remain, any <b>vehicle</b> on any <b>Council land</b> or <b>road</b> unless set aside for <b>vehicle</b> parking or is a designated roadway.</p>	44	<p><a href="#">Vehicles on Council Land and Roads</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not use, or allow to remain, any <b>vehicle</b> on any <b>Council land</b> or <b>road</b> unless set aside for <b>vehicle</b> parking or is a designated roadway.</p>	No change
6.2 to 6.3	<p><a href="#">Repairing Vehicles</a></p> <p>Subject to clause 6.3, a <b>person</b> must not paint, service, carry out maintenance on, dismantle or repair a <b>vehicle</b> on a <b>road</b> or <b>Council land</b>.</p> <p>6.2</p> <p>6.3 Clause 6.2 does not apply to a minor repair being undertaken by a <b>motoring assistance organisation</b> to enable the immediate removal of the <b>vehicle</b>.</p>	45	<p><a href="#">Repairing or displaying vehicles</a></p> <p>(1) A <b>person</b> must not dismantle, paint, service, carry out maintenance on, repair or dismantle a <b>vehicle</b> on <b>Council land</b> or a <b>road</b>, or allow or authorise another <b>person</b> to do so, except in an emergency breakdown for the purpose of removing it.</p> <p>(2) Without a <b>permit</b>, a <b>person</b> must not display a <b>vehicle</b> for sale on <b>Council land</b> or a <b>road</b>.</p>	Redrafted clause and streamlined. Delete definition of “motoring assistance organisation” and replaced with broad exemption for an emergency.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	No Clause	46	<p><a href="#">Abandoned, Derelict and Unregistered Vehicles</a></p> <p>A <b>person</b> must not abandon or leave a derelict or unregistered <b>vehicle</b>, or cause or allow such a <b>vehicle</b> to be parked or left standing, on <b>Council land</b> or a <b>road</b> or a <b>public place</b>.</p>	New clause to address abandoned, derelict and unregistered vehicles to fill the gap as Council have powers to impound these vehicles under the LGA 1989.
			<b>Part 9: Trading, fundraising and promotional activities on Council Land or Roads</b>	
	<p><a href="#">Introduction</a></p> <p>This Part contains provisions relating to commercial, fundraising and promotional activities on <b>Council land</b> and <b>roads</b>. It establishes a <b>permit</b> system to regulate these activities, and aims to enhance the appearance and safety of streets and <b>public places</b> by controlling the placement of items on <b>Council land</b> and <b>roads</b>. It contains provisions which aim to manage and facilitate responsible trading, entertainment and promotional activities on <b>Council land</b> and <b>roads</b> - to ensure the free passage and use of these areas by all users of these areas, and to maintain the amenity of the neighbourhood.</p>		<p><a href="#">Introduction</a></p> <p>This Part contains provisions relating to commercial, fundraising and promotional activities on <b>Council land</b> and <b>roads</b>. It establishes a <b>permit</b> system to regulate these activities and aims to enhance the appearance and safety of streets and <b>public places</b> by controlling the placement of items on <b>Council land</b> and <b>roads</b>. It contains provisions which aim to manage and facilitate responsible trading, entertainment and promotional activities on <b>Council land</b> and <b>roads</b> - to ensure the free passage and use of these areas by all users of these areas, and to maintain the amenity of the neighbourhood.</p>	
7.1	<p><a href="#">Activities on Council Land or Roads</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not, or cause or authorise another <b>person</b> to, on or above a <b>road</b> or <b>Council land</b>:</p> <p>(a) display or sell any goods or services;</p> <p>(b) place out, or affix to anything, any <b>sign</b>;</p>	47	<p><a href="#">Activities on Council Land or Roads</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not on <b>Council land</b> or a <b>road</b> cause or authorise another <b>person</b> to:</p> <p>(1) sell, barter, exchange, display or offer for sale any goods or services;</p> <p>(2) place any <b>street furniture</b> or associated items; or</p>	Streamlined the clause.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	<p>(c) place any <b>street furniture</b> or associated items;</p> <p>(d) place any structure for the purpose of selling, promoting or offering to sell any goods or services;</p> <p>(e) sell or trade, or offer for sale or trade, or display to give away, any:</p> <p style="padding-left: 40px;">(i) <b>vehicle</b>; or</p> <p style="padding-left: 40px;">(ii) goods or services carried about or placed on the <b>person</b> or any other movable thing.</p>		<p>(3) place any structure for the purpose of selling, promoting or offering to sell any goods or services.</p>	
	<p><b>Election signage</b></p> <p>7.2 Without a <b>permit</b>, a <b>person</b> must not place a <b>sign</b> promoting a candidate or political party associated with a local, state or federal election on a <b>road</b> or <b>Council land</b>.</p> <p><b>Maximum Penalty: 15 Penalty Units</b></p> <p>7.3 Election <b>signs</b> subject to clause 7.2 will be considered in accordance with the following criteria:</p> <p>(a) <b>signs</b> are placed in accordance with the conditions and at pre-approved locations <b>determined</b> by <b>Council</b>;</p> <p>(b) <b>signs</b> are not to be placed at prohibited locations as <b>determined</b> by <b>Council</b>; and</p>	48	<p><b>Signs</b></p> <p>(1) Without a <b>permit</b> or an appropriate licence agreement, a <b>person</b> must not place or allow to be placed, or affix to anything, a <b>sign</b> on <b>Council land</b> or a <b>road</b> or in or on a <b>municipal place</b>.</p> <p>(2) A <b>person</b> must, in addition to Clause 48(1), comply with any conditions in a <b>permit</b> or licence agreement.</p> <p>(3) If, after making all reasonable enquiries, an <b>Authorised Officer</b> is unable to identify or locate the person who placed or allowed the <b>sign</b> to be placed on <b>Council land</b> or a <b>road</b> in contravention of Clause 48(1), the <b>Authorised Officer</b> may serve a <b>Notice to Comply</b> on the <b>person</b> who in the <b>Authorised Officer's</b> opinion benefits from the <b>sign</b> directing that <b>person</b> to remove the</p>	<p>Revoke Election signage clause and replaced with generic signage clause to align with other councils and add in a clause to ensure culpability for a person who placed a sign on Council land or a road.</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	<p>(c) <b>signs</b> at other locations not included in clause 7.3(a) are subject to site-specific review and <b>approval</b> by an <b>Authorised Officer</b>.</p> <p>7.4 The placement of election signage must not:</p> <p>(a) create a danger to any <b>person</b> or property or damage <b>Council land</b> or <b>road</b>; or</p> <p>(b) interfere with a <b>person’s</b> reasonable use or obstruct <b>Council land</b> or <b>road</b>.</p> <p><b>Maximum Penalty: 15 Penalty Units</b></p> <p>Note: The placement of election signage must comply with all relevant State and Federal laws. Non compliant signage may be impounded or directed to be removed by an <b>Authorised Officer</b> under section 11 of this <b>Local Law</b>. Election signage may include information about a candidate for an election.</p>		<p><b>sign</b> by the time and date specified in the <b>Notice to Comply</b>.</p> <p>(4) A <b>person</b> must comply with any <b>sign</b> on <b>Council land</b> or <b>road</b> or in or on a <b>municipal place</b>.</p>	
7.5 to 7.7	<p><b>Appeals and Collections</b></p> <p>Without a <b>permit</b>, a <b>person</b> must not or authorise another <b>person</b> to solicit or collect on any <b>road</b> or <b>Council land</b> any money, items or subscriptions for any purpose.</p> <p>Without a <b>permit</b>, a <b>person</b> must not or authorise another <b>person</b> to hand out or distribute any handbill, placard, notice, pamphlet, book, paper, advertising material or similar thing, on any <b>road</b> or <b>Council land</b>.</p> <p>Without a <b>permit</b>, a <b>person</b> must not or authorise another <b>person</b> to erect or place on any <b>road</b> or <b>Council land</b> any <b>vehicle, caravan, trailer</b>, table, stall or similar structure for the purpose of selling or offering for sale</p>	49	<p><b>Appeals and Collections</b></p> <p>(1) Without a <b>permit</b>, a <b>person</b> must not solicit or collect or authorise another <b>person</b> to solicit or collect on any <b>Council land</b> or <b>road</b> any money, items or subscriptions for any purpose.</p> <p>(2) Without a <b>permit</b>, a <b>person</b> must not hand out or distribute or authorise another <b>person</b> to hand out or distribute any handbill, placard, notice, pamphlet, book, paper, advertising material or similar thing, on any <b>Council land</b> or <b>road</b>.</p> <p>(3) Without a <b>permit</b>, a <b>person</b> must not erect or place or authorise another <b>person</b> to erect or place on any <b>Council land</b> or <b>road</b> any <b>vehicle, caravan, trailer</b>, table,</p>	Cosmetic change.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	any goods or services or conducting a raffle or lottery.		stall or similar structure for the purpose of selling or offering for sale any goods or services or conducting a raffle or lottery.	
7.8	<p><a href="#">Commercial and Filming and Photography on Council Land</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not conduct any filming or photography for commercial purposes, public exhibition or purposes associated with formal study, which involves the placement or use of a tripod, other equipment or items or <b>vehicles</b> on any <b>Council land</b> or a <b>road</b>.</p> <p>Note: The <b>Council</b> will take into account the <i>Filming Approval Act 2014</i> in considering an application for a <b>permit</b> under clause 7.8.</p>	50	<p><a href="#">Commercial and Filming and Photography on Council Land</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not conduct any filming or photography for commercial purposes, public exhibition or purposes associated with formal study, which involves the placement or use of tripod, other equipment or items or <b>vehicles</b> on any <b>Council land</b> or a <b>road</b>.</p> <p><b>Note:</b> <b>Council</b> will take into account the <i>Filming Approval Act 2014</i> in considering an application for a <b>permit</b> under Clause 52.</p>	No change.
7.9	<p><a href="#">Event on Council Land</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not conduct a function, <b>event</b>, <b>busking</b> or entertainment on any <b>road</b> or <b>Council land</b> that:</p> <p>(a) substantially occupies the <b>road</b> or <b>Council land</b>; or</p> <p>(b) encroaches or impacts or is likely to encroach or impacts, on another <b>person's</b> use and enjoyment of the <b>road</b> or <b>Council land</b>.</p>	51	<p><a href="#">Event and Busking on Council Land</a></p> <p>Without a <b>permit</b>, a <b>person</b> must not hold or allow to be held a function, <b>event</b>, <b>busking</b> or entertainment on <b>Council land</b> or a <b>road</b>.</p>	Streamlined the clause.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<b>Part 10: Alcohol and Smoking on Council Land and Roads</b>	
	<p><b>Introduction</b></p> <p>This Part provides controls, related to the smoking of tobacco and consumption of <b>alcohol</b>, to achieve responsible management of <b>Council land</b> or <b>roads</b> so as to enhance the enjoyment of these areas by the community.</p>		<p><b>Introduction</b></p> <p>This Part provides controls, related to the smoking of tobacco and consumption of <b>alcohol</b>, to achieve responsible management of <b>Council land</b> or <b>roads</b> so as to enhance the enjoyment of these areas by the community.</p>	
<p><b>8.1 to 8.3</b></p> <p><b>8.1</b></p> <p><b>8.2</b></p> <p><b>8.3</b></p>	<p><b>Alcohol</b></p> <p>Without a <b>permit</b>, a <b>person</b> must not consume <b>alcohol</b> or have in their possession <b>alcohol</b> in an open container in or on <b>Council land</b> or <b>road</b>, except at the times and in the places <b>determined by Council</b>.</p> <p>Where an <b>Authorised Officer</b> or Victoria Police Officer reasonably believes that a <b>person</b> has contravened or is contravening clause 8.1, the <b>Authorised Officer</b> or Victoria Police Officer may direct that <b>person</b> to:</p> <p>(a) empty any open container containing <b>alcohol</b> or reseal that open container; or</p> <p>(b) surrender any open container containing <b>alcohol</b> to the <b>Authorised Officer</b> or Victoria Police officer.</p> <p>Clause 8.1 does not apply to a <b>person</b> who consumes <b>alcohol</b> in a licenced premises or authorised premises or any other place where the consumption of alcohol is permitted under the <i>Liquor Control Reform Act 1998</i>.</p>	<p><b>52</b></p>	<p><b>Alcohol</b></p> <p>(1) Without a <b>permit</b>, a <b>person</b> must not consume <b>alcohol</b> or have in their possession <b>alcohol</b> in an open container in or on <b>Council land</b> or <b>road</b> or <b>public place</b>, except at the times and in the places determined by <b>Council</b> or in accordance with a <b>sign</b> erected in or on <b>Council land</b> or <b>road</b> or <b>public place</b>.</p> <p>(2) Where an <b>Authorised Officer</b> or Victoria Police Officer reasonably believes that a <b>person</b> has contravened or is contravening Clause 54(1), the <b>Authorised Officer</b> or Victoria Police Officer may direct that <b>person</b> to:</p> <p>(a) empty any open container containing <b>alcohol</b> or reseal that open container; or</p> <p>(b) surrender any open container containing <b>alcohol</b> to the <b>Authorised Officer</b> or Victoria Police Officer.</p> <p>(3) A <b>person</b> who is given a direction under Clause 54(2)</p>	<p>Add in a public place to expand and ensure compliance with a sign.</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			must comply with that direction.	
8.4 to 8.7	<p><a href="#">Smoking in a smoke free area</a></p> <p>A <b>person</b> must not smoke a <b>tobacco product</b> in a <b>smoke free area</b>.                      Note: Smoke in relation to clause 8.4 has the same meaning as in the <i>Tobacco Act 1987</i>.</p> <p>Where an <b>Authorised Officer</b> believes on reasonable grounds that a <b>person</b> is contravening or has contravened clause 8.4, the <b>Authorised Officer</b> may direct the <b>person</b> to extinguish and then dispose of the <b>tobacco product</b>.</p> <p>Any <b>person</b> who is given a direction under clause 8.5 must comply with that direction.</p> <p>In addition to the <b>smoke-free areas</b> identified in Schedule 2 of this <b>Local Law</b>, the <b>Council</b> may <b>determine</b>, by resolution, any other area within the municipality to be a <b>smoke free area</b>.</p>	53	<p><a href="#">Smoking in a smoke free area</a></p> <p>(1) A <b>person</b> must not <b>smoke</b> a <b>tobacco product</b> in a <b>smoke free area</b>.</p> <p>(2) Where an <b>Authorised Officer</b> believes on reasonable grounds that a <b>person</b> is contravening or has contravened Clause 53(1), the <b>Authorised Officer</b> may direct the <b>person</b> to extinguish and then dispose of the <b>tobacco product</b>.</p> <p>(3) A <b>person</b> who is given a direction under Clause 53(2) must comply with that direction.</p> <p>(4) In addition to the <b>smoke-free areas</b> identified in Schedule 2 of this Local Law, the <b>Council</b> may <b>determine</b>, by resolution, any other area within the <b>municipality</b> to be a <b>smoke free area</b>.</p>	Cosmetic change. Add in definition of “smoke”.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<b>Section E: Protection of Council Land and Assets</b>	
			<b>Part 11: Council assets, trees and regulating building sites</b>	
	<p><a href="#">Introduction</a></p> <p>This Part protects <b>Council land</b> and assets, including drains, <b>vehicle crossings</b> and <b>Council</b> trees and plants. These provisions establish a system of <b>asset protection approvals</b>, as a means of regulating <b>building work</b> which has potential to damage <b>Council land</b> or assets.</p>		<p><a href="#">Introduction</a></p> <p>This Part protects <b>Council land</b> and assets, including drains, <b>vehicle crossings</b> and <b>Council</b> trees and plants. These provisions establish a system of <b>asset protection approvals</b>, as a means of regulating <b>building work</b> which has potential to damage <b>Council land</b> or assets.</p>	
<p>9.1 to 9.2</p> <p>9.1</p> <p>9.2</p>	<p><a href="#">Building Management</a> <a href="#">Asset Protection approval</a></p> <p>Prior to commencing or causing or allowing <b>building work on private land</b>, the <b>owner</b> or <b>occupier of private land</b> must not commence or cause or allow <b>building work</b> on that <b>private land</b> without obtaining an <b>asset protection approval</b>.</p> <p>An <b>asset protection approval</b> will require the payment of an asset protection fee and may, if required by <b>Council</b>, contain conditions that:</p> <p>(a) require works to be done on or around the <b>building site</b> to protect any <b>Council asset</b>, the health and safety of the public, the environment and the amenity of the area, or to be in accordance with the relevant legislative framework; and/or</p> <p>(b) require entry to and exit from the <b>building site</b> only at designated locations; and/or</p> <p>(c) address any other matter referred to in this Part.</p>	54	<p><a href="#">Asset Protection</a></p> <p>(1) An <b>owner</b> or <b>occupier of private land</b> or the <b>person in charge of building work</b> must:</p> <p>(a) obtain an <b>asset protection permit</b> prior to the commencement of any <b>building work</b> on that <b>private land</b>; and</p> <p>(b) comply with any conditions of the <b>asset protection permit</b> issued by the <b>Council</b>.</p> <p>(2) An <b>asset protection permit</b> may be subject to such conditions as <b>Council</b> or an <b>Authorised Officer</b> determines, including the following conditions:</p> <p>(a) requiring the payment of an <b>asset protection permit fee</b>;</p>	Redrafted whole clause; combined and streamlined.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<ul style="list-style-type: none"> <li>(b) requiring the payment of a security bond;</li> <li>(c) require works to be done on or around the <b>building site</b> to protect any <b>Council asset</b>, the health and safety of the public, the environment and the amenity of the area, or to be in accordance with the relevant legislative framework;</li> <li>(d) require entry to and exit from the <b>building site</b> only at designated locations; and</li> <li>(e) address any other matter referred to in this Part.</li> </ul> <p>(3) Clause 54 (1) does not apply where <b>minor building work</b> is being undertaken.</p>	
9.3	<p><a href="#">Notification upon completion of building work</a></p> <p>The <b>owner</b> or <b>occupier</b> or <b>person in charge of building work</b> must advise <b>Council</b> within 7 days of completion of all <b>building work</b> covered by the <b>asset protection approval</b> that such works are complete and ready for inspection by an <b>Authorised Officer</b>, to enable a final inspection by <b>Council</b> and assessment of any damage to any <b>Council asset</b> that has occurred while the <b>asset protection approval</b> is in place.</p>	55	<p><a href="#">Notification upon completion of building work</a></p> <p>An <b>owner</b> or <b>occupier</b> of <b>private land</b> or the <b>person in charge of building work</b> must notify <b>Council</b> in writing within seven (7) days of completion of the <b>building work</b> covered by the <b>asset protection permit</b> that such works are complete and ready for inspection by an <b>Authorised Officer</b>, to enable a final inspection by <b>Council</b> and assessment of any damage to any <b>Council asset</b>.</p>	Cosmetic change.
9.4 to 9.7 9.4	<p><a href="#">Inspection of Council Assets</a></p> <p>As soon as practicable after receiving notice of completion of the <b>building work</b>, <b>Council</b> will undertake</p>	56	<p><a href="#">Inspection of Council assets and recovery of cost</a></p> <p>(1) <b>Council</b> or an <b>Authorised Officer</b> may inspect a <b>building site</b> at any reasonable time.</p>	Redrafted clause – combined and streamlined. Strengthened provisions to provide Council assets protection (e.g.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
9.5	<p>an inspection of <b>Council assets</b> to <b>determine</b> any damage to <b>Council assets</b> that has been caused as a result of the execution of the <b>building works</b> the subject of the <b>asset protection approval</b></p> <p>If, as a result of any inspection under Clause 9.3 and 9.4 damage has been caused to any <b>Council asset</b> as a result of the execution of the <b>building work</b> the subject of the <b>asset protection approval</b>, <b>Council</b> may:</p> <p>(a) direct the <b>owner</b> or <b>occupier</b> or <b>person in charge of building work</b> of the <b>building site</b> to repair the</p> <p>damage at the <b>owner</b> or <b>occupier's</b> cost, to the satisfaction of <b>Council</b> and within a period of not</p> <p>more than twenty eight (28) days; and/or</p> <p>(b) if repair of any damaged <b>Council asset</b> is required under Clause 9.5(a), the <b>owner</b> must carry out the</p> <p>repairs to the satisfaction of, and within the timeframe specified by <b>Council</b>.</p>		<p>(2) An <b>Authorised Officer</b> may undertake an inspection of <b>Council assets</b> to determine if any <b>Council asset</b> has been damaged, altered, compromised or interfered with in connection with the <b>building works</b> the subject of the <b>asset protection permit</b>.</p> <p>(3) If damage has been caused to any <b>Council asset</b> as a result of the execution of the <b>building work</b>, <b>Council</b> or an <b>Authorised Officer</b> may:</p> <p>(a) direct the <b>owner</b> or <b>occupier of private land</b> or the <b>person in charge of the building work</b> to repair the damage at the cost of the <b>owner</b> or <b>occupier</b> or the <b>person in charge of the building work</b>, to the satisfaction of <b>Council</b> or an <b>Authorised Officer</b> and within a specified period; or</p> <p>(b) <b>Council</b> or an <b>Authorised Officer</b> may approve the carrying out of work by another <b>person</b>, or carry out the work itself where:</p> <p>(i) damage, alteration, compromise or interference has occurred as a result of <b>building work</b>; or</p> <p>(ii) there is a danger to life, safety, property, or the environment; and</p> <p>(c) Where <b>Council</b> or another <b>person</b> carries out the work on behalf of <b>Council</b>, <b>Council</b> may recover the cost of the work from the <b>owner</b> or <b>occupier of private land</b> or the <b>person in</b></p>	protection from damage caused by building works).
9.6	<p>A <b>person in charge of building work</b> must ensure and provide the following:</p> <p>(a) an onsite and functioning toilet facility;</p> <p>(b) access for the emptying and collection of temporary toilet facilities;</p>			

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	<p>(c) a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility;</p> <p>(d) waste produced as a result of <b>building work</b> on the <b>building site</b> is:</p> <ul style="list-style-type: none"> <li>(i) contained entirely within the <b>building site</b>;</li> <li>19</li> <li>(ii) stored in a manner that does not attract the depositing of waste from sources other than the site;</li> <li>(iii) stored in a manner that does not cause detriment to the visual amenity of the area in which the <b>building site</b> is located; and</li> <li>(iv) disposed of regularly, and, where that waste is in the form of stormwater, to a legal point of discharge.</li> </ul> <p>(e) a litter container with lid of sufficient size;</p> <p>(f) emergency contact details clearly displayed;</p> <p>(g) a temporary or permanent fence to a minimum height of 1.8 metres that is fully contained within the <b>private land</b>, that secures the <b>private land</b> and is to the satisfaction of <b>Council</b>; and</p> <p>(h) a temporary or permanent fence where gates or access points in the fence open onto the <b>private land</b>; and</p>		<p style="text-align: center;"><b>charge of the building work.</b></p> <p>(4) <b>Council</b> or an <b>Authorised Officer</b> may retain all or part of the security bond to offset the costs for <b>Council</b> to repair any damage, or any costs associated with carrying out the repairs caused by the damage.</p> <p>(5) <b>Council</b> or an <b>Authorised Officer</b> must refund the security bond to the <b>person</b> who lodged it, upon satisfaction that no damage has been caused, or that any damage caused has been repaired to the satisfaction of <b>Council</b> or an <b>Authorised Officer</b>.</p> <p>(6) For any works undertaken by <b>Council</b> and where the cost is less than the amount of the security bond, <b>Council</b> must refund the unused portion of the security bond to the <b>person</b> who paid it to <b>Council</b>.</p> <p>(7) <b>Council</b> or an <b>Authorised Officer</b> may determine the cost of repairs to <b>Council assets</b>.</p>	

**Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)**

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
9.7	<p>(i) the <b>building site</b> is provided with clearly legible and clean <b>site identification</b>.</p> <p>A <b>person</b> in charge of <b>building work</b> must also:</p> <p>(a) undertake all approved <b>building work</b> on the <b>building site</b> unless otherwise directed by <b>Council</b>;</p> <p>(b) store all <b>building</b> related material on the <b>building site</b>;</p> <p>(c) place all litter capable of being blown from the <b>building site</b> in a suitable litter container;</p> <p>(d) prevent any sediment, mud, erosion, potential stormwater pollutants or other site run off from leaving the <b>building site</b>;</p> <p>(e) manage any dust or air pollutants from the <b>building site</b> to minimise <b>nuisance</b>;</p> <p>(f) ensure <b>vehicle</b> access to the <b>building site</b> is via a <b>vehicle crossing</b> or a <b>temporary vehicle crossing</b>;</p> <p>(g) ensure that for the duration of the <b>building work</b> the <b>vehicle crossing</b> or <b>temporary vehicle crossing</b> is maintained in a clean and safe manner for vehicles and pedestrians;</p>			

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	<p>(h) not allow any <b>vehicle</b> to deposit any mud, sediment, slurry or similar material from the <b>building site</b> in any <b>public place</b>; and</p> <p>(i) ensure that <b>building work</b> on the <b>building site</b> does not render pedestrian or vehicular traffic in the immediate area unsafe.</p>			
9.8	<p><b>Soil Stockpiles</b></p> <p>The <b>owner</b> or <b>occupier</b> of a <b>building site</b> or the <b>person in charge of building work</b> must ensure that soil that is stripped from the <b>building site</b> is stockpiled on the <b>building site</b> for re-use or is transported to a legal place of disposal.</p>	57	<p><b>Obligations during building work</b></p> <p>An <b>owner</b> or <b>occupier</b> of <b>private land</b> or the <b>person in charge of building work</b> must provide and ensure the following:</p> <ol style="list-style-type: none"> <li>(1) an onsite and functioning toilet facility;</li> <li>(2) access for the emptying and collection of temporary toilet facilities;</li> <li>(3) a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility;</li> <li>(4) that waste produced as a result of <b>building work</b> on the <b>building site</b> is:                             <ol style="list-style-type: none"> <li>(a) contained entirely within the <b>building site</b>;</li> <li>(b) stored in a manner that does not attract the depositing of waste from sources other than the site;</li> <li>(c) stored in a manner that does not cause detriment to the visual amenity of the area in which the <b>building site</b> is located; and</li> </ol> </li> </ol>	Redrafted clause – combined and streamlined and strengthened provisions to provide Council assets protection (e.g. protection from damage caused by building works).
9.9 to 9.10	<p><b>Amenity Controls</b></p> <p>The <b>owner</b> or <b>occupier</b> or <b>person in charge of building work</b> must ensure that activities on the <b>building site</b> (including <b>building work</b>) do not damage or cause detriment to the natural or built environment in which the <b>building site</b> is located.</p>			
9.9	<p>The <b>owner</b> or <b>occupier</b> or <b>person in charge of building work</b> must ensure that activities on the <b>building site</b> (including <b>building work</b>) do not damage or cause detriment to the natural or built environment in which the <b>building site</b> is located.</p>			
9.10	<p>An <b>owner</b> or <b>occupier</b> or <b>person in charge of building work</b> must manage any dust or air pollutants from the <b>building site</b> to minimise detriment to the amenity of the area.</p>			

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>(d) disposed of regularly, and, where that waste is in the form of stormwater, to a legal point of discharge.</p> <p>(5) a litter container with lid of sufficient size;</p> <p>(6) emergency contact details clearly displayed;</p> <p>(7) a temporary or permanent fence to a minimum height of 1.8 metres that is fully contained within the <b>private land</b>, that secures the <b>private land</b> and is to the satisfaction of an <b>Authorised Officer</b>;</p> <p>(8) the <b>building site</b> is provided with clearly legible and clear <b>site identification</b>;</p> <p>(9) undertake all approved <b>building work</b> on the <b>building site</b> unless otherwise directed by an <b>Authorised Officer</b>;</p> <p>(10) store all building related material on the <b>building site</b>;</p> <p>(11) place all litter capable of being blown from the <b>building site</b> in a suitable litter container;</p> <p>(12) prevent any sediment, mud, erosion, potential stormwater pollutants or other site run off from leaving the <b>building site</b>;</p> <p>(13) ensure that the <b>building site</b> is provided with sediment or fencing barriers that ensure the retention of silt and soil on site and/or the retention of other waterborne particles and pollutants for later transportation to a legal place of disposal;</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>(14) ensure that soil that is stripped from the <b>building site</b> is stockpiled on the <b>building site</b> for re-use or is transported to a legal place of disposal.</p> <p>(15) manage any dust or air pollutants from the <b>building site</b> to minimise <b>nuisance</b>;</p> <p>(16) ensure <b>vehicle</b> access to the <b>building site</b> is via a <b>vehicle crossing</b> or a <b>temporary vehicle crossing</b>;</p> <p>(17) ensure that for the duration of the <b>building work</b> the <b>vehicle crossing</b> or <b>temporary vehicle crossing</b> is maintained in a clean and safe manner for <b>vehicles</b> and pedestrians;</p> <p>(18) not allow any <b>vehicle</b> to deposit any mud, sediment, slurry or similar material from the <b>building site</b> in any <b>public place</b>; and</p> <p>(19) ensure that <b>building work</b> on the <b>building site</b> does not render pedestrian or vehicular traffic in the immediate area unsafe.</p>	
	No Clause	58	<p><b>Hours of building work</b></p> <p>(1) A <b>person</b> must not, without a <b>permit</b>, carry out or allow to be carried out, <b>building work</b>:</p> <p style="padding-left: 40px;">(a) before 7am or after 6pm on any day or days between Monday to Friday (inclusive);</p>	Noise is regulated under the Environment Protection Act 2017, but this new clause will regulate construction during certain times. The purpose of this new clause is to fill the gap between noise nuisance and construction nuisance. It is

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>(b) before 9am or after 3pm on a Saturday;</p> <p>(c) on a Sunday; or</p> <p>(d) on Anzac Day, Good Friday, Christmas Day, or the Monday after Christmas Day when Christmas Day is a Saturday or the Tuesday after Christmas Day when Christmas Day is a Sunday.</p> <p>(2) Clause 58 (1) does not apply where <b>minor building work</b> is being undertaken.</p>	important to note that minor building works are excluded.
9.11 to 9.13	<b>Drains</b>	59	<b>Drains</b>	Strengthened provisions to provide Council assets protection (e.g. protection from damage caused by building works).
9.11	The <b>owner</b> or <b>occupier</b> or <b>person in charge of building work</b> must ensure that <b>building work</b> on the <b>building site</b> does not cause detriment to any <b>Council asset</b> .		(1) The <b>owner</b> or <b>occupier</b> of <b>private land</b> or <b>property manager</b> must ensure that any drain on the <b>private land</b> is maintained in a condition that is not:	
9.12	For the purposes of Clause 9.11 detriment to a <b>Council asset</b> occurs if:		(a) dangerous to health;	
	(a) material, equipment, litter, waste, mud, silt, sand or another product emanating from <b>building work</b> enters or interferes with the <b>Council asset</b> ; or		(b) unsightly;	
	(b) there is any alteration to or interference with a <b>Council asset</b> for which a <b>permit</b> has not been issued.		(c) a nuisance; or	
9.13	The <b>owner</b> or <b>occupier</b> or <b>person in charge of building work</b> must ensure that the <b>building site</b> is provided with		(d) hindering, obstructing, or interfering with the operation of the drain.	
			(2) A <b>person</b> must not discharge or cause to be discharged any substance or material into a drain or watercourse, which is vested in or under the control of <b>Council</b> , except for the discharge of stormwater.	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	sediment/fencing barriers that ensure the retention of silt and soil on site, and the retention of other water borne particles and pollutants for later transportation to a legal place of disposal.		<p>(3) A <b>person</b> must not damage, obstruct or interfere or cause or allow to cause damage, obstruction, or interference with a drain, which is vested in or under the control of <b>Council</b>.</p> <p>(4) A <b>person</b> must not, without a <b>permit</b>, tap into any drain, culvert or sewer vested in or under the control of <b>Council</b>.</p>	
	No clause	60	<p><b>Spoil on Road</b></p> <p>(1) A <b>person</b> must not cause or allow any soil, earth, mud, clay, cement slurry, liquid waste, or other litter to fall or escape from a <b>vehicle</b> onto a <b>road</b> in the course of any trade, industry, or commercial undertaking.</p> <p>(2) A <b>person</b> must not cause or allow any fuel, grease, oil, mud, clay, cement slurry, paint, detergents, or other litter to run from a <b>vehicle</b> whilst being cleaned and to be deposited onto a <b>road</b>, or into a drain.</p> <p>(3) If the person driving or in charge of a <b>vehicle</b> that is used in the commission of an offence under Clause 60 (1) or (2), cannot be identified the <b>owner</b> or <b>occupier</b> of the <b>private land</b> where the <b>vehicle</b> is likely to have been soiled, is guilty of an offence under Clause 60(1) or (2).</p> <p>(4) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not cause or allow any soil, earth, mud, clay, cement slurry, liquid waste, or other litter</p>	New clause to provide Council assets protection (e.g. protection from damage at all instances and not just when building work happens).

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			to be discharged from that land onto <b>Council land</b> or a <b>road</b> .	
	No clause	61	<p><b>Occupation of Roads</b></p> <p>(1) Without a <b>permit</b> or written consent under the <i>Road Management Act 2004</i>, a <b>person</b> must not occupy (whether wholly or partially) a <b>road</b> for:</p> <p>(a) any works that involve:</p> <ul style="list-style-type: none"> <li>(i) fencing off part of a <b>road</b>;</li> <li>(ii) erecting a hoarding, scaffolding or overhead protective awning;</li> <li>(iii) using a mobile crane or travel tower;</li> <li>(iv) making a hole or excavation;</li> <li>(v) reinstating a hole or excavation;</li> <li>(vi) leaving or storing any building, paving or other construction materials or any tools, machinery, plant, or equipment; or</li> </ul> <p>(b) any other non-road purpose which does not involve a special <b>event</b>.</p> <p>(2) Clause 63(1) does not apply to the works or activities of an <b>utility</b>.</p>	New clause to provide Council assets protection.
9.14 to 9.18  9.14	<p><b>Vehicle Crossings</b></p> <p>Without a <b>permit</b>, an <b>owner</b> or <b>occupier</b> of <b>private land</b> must not install, construct, alter or reconstruct a <b>vehicle crossing</b>, whether permanent or temporary, or authorise another <b>person</b> to do so.</p>	62	<p><b>Vehicle Crossings</b></p> <p>(1) Without a <b>permit</b>, an <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must not install, construct, alter or reconstruct a <b>vehicle crossing</b>, whether</p>	Redrafted clause – combined and streamlined -Strengthened provisions to provide Council assets protection (e.g. protection from damage caused by building works).

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
9.15	Each point of <b>vehicle</b> access from any <b>private land</b> to a <b>road</b> must have a properly constructed and maintained <b>vehicle crossing</b> approved by <b>Council</b> .		permanent or temporary, or authorise another <b>person</b> to do so.	
9.16	Without a <b>permit</b> , an <b>owner</b> or <b>occupier</b> of <b>private land</b> must not allow any <b>vehicle</b> to enter or leave any <b>private land</b> except in accordance with clause 9.15.		(2) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> must ensure that each point of <b>vehicle</b> access from any <b>private land</b> to a <b>road</b> must have a properly constructed and maintained <b>vehicle crossing</b> approved by an <b>Authorised Officer</b> .	
9.17	<b>Council</b> or an <b>Authorised Officer</b> may direct: <ul style="list-style-type: none"> <li>(a) the construction of a <b>temporary vehicle crossing</b> or <b>vehicle crossing</b>; or</li> <li>(b) the repair or reconstruction of a <b>temporary vehicle crossing</b> or <b>vehicle crossing</b>; or</li> <li>(c) the removal of a redundant <b>temporary vehicle crossing</b> or <b>vehicle crossing</b>, and the reinstatement of any kerb, channel, footpath or other area to the satisfaction of <b>Council</b> by the <b>owner</b> or <b>occupier</b> of any adjacent land at his or her own cost.</li> </ul>		(3) An <b>Authorised Officer</b> may direct: <ul style="list-style-type: none"> <li>(a) the construction of a <b>temporary vehicle crossing</b> or <b>vehicle crossing</b>;</li> <li>(b) the repair or reconstruction of a <b>temporary vehicle crossing</b> or <b>vehicle crossing</b>;</li> <li>(c) the removal of a redundant <b>temporary vehicle crossing</b> or <b>vehicle crossing</b>; or</li> <li>(d) the reinstatement of any kerb, channel, footpath or other area to the satisfaction of an <b>Authorised Officer</b> by the <b>owner</b> or <b>occupier</b> of any adjacent land at their own cost.</li> </ul>	
9.18	An <b>owner</b> or <b>occupier</b> of <b>private land</b> to whom a direction is given under clause 9.17 must comply with that direction.		(4) An <b>owner</b> or <b>occupier</b> or <b>property manager</b> of <b>private land</b> to whom a direction is given under Clause 64(3) must comply with that direction.	
9.19 to 9.20	Defacing/Damaging Council Land and Assets	63	Defacing/Damaging Council Land and Assets	Streamlined wording to provide clarity.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
9.19	Without a <b>permit</b> , a <b>person</b> must not destroy, damage, deface, remove or interfere with:  (a) <b>Council land</b> or <b>road</b> ; (b) any <b>building</b> , structure or infrastructure or any other thing on <b>Council land</b> or <b>road</b> ; (c) anything belonging to <b>Council</b> on <b>Council land</b> or <b>road</b> or in a <b>public place</b> unless allowed by <b>Council</b> , whether under this <b>Local Law</b> or otherwise; and (d) any <b>Council</b> property or <b>Council assets</b> located on or in any <b>Council land</b> or <b>private land</b> .		(1) Without a <b>permit</b> , a <b>person</b> must not destroy, damage, deface, remove or interfere with:  (a) <b>Council land</b> or <b>road</b> ;  (b) any <b>building</b> , structure or infrastructure or any other thing on <b>Council land</b> or <b>road</b> ; or  (c) any <b>Council asset</b> .  (2) A <b>person</b> must not authorise or engage or allow another <b>person</b> to undertake any of the activities in Clause 65(1).	
9.20	A <b>person</b> must not authorise or engage any other <b>person</b> to undertake any of the activities in clause 9.19.			
9.21	<a href="#">Trees and Plants on Council Land and Roads</a>  Without a <b>permit</b> , a <b>person</b> must not remove, lop, destroy, damage or interfere with any tree or plant on a <b>Council land</b> or <b>road</b> , or authorise another <b>person</b> to do so.	64	<a href="#">Trees and Plants on Council Land and Roads</a>  Without a <b>permit</b> , a <b>person</b> must not remove, lop, destroy, damage or interfere with any tree or plant on a <b>Council land</b> or <b>road</b> or authorise or allow another <b>person</b> to do so.	Cosmetic change.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<b>Section F: Administration</b>	
			<b>Part 12: Permits</b>	
	<p><a href="#">Introduction</a></p> <p>This Part outlines the process for obtaining and retaining <b>permits</b> under the <b>Local Law</b>. This part also provides for the requiring a security bond if required by <b>Council</b>.</p>		<p><a href="#">Introduction</a></p> <p>This Part outlines the process for obtaining and retaining <b>permits</b> under the <b>Local Law</b>. This part also provides for the requiring a security bond if required by <b>Council</b>.</p>	
10.1	<p><a href="#">When is a permit required under this Local Law?</a></p> <p>Where in this <b>Local Law</b> a <b>person</b> is prohibited from doing a thing “without a <b>permit</b>”, a <b>person</b> who does the thing which is prohibited to be done without first obtaining a <b>permit</b> from the <b>Council</b> under this Part, is guilty of an offence.</p>	65	<p><a href="#">When is a permit required under this Local Law?</a></p> <p>Where in this <b>Local Law</b> a <b>person</b> is prohibited from doing a thing “without a <b>permit</b>”, a <b>person</b> who does the thing which is prohibited to be done without first obtaining a <b>permit</b> from the <b>Council</b>, is guilty of an offence.</p>	<p>Permit clauses redrafted and streamlined to provide improved guidance as to how permits may be applied for, granted, refused, amended or cancelled.</p> <p>Includes provision for appeal and exemptions.</p>
10.2 to 10.5	<p><a href="#">Permit Application and fees</a></p> <p>An application for a <b>permit</b> or renewal of a <b>permit</b> under this <b>Local Law</b> must be in a form approved by <b>Council</b> and accompanied by any fee fixed by <b>Council</b> in accordance with clause 10.6.</p>	66	<p><a href="#">Permit Application and fees</a></p> <p>(1) An application for a <b>permit</b> or renewal of a <b>permit</b> under this <b>Local Law</b> must be in a form approved by <b>Council</b> or an <b>Authorised Officer</b> and accompanied by any fee <b>determined</b> by <b>Council</b> in accordance with Clause 67(1).</p> <p>(2) <b>Council</b> or an <b>Authorised Officer</b> may require the applicant to give notice of the application for a <b>permit</b> or renewal of a</p>	<p>Combined clauses. Permit clauses redrafted and streamlined to provide improved guidance as to how permits may be applied for, granted, refused, amended or cancelled.</p> <p>Includes provision for appeal and exemptions.</p>
10.2	<p>The <b>Council</b> may require the applicant to give notice of the application for a <b>permit</b> or renewal of a <b>permit</b>, in the manner <b>determined</b> by the <b>Council</b>.</p>			
10.3				

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
10.4	The <b>Council</b> may require an applicant to provide it with more information before it deals with the application for a <b>permit</b> or renewal of a <b>permit</b> .		<b>permit</b> , in the manner <b>determined</b> by <b>Council</b> or an <b>Authorised Officer</b> .	
10.5	A <b>permit</b> issued under this <b>Local Law</b> is non-transferrable to any other <b>person</b> . If a business changes ownership, the <b>permit</b> will cease and an application for a new <b>permit</b> will be required.		(3) <b>Council</b> or an <b>Authorised Officer</b> may require an applicant to provide additional information before it proceeds with the application for a <b>permit</b> or renewal of a <b>permit</b> .  (4) A <b>permit</b> issued under this <b>Local Law</b> is non-transferrable to any other <b>person</b> . If a business changes ownership, the <b>permit</b> will cease and an application for a new <b>permit</b> will be required.	
10.6 to 10.8	<b>Fees and Charges</b>  <b>Council</b> may, from time to time, by resolution, <b>determine</b> :  10.6 (a) the quantum of any <b>permit</b> fee, asset protection fee, charges, guarantee or bond to apply under this <b>Local Law</b> ; and (b) an administrative, inspection or processing fee or charge in addition to any fee, charge, guarantee or bond applying under this <b>Local Law</b> .  10.7 In determining a fee or charge, <b>Council</b> may establish a system or schedule of fees and charges, including a minimum or maximum fee of charge, if it considers it appropriate to do so.  10.8	67	<b>Fees and Charges</b>  (1) <b>Council</b> may <b>determine</b> :  (a) the quantum of any <b>permit</b> fee, asset protection fee, charges, guarantee or bond to apply under this <b>Local Law</b> ; and  (b) an administrative, inspection or processing fee or charge in addition to any fee, charge, guarantee or bond applying under this <b>Local Law</b> .  (2) In <b>determining</b> a fee or charge, <b>Council</b> may establish a system or schedule of fees and charges, including a minimum or maximum fee or charge, if it considers it	Combined clauses. Updated to provide clarity.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	<b>Council</b> may waive, reduce, alter or refund, in whole or in part, any fee, charge, bond or guarantee with or without conditions.		appropriate to do so.  (3) <b>Council</b> may waive, reduce, alter or refund, in whole or in part, any fee, charge, bond or guarantee with or without conditions.	
10.9	<u>Duration of Permit</u> Except where expressly stated in this <b>Local Law</b> or in a <b>permit</b> , a <b>permit</b> operates from the date it is issued and expires one year after the date of issue.	68	<u>Duration of Permit</u>  (1) Except where expressly stated in this <b>Local Law</b> or in a <b>permit</b> , a <b>permit</b> operates from the date it is issued and expires one year after the date of issue.  (2) A <b>permit holder</b> has no automatic right to have a new <b>permit</b> issued once the original <b>permit</b> has expired or has been cancelled.	Clause redrafted and streamlined.
10.10 to 10.11	<u>Correction of Permits</u>  The <b>Council</b> may correct a <b>permit</b> if that <b>permit</b> contains:  (a) an unintentional error or an omission; or  (b) a material miscalculation or a material mistake in the description of a <b>person</b> , thing or property.  The <b>Council</b> must notify a <b>permit holder</b> in writing of any correction under clause 10.10.	69	<u>Correction of Permits</u>  (1) <b>Council</b> or an <b>Authorised Officer</b> may correct a <b>permit</b> if that <b>permit</b> contains:  (a) an unintentional error or an omission; or  (b) a material miscalculation or a material mistake in the description of a <b>person</b> , thing or property.  (2) <b>Council</b> or an <b>Authorised Officer</b> must notify a <b>permit holder</b> in writing of any correction under Clause 69(1).	Clauses combined and redrafted and streamlined to provide improved guidance as to how permits may be corrected.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
10.12 to 10.16	<p>Granting and refusal of a permit</p> <p><b>Council</b> may decide to:</p> <p>(a) issue a <b>permit</b>; or</p> <p>(b) issue a <b>permit</b> subject to conditions; or</p> <p>(c) refuse to issue a <b>permit</b>.</p>	70	<p>Granting and refusal of a permit</p> <p>(1) <b>Council</b> or an <b>Authorised Officer</b> may decide to:</p> <p>(a) issue a permit; or</p> <p>(b) issue a <b>permit</b> subject to conditions; or</p> <p>(c) refuse to issue a <b>permit</b>.</p> <p>(2) In determining whether to issue a <b>permit</b> and, if a <b>permit</b> is to be issued, the scope and conditions that will apply to it, <b>Council</b> or an <b>Authorised Officer</b> may take into account any of the following where relevant:</p> <p>(a) the health and safety of the public;</p> <p>(b) the amenity of the <b>municipal district</b>;</p> <p>(c) the impacts on other <b>persons</b> or their property;</p> <p>(d) the extent to which the granting of the <b>permit</b> might affect the activities or enjoyment of another <b>person</b> or group;</p> <p>(e) the need to protect <b>Council</b> or Service Authority assets or infrastructure from damage;</p>	<p>Permit clauses combined, redrafted and streamlined to provide improved guidance as to how permits may be applied for, granted, refused, amended or cancelled.</p> <p>Includes provision for appeal.</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
10.16	<p>(f) legislative and policy directives of the Commonwealth and State Governments;</p> <p>(g) the need for work to occur which is authorised by Commonwealth or State Government legislation, or by <b>Council</b> or a Service Authority;</p> <p>(h) any relevant <b>Council</b> policies and guidelines;</p> <p>(i) any policies, codes of practice, standards or guidelines used as reference by <b>Council</b>; and</p> <p>(j) any submission or comments that may be received in respect of the application.</p> <p>Where <b>Council</b> has refused to issue a <b>permit</b> under clause 10.12(c) of this <b>Local Law</b>, the <b>person</b> seeking the <b>permit</b> has twenty-eight (28) days from the date of <b>Council’s</b> notice of refusal of <b>permit</b> under clause 10.12(c), to provide written reasons to <b>Council</b> as to why the <b>permit</b> should not be refused.</p> <p>If a written submission is received by <b>Council</b> under clause 10.15 within the twenty-eight (28) days, the information provided shall be considered, and if applicable the <b>person</b> seeking the <b>permit</b> will be given an opportunity to be heard by <b>Council</b> or <b>Council’s</b> delegate and any such verbal submissions have also been considered.</p>		<p>(e) the need to protect assets or infrastructure of <b>Council</b> or an <b>Utility</b> from damage;</p> <p>(f) legislative and policy directives of the Commonwealth and State Governments;</p> <p>(g) the need for work to occur which is authorised by Commonwealth or State Government legislation, or by <b>Council</b> or an <b>Utility</b>;</p> <p>(h) any relevant <b>Council</b> policies and guidelines;</p> <p>(i) any policies, codes of practice, standards or guidelines used as reference by <b>Council</b>;</p> <p>(j) any other relevant matter; and</p> <p>(k) any submission or comments that may be received in respect of the application.</p> <p>(3) <b>Council</b> or an <b>Authorised Officer</b> may, during the currency of a <b>permit</b>, amend the conditions or the scope of the <b>permit</b> if the conditions of the <b>permit</b></p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>changes.</p> <p>(4) Before <b>Council</b> or an <b>Authorised Officer</b> amends a <b>permit</b> under Clause 70(3) of this <b>Local Law</b>, <b>Council</b> or an <b>Authorised Officer</b> must provide the <b>permit holder</b> an opportunity to make written submissions on the proposed amendment, who has fourteen (14) days from the date of <b>Council's</b> notice of intention to amend the <b>permit</b> to provide written submissions to <b>Council</b> or an <b>Authorised Officer</b> as to why the <b>permit</b> should not be amended.</p> <p>(5) A <b>permit holder</b> must comply with the conditions of the <b>permit</b>.</p> <p>(6) A <b>person</b> must not make a false representation or declaration or intentionally omit material information in an application for a <b>permit</b>.</p>	
10.17 to 10.19	<p><b>Cancellation of a Permit</b></p> <p><b>Council</b> may cancel a <b>permit</b> if it considers that:</p> <p>(a) there has been a serious or ongoing breach of any of the conditions of the <b>permit</b>; or</p> <p>(b) a <b>Notice to Comply</b> has been issued, but not complied with after the time specified in the <b>Notice to Comply</b>; or</p>	71	<p><b>Cancellation of a Permit</b></p> <p>(1) <b>Council</b> or an <b>Authorised Officer</b> may cancel a <b>permit</b> if it considers that:</p> <p>(a) there has been a serious or ongoing breach of any of the conditions of the <b>permit</b>;</p> <p>(b) a <b>Notice to Comply</b> has been issued, but not complied with after the time specified in the <b>Notice to Comply</b>;</p>	<p>Permit clauses combined, redrafted, and streamlined to provide improved guidance as to how permits may be cancelled.</p> <p>Includes provision for appeals.</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
10.18	<p>(c) there was a significant error or misrepresentation in the application for the <b>permit</b>; or</p> <p>(d) in the circumstances, the <b>permit</b> should be cancelled.</p> <p>Where <b>Council</b> has cancelled a <b>permit</b> under clause 10.17 of this <b>Local Law</b>, the <b>permit holder</b> has twenty eight (28) days from the date of <b>Council's</b> notice of cancellation of <b>permit</b> under clause 10.17, to provide written reasons to <b>Council</b> as to why the <b>permit</b> should not be cancelled.</p>		<p>(c) there was a significant error or misrepresentation in the application for the <b>permit</b>; or</p> <p>(d) there has been a material change of circumstances which has occurred since the issue of the permit.</p> <p>(2) Before <b>Council</b> or an <b>Authorised Officer</b> cancels a <b>permit</b> under Clause 71(1) of this <b>Local Law</b>, <b>Council</b> or an <b>Authorised Officer</b> must provide the <b>permit holder</b> an opportunity to make written submissions on the proposed cancellation, who has fourteen (14) days from the date of <b>Council's</b> notice of intention to cancel the <b>permit</b> to provide written submissions to <b>Council</b> or an <b>Authorised Officer</b> as to why the <b>permit</b> should not be cancelled.</p>	
10.19	<p>If a written submission is received by <b>Council</b> under clause 10.18 within the twenty-eight (28) days, the information provided shall be considered, and if applicable the <b>person</b> seeking the <b>permit</b> will be given an opportunity to be heard by <b>Council</b> or <b>Council's</b> delegate and any such verbal submissions shall also be considered.</p>			
	No clause	72	<p><b>Exemptions</b></p> <p>(1) <b>Council</b> or an <b>Authorised Officer</b> may, by written notice, exempt any <b>person</b> or class of <b>person</b> from the need to obtain a <b>permit</b> and such exemption may be subject to conditions, may be amended and may be cancelled.</p> <p>(2) <b>Council</b> or an <b>Authorised Officer</b> may, by written notice, exempt any <b>person</b> or class of <b>person</b> from the need to pay any <b>permit</b> fee.</p>	Includes provision for exemptions.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(3) An exemption from the requirement to pay a <b>permit</b> fee may be cancelled or corrected in the same way as a <b>permit</b> .	
10.20 to 10.23	<p><b>Security Bonds</b></p> <p>In deciding to grant a <b>permit</b>, <b>Council</b> may require the applicant to lodge with <b>Council</b> a security bond in such amount and in such a manner as <b>Council determines</b>.</p> <p>In the <b>event</b> of a breach of any <b>permit</b> condition in respect of which a security bond is paid under this <b>Local Law</b>, <b>Council</b> may retain an amount of the security bond as is necessary to remedy that breach and/or repair any damage caused by that breach.</p> <p>Upon expiry of a <b>permit</b>, <b>Council</b> must release any remaining security bond to the <b>person</b> who paid it.</p> <p>If after 12 months from the date that the security bond would be released under clause 10.20, <b>Council</b> cannot locate a <b>person</b> entitled to the release of any security bond or remaining security bond, <b>Council</b> may retain the security bond or remaining security bond and pay the money into its general revenue.</p>	73	<p><b>Security Bonds</b></p> <p>(1) In deciding to grant a <b>permit</b>, <b>Council</b> or an <b>Authorised Officer</b> may require the <b>person</b> who applied for the <b>permit</b> to lodge with <b>Council</b> a security bond in such amount and in such a manner as <b>Council determines</b>.</p> <p>(2) In the event of a breach of any <b>permit</b> condition in respect of which a security bond is paid under this <b>Local Law</b>, <b>Council</b> may retain an amount of the security bond as is necessary to remedy that breach or repair any damage caused by that breach.</p> <p>(3) Upon expiry of a <b>permit</b>, <b>Council</b> must release any remaining security bond to the <b>person</b> who paid it.</p> <p>(4) If, after twelve (12) months from the date that the security bond would have been released under Clause 75(3), <b>Council</b> cannot locate the <b>person</b> entitled to the release of any security bond or remaining security bond, <b>Council</b> may retain the security bond or remaining security bond and pay the money into its general revenue.</p>	Combined clauses and redrafted and streamlined.
	No Clause	74	Register of Permits	New transparent clause.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(1) A register of <b>permits</b> issued by the <b>Council</b> for the purposes of this <b>Local Law</b> must be maintained by the <b>Council</b> .  (2) Any cancellations or corrections of <b>permits</b> which have been issued under this Local Law are also to be recorded in the register.	
		<b>Section G: Enforcement</b>		
		<b>Part 13: Compliance and enforcement of the Local Law</b>		
	Introduction  This Part provides a means for enforcing this <b>Local Law</b> and powers to impound and serve <b>Notices to Comply</b> to seek compliance.		Introduction  This Part provides a means for enforcing this <b>Local Law</b> and powers to impound and serve <b>Notices to Comply</b> to seek compliance.	
11.1	Offences  A <b>person</b> who:  (a) fails to comply with this <b>Local Law</b> ; or  (b) fails to comply with a condition of a <b>permit</b> ; or  (c) fails to do anything directed to be done under this <b>Local Law</b> ; or  (d) fails to comply with a <b>Notice to Comply</b> ;  (e) knowingly provides erroneous, inaccurate or misleading information in an application for a <b>permit</b> ; or	75	Offences  A <b>person</b> who: (1) contravenes or fails to comply with any provision of this <b>Local Law</b> ;  (2) contravenes or fails to comply with any condition contained in a <b>permit</b> issued under this <b>Local Law</b> or any requirements in the <b>Council</b> policy applicable to that <b>permit</b> ; or  (3) contravenes or fails to comply with a direction or a <b>Notice to Comply</b> by the date specified in the direction or <b>Notice to Comply</b> -  is guilty of an <b>offence</b> .	Simplified provisions to clearly articulate what constitutes an offence.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	<p>(f) refuses or fails to obey directions of an <b>Authorised Officer</b> to leave the <b>Council land</b> or <b>road</b> where in</p> <p>the opinion of that <b>Authorised Officer</b> the <b>person</b> has failed to comply or is failing to comply with this <b>Local Law</b>; or</p> <p>(g) fails to comply with a <b>sign</b> erected by the <b>Council</b>, is guilty of an offence.</p>			
11.2 to 11.3	<p><b>Offences by Corporations</b></p> <p>If a <b>person</b> charged with an offence against this <b>Local Law</b> is a corporation, any <b>person</b> who is concerned or takes part in the management of that corporation may be charged with the same offence.</p> <p>If the corporation is convicted of an offence against this <b>Local Law</b>, a <b>person</b> charged under clause 11.2 with the same offence may also be convicted of the offence and is liable to the penalty for that offence unless that <b>person</b> proves that the <b>Act</b> or omission constituting the offence took place without his or her knowledge or consent.</p>	76	<p><b>Offences by Corporations</b></p> <p>(1) If a <b>person</b> charged with an offence against this <b>Local Law</b> is a <b>corporation</b>, any person who is concerned or takes part in the management of that <b>corporation</b> may be charged with the same <b>offence</b>.</p> <p>(2) If the <b>corporation</b> is found guilty of an offence against this <b>Local Law</b>, a <b>person</b> charged under Clause 76(1) with the same offence may also be found guilty of the offence and is liable to the penalty for that offence.</p> <p>(3) It is a defence if it is proved that the <b>person</b> charged under Clause 76(1) with the same offence as the <b>corporation</b> took all reasonable precautions and exercised all due diligence to prevent the commission of the offence by the <b>corporation</b> or by another <b>person</b> under the <b>corporation's</b> control.</p>	Revised wording to provide clarity and use correct legal terminology.
	No clause	77	<p><b>Operator Onus Offence</b></p> <p>If the <b>person</b> driving or in charge of a <b>vehicle</b> that is used in the commission of an offence under this <b>Local Law</b> cannot be</p>	New clause to address operator onus offence in relation to motor vehicles.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			identified the registered owner of that <b>vehicle</b> , is guilty of that offence.	
11.4	<p><b>Penalties</b> A <b>person</b> guilty of an offence against this <b>Local Law</b> is liable to a penalty:</p> <p>(a) not exceeding 20 <b>penalty units</b>; and</p> <p>(b) in the case of a contravention which continues after a finding of guilt or conviction the penalty is 2 <b>penalty units</b> for each day after the finding of guilt or conviction for the offence during which the contravention continues.</p>	78	<p><b>Penalties</b> A <b>person</b> guilty of an offence against this <b>Local Law</b> is liable to a penalty:</p> <p>(1) not exceeding twenty (20) <b>penalty units</b>; and</p> <p>(2) in the case of a contravention which continues after a finding of guilt or conviction the <b>penalty</b> is two (2) <b>penalty units</b> for each day after the finding of guilt or conviction for the offence during which the contravention continues.</p>	<p>The new Local Government Act 2020 has amended the penalty unit amount for local law offences from \$100 to the amount that is set every year by the State Government, which is currently \$203.51. We have reviewed the effect this change has on penalty amounts in the local law. The new Schedule 1 Penalties for lists the penalty for each type of infringement.</p> <p>Penalties differentiate between a natural person and a corporation regarding penalties</p>
11.5 to 11.6	<p><b>Infringement Notices</b></p> <p>Where an <b>Authorised Officer</b> reasonably believes that a <b>person</b> has committed an offence under this <b>Local Law</b>, the <b>Authorised Officer</b> may serve on that <b>person</b> an <b>infringement notice</b>.</p> <p>The fixed penalty in respect of an <b>infringement notice</b> is the amount set out in Schedule 1 to this <b>Local Law</b>. For offences not specified in Schedule 1, the infringement penalty for that offence will be 20% of the maximum penalty for that offence.</p>	79	<p><b>Infringement Notices</b></p> <p>(1) Where an <b>Authorised Officer</b> reasonably believes that a <b>person</b> has committed an offence under this <b>Local Law</b>, the <b>Authorised Officer</b> may serve on that <b>person</b> an <b>infringement notice</b>.</p> <p>(2) The fixed penalty in respect of an <b>infringement notice</b> is the amount set out in Schedule 1 to this <b>Local Law</b>.</p> <p>(3) The fixed penalty in respect of an <b>infringement</b></p>	<p>Revised to provide clarity. Penalties differentiate between a natural person and a corporation regarding penalties</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p><b>notice</b> can differentiate between a natural person and a <b>Corporation</b> as set out in Schedule 1 to this <b>Local Law</b>.</p>	
11.7 to 11.13	<p><b>Notice to Comply and Directions</b></p> <p>A <b>person</b> who fails to comply with any direction given by an <b>Authorised Officer</b> in connection with any matter under this <b>Local Law</b> is guilty of an offence.</p> <p>An <b>Authorised Officer</b> may serve a <b>Notice to Comply</b> under this clause on a <b>person</b> who the <b>Authorised Officer</b> reasonably suspects to be in breach of this <b>Local Law</b>.</p> <p>A <b>Notice to Comply</b> under clause 11.8 must be in writing and in a form approved by the <b>Council</b>.</p> <p>A <b>Notice to Comply</b> under clause 11.8 may do one or more of the following things:</p> <ul style="list-style-type: none"> <li>(a) direct the <b>person</b> to comply with this <b>Local Law</b>;</li> <li>(b) direct the <b>person</b> to stop the conduct which constitutes the breach of this <b>Local Law</b>;</li> <li>(c) direct the <b>person</b> to deliver up to the <b>Authorised Officer</b> or to some specified <b>person</b> or some</li> </ul>	80	<p><b>Notice of Comply and Directions</b></p> <ul style="list-style-type: none"> <li>(1) An <b>Authorised Officer</b>, who reasonably believes that a <b>person</b> has contravened any provision of this <b>Local Law</b>, may give a verbal direction to and/or serve a <b>Notice to Comply</b> on a <b>person</b> to do or not do a thing or carry out work to remedy the thing, which constitutes a contravention under this <b>Local Law</b>.</li> <li>(2) A <b>Notice to Comply</b> under Clause 80(1) must be in writing.</li> <li>(3) A <b>Notice to Comply</b> or a verbal direction under Clause 80(1) may do one or more of the following things: <ul style="list-style-type: none"> <li>(a) direct the <b>person</b> to comply with this <b>Local Law</b>;</li> <li>(b) direct the <b>person</b> to stop the conduct which constitutes the breach of this <b>Local Law</b>;</li> <li>(c) direct the <b>person</b> to deliver up to the <b>Authorised Officer</b> or to some specified person or some specified location any item or property of the person which constitutes the breach of this <b>Local Law</b>;</li> </ul> </li> </ul>	<p>Combined and redrafted clauses to includes provision for an Authorised Officer to provide verbal direction.</p> <p>Includes provision for an appeal.</p>

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
11.11	<p>specified location any item or property of the <b>person</b> which constitutes the breach of this <b>Local Law</b>;</p> <p>(d) direct the <b>person</b> to remove or cause to be removed any item, goods, equipment or other thing that constitutes a breach of this <b>Local Law</b>;</p> <p>(e) direct the <b>person</b> to leave an area within the time specified in the notice that constitutes a breach of this <b>Local Law</b>.</p> <p>A <b>Notice to Comply</b> under clause 11.8 must specify the date by which the <b>person</b> specified in the <b>Notice to Comply</b> is required to comply with the directions stipulated in the <b>Notice to Comply</b>.</p>		<p>(d) direct the <b>person</b> to remove or cause to be removed any item, goods, equipment or other thing that constitutes a breach of this <b>Local Law</b>;</p> <p>(e) direct the person to leave an area within the time specified in the notice or direction that constitutes a breach of this <b>Local Law</b>.</p> <p>(4) A <b>Notice to Comply</b> or a verbal direction under Clause 80(1) must specify the date by which the <b>person</b> specified in the <b>Notice to Comply</b> or verbal direction is required to comply with the directions stipulated in the <b>Notice to Comply</b> or verbal direction.</p>	
11.12	<p>The period of time required by a <b>Notice to Comply</b> under clause 11.11 must be reasonable in the circumstances having regard to:</p> <p>(a) the amount of work involved; and</p> <p>(b) the degree of difficulty; and</p> <p>(c) the availability of necessary materials or other necessary items; and</p> <p>(d) climatic conditions; and</p> <p>(e) the degree of risk or potential risk; and</p> <p>(f) any other relevant factor.</p>		<p>(5) The period of time required by a <b>Notice to Comply</b> or verbal direction under Clause 80(1) must be reasonable in the circumstances having regard to:</p> <p>(a) the amount of work involved; and</p> <p>(b) the degree of difficulty; and</p> <p>(c) the availability of necessary materials or other necessary items; and</p> <p>(d) climatic conditions; and</p> <p>(e) the degree of risk or potential risk; and</p> <p>(f) any other relevant factor.</p> <p>(6) A person must comply with a <b>Notice to Comply</b> or a verbal direction under Clause 80(1).</p> <p>(7) If a <b>person</b>, who was given a verbal direction or served with a <b>Notice to Comply</b>, fails to carry out any work or remedy anything stipulated in the verbal direction or <b>Notice to Comply</b>, <b>Council</b> or the</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
11.13	Any <b>person</b> to whom a <b>Notice to Comply</b> is directed under this <b>Local Law</b> , who fails or refuses to comply with it is guilty of an offence.		<p><b>Authorised Officer</b> may approve the carrying out of the work or the remedying of the thing by another <b>person</b> or carry out the work itself and recover the cost of performing the work or remedying the thing from the <b>person</b> who failed to comply with the verbal direction or <b>Notice to Comply</b>.</p> <p>(8) A <b>person</b> may make written representations, within fourteen (14) days after being given a verbal direction or served with a <b>Notice to Comply</b>, to <b>Council</b> or an <b>Authorised Officer</b> about matters contained in the verbal direction or <b>Notice to Comply</b>, but nothing in this right or the exercise of this right relieves the <b>person</b> from complying with the verbal direction or <b>Notice to Comply</b>, unless the <b>Authorised Officer</b> who issued the verbal direction or <b>Notice to Comply</b> otherwise directs.</p>	
11.14 to 11.15 11.14	<p><a href="#">Power of Authorised Officer to Act in Urgent Circumstances</a></p> <p>Any <b>Authorised Officer</b> may, in urgent circumstances arising as a result of a failure to comply with this <b>Local Law</b>, take action to remove, remedy or rectify a situation provided:</p> <p>(a) he or she considered the circumstances or situation to be sufficiently urgent and that the timeinvolved or difficulties associated with the serving of a <b>Notice to Comply</b>, may place a <b>person</b>, animal, property or thing at risk or in danger; and</p>	81	<p><a href="#">Power of Authorised Officer to Act in Urgent Circumstances</a></p> <p>(1) An <b>Authorised Officer</b> may, in urgent circumstances arising as a result of a failure to comply with this <b>Local Law</b>, take action to remove, remedy or rectify a situation provided:</p> <p>(a) the <b>Authorised Officer</b> considered the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a <b>Notice to Comply</b>, may place a person, animal, property or thing at risk or in danger;</p> <p>(b) details of the circumstances and remedying action are forwarded as soon as practicable to</p>	Combined and redrafted to provide clarity, including new provision to seek cost recovery and power vested only with CEO or delegate (align with other councils).

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
11.15	<p>(b) details of the circumstances and remedying action are forwarded as soon as practicable to the <b>person</b> on whose behalf the action was taken;</p> <p>The action taken by an <b>Authorised Officer</b> under clause must not extend beyond what is necessary to cause the immediate abatement of or to minimise the risk or danger present.</p>		<p>the <b>person</b> on whose behalf the action was taken; and</p> <p>(c) the Chief Executive Officer of <b>Council</b> or their delegate, not being the <b>Authorised Officer</b> administering this clause, approves of the proposed action.</p> <p>(2) Action taken by an <b>Authorised Officer</b> under this clause shall not extend beyond what is necessary to cause the immediate abatement or minimisation of the risk or danger.</p> <p>(3) Where <b>Council</b> undertakes work in accordance with this clause, it may recover the cost of performing the work from the <b>person</b> who has contravened or who is likely to contravene this <b>Local Law</b>.</p>	
11.16 to 11.20 11.16	<p><b>Power of Authorised Officer to confiscate and impound to</b></p> <p>Where a <b>person who</b> owns or is responsible for any item including goods, equipment, a <b>bicycle</b>, or other property or thing has:</p> <p>(a) failed to obtain a <b>permit</b> where a <b>permit</b> in respect of the item is required under this <b>Local Law</b>; or</p> <p>(b) placed the item at or on any place in breach of this <b>Local Law</b> or in breach of a <b>permit</b> condition; or</p> <p>(c) ignored a direction from an <b>Authorised Officer</b> to remove the item; or</p>	82	<p><b>Power of Authorised Officer to confiscate and impound</b></p> <p>(1) Where a <b>person</b> who owns or is responsible for a thing, including goods, equipment, a <b>bicycle, animal</b> or other property or similar has:</p> <p>(a) failed to obtain a <b>permit</b> where a <b>permit</b> in respect of the thing is required under this <b>Local Law</b>;</p> <p>(b) placed the item at or on any place in breach of this <b>Local Law</b> or in breach of a <b>permit</b> condition;</p> <p>(c) failed to comply with a direction from an <b>Authorised Officer</b> to remove the item;</p>	Redrafted to simplify and strengthen provisions and provide clarity around how Council will impound an item.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
11.17	<p>(d) the item is in breach of this <b>Local Law</b>, the item may be confiscated and impounded by an <b>Authorised Officer</b>.</p> <p>If an <b>Authorised Officer</b> has confiscated anything in accordance with this <b>Local Law</b>, the <b>Council</b> may refuse to release it until the appropriate fee or charge <b>determined</b> by the <b>Council</b> for its release has been paid to the <b>Council</b>.</p>		<p>(d) the thing is in breach of this <b>Local Law</b> the thing may be confiscated and impounded by an <b>Authorised Officer</b>.</p> <p>(2) An impounded thing must be surrendered to –</p> <p>(a) its owner; or</p> <p>(b) a <b>person</b> acting on behalf of its owner who provides evidence to the satisfaction of an <b>Authorised Officer</b> of their authority from the owner; and – on:</p> <p>(i) evidence to the satisfaction of the <b>Authorised Officer</b> being provided of the owner’s right to the thing; and</p> <p>(ii) payment of any fee and reasonable costs of impounding determined by Council or an <b>Authorised Officer</b>.</p>	
11.18	<p>If the <b>owner</b> or the <b>person</b> responsible for a confiscated item can be identified, as soon as it is reasonably practicable to do so, the <b>Authorised Officer</b> must serve a written notice in a form that is <b>determined</b> by the <b>Council</b> from time to time on the <b>owner</b> or <b>person</b> responsible for the confiscated item setting out the fees and charges payable and time by which the item must be retrieved.</p>			
11.19	<p>If the <b>owner</b> or <b>person</b> responsible for a confiscated item is unknown, the <b>Authorised Officer</b> must take reasonable steps to ascertain the identity of the <b>owner</b> or <b>person</b> responsible for the item prior to exercising the powers in clause 11.20.</p>			
11.20	<p>If after the time required in a notice, a confiscated item is not retrieved, or if a notice referred to in clause 11.18 is unable to be served, an <b>Authorised Officer</b> may take action to dispose of the confiscated item according to the following principles:</p>		<p>(3) If the owner of a confiscated thing can be identified, <b>Council</b> or an <b>Authorised Officer</b> must serve personally or by registered mail a written notice within fourteen (14) days on the <b>owner</b> of the confiscated thing setting out the fees, costs and charges payable and time by which the thing must be retrieved.</p>	

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	<p>(a) where the item has no saleable value, it may be disposed of in the most economical way; and</p> <p>(b) where the item has some saleable value the item may be disposed of either by tender, public auction or private sale but failing sale may be treated as in sub-clause (a);</p> <p>(c) where the <b>owner</b> has advised the <b>Council</b> in writing that the <b>Council</b> may dispose of the item because he or she does not intend to retrieve it, the <b>Council</b>.</p>		<p>(4) If the owner or person responsible for a confiscated thing is unknown, the <b>Authorised Officer</b> must take reasonable steps to ascertain the identity of the owner or <b>person</b> responsible for the thing prior to exercising the powers in Clause 83.</p>	
		83	<p><b>Disposal</b></p> <p>(1) If, after the time required in a notice, a confiscated thing is not retrieved, or if a notice referred to in Clause 82(3) is unable to be served, an <b>Authorised Officer</b> may take action to dispose of the confiscated thing according to the following principles:</p> <p>(a) where the thing has no saleable value, it may be disposed of in the most economical way; and</p> <p>(b) where the thing has some saleable value, the thing may be disposed of either by tender, public auction or private sale but failing sale may be treated as in Clause 83(1)(a);</p> <p>(c) where the owner of a confiscated thing has advised the <b>Council</b> in writing that <b>Council</b> may dispose of the thing because the owner does not intend to</p>	Redrafted to clarify provisions / steps in disposal.

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			<p>retrieve it, <b>Council</b> may dispose of the thing by either of the methods identified in Clause 83(1) (a) and (b).</p> <p>(2) If the impounded thing is perishable and will not survive the period specified in Clause 83(1), the <b>Authorised Officer</b> may dispose of the thing sooner.</p> <p>(3) <b>Council</b> is entitled to retain the proceeds of sale of any impounded thing towards its reasonable costs incurred in impounding, keeping, and selling the thing.</p>	
12.1 to 12.2	<p><b>Delegations</b></p> <p>The <b>Council</b> may by instrument of delegation delegate any of its powers, functions and duties under this <b>Local Law</b> to a member of its staff.</p> <p>12.1</p> <p>12.2 A reference in an instrument of delegation to a delegate by way of the delegate’s position with the <b>Council</b> includes:</p> <p>(a) a <b>person</b> authorised to carry out the powers, duties and functions of that position at the <b>Council</b>;</p> <p>(b) a <b>person</b> acting in that capacity; or</p> <p>(c) if that position at the <b>Council</b> ceases to exist, any <b>person</b> exercising any power, duty or function which was previously a power, duty or function of the previous position.</p>	84	<p><b>Delegations</b></p> <p><b>Council</b> may by instrument of delegation delegate any of its powers, functions and duties under this <b>Local Law</b> to a member of its staff.</p> <p>A reference in an instrument of delegation to a delegate by way of the delegate’s position with the <b>Council</b> includes:</p> <p>(a) a <b>person</b> authorised to carry out the powers, duties and functions of that position at the <b>Council</b>;</p> <p>(b) a person acting in that capacity; or</p> <p>(c) if that position at the <b>Council</b> ceases to exist, any <b>person</b> exercising any power, duty or function which was previously a power, duty or function of the previous position.</p>	No change.

## Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

## Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

### Schedule 1 Penalties

Clause	Offence	Old – Amenity Local Law 2020		New – Draft Amenity Local Law 2026	
		Infringement Notice Penalty Units	Maximum Penalty Units	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
11	Dangerous land	10	20	5	10
12	Unsightly land	3	15	3	10
13	Land which is detrimental to the general amenity of the neighbourhood	3	15	3	10
14	Obstructions from private land	3	15	3	5
15	Dilapidated buildings	5	20	5	10
16	Heavy and long vehicles on private land	3	15	5	10
17	Camping on Private Land		15	3	5
18	Property numbers	1	10	1	3
19	Intruder alarms	3	15	1	5
20	Lights	–	–	1	5
21	Short Stay Rental Accommodation	–	–	5	10
22	Shipping containers	–	–	5	10
23	Environmental weeds	3	15	3	10
24	Tree and vegetation protection	10	20	3	10
25	Vermin and pests on private land	3	15	3	10
26	Open air burning	5	20	5	10
27	Council waste services	3	15	2	5
28	Non-Council waste services	3	15	2	5

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Clause	Offence	Old – Amenity Local Law 2020		New – Draft Amenity Local Law 2026	
		Infringement Notice Penalty Units	Maximum Penalty Units	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
29	Commercial waste	5	20	5	10
30	Limits on number of animals kept	3	15	3	5
31	Animal housing	3	15	3	5
32	Private land adequately fenced	–	–	3	10
33	Removal of animal waste	1	10	1	N/A
34	Animal noise and odour	3	15	2	5
35	Feeding of animals and birds	5	20	1	N/A
36	Behaviour on Council land and roads	10	20	1	5
37	Act contrary to any restriction, closure, condition, fee, charge, hire agreement or authorised instruction in relation to a Council land and municipal place	–	–	3	5
38	Access to a municipal place	–	–	3	5
39	Camping on Council land or road or public place	3	15	3	N/A
40	Obstructions on roads and Council land	5	20	3	10
41(1)	Leaving a shopping trolley	3	15	1	N/A
41(2)&(3)	Shopping trolleys	3	15	3	5
42	Use of toy vehicles or aircraft	3	15	3	5
43	Fireworks on Council land and roads	10	20	10	15
44	Vehicles on Council land and roads	3	15	2	5
45	Repairing or displaying vehicles	3	15	3	10
46	Abandoned, derelict and unregistered vehicles	–	–	3	10

### Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

Clause	Offence	Old – Amenity Local Law 2020		New – Draft Amenity Local Law 2026	
		Infringement Notice Penalty Units	Maximum Penalty Units	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
47	Activities on Council land or roads	3	15	3	10
48	Signs	–	–	5	10
49	Appeals and Collections	3	15	3	10
50	Commercial filming and photography on Council land	3	15	5	10
51	Event and busking on Council land	3	15	3	10
52	Alcohol	3	15	3	10
53	Smoking	3	15	1	N/A
54	Asset protection	10	20	5	15
55	Notification upon completion of building work	10	20	3	10
56(3)	Failure to comply with direction or carry out works	10	20	5	15
57	Obligations during building work	10	20	5	15
58	Hours of building work	–	–	5	15
59	Drains	10	20	5	15
60	Spoil on roads	–	–	5	15
61	Occupation of roads	–	–	5	15
62	Vehicle crossing	10	20	5	15
63	Defacing/damaging Council land and assets	5	20	5	15
64	Trees and plants on Council land and roads	5	20	5	15

## Draft Amenity Local Law 2026 – Comparative Analysis (current versus new draft)

### Schedule 2: Smoke Free Areas

#### Part A: Smoke Free Areas

1. within **Council** owned facilities and/or on **Council land**;
2. at **Council** operated festivals and **events**;
3. any children’s playground;
4. any parcel of land on which a **child care centre** is located; and
5. any parcel of land as **determined** by the **Council**.

#### Part B – Guidelines for determining a Smoke Free Area

When considering whether to **determine** a **smoke free area** for the purposes of clause 8.6 of this **Local Law**, the

**Council** must have regard to the following factors:

1. the size of the proposed **smoke free area**;
2. the opinions of any **person** who is the **owner** or **occupier** of any part of the proposed **smoke free area** or the area immediately adjoining the proposed **smoke free area**;
3. the proximity of the proposed **smoke free area** to a **public place**, part or all of which is not in a **smoke free area**;
4. the extent and outcome of any public consultation on the proposed **smoke free area**;
5. any benefits to the community which would be achieved by the **Council determining** the proposed **smoke free area**; and
6. any detriments to the community which would be caused by the **Council determining** the proposed **smoke free area**.

knox



**Draft**

---

**Knox Amenity Local Law 2026**

---

DRAFT



## Contents

Section A: Preliminary .....	4
Part 1: Preliminary, Objectives and Definitions .....	4
1. Title .....	4
2. What are the objectives of this Local Law? .....	4
3. What authorises this Local Law? .....	4
4. When does this Local Law commence? .....	4
5. When does this Local Law end? .....	4
6. What does this Local Law replace? .....	4
7. What does this Local Law apply to? .....	4
8. Are there any exemptions from this Local Law? .....	5
9. Interpreting this Local Law .....	5
10. Definitions .....	5
Section B: Neighbourhood Amenity and Your Property .....	15
Part 2: Private Land and Neighbourhood Amenity .....	15
11. Dangerous land .....	15
12. Unightly land .....	15
13. Land which is detrimental to the general amenity of the neighbourhood .....	15
14. Obstructions from private land .....	15
15. Dilapidated buildings .....	16
16. Heavy and long vehicles on private land .....	16
17. Camping on private land .....	16
18. Property numbers .....	16
19. Intruder alarms .....	16
20. Lights .....	17
21. Short Stay Rental Accommodation .....	17
22. Shipping containers .....	17
Part 3: Private Land and the Environment .....	17
23. Environmental weeds .....	17
24. Tree and vegetation protection .....	17
25. Vermin and pests on private land .....	17
Part 4: Open Air Burning .....	18
26. Open air burning .....	18
Part 5: Waste Management .....	21
27. Council waste services .....	21
28. Non-Council waste services .....	21



29. Commercial waste .....	21
Section C: Keeping of Animals .....	23
Part 6: Animals .....	23
30. Limits on number of animals kept .....	23
31. Animal housing .....	24
32. Private land adequately fenced .....	24
33. Removal of animal waste .....	24
34. Animal noise and odour .....	24
35. Feeding of animals and birds .....	24
Section D: Use of Council Land and Roads .....	25
Part 7: Use of Council Land and Roads .....	25
36. Behaviour on Council land (including a municipal place) and roads .....	25
37. Council's power on Council land (including municipal places) .....	25
38. Access to a municipal place .....	26
39. Camping on Council land or road or public place .....	26
40. Obstructions on roads and Council land .....	26
41. Shopping trolleys .....	27
42. Use of toy vehicles or aircraft .....	27
43. Fireworks on Council land and roads .....	27
Part 8: Vehicles on Council Land or Roads .....	27
44. Vehicles on Council land and roads .....	27
45. Repairing or displaying vehicles .....	27
46. Abandoned, derelict and unregistered vehicles .....	27
Part 9: Trading, Fundraising and Promotional Activities on Council Land or Roads .....	28
47. Activities on Council land or roads .....	28
48. Signs .....	28
49. Appeals and collections .....	28
50. Commercial filming and photography on Council land .....	29
51. Event and busking on Council land .....	29
Part 10: Alcohol and Smoking on Council Land and Roads .....	29
52. Alcohol .....	29
53. Smoking in a smoke free area .....	29
Section E: Protection of Council Land and Assets .....	30
Part 11: Council Assets, Trees and Regulating Building Sites .....	30
54. Asset protection .....	30
55. Notification upon completion of building work .....	30
56. Inspection of Council assets and recovery of cost .....	30



57. Obligations during building work.....31

58. Hours of building work .....32

59. Drains .....32

60. Spoil on roads.....33

61. Occupation of roads .....33

62. Vehicle crossings .....33

63. Defacing/damaging Council land and assets.....34

64. Trees and plants on Council land and roads.....34

Section F: Administration .....35

Part 12: Permits.....35

65. When is a permit required under this Local Law?.....35

66. Permit application and fees .....35

67. Fees and charges .....35

68. Duration of permit.....35

69. Correction of permits .....36

70. Granting and refusal of a permit .....36

71. Cancellation of a permit .....37

72. Exemptions.....37

73. Security Bonds.....37

74. Register of permits .....37

Section G: Enforcement.....39

Part 13: Compliance and Enforcement of the Local Law .....39

75. Offences .....39

76. Offences by corporations .....39

77. Operator onus offence .....39

78. Penalties .....39

79. Infringement Notices.....39

80. Notice to Comply and Direction .....40

81. Power of Authorised Officer to act in urgent circumstances .....41

82. Power of Authorised Officer to confiscate and impound .....41

83. Disposal .....42

Part 14: Delegations .....42

Schedule 1 – Penalties.....43

Schedule 2 — Smoke Free Areas .....45

Part A – Smoke Free Areas .....45

Part B – Guidelines for Determining a Smoke Free Area .....45



## Section A: Preliminary

### Part 1: Preliminary, Objectives and Definitions

1. Title

This **Local Law** is called the "*Amenity Local Law 2026*".

2. What are the objectives of this Local Law?

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

- (a) Provide for the peace, order and good government of the **municipal district**;
- (b) Promote a physical and social environment free from hazards to health, in which the residents of the **municipal district** can enjoy a quality of life that meets the general expectations of the community;
- (c) Prevent and manage **nuisances** which may adversely affect the enjoyment of life within the **municipal district** or the health, safety and welfare of **persons** within the **municipal district**;
- (d) Regulate and manage activities of people within the **municipal district** which may be dangerous, unsafe or detrimental to the quality of life of other people in, or the environment of, the **municipal district**;
- (e) Regulate and control the use and activity relating to **Council land, roads and Council assets**; and
- (f) Provide standards and conditions for specified activities to protect the safety and the welfare of people within, and the environment of, the **municipal district**.

3. What authorises this Local Law?

This **Local Law** is made under section 71 of the *Local Government Act 2020* and section 43 of the *Domestic Animals Act 1994*.

4. When does this Local Law commence?

This **Local Law** commences on TBD.

5. When does this Local Law end?

This **Local Law** ceases to operate on TBD, unless revoked sooner by **Council**.

6. What does this Local Law replace?

On the commencement of this **Local Law**, the *Amenity Local Law 2020* is revoked.

7. What does this Local Law apply to?

- (a) This **Local Law** applies throughout the whole of the **municipal district** of the Knox City Council.
- (b) This **Local Law** does not apply where any act or thing is authorised by or under any Act, Rule, Regulation or the **Planning Scheme**.
- (c) Council may determine, by resolution, **private land** that is being used for public purposes as **Council land**.



## 8. Are there any exemptions from this Local Law?

- (a) **Council** may **determine** specified **persons**, land or areas within the **municipal district** to be exempt from any provision of this **Local Law** for a specified time and on specified conditions.
- (b) Where this **Local Law** prohibits any activity or other thing or provides that such activity can only take place or other thing can only be done or exist with a **permit**, that prohibition or provision will not apply to a **person** employed or engaged by **Council** while acting in the course of their official or authorised function.

## 9. Interpreting this Local Law

- (a) Words and phrases, the meaning of which are defined in clause 10 of this **Local Law** or elsewhere in it, appear in bold type in the text.
- (b) Introductions to Parts, Headings and Notes are explanatory only and do not form part of this **Local Law** and are provided to assist understanding.
- (c) Where a word or phrase is defined in the **Local Law**, other parts of speech and grammatical forms of that word or phrase have, unless the contrary intention appears, corresponding meanings.

## 10. Definitions

The words and phrases identified in **bold** throughout this **Local Law** have the following meaning:

**Acceptable no smoking sign** has the same meaning as in the *Tobacco Act 1987*.

**Note:** The *Tobacco Act 1987* defines **acceptable no smoking sign** as:  
*means a sign that contains— (a) a no smoking symbol in the form of a circle and diagonal line printed in red over a depiction of a cigarette and smoke printed in black, or other symbol that clearly indicates that smoking is not permitted, with the symbol being at least 70 mm in height; and (b) the phrase "No Smoking" or "Smoking Prohibited", or other wording that clearly indicates that smoking is not permitted, in letters that are at least 20 mm in height;*

**Act** means the *Local Government Act 2020*.

**Alcohol** has the same meaning as "liquor" in the *Liquor Control Reform Act 1998*.

**Note:** The *Liquor Control Reform Act 2020* defines "liquor" as:  
*a beverage, or other prescribed substance, intended for human consumption with an alcoholic content greater than 0.5% by volume at a temperature of 20 degrees Celsius;*

**Animal housing** means any structure erected for the purpose of housing animals.

**Approval** has the same meaning as **permit**.

**Asset protection permit** means a **permit** required by **Council** under Clause 54(1) for the protection of **Council land** and **Council** assets during **building work**.



**Assistance animal** has the same meaning as in the *Disability Discrimination Act 1992 (Cth)*.

**Note:** The *Disability Discrimination Act 1992 (Cth)* defines **assistance animal** as:  
*an assistance animal is a dog or other animal:*

- (a) *accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or*
- (b) *accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or*
- (c) *trained:*
  - (i) *to assist a person with a disability to alleviate the effect of the disability; and*
  - (ii) *to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.*

**Assistance dog** has the same meaning as in the *Equal Opportunity Act 2010*

**Note:** The *Equal Opportunity Act 2010* defines **assistance dog** as:  
*means a dog that is trained to perform tasks or functions that assist a person with a disability to alleviate the effects of their disability;*

**Authorised Officer** means a **person** appointed by **Council** under section 224 of the *Local Government Act 1989* to be an **Authorised Officer** for the purposes of the administration and enforcement of this **Local Law**.

**Barbeque** means any structure or device, erected or fixed outdoors, portable or mobile, which has as its primary purpose the cooking of food for human consumption.

**Bicycle** has the same meaning as in the *Road Safety Road Rules 2017*.

**Note:** The *Road Safety Road Rules 2017* defines **bicycle** as:  
*means a vehicle with 2 or more wheels that is built to be propelled partly or wholly by human power through a belt, chain or gears (whether or not it has an auxiliary motor), and-*

- (a) *includes a pedicab, penny-farthing and tricycle; and*
- (b) *includes a power-assisted pedal cycle within the meaning of vehicle standards, as amended from time to time, determined under section 7 of the Motor Vehicle Standards Act 1989 of the Commonwealth; but*
- (c) *does not include an electric personal transporter, an electric scooter, a scooter, wheelchair, wheeled recreational device, wheeled toy, or any vehicle with an auxiliary motor capable of generating a power output over 200 watts (whether or not the motor is operating), other than a vehicle referred to in paragraph (b);*

**Building** has the same meaning as in the *Building Act 1993*.

**Note:** The *Building Act 1993* defines **building** as:  
*includes structure, temporary building, temporary structure and any part of a building structure.*



**Building site** means any land upon which **building work** is being carried out, or which is being prepared for **building work** to be carried out.

**Building work** has the same meaning as in the *Building Act 1993* and includes any changes to the natural or existing topography of land including excavation, landscaping, concreting, trenching, digging, filling, subdivision and road construction, whether by mechanical or manual methods, and the loading and unloading of any goods or materials for or in connection with any **building work**.

**Note:** The *Building Act 1993* defines **building work** as:  
*means work for or in connection with construction, demolition or removal of a building;*  
*“construct”, in relation to a building, includes,*

- (a) *build, re-build, erect or re-erect the building; and*
- (b) *repair the building; and*
- (c) *make alterations to the building; and*
- (d) *enlarge or extend the building; and*
- (e) *place or relocate the building on land*

**Bulk rubbish container** means a bin, skip, container or other receptacle used for the deposit of waste or refuse, but excludes an approved **Council supplied bin** issued by **Council**.

**Busking** means to provide a form of public performance or entertainment for voluntary donations and includes, but is not limited to playing a musical instrument, singing recitations, conjuring or performing magic, performing puppetry, pavement art, juggling, miming, dancing, other theatrical or visual performance.

**Camp** means using a **caravan**, tent, sleeping bag, vehicle, shipping container, shed or similar structure for residential accommodation (either temporary or permanent) by a **person**.

**Caravan** includes a campervan, motor home, moveable dwelling or similar vehicle.

**Child care centre** means a **building** located on either **Council land** or **private land** used by a **person** to care for 4 or more children under the age of 13 years, in the absence of their parents or guardians, for the payment of a fee or other consideration.

**Children’s playground** means **Council land** set aside or used for the predominant purpose of a children's play area.

**Commercial waste** means any landfill, recycling, rubbish, slops or other waste matter arising from or generated by any trade, industry or commercial activity.

**Corporation** has the same meaning as in the *Corporation Act 2001* (Cth)

**Note:** The *Corporation Act 2001* (Cth) defines a **corporation** as:  
*in this Act, corporation includes:*

- (a) *a company; and*
- (b) *any body corporate (whether incorporated in this jurisdiction or elsewhere); and*
- (c) *an unincorporated body that under the law of its place of origin, may sue or be sued, or may hold property in the name of its secretary or of an office holder of the body duly appointed for that purpose.*



**Council** means Knox City Council.

**Council asset** means anything that is vested, owned, maintained, managed or controlled by **Council** and provides or contributes to the local amenity and/or the provision of physical services to the community, including but not limited to:

- (a) a **road**;
- (b) a drain;
- (c) drainage infrastructure;
- (d) street trees;
- (e) street signs; or
- (f) any asset vested in or under the control of **Council**.

**Council land** means land, **municipal place**, **buildings** and facilities, excluding a **road**, which is vested in, owned or occupied, managed or controlled by **Council**.

**Council supplied bin** means a bin which has been provided by and is collected by **Council**, for the purposes of waste collection as charged within the annual rates notice.

**Declared significant tree** means a tree determined by **Council** as a significant tree.

**Declared significant vegetation** means vegetation that is determined by **Council** as significant vegetation.

**Determine** or Determined means decided, declared or specified by **Council**.

**Detrimental** means the appearance of the **private land** and **buildings** which is one of neglect, in a state of disrepair or out of character with other **private land** and **buildings** in the immediate neighbourhood in which it is located, irrespective of whether it can be seen from a neighbouring property or a **public place**.

**Dilapidated** means a **building** which is in a state of significant disrepair or has deteriorated or fallen into a state of partial ruin as a result of damage, age, neglect, poor maintenance or misuse. This includes, but is not limited to a **building** which has one or a combination of:

- (a) missing, broken or deteriorated exterior cladding;
- (b) deteriorated guttering or downpipes;
- (c) broken or missing windows, window-awnings, eave lining or doors;
- (d) missing or broken roofing;
- (e) deteriorated internal gates and fences;
- (f) inadequate or no maintenance; or
- (g) any other building condition in a state of significant disrepair.

**Donation bin** means any bin for the purpose or apparent purpose of the collection of donated items.

**Environmental weed** means any weed that is **determined** by **Council** to be an **environmental weed**.

**Event** means an organised recreational, cultural, commercial or social event or gathering of people, including a carnival, festival, street party, procession or any similar activity.

**Graffiti** has the same meaning as "mark graffiti" in the *Graffiti Prevention Act 2007*.

**Note:** The *Graffiti Prevention Act 2007* defines "mark **graffiti**" as:  
*means write, draw, mark, scratch or otherwise deface property by any means so that the defacement is not readily removable by wiping with a dry cloth;*



**Incinerator** means an outside structure, device or piece of equipment which is designed, adapted, used or capable of being used for the burning of any unwanted material or substance.

**Infringement Notice** means an **infringement notice** issued under the *Infringements Act 2006*.

**Large bird** means any cockatoo or other bird of similar or larger size of any age but does not include **poultry** or pigeons.

**List of Environmental Weeds** means the **List of Environmental Weeds** adopted by **Council** on 20 May 2020 as may be amended from time to time by **Council** resolution and which is incorporated into and forms part of this **Local Law**.

**Livestock** has the same meaning as in the *Impounding of Livestock Act 1994*.

**Note:** The *Impounding of Livestock Act 1994* defines **livestock** as:  
*means an animal (including a bird) of any species used in connection with primary production or kept for recreational purposes other than a dog or a cat;*

**Local Law** means this *Amenity Local Law 2026*.

**Minor building work** means any building work determined by **Council** or an **Authorised Officer** to be low risk, established upon assessing the risk of the **building work** causing damage to **Council land** and assets.

**Model aircraft** includes any remote controlled aeroplane, helicopter, or similar (excluding kites).

**Motorised toy vehicle** means any recreational **vehicle** which may be propelled or operated (including by remote control) by internal combustion, steam, gas, oil, electricity or any other power.

**Municipal district** means the **municipal district** of **Council**.

**Municipal place** means any **building** which is on **Council land** and includes a public library and any recreation centre, which is vested in, owned or occupied, managed or controlled by **Council**.

**Net gain** means where the overall gains are greater than overall losses for vegetation and habitat.

**Notice to Comply** means a written direction given by an **Authorised Officer** in accordance with Clause 80 (1) of this **Local Law**.

**Nuisance** includes any behaviour or condition which is, or is liable to be dangerous to health, offensive or injurious to personal comfort.

**Occupier** means the **person** in charge, or having the management or control of, or legally entitled to occupy land (including a **building**) and in relation to land which has a lot entitlement or lot liability in respect of common property, includes the Owners Corporation created on the registration of a Plan of Subdivision affecting that land.

**Open air** has the same meaning as in the *Country Fire Authority Act 1958*.

**Note:** The *Country Fire Authority Act 1958* defines **open air** as:  
*a fire is in the **open air** if it is in any place other than within a permanent structure.*

**Owner of private land** means the **person** who is registered on the Certificate of Title as the **owner** of the **private land**, or the **person** who is or is entitled to be so registered, or the **person** who is otherwise entitled to exercise any rights of ownership of the **private land**.



**Penalty unit** has the same meaning as in the *Sentencing Act 1991*.

**Note:** The *Sentencing Act 1991* defines **penalty unit** as:  
*If in an Act or subordinate instrument there is a statement of a number (whether whole, decimal or fractional) of what are called penalty units, that statement must, unless the context otherwise requires, be construed as stating a number of dollars equal to the product obtained by multiplying the number of **penalty units** by the amount fixed from time to time by the Treasurer under section 5(3) of the Monetary Units Act 2004.*

**Permit** means a **permit** or **approval** or written authorisation, required under this **Local Law**, and issued in accordance with the provisions of this **Local Law**.

**Permit holder** means the **person** in whose name a **permit** has been issued.

**Person** includes a natural **person**, a **corporation**, an association incorporated under the *Association Incorporation Act 1981*, a partnership and an unincorporated association.

**Person in charge of building work** means:

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

**Planning Scheme** means the Knox Planning Scheme.

**Poultry** means any chickens, ducks, geese, peacocks, pheasants, turkeys, bantam, squab, guinea fowls and anything similar of any age but excluding **roosters**.

**Private land** means any land which is privately owned or occupied, and structures and fixtures on such land.

**Property address** means the **road** name and street number allocated to a property within the **municipal district** and may include, where there are multiple tenements within a property or multiple properties at one street number, the use of lot or unit numbers.

**Property manager** means a **person** appointed by the **owner** of the **private land** to manage that **private land**, including adhering to all Acts, Regulations or local laws, on their behalf.



**Public place** has the same meaning as in the *Summary Offences Act 1966*.

**Note:** The *Summary Offences Act 1966* defines a **public place** as follows:

- (a) *any public highway road street bridge footway footpath court alley passage or thoroughfare notwithstanding that it may be formed on private property;*
- (b) *any park, garden, reserve or other place of public recreation or resort;*
- (c) *any railway station platform or carriage;*
- (d) *any wharf pier or jetty;*
- (e) *any passenger ship or boat plying for hire;*
- (f) *any public vehicle plying for hire;*
- (g) *any church or chapel open to the public or any other building where divine service is being publicly held;*
- (h) *any Government school or the land or premises in connection therewith;*
- (i) *any public hall, theatre or room while members of the public are in attendance at, or are assembling for or departing from, a public entertainment or meeting therein;*
- (j) *any market;*
- (k) *any auction room or mart or place while a sale by auction is there proceeding;*
- (l) *any licensed premises or authorised premises within the meaning of the Liquor Control Reform Act 1998;*
- (m) *any race-course, cricket ground, football ground or other such place while members of the public are present or are permitted to have access thereto whether with or without payment for admission;*
- (n) *any place of public resort;*
- (o) *any open place to which the public whether upon or without payment for admittance have or are permitted to have access; or*
- (p) *any public place within the meaning of the words "public place" whether by virtue of this Act or otherwise;*



**Road** has the same meaning as in the *Local Government Act 1989*.

**Note:** The *Local Government Act 1989* defines a **road** as follows:

road includes-

- (a) *a street;*
- (b) *a right of way; and*
- (c) *any land reserved or proclaimed as a street or road under the Crown Land (Reserves) Act 1978 or the Land Act 1958; and*
- (d) *a public road under the Road Management Act 2004; and*
- (e) *a passage; and*
- (f) *a cul de sac; and*
- (g) *a by-pass; and*
- (h) *a bridge or ford; and*
- (i) *a footpath, bicycle path or nature strip; and*
- (j) *any culvert or kerbing or other land or works forming part of the road;*

**Rooster** means a male fowl of any age.

**Short Stay Rental Accommodation** means accommodation for no more than 30 consecutive days or 1 month in a dwelling on **private land** for commercial gain, excluding other accommodation premises required to be registered under alternate legislation.

**Sign** includes any placard, inflatable sign, portable electric sign, illuminated, revolving, spinning, or flashing sign, flag, banner, A-frame structure and other object or similar sign, being of a fixed or transient nature including being affixed to a **vehicle**, trailer, **bicycle**, tricycle, trolley, or other object, which message is used or intends to be used for notifying:

- (a) the existence of the sale or use of any goods or services;
- (b) the holding of an **event** or function;
- (c) the promotion of any **person**, company, organisation, industry or thing; or
- (d) the promotion of a person's candidature or prospective candidature or a political party in connection with Commonwealth, State or local government elections.

**Site fencing** means a temporary or permanent fence around the entire perimeter of a **building site** at the commencement and for the duration of the **building work**:

- (a) at a height of not less than eighteen hundred (1800) millimetres;
- (b) capable of preventing litter from being transported from a **building site** by wind;
- (c) capable of preventing unauthorised **persons** accessing the **building site**; and
- (d) having not more than one access opening fitted with gates, which is located to correspond with the **vehicle crossing** for the **building site**.

**Site identification** means a **sign** that is at least six hundred (600) millimetres in height and four hundred (400) millimetres in length, is erected at the entrance to the **building site** and is clearly visible from the **road**, and includes on the **sign** the:

- (a) lot number, as described on the Certificate of Title relevant to the land and house number if available;
- (b) name of the **owner**, developer or builder responsible for the **building site**;
- (c) relevant building surveyor's contact name and phone number; and
- (d) twenty-four (24) hour contact telephone number or numbers for the **owner**, developer or builder responsible for the **building site**.



**Small bird** means any budgerigar, canary, finch or other similar size or smaller bird (excluding **poultry**).

**Smoke** has the same meaning as in the *Tobacco Act 1987*.

**Note:** The *Tobacco Act 1987* defines **smoke** as:

*smoke means-*

- (a) *smoke hold or otherwise have control over, an ignited or heated tobacco product or;*
- (b) *use a vaping device to generate or release an aerosol or vapour;*

**Smoke free area** means an area:

- (a) identified in Schedule 2 to this **Local Law**; or
- (b) **determined** to be a **smoke free area** in accordance with Clause 53(4) of this **Local Law**.

**Street furniture** means tables and chairs, stools and benches, umbrellas, heater, planter box, wind frames (barriers) and other items associated with trading activities.

**Temporary vehicle crossing** means any material that is used to protect a **road**, kerb, channel or footpath while **building work** is being undertaken that has been constructed and maintained to the satisfaction of **Council**.

**Tobacco product** has the same meaning as in the *Tobacco Act 1987*.

**Note:** The *Tobacco Act 1987* defines **tobacco product** as:

*means tobacco, cigarette or cigar or any other product containing tobacco and which is designed for human consumption;*

**Unmanaged honeybee swarm** means a colony of honeybees hiving or swarming in an unmanaged capacity on **private land**.

**Unightly** means a state or condition of a property having the presence of one or more of the following features or similar features:

- (a) unconstrained rubbish, litter or waste material;
- (b) discarded, rejected, surplus or abandoned solid or liquid materials;
- (c) unregistered **vehicle(s)** which is either unroadworthy, disassembled, incomplete, deteriorated or derelict;
- (d) disused or derelict machinery or **vehicle** parts;
- (e) dead, diseased or dying vegetation;
- (f) growth of vegetation and undergrowth exceeding a height of 300 millimetres;
- (g) a disused excavation;
- (h) a **building** or structure which is incomplete and not currently being constructed; or
- (i) **graffiti** on the exterior walls of a **building** or exterior fence.

**Use of Waste Collection Services Policy** means the **Use of Waste Collection Services Policy** adopted by **Council** on 20 May 2020 as may be amended from time to time by **Council** resolution and which is incorporated into and forms part of this **Local Law**.



**Utility** has the same meaning as in the *Road Management Act 2004*.

**Note:** The *Road Management Act 2004* defines **utility** as:

*utility means— (a) an entity (whether publicly or privately owned) which provides, or intends to provide, water, sewerage, drainage, gas, electricity, telephone, telecommunication or other like services under the authority of an Act of Victoria or the Commonwealth; (b) any person who under the Pipelines Act 2005 is the holder of a licence to construct and operate a pipeline;*

**Vehicle** has the same meaning as in the *Road Safety Road Rules 2017*.

**Note:** The *Road Safety Road Rules 2017* defines **vehicle** as:

a “vehicle” includes-

- (a) a motor **vehicle**, trailer and tram; and
- (b) a **bicycle**; and
- (c) an animal-drawn vehicle, and an animal that is being ridden or drawing a vehicle; and
- (d) a combination; and
- (e) a motorised wheelchair that can travel at over 10 kilometres per hour (on level ground)

–  
but does not include another kind of wheelchair, a train, a wheeled recreational device, a wheeled toy or an electric personal transporter.

**Vehicle crossing** means a constructed surface for vehicular access to **private land**.

**Vermin** means pest or noxious **animals** that are apt to spread disease, including but not limited to rodents, cockroaches, flies, lice, termites, mosquitoes, bedbugs and parasitic worms.

**Wheeled recreational device** has the same meaning as in the *Road Safety Road Rules 2017*.

**Note:** The *Road Safety Road Rules 2017* defines **wheeled recreational device** as:

*means a wheeled device, built to transport a person, propelled by human power or gravity (or in the case of a scooter, propelled by a person pushing one foot against the ground, or by an electric motor or motors, or by a combination of these), and ordinarily used for recreation or play, and –*

- (a) includes rollerblades, rollerskates, a skateboard, a scooter (other than an electric scooter) that is not a motor vehicle, or similar wheeled device, but;
- (b) does not include-
  - i. a golf buggy, pram, stroller or trolley,
  - ii. a bicycle,
  - iii. an electric scooter (whether or not the electric scooter is a motor vehicle)
  - iv. an electric personal transporter;
  - v. a wheelchair or wheeled toy;
  - vi. a scooter that is a motor vehicle;

**Wheeled toy** has the same meaning as in the *Road Safety Road Rules 2017*.

**Note:** The *Road Safety Road Rules 2017* defines **wheeled toy** as:

*means a child’s pedal car, scooter (other than a motorised scooter) or tricycle or a similar toy, but only when it is being used only by a child who is under 12 years old;*



## Section B: Neighbourhood Amenity and Your Property

### Part 2: Private Land and Neighbourhood Amenity

**Introduction:** This Part relates to the appearance and condition of **private land** and properties in the municipality and includes properties that have been allowed to reach a **dilapidated, unsightly** or dangerous condition. This part also contains provisions to provide for clear signage of street numbers to assist in the management of the municipality and to assist emergency services and regulate short stay rental accommodation.

#### 11. Dangerous land

- (1) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that **private land** to be kept in a manner which is or is likely to constitute a danger to health, life or property.
- (2) Clause 11(1) does not apply to any danger to health, life or property arising from the condition of vegetation, including trees, unless the vegetation or trees poses a risk to persons or property in a **public place**.
- (3) An **owner** or **occupier** or **property manager** of **private land** must not, without a **permit**, store or allow to be stored any matter, hazardous substance or thing which is dangerous or likely to cause danger to health, life or property on that land.

#### 12. Unsightly land

An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that **private land** to be kept or used in a manner which is **unsightly**.

#### 13. Land which is detrimental to the general amenity of the neighbourhood

An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that **private land** to be kept or used in a manner which is **detrimental** to the general amenity of the immediate neighbourhood in which the land is located.

#### 14. Obstructions from private land

- (1) Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not cause or allow any vegetation on that private land to:
  - (a) encroach on or overhang over any **Council land** or **road** to a height less than 2.5 metres;
  - (b) encroach on or over any **road** comprising the **road** pavement for the traffic of **vehicles** to a height less than 5 metres; or
  - (c) obstruct the clear view of traffic controls by a person on the adjacent **road** or substantially interferes with **vehicle** or pedestrian use of any **Council land** or **road** or with street lighting.
- (2) Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not cause or allow any **sign**, fence, structure or other thing on that private land to encroach on or over any **Council land** or **road**.
- (3) Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not place or allow to be placed, store or leave any obstruction or other thing on **Council land** or **road**.



#### 15. Dilapidated buildings

An **owner** or **occupier** or **property manager** of **private land** must:

- (a) not cause or allow a **building** located on that **private land** to:
  - (i) become **dilapidated**; or
  - (ii) become further **dilapidated**;
- (b) not fail to maintain any **building** on that **private land** in a state of good repair;
- (c) take all reasonable steps to secure the **building** and **private land** from unauthorised access by a **person**, including, if required, to install secure fencing, adequate locks and any other security options deemed necessary;
- (d) take reasonable steps to prevent or remedy the **building** and **private land** from being a haven for regular anti-social or unlawful behaviour by a **person**;
- (e) not allow any **graffiti** to remain on any **building**, exterior wall or exterior fence on that **private land**; and
- (f) remove any **vermin** inhabiting the **building** and **private land**.

#### 16. Heavy and long vehicles on private land

Without a **permit**, a **person** must not, on **private land**, park, store, or repair or allow another **person** to park, store or repair a **vehicle** which is 7.5 metres or more in length or 4.5 tonne or more in gross **vehicle** mass.

#### 17. Camping on private land

Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not **camp** on **private land** or allow another **person** to **camp** on **private land**.

#### 18. Property numbers

- (1) **Council** may allocate a **property address** to each property in the **municipal district** and, from time to time, may make changes to **property addresses**.
- (2) An **owner** or **occupier** or **property manager** of any property must ensure that the property is marked with the street number allocated, which must be:
  - (a) of sufficient size;
  - (b) in such a position; and
  - (c) kept in such a state of repair as to be clearly readable during daylight hours from the **road** which the property fronts.

#### 19. Intruder alarms

An **owner** or **occupier** or **property manager** of **private land** must not install or allow to be installed or cause to be retained in an active state at or upon that **private land**, any alarm which emits a noise audible beyond the boundary of the land, unless the alarm is so constructed or regulated as to ensure that:

- (a) whenever a detection device is activated, the intruder alarm is automatically rendered inaudible beyond the boundary of the land within ten (10) minutes of it being activated; and



(b) the intruder alarm cannot re-activate until the device has been re-set.

## 20. Lights

- (1) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow the beam of a security or decorative light to penetrate beyond the property boundary.
- (2) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow the beam of a security or decorative light to be excessive, offensive or cause a **nuisance** to any other person.

## 21. Short Stay Rental Accommodation

An **owner** or **occupier** or **property manager** of **private land** who causes or allows the **private land** to be used for **short stay rental accommodation** is guilty of an offence if, during any period of twelve (12) months, three (3) or more substantiated complaints are received by **Council** to the effect that:

- (a) a **person** on the **private land** has caused a **nuisance**; or
- (b) a **person** on the **private land** is demonstrating anti-social behaviour that has unduly interfered with the use and enjoyment of another residential premises.

## 22. Shipping containers

Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not keep, store, repair or in any other manner use a shipping container unless the **Planning Scheme** requires a planning **permit** for such use and a planning **permit** under the **Planning Scheme** has been issued.

## Part 3: Private Land and the Environment

***Introduction:** This Part contains provisions which aim to preserve the environment in the municipality, for a range of matters that are not already regulated for by other legislation.*

## 23. Environmental weeds

- (1) **Council** may **determine** any type of vegetation to be an **environmental weed** to which this **Local Law** applies.
- (2) The **List of Environmental Weeds** is incorporated into and forms part of this **Local Law**.
- (3) An **owner** or **occupier** or **property manager** of **private land** of two (2) hectares or less must not cause or allow any **environmental weed** under Clause 23(1) and (2) to be present on the **private land**.

## 24. Tree and vegetation protection

- (1) Without a **permit**, a **person** must not cut, trim, lop, prune or authorise or allow to be cut, trimmed, lopped or pruned on any **private land** a **declared significant tree** or **declared significant vegetation**.
- (2) In addition to Clause 24 (1), **Council** may require a **person** to pay compensation to **Council** based on the **net gain** principle.
- (3) A **person** must not fail to comply with the requirement under Clause 24(2).

## 25. Vermin and pests on private land



- (1) An **owner** or **occupier** or **property manager** of **private land** must, upon becoming aware of the existence of an **unmanaged honey bee swarm** on that **private land**, immediately remove the hive or swarm.
- (2) An **owner** or **occupier** or **property manager** of **private land** must, upon becoming aware of the existence of a wasp nest on that **private land**, immediately destroy the nest.
- (3) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that **private land** to harbour **vermin**.
- (4) An **owner** or **occupier** or **property manager** of **private land** must, upon becoming aware of the existence of **vermin** on that **private land**, immediately:
  - (a) destroy any **vermin** on that **private land**; or
  - (b) remove or rectify any conditions on the **private land** which are conducive to the harbouring, breeding or feeding of **vermin**.
- (5) Clause 25 (3) and (4) do not apply to:
  - (a) rats or mice bred or kept exclusively for research, scientific or educational purposes; or
  - (b) rats or mice bred or kept exclusively as domestic pets.

## Part 4: Open Air Burning

### 26. Open air burning

Nothing in this Clause, except clause 26 (4) (c), permits a **person** to light a fire during a declared Fire Danger Period (including a day of Total Fire Ban) or for the months of June & July or a Smog Alert Day declared by the Environment Protection Authority or any relevant statutory authority or otherwise in contravention of the *Country Fire Authority Act 1958* or the *Fire Rescue Victoria Act 1958*.

In this Clause “Bushfire Management Overlay” (**BMO**) means a geographic overlay of the **Planning Scheme** that identifies areas at risk of bushfire, requiring specific planning controls for development to reduce risk to life and property.

#### A. Open Air Burning Categories

- (a) This **Local Law** divides the **municipal district** into two (2) **open air** burning categories:
  - (i) Open Air Burning – **private land** located within the **BMO**; and
  - (ii) Open Air Burning – **private land** located outside the **BMO**.
- (b) Each property within the **municipal district** is within a category and the onus is on each **owner** or **occupier** of the **private land** to know to which category their **private land** belongs and to comply with the relevant **open air** burning restrictions set out in this **Local Law** or any relevant legislation.

**Note:** The location of **private land** and whether it is located within or outside the **BMO** is shown in the **Planning Scheme** or can be verified using the **Victorian Government’s MapShare Tool**: <https://mapshare.vic.gov.au/vicplan/>

The **Planning Scheme** and Maps is available online for inspection or at **Council’s** principal office.

Notification of the burn must be registered with **Fire Permits Victoria** webpage: <https://firepermits.vic.gov.au/>



## B. Regulation of Open Air Burning

### (1) Open Air Burning – Private land falling within the BMO

- (a) A **person** may, without a **permit**, light or allow to be lit, a fire in the **open air**, if the **private land** is located within the **BMO**.

### (2) Open Air Burning – Private land falling outside the BMO

- (a) A **person** must not, without a **permit**, light or allow to be lit, a fire in the **open air**, if the **private land** is located outside the **BMO**.
- (b) A **person** must comply with the conditions of the **permit**.

### (3) Permit may be issued

Upon application by a **person**, **Council** or an **Authorised Officer** may issue a **permit** in accordance with Part 4 of this **Local Law** which allows the **permit holder**, subject to any conditions outlined in the **permit**, to have on any **private land** specified in the **permit** a fire in the **open air** that does not comply with any of the requirements of Clause 26(4)(a).

### (4) General Provisions

- (a) A **person** or **owner** or **occupier** of **private land** who has lit or allowed a fire to be lit in the **open air** on **private land** must ensure that:
- (i) the **open air** burning is only for fuel reduction for the purpose of fire prevention;
  - (ii) only one fire can be lit respectively on a Thursday, Friday or Saturday during daylight hours;
  - (iii) the fire must be completely extinguished by the end of that day's daylight hour;
  - (iv) the fire must not exceed one cubic metre in size;
  - (v) the distance from the outer extremity of the fire to any other fuel is at least three metres, including above the fire;
  - (vi) the fire is supervised by an adult at all times who has the capacity and means to extinguish the fire;
  - (vii) sufficient fire protection equipment or an adequate water supply is readily available on site to control or extinguish the fire;
  - (viii) at the site of the fire, the wind speed must not exceed 10 kilometres per hour;
  - (ix) a notification of the fire in the **open air** is registered with **Fire Permits Victoria** or any relevant statutory authority prior to the commencement of the fire; and
  - (x) the immediate surrounding neighbours are notified of the fire in the **open air** at least twenty four (24) hours beforehand.
- (b) A **person** or **owner** or **occupier** of **private land**, who has lit or allowed a fire to be lit or is in charge of a fire in the **open air** on **private land** must before leaving the place of the fire:
- (i) completely extinguish the fire; or



- (ii) ensure that an adult person who has the capacity and means to extinguish the fire remains at all times in charge of the fire.
- (c) Without a permit, a **person or owner or occupier of private land** is allowed to light a fire in the **open air on private land** in the following circumstances:
  - (i) a barbecue, pizza oven or other properly constructed appliance while it is being used for cooking food;
  - (ii) a fire in a brazier, fire pit or chimenea while it is being used for heating;
  - (iii) a tool of trade while being used for the purpose for which it was designed;
  - (iv) a fire lit during the course of duty by a member of a fire and emergency services agency; or
  - (v) a fire lit for the purpose of enjoying culture or practising religion.

**(5) Restrictions on Open Air Burning on private land**

- (a) A **person or owner or occupier of private land** must not light or allow a fire to be lit in the **open air on the private land** that:
  - (i) is offensive or a **nuisance** to another person in the vicinity, or beyond the property boundary;
  - (ii) may cause a hazard to a person's health;
  - (iii) has an adverse impact on visibility beyond the property boundary, including reducing the visibility of motorists and other users of a **road**; or
  - (iv) creates a hazard on or near a **road**.
- (b) A **person or owner or occupier of private land** must not light or allow a fire to be lit in the **open air on the private land** to burn:
  - (i) green or wet vegetation;
  - (ii) non timber based building materials;
  - (iii) painted or treated timber;
  - (iv) rubber or plastic, including plastic mulch, plant pots and packaging materials;
  - (v) furnishings or carpet;
  - (vi) manufactured chemicals or pressurised cans;
  - (vii) petroleum or oil products;
  - (viii) paint or any container in which paint is or was kept;
  - (ix) food waste;
  - (x) manure or straw;
  - (xi) carcasses or dead animals, unless prescribed by the Department of Energy, Environment and Climate Action (DEECA) or any relevant statutory authority as the only means of disposal; or
  - (xii) any other offensive, noxious, or toxic matter.

**(6) Restrictions on Open Air Burning in Public Places and on Council Land**

- (a) A **person** must not, without a **permit** or the relevant land manager's written consent, light or allow to be lit, a fire in the **open air** on:
  - (i) a **road**; Council land;



- (ii) Crown land; or
- (iii) any **public place**

or unless the fire is authorised by a **sign** erected in or on the land by **Council**.

(b) The restrictions in Clause 26(5) apply to Clause 26(6).

(7) **Direction to Extinguish Fires**

A **person** who has lit or allowed a fire in the **open air** to be lit contrary to the provisions in this clause or any condition contained in a **permit**, must **extinguish** the fire immediately on being directed to do so by:

- (a) an **Authorised Officer**; or
- (b) a member of Victoria Police or the Country Fire Authority or Fire Rescue Victoria.

(8) **Incinerators**

A **person** or **owner** or **occupier** of **private land** must not light or allow to be lit a fire in an **incinerator**.

## Part 5: Waste Management

### 27. Council waste services

- (1) The **Use of Waste Collection Services Policy** is incorporated into and forms part of this **Local Law**.
- (2) A **person** must comply with the **Use of Waste Collection Services Policy**.

### 28. Non-Council waste services

An **owner** or **occupier** of **private land**, who uses a non-**Council** managed waste collection service in respect to that **private land**, must ensure that the:

- (a) service provided be at a standard and frequency equivalent to that provided by **Council**;
- (b) bin be kept in a clean and sanitary condition; and
- (c) bin is not stored or used in any manner so as to cause a **nuisance** or become **detrimental** to the amenity of the immediate area.

### 29. Commercial waste

- (1) Without a **permit**, a **person** must not place out for collection a **commercial waste** bin on **Council land** a road.
- (2) Where an **owner** or **occupier** of **private land** has stored or stores **commercial waste** on that **private land**, the **owner** or **occupier** of that **private land** must ensure that the:
  - (a) bin and the surrounding area are kept in a clean and sanitary condition;
  - (b) **commercial waste** is regularly removed, at the frequency required to ensure that the bin is not overflowing;
  - (c) bin is labelled with the address of the property, in accordance with any direction by **Council** or an **Authorised Officer**; and



- (d) label on the bin is maintained and is clearly readable from the **road**, which the **private land** fronts, under normal lighting conditions.
- (3) A **person** must not place **commercial 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 bin** that is for the purpose of residential collection; or
  - (e) in a **Council supplied bin** that is for commercial collection, for a property they do not own or occupy.
- (4) If the **owner** or **occupier** of a commercial or industrial premises utilises a waste collection service other than, or in addition to, a waste collection service provided by **Council**:
- (a) the **owner** or **occupier** of a commercial or industrial premises must ensure that, for the purposes of that **commercial waste** collection service, the **commercial waste** bin provided for the storage of **commercial waste** is:
    - (i) constructed of impervious materials, watertight and pest proof;
    - (ii) emptied before it overflows;
    - (iii) removed from any **public place** immediately after it is emptied;
    - (iv) maintained and kept in a clean condition and free from offensive odours; and
    - (v) not placed on a nature strip or other part of a **road**, for the purpose of emptying of the **commercial waste** bin for longer than 48 hours;
  - (b) a **person** or the **owner** or **occupier** of a commercial or industrial premises must not place a waste bin from a commercial premises out for collection on a nature strip or other part of a **road** prior to 4.00pm prior to collection and must return that bin to the premises by 10.00am on the day of collection.
  - (c) a **person** or the **owner** or **occupier** of a commercial or industrial premises, who places or allow to be placed a **commercial waste** bin on a nature strip or other part of a **road** to be emptied, must ensure that it does not cause any obstruction or danger to any person; and
  - (d) a **person** or the **owner** or **occupier** of a commercial or industrial premises who has placed or allow to be placed a **commercial waste** bin on a nature strip or other part of a **road**, must repair any damage to the nature strip or **road** or any works in the **road**, including a vehicle crossing, that results from placing the **commercial waste** bin on the nature strip or **road** or emptying it.



## Section C: Keeping of Animals

### Part 6: Animals

*Introduction: This Part contains provisions which aim to ensure that any animals kept on **private land** do not cause a **nuisance** or have an adverse impact on the amenity of the area.*

#### 30. Limits on number of animals kept

- (1) Without a **permit**, an **owner** or **occupier** of **private land** must not keep or allow to be kept on that **private land** any more in number for each animal than is set out in the following table:

Type of animal	Number <sup>1</sup>
Dogs	Two (2)
Cats	Two (2)
<b>Poultry</b>	Five (5)
<b>Small birds</b>	Twenty five (25)
<b>Large Birds</b>	Five (5)
Ferrets, Guinea Pigs, Rabbits or Rodents	Five (5)
<b>Rooster</b>	Nought (0)
<b>Livestock</b>	Nought (0) if private land is less than 4,000 sq metres.

- (2) The limitations and restrictions in this Part do not prohibit the keeping of any animals for which a planning **permit** is required under the **Planning Scheme** and a planning **permit** has been issued for such keeping.
- (3) **Council** or an **Authorised Officer** may exempt any person or class of **persons** from the application of Clause 30(1).
- (4) Notwithstanding Clauses 30(1) and (2), a **person** is allowed to keep an **assistance dog** or **assistance animal** on **private land**, provided that the **assistance dog** or **assistance animal** is registered with **Council** or an appropriate body or Applicable Organisation<sup>2</sup>, if required under legislation.
- (5) Unless specifically permitted under a **Planning Scheme** applicable to the **private land** or any Act, a **person** must not keep a **rooster** on any **private land**.
- (6) Unless specifically permitted under a **Planning Scheme** applicable to the **private land** or any Act, a person must not keep **livestock** on any **private land** which is less than 4,000 square metres.

<sup>1</sup> For the purpose of calculating the maximum number of dogs and cats allowed to be kept on land, the progeny of any dog or cat lawfully kept on the land is not to be counted for twelve (12) weeks after their birth. An assistance dog or assistance animal is not included in the total number of animals allowed in the Table.

<sup>2</sup> Specific bodies accredited by state government (such as the Minister for Agriculture in Victoria under the Domestic Animals Act 1994) that are authorised to train and accredit assistance animals, e.g., Dogs Victoria.



### 31. Animal housing

- (1) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which an animal is kept must ensure that the **animal housing**:
  - (a) is constructed with adequate roofing, flooring and drainage;
  - (b) is maintained in a clean and sanitary condition;
  - (c) provides adequate shelter for the number of and welfare needs of the animal;
  - (d) is maintained in good repair so as to not cause a **nuisance** to 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) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which the animal is housed must ensure that animal food is stored to prevent access by **vermin**.

### 32. Private land adequately fenced

- (1) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which the animal is kept must ensure that the **private land** is adequately fenced, and the fence is maintained to the satisfaction of **Council** or an **Authorised Officer**, so that any animal kept on the **private land** cannot escape from that **private land**; or
- (2) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which the animal is kept can, as an alternative to adequate fencing, install and maintain an enclosure for the animal to be kept on the **private land** to prevent the animal from escaping.
- (3) In addition to Clause 32(2), the enclosure must comply with the applicable Code of Practice applicable to the animal under the *Prevention of Cruelty to Animals Act 1986* or the *Domestic Animals Act 1994* or any other relevant state legislation.
- (4) A failure to comply with Clause 32(1), (2) and (3) is an offence.

### 33. Removal of animal waste

- (1) A **person** in charge of an animal on **Council land** or on a **road** must carry a facility for the effective removal of any waste that may be deposited by that animal.
- (2) A **person** in charge of an animal on **Council land** or on a **road** must collect from the **Council land** or **road** and appropriately dispose of any waste deposited by that animal.

### 34. Animal noise and odour

- (1) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which the animal is kept must not allow **noise** or **odour** to emanate from the animal as to interfere with the amenity of the immediate area or cause a **nuisance** to a **person**.
- (2) Clause 34(1) does not apply to any class of animal where another Act or legislation applies.

### 35. Feeding of animals and birds

A **person** must not feed an uncaged bird or animal so as to interfere with the amenity of the immediate area or cause damage to any land or cause a **nuisance** to a **person**.



## Section D: Use of Council Land and Roads

### Part 7: Use of Council Land and Roads

*Introduction: This Part contains provisions to protect the amenity of **Council land** or **roads** through controls prohibiting **persons** from causing damage to, or acting in a socially unacceptable manner on **Council land** or **roads**.*

#### 36. Behaviour on Council land (including a municipal place) and roads

A **person** must not:

- (1) create a nuisance on **Council land** or a **road**;
- (2) act in a manner that is likely to interfere with the reasonable use and enjoyment of a **Council land** or a **road** by other persons;
- (3) act in a manner which endangers any other person on a **Council land** or a **road**;
- (4) use indecent, insulting, offensive or abusive language on a **Council land** or a **road**;
- (5) behave in an indecent, offensive, insulting, or riotous manner on a **Council land** or a **road**;
- (6) bring onto **Council land** any substance, liquid or powder which may:
  - (a) be dangerous or injurious to health;
  - (b) have the potential to foul, pollute or soil any part of the **Council land**; or
  - (c) cause discomfort to any person.
- (7) organise, conduct, or hold any function or **event** on a **road** or **Council land** without the consent of **Council** or an **Authorised Officer** or a **Council** staff member;
- (8) act contrary to any restriction, prohibition or direction contained on a **sign** on **Council land** or a **road**;
- (9) erect, operate or cause to be erected or operated any amusement, without a **permit**, on **Council land** or a **road**;
- (10) obstruct, hinder, or interfere with a **Council** staff member in the performance of their duties on **Council land** or a **road**;
- (11) act contrary to any reasonable direction of an **Authorised Officer** or **Council** staff member given on **Council land** or a **road**, including, without limitation, a direction to leave the **Council land** or the **road**, whether or not a fee for admission has been paid;
- (12) make any wager for money or engage in any form of gambling, without a **permit**, on **Council land** or a **road**;
- (13) remain in a **municipal place** while under the influence of alcohol or any prohibited drug; or
- (14) remain on **Council land** or a **road** after being directed to leave by an **Authorised Officer** or a **Council** staff member.

#### 37. Council's power on Council land (including municipal places)

- (1) Under this **Local Law** the **Council** or an **Authorised Officer** or a **Council** staff member may do any of the following in relation to any **Council land**:
  - (a) restrict access to all or part of **Council land** to any **person**;
  - (b) close **Council land** or any part of it to the public;



- (c) **determine** the hours **Council land** or any part of it is open to the public;
  - (d) establish conditions of entry to **Council land** or any part of it;
  - (e) establish conditions for the use or hire of **Council land** or any part of it;
  - (f) set and collect fees or charges for admission to or the hire of or the use of **Council land** or any part of it including variation in fees or charges depending upon multiple use, period of time or any other basis; and
  - (g) set and collect fees or charges for the hire or use of any **Council** property or **asset** in connection with **Council land** or any part of it.
- (2) A **person** must not act contrary to any restriction, closure, condition, fee, charge, agreement or authorised instruction in relation to **Council land** unless authorised by **Council** or an **Authorised Officer** or a **Council** staff member to do so.

### 38. Access to a municipal place

- (1) A **person** must not, without the consent of **Council** or an **Authorised Officer** or a **Council** staff member:
- (a) act contrary to any conditions of entry or membership applicable to a **municipal place**;
  - (b) enter or remain in a **municipal place** after being directed to leave by an Authorised Officer or a **Council** staff member;
  - (c) enter or remain in a **municipal place** during hours when the **municipal place** is not open to the public;
  - (d) bring any animal into, or allow any animal under their control to remain in a **municipal place**, except for an **assistance dog** being used by that **person**; or
  - (e) bring any **vehicle** or **wheeled recreational device** or **wheeled toy** into a **municipal place**, except for:
    - (i) a pram or pusher being used by a child; or
    - (ii) a wheelchair or motorised disability scooter or similar being used by a person with disabilities.
- (2) A **person** must not act contrary to any reasonable direction of an **Authorised Officer** or **Council** staff member given in a **municipal place**.

### 39. Camping on Council land or road or public place

Without a **permit**, a **person** must not **camp** in or on any **Council land** or **road** or **public place**.

### 40. Obstructions on roads and Council land

Without a **permit**, a **person** must not place or **permit** to be placed or allow to remain on **Council land** or a **road**:

- (a) a bulk rubbish container;
- (b) a shipping container;
- (c) a donation bin; or
- (d) any other thing.



#### 41. Shopping trolleys

- (1) A **person** must not leave a shopping trolley on **Council land** or a **road**, except in an area designated for the leaving of shopping trolleys.
- (2) The **owner** of a shopping trolley must ensure that their name and trading name are clearly marked on the shopping trolley.
- (3) The **owner** of a shopping trolley must not leave or allow a shopping trolley to be left on **Council land** or a **road** except in an area designated for the leaving of shopping trolleys.

#### 42. Use of toy vehicles or aircraft

- (1) A **person** must not use or allow to be used a **wheeled toy, wheeled recreational device, motorised toy vehicle** or **model aircraft** on **Council land** or a **road** so as to:
  - (a) endanger, intimidate, unduly obstruct or cause annoyance to any other person or **vehicle** lawfully using or intending to use the same area; or
  - (b) damage property.
- (2) **Council** may **determine** any **Council land** or a **road**, where a **wheeled toy, wheeled recreational device, motorised toy vehicle** or **model aircraft** is used or can be used, to be prohibited, if the use of these items is reasonably likely to endanger, intimidate or unduly obstruct any other **person** or **vehicle** lawfully using or intending to use the same area or damage property to **Council land** or a **road** or a **Council asset**.

#### 43. Fireworks on Council land and roads

Without a **permit**, a **person** must not discharge or cause or allow to be discharged any fireworks on **Council land** or a **road**.

### Part 8: Vehicles on Council Land or Roads

*Introduction: This Part contains provisions regarding the placement of **vehicles** on **Council land** or **roads**, for matters that are not already regulated for by other legislation.*

#### 44. Vehicles on Council land and roads

Without a **permit**, a **person** must not use, or allow to remain, any **vehicle** on any **Council land** or **road** unless set aside for **vehicle** parking or it is a designated roadway.

#### 45. Repairing or displaying vehicles

- (1) A **person** must not dismantle, paint, service, carry out maintenance on, repair or dismantle a **vehicle** on **Council land** or a **road**, or allow or authorise another **person** to do so, except in an emergency breakdown for the purpose of removing it.
- (2) Without a **permit**, a **person** must not display a **vehicle** for sale on **Council land** or a **road**.

#### 46. 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 **Council land** or a **road** or a **public place**.



## Part 9: Trading, Fundraising and Promotional Activities on Council Land or Roads

*Introduction: This Part contains provisions relating to commercial, fundraising and promotional activities on **Council land** and **roads**. It establishes a **permit** system to regulate these activities, and aims to enhance the appearance and safety of streets and **public places** by controlling the placement of items on **Council land** and **roads**. It contains provisions which aim to manage and facilitate responsible trading, entertainment and promotional activities on **Council land** and **roads** - to ensure the free passage and use of these areas by all users of these areas, and to maintain the amenity of the neighbourhood.*

### 47. Activities on Council land or roads

Without a **permit**, a **person** must not, on **Council land** or a **road**, cause or authorise another **person** to:

- (1) sell, barter, exchange, display or offer for sale any goods or services;
- (2) place any **street furniture** or associated items; or
- (3) place any structure or thing for the purpose of selling or trading or promoting or offering to sell any goods or services.

### 48. Signs

- (1) Without a **permit** or an appropriate licence agreement, a **person** must not place or allow to be placed, or affix to anything, a **sign** on **Council land** or a **road** or in or on a **municipal place**.
- (2) In addition to Clause 48(1), a **person** must comply with any conditions in a **permit** or licence agreement if granted by **Council** or an **Authorised Officer**.
- (3) If, after making all reasonable enquiries, an **Authorised Officer** is unable to identify or locate the **person** who placed or allowed the **sign** to be placed on **Council land** or a **road** in contravention of Clause 48(1), the **Authorised Officer** may serve a **Notice to Comply** on the **person** who in the **Authorised Officer's** opinion benefits from the **sign** directing that **person** to remove the **sign** by the time and date specified in the **Notice to Comply**.
- (4) A **person** must comply with a **sign** erected on **Council land** or **road** or in or on a **municipal place**.

### 49. Appeals and collections

- (1) Without a **permit** or written permission under the Road Safety (Traffic Management) Regulations 2019, a **person** must not solicit or collect or authorise another **person** to solicit or collect on any **Council land** or **road** any money, items or subscriptions for any purpose.
- (2) Without a **permit**, a **person** must not hand out or distribute or authorise another **person** to hand out or distribute any handbill, placard, notice, pamphlet, book, paper, advertising material or similar thing, on any **Council land** or **road**.
- (3) Without a **permit**, a **person** must not erect or place or authorise another **person** to erect or place on any **Council land** or **road** any **vehicle**, **caravan**, **trailer**, table, stall or similar structure for the purpose of selling or offering for sale any goods or services or conducting a raffle or lottery.



#### 50. Commercial filming and photography on Council land

Without a **permit**, a **person** must not conduct any filming or photography for commercial purposes, public exhibition or purposes associated with formal study, which involves the placement or use of a tripod, other equipment or items or **vehicles** on any **Council land** or a **road**.

**Note:** Council will take into account the *Filming Approval Act 2014* in considering an application for a **permit** under Clause 50.

#### 51. Event and busking on Council land

Without a **permit**, a **person** must not hold or allow to be held a function, **event**, **busking** or entertainment on **Council land** or a **road**.

### Part 10: Alcohol and Smoking on Council Land and Roads

*Introduction: This Part provides controls, related to the smoking of tobacco and consumption of **alcohol**, to achieve responsible management of **Council land** or **roads** so as to enhance the enjoyment of these areas by the community.*

#### 52. Alcohol

- (1) Without a **permit**, a **person** must not consume **alcohol** or have in their possession **alcohol** in an open container in or on **Council land** or **road** or **public place**, except at the times and in the places **determined** by **Council** or in accordance with a **sign** erected in or on **Council land** or **road** or **public place**.
- (2) Where an **Authorised Officer** or Victoria Police Officer reasonably believes that a **person** has contravened or is contravening Clause 52(1), the **Authorised Officer** or Victoria Police Officer may direct that **person** to:
  - (a) empty any open container containing **alcohol** or reseal that open container; or
  - (b) surrender any open container containing **alcohol** to the **Authorised Officer** or Victoria Police Officer.
- (3) A **person** who is given a direction under Clause 52(2) must comply with that direction.

#### 53. Smoking in a smoke free area

- (1) A **person** must not **smoke** a **tobacco product** in a **smoke free area**.
- (2) Where an **Authorised Officer** believes on reasonable grounds that a **person** is contravening or has contravened Clause 53(1), the **Authorised Officer** may direct the **person** to extinguish and then dispose of the **tobacco product**.
- (3) A **person** who is given a direction under Clause 53(2) must comply with that direction.
- (4) In addition to the **smoke-free areas** identified in Schedule 2 of this Local Law, the **Council** may **determine**, by resolution, any other area within the **municipality** to be a **smoke free area**.



## Section E: Protection of Council Land and Assets

### Part 11: Council Assets, Trees and Regulating Building Sites

*Introduction: This Part protects **Council land** and assets, including drains, **vehicle crossings** and **Council trees** and plants. These provisions establish a system of **asset protection approvals**, as a means of regulating **building work** which has potential to damage **Council land** or **assets**.*

#### 54. Asset protection

- (1) An **owner** or **occupier** of **private land** or the **person in charge of building work** must:
  - (a) obtain an **asset protection permit** prior to the commencement of any **building work** on that **private land**; and
  - (b) comply with any conditions of the **asset protection permit** issued by the **Council**.
- (2) An **asset protection permit** may be subject to such conditions as **Council** or an **Authorised Officer** determines, including the following conditions:
  - (a) requiring the payment of an **asset protection permit fee**;
  - (b) requiring the payment of a security bond;
  - (c) require works to be done on or around the **building site** to protect any **Council asset**, the health and safety of the public, the environment and the amenity of the area, or to be in accordance with the relevant legislative framework;
  - (d) require entry to and exit from the **building site** only at designated locations; and
  - (e) address any other matter referred to in this Part.
- (3) Clause 54 (1) does not apply where **minor building work** is being undertaken.

#### 55. Notification upon completion of building work

An **owner** or **occupier** of **private land** or the **person in charge of building work** must notify **Council** in writing within seven (7) days of completion of the **building work** covered by the **asset protection permit** that such works are complete and ready for inspection by an **Authorised Officer**, to enable a final inspection by **Council** and assessment of any damage to any **Council asset**.

#### 56. Inspection of Council assets and recovery of cost

- (1) **Council** or an **Authorised Officer** may inspect a **building site** at any reasonable time.
- (2) An **Authorised Officer** may undertake an inspection of **Council assets** to determine if any **Council asset** has been damaged, altered, compromised or interfered with in connection with the **building works**, the subject of the **asset protection permit**.
- (3) If damage has been caused to any **Council asset** as a result of the execution of the **building work**, **Council** or an **Authorised Officer** may:
  - (a) direct the **owner** or **occupier** of **private land** or the **person in charge of the building work** to repair the damage at the cost of the **owner** or **occupier** or the **person in charge of the building work**, to the satisfaction of **Council** or an **Authorised Officer** and within a specified period; or
  - (b) **Council** or an **Authorised Officer** may approve the carrying out of work by another **person**, or carry out the work itself where:



- (i) damage, alteration, compromise or interference has occurred as a result of **building work**; or
- (ii) there is a danger to life, safety, property, or the environment; and
- (c) Where **Council** or another person carries out the work on behalf of **Council**, **Council** may recover the cost of the work from the **owner** or **occupier** of **private land** or the **person in charge of the building work**.
- (4) **Council** or an **Authorised Officer** may 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 the repairs caused by the damage.
- (5) **Council** or an **Authorised Officer** must 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 the satisfaction of **Council** or an **Authorised Officer**.
- (6) For any works undertaken by **Council** and 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**
- (7) **Council** or an **Authorised Officer** may determine the cost of repairs to **Council** assets.

#### 57. Obligations during building work

An **owner** or **occupier** of **private land** or the **person in charge of building work** must provide and ensure the following during the period of the **building work**:

- (1) an onsite and functioning toilet facility;
- (2) access for the emptying and collection of temporary toilet facilities;
- (3) a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility;
- (4) that waste produced as a result of **building work** on the **building site** is:
  - (a) contained entirely within the **building site**;
  - (b) stored in a manner that does not attract the depositing of waste from sources other than the **building site**;
  - (c) stored in a manner that does not cause detriment to the visual amenity of the area in which the **building site** is located; and
  - (d) disposed of regularly, and, where that waste is in the form of stormwater, to a legal point of discharge.
- (5) a litter container with lid of sufficient size;
- (6) emergency contact details clearly displayed;
- (7) a temporary or permanent fence to a minimum height of 1.8 metres that is fully contained within the **private land**, that secures the **private land** and is to the satisfaction of an **Authorised Officer**;
- (8) the **building site** is provided with clearly legible and clear **site identification**;
- (9) undertake all approved **building work** on the **building site** unless otherwise directed by an **Authorised Officer**;
- (10) store all building related material on the **building site**;
- (11) place all litter capable of being blown from the **building site** in a suitable litter container;



- (12) prevent any sediment, mud, erosion, potential stormwater pollutants or other site run off from leaving the **building site**;
- (13) ensure that the **building site** is provided with sediment or fencing barriers that ensure the retention of silt and soil on site and/or the retention of other waterborne particles and pollutants for later transportation to a legal place of disposal;
- (14) ensure that soil that is stripped from the **building site** is stockpiled on the building site for re-use or is transported to a legal place of disposal;
- (15) manage any dust or air pollutants from the **building site** to minimise **nuisance**;
- (16) ensure **vehicle** access to the **building site** is via a **vehicle crossing** or a **temporary vehicle crossing**;
- (17) ensure that for the duration of the **building work** the **vehicle crossing** or **temporary vehicle crossing** is maintained in a clean and safe manner for **vehicles** and pedestrians;
- (18) not allow any **vehicle** to deposit any mud, sediment, slurry or similar material from the **building site** in any **public place**; and
- (19) ensure that **building work** on the **building site** does not render pedestrian or vehicular traffic in the immediate area unsafe.

#### 58. Hours of building work

- (1) A **person** must not, without a **permit**, carry out or allow to be carried out, **building work**:
  - (a) before 7am or after 6pm on any day or days between Monday to Friday (inclusive);
  - (b) before 9am or after 3pm on a Saturday;
  - (c) on a Sunday; or
  - (d) on Anzac Day, Good Friday, Christmas Day, or the Monday after Christmas Day when Christmas Day is a Saturday or the Tuesday after Christmas Day when Christmas Day is a Sunday.
- (2) Clause 58 (1) does not apply where **minor building work** is being undertaken.

#### 59. Drains

- (1) The **owner** or **occupier** of **private land** or **property manager** must ensure that any drain on the **private land** is maintained in a condition that is not:
  - (a) dangerous to health;
  - (b) unsightly;
  - (c) a nuisance; or
  - (d) hindering, obstructing, or interfering with the operation of the drain.
- (2) A **person** must not discharge or cause to be discharged any substance or material into a drain or watercourse, which is vested in or under the control of **Council**, except for the discharge of stormwater.
- (3) A **person** must not damage, obstruct or interfere or cause or allow to cause damage, obstruction, or interference with a drain, which is vested in or under the control of **Council**.



- (4) A **person** must not, without a **permit**, tap into any drain, culvert or sewer vested in or under the control of **Council**.

#### 60. Spoil on roads

- (1) A **person** must not cause or allow any soil, earth, mud, clay, cement slurry, liquid waste, or other litter to fall or escape from a **vehicle** onto a **road** in the course of any trade, industry, or commercial undertaking.
- (2) A **person** must not cause or allow any fuel, grease, oil, mud, clay, cement slurry, paint, detergents, or other litter to run from a **vehicle** whilst being cleaned and to be deposited onto a **road**, or into a drain.
- (3) If the person driving or in charge of a **vehicle** that is used in the commission of an offence under Clause 60(1) or (2) cannot be identified, the **owner** or **occupier** of the **private land** where the **vehicle** is likely to have been soiled, is guilty of an offence under Clause 60(1) or (2).
- (4) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow any soil, earth, mud, clay, cement slurry, liquid waste, or other litter to be discharged from that **private land** onto **Council land** or a **road**.

#### 61. Occupation of roads

- (1) Without a **permit** or written consent under the *Road Management Act 2004*, a **person** must not occupy (whether wholly or partially) a **road** for:
- (a) any works that involve:
- (i) fencing off part of a **road**;
  - (ii) erecting a hoarding, scaffolding or overhead protective awning;
  - (iii) using a mobile crane or travel tower;
  - (iv) making a hole or excavation;
  - (v) reinstating a hole or excavation;
  - (vi) leaving or storing any building, paving or other construction materials or any tools, machinery, plant, or equipment; or
- (b) any other non-road purpose which does not involve a special **event**.
- (2) Clause 61(1) does not apply to the works or activities of an **utility**.

#### 62. Vehicle crossings

- (1) Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not install, construct, alter or reconstruct a **vehicle crossing**, whether permanent or temporary, or authorise another **person** to do so.
- (2) An **owner** or **occupier** or **property manager** of **private land** must ensure that each point of **vehicle** access from any **private land** to a **road** must have a properly constructed and maintained **vehicle crossing** approved by an **Authorised Officer**.



- (3) An **Authorised Officer** may direct an **owner** or **occupier** or **property manager** of **private land** to do any of the following:
- (a) the construction of a **temporary vehicle crossing** or **vehicle crossing**;
  - (b) the repair or reconstruction of a **temporary vehicle crossing** or **vehicle crossing**;
  - (c) the removal of a redundant **temporary vehicle crossing** or **vehicle crossing**; or
  - (d) the reinstatement of any kerb, channel, footpath or other area to the satisfaction of an **Authorised Officer** by the **owner** or **occupier** of any adjacent land at their own cost.
- (4) An **owner** or **occupier** or **property manager** of **private land** to whom a direction is given under Clause 62(3) must comply with that direction.

#### 63. Defacing/damaging Council land and assets

- (1) Without a **permit**, a **person** must not destroy, damage, deface, remove or interfere with:
- (a) **Council land** or **road**;
  - (b) any **building**, structure or infrastructure or any other thing on **Council land** or **road**; or
  - (c) any **Council asset**.
- (2) A **person** must not authorise or engage or allow another **person** to undertake any of the activities in Clause 63(1).

#### 64. Trees and plants on Council land and roads

Without a **permit**, a **person** must not remove, lop, destroy, damage or interfere with any tree or plant on **Council land** or **road** or authorise or allow another **person** to do so.



## Section F: Administration

### Part 12: Permits

*Introduction: This Part outlines the process for obtaining and retaining **permits** under the **Local Law**. This part also provides for the requiring a security bond if required by **Council**.*

#### 65. When is a permit required under this Local Law?

Where in this **Local Law** a **person** is prohibited from doing a thing “without a **permit**”, a **person** who does the thing which is prohibited to be done without first obtaining a **permit** from the **Council**, is guilty of an offence.

#### 66. Permit application and fees

- (1) An application for a **permit** or renewal of a **permit** under this **Local Law** must be in a form approved by **Council** or an **Authorised Officer** and accompanied by any fee **determined** by **Council** in accordance with Clause 67(1).
- (2) **Council** or an **Authorised Officer** may require the applicant to give notice of the application for a **permit** or renewal of a **permit**, in the manner **determined** by **Council** or an **Authorised Officer**.
- (3) **Council** or an **Authorised Officer** may require an applicant to provide additional information before it proceeds with the application for a **permit** or renewal of a **permit**.
- (4) 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.

#### 67. Fees and charges

- (1) **Council** may **determine**:
  - (a) the quantum of any **permit** fee, asset protection fee, 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.

#### 68. Duration of permit

- (1) 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.
- (2) A **permit holder** has no automatic right to have a new **permit** issued once the original **permit** has expired or has been cancelled.



#### 69. Correction of permits

- (1) **Council** or an **Authorised Officer** 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** or an **Authorised Officer** must notify a **permit holder** in writing of any correction under Clause 69(1).

#### 70. Granting and refusal of a permit

- (1) **Council** or an **Authorised Officer** may decide to:
  - (a) issue a permit;
  - (b) issue a **permit** subject to conditions; or
  - (c) refuse to issue a **permit**.
- (2) 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** or an **Authorised Officer** may take into account any of the following where relevant:
  - (a) the health and safety of the public;
  - (b) the amenity of the **municipal district**;
  - (c) the impacts on other **persons** or their property;
  - (d) the extent to which the granting of the **permit** might affect the activities or enjoyment of another **person** or group;
  - (e) the need to protect assets or infrastructure of **Council** or an **Utility** from damage;
  - (f) legislative and policy directives of the Commonwealth and State Governments;
  - (g) the need for work to occur which is authorised by Commonwealth or State Government legislation, or by **Council** or an **Utility**;
  - (h) any relevant **Council** policies and guidelines;
  - (i) any policies, codes of practice, standards or guidelines used as reference by **Council**;
  - (j) any other relevant matter; and
  - (k) any submission or comments that may be received in respect of the application.
- (3) **Council** or an **Authorised Officer** may, during the currency of a **permit**, amend the conditions of the **permit** if the conditions or scope of the **permit** changes.
- (4) Before **Council** or an **Authorised Officer** amends a **permit** under Clause 70(3) of this **Local Law**, **Council** or an **Authorised Officer** must provide the **permit holder** an opportunity to make written submissions on the proposed amendment, who has fourteen (14) days from the date of **Council's** notice of intention to amend the **permit** to provide written submissions to **Council** or an **Authorised Officer** as to why the **permit** should not be amended.
- (5) A **permit holder** must comply with the conditions of the **permit**.



- (6) A **person** must not make a false representation or declaration or intentionally omit material information in an application for a **permit**.

#### 71. Cancellation of a permit

- (1) **Council** or an **Authorised Officer** may cancel a **permit** if it considers that:
- there has been a serious or ongoing breach of any of the conditions of the **permit**;
  - a **Notice to Comply** has been issued, but not complied with after the time specified in the **Notice to Comply**;
  - there was a significant error or misrepresentation in the application for the **permit**; or
  - there has been a material change of circumstances which has occurred since the issue of the **permit**.
- (2) Before **Council** or an **Authorised Officer** cancels a **permit** under Clause 71(1) of this **Local Law**, **Council** or an **Authorised Officer** must provide the **permit holder** an opportunity to make written submissions on the proposed cancellation, who has fourteen (14) days from the date of **Council's** notice of intention to cancel the **permit** to provide written submissions to **Council** or an **Authorised Officer** as to why the **permit** should not be cancelled.

#### 72. Exemptions

- (1) **Council** or an **Authorised Officer** may, by written notice, exempt any **person** or class of **persons** from the need to obtain a **permit** and such exemption may be subject to conditions, may be amended and may be cancelled.
- (2) **Council** or an **Authorised Officer** may, by written notice, exempt any **person** or class of **person** from the need to pay any **permit** fee and such exemption may be cancelled or corrected in the same way as a **permit**.

#### 73. Security Bonds

- (1) In deciding to grant a **permit**, **Council** or an **Authorised Officer** may require the **person** who applied for the **permit** 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 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 twelve (12) months from the date that the security bond would have been released under Clause 73(3), **Council** cannot locate the **person** entitled to the release of any security bond or remaining security bond, **Council** may retain the security bond or remaining security bond and pay the money into its general revenue.

#### 74. Register of permits

- (1) A register of **permits** issued by **Council** for the purposes of this **Local Law** must be maintained by the **Council**. Any cancellations or corrections of **permits** which have been issued under this **Local Law** are also to be recorded in the register.



## Section G: Enforcement

### Part 13: Compliance and Enforcement of the Local Law

*Introduction: This Part provides a means for enforcing this **Local Law** and powers to impound and serve **Notices to Comply** to seek compliance.*

#### 75. Offences

A **person** who:

- (1) contravenes or fails to comply with any provision of this **Local Law**;
- (2) contravenes or fails to comply with any condition contained in a **permit** issued under this **Local Law** or any requirements in the **Council** policy applicable to that **permit**; or
- (3) contravenes or fails to comply with a direction or a **Notice to Comply** by the date specified in the direction or **Notice to Comply**.

is guilty of an offence.

#### 76. Offences by corporations

- (1) If a **person** charged with an offence against this **Local Law** is a **corporation**, any person who is concerned or takes part in the management of that **corporation** may be charged with the same offence.
- (2) If the **corporation** is found guilty of an offence against this **Local Law**, a **person** charged under Clause 76(1) with the same offence may also be found guilty of the offence and is liable to the penalty for that offence.
- (3) It is a defence if it is proved that the **person** charged under Clause 76(1) with the same offence as the **corporation** took all reasonable precautions and exercised all due diligence to prevent the commission of the offence by the **corporation** or by another **person** under the **corporation's** control.

#### 77. Operator onus offence

If the **person** driving or in charge of a **vehicle** that is used in the commission of an offence under this **Local Law** cannot be identified the registered owner of that **vehicle**, is guilty of that offence.

#### 78. Penalties

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

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

#### 79. Infringement Notices

- (1) Where an **Authorised Officer** reasonably believes that a **person** has committed an offence under this **Local Law**, the **Authorised Officer** may 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**.



- (3) The fixed penalty in respect of an **infringement notice** can differentiate between a natural person and a **Corporation** as set out in Schedule 1 to this **Local Law**.

#### 80. Notice to Comply and Direction

- (1) An **Authorised Officer**, who reasonably believes that a **person** has contravened any provision of this **Local Law**, may give a verbal direction to and/or serve a **Notice to Comply** on a **person** to do or not do a thing or carry out work to remedy the thing, which constitutes a contravention under this **Local Law**.
- (2) A **Notice to Comply** under Clause 80(1) must be in writing.
- (3) A **Notice to Comply** or a verbal direction under Clause 80(1) may do one or more of the following things:
- (a) direct the **person** to comply with this **Local Law**;
  - (b) direct the **person** to stop the conduct which constitutes the breach of this **Local Law**;
  - (c) direct the **person** to deliver up to the **Authorised Officer** or to some specified person or some specified location any item or property of the person which constitutes the breach of this **Local Law**;
  - (d) direct the **person** to remove or cause to be removed any item, goods, equipment or other thing that constitutes a breach of this **Local Law**;
  - (e) direct the person to leave an area within the time specified in the notice or direction that constitutes a breach of this **Local Law**.
- (4) A **Notice to Comply** or a verbal direction under Clause 80(1) must specify the date by which the **person** specified in the **Notice to Comply** or verbal direction is required to comply with the directions stipulated in the **Notice to Comply** or verbal direction.
- (5) The period of time required by a **Notice to Comply** or verbal direction under Clause 80(1) must be reasonable in the circumstances having regard to:
- (a) the amount of work involved; and
  - (b) the degree of difficulty; and
  - (c) the availability of necessary materials or other necessary items; and
  - (d) climatic conditions; and
  - (e) the degree of risk or potential risk; and
  - (f) any other relevant factor.
- (6) A **person** must comply with a **Notice to Comply** or a verbal direction under Clause 80(1).
- (7) If a **person**, who was given a verbal direction or served with a **Notice to Comply**, fails to carry out any work or remedy anything stipulated in the verbal direction or **Notice to Comply**, **Council** or the **Authorised Officer** may approve the carrying out of the work or the remedying of the thing by another **person** or carry out the work itself and recover the cost of performing the work or remedying the thing from the **person** who failed to comply with the verbal direction or **Notice to Comply**.



- (8) A **person** may make written representations, within fourteen (14) days after being given a verbal direction or served with a **Notice to Comply, to Council** or an **Authorised Officer** about matters contained in the verbal direction or **Notice to Comply**, but nothing in this right or the exercise of this right relieves the **person** from complying with the verbal direction or **Notice to Comply**, unless the **Authorised Officer** who issued the verbal direction or **Notice to Comply** otherwise directs.

#### 81. Power of Authorised Officer to act in urgent circumstances

- (1) An **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) the **Authorised Officer** 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;
  - (b) details of the circumstances and remedying action are forwarded as soon as practicable to the **person** on whose behalf the action was taken; and
  - (c) the Chief Executive Officer of **Council** or their delegate, not being the **Authorised Officer** administering this clause, approves of the proposed action.
- (2) Action taken by an **Authorised Officer** under this clause shall not extend beyond what is necessary to cause the immediate abatement or minimisation of the risk or danger.
- (3) Where **Council** undertakes work in accordance with this clause, it may recover the cost of performing the work from the **person** who has contravened or who is likely to contravene this **Local Law**.

#### 82. Power of Authorised Officer to confiscate and impound

- (1) Where a **person** who owns or is responsible for a thing, including goods, equipment, a **bicycle, animal** or other property or similar has:
- (a) failed to obtain a **permit** where a **permit** in respect of the thing is required under this **Local Law**;
  - (b) placed the item at or on any place in breach of this **Local Law** or in breach of a **permit** condition;
  - (c) failed to comply with a direction from an **Authorised Officer** to remove the item; or
  - (d) the thing is in breach of this **Local Law** -
- the thing may be confiscated and impounded by an **Authorised Officer**.
- (2) An impounded thing must be surrendered to:
- (a) its owner; or
  - (b) a **person** acting on behalf of its owner who provides evidence to the satisfaction of an **Authorised Officer** of their authority from the owner; and -
- on
- (i) evidence to the satisfaction of the **Authorised Officer** being provided of the owner's right to the thing; and



- (ii) payment of any fee and reasonable costs of impounding determined by **Council** or an **Authorised Officer**.
- (3) If the owner of a confiscated thing can be identified, **Council** or an **Authorised Officer** must serve personally or by registered mail a written notice within fourteen (14) days on the owner of the confiscated thing setting out the fees, costs and charges payable and time by which the thing must be retrieved.
- (4) If the owner or **person** responsible for a confiscated thing is unknown, the **Authorised Officer** must take reasonable steps to ascertain the identity of the owner or **person** responsible for the thing prior to exercising the powers in Clause 83.

### 83. Disposal

- (1) If, after the time required in a notice, a confiscated thing is not retrieved, or if a notice referred to in Clause 82(3) is unable to be served, an **Authorised Officer** may take action to dispose of the confiscated thing according to the following principles:
  - (a) where the thing has no saleable value, it may be disposed of in the most economical way; and
  - (b) where the thing has some saleable value, the thing may be disposed of either by tender, public auction or private sale but failing sale may be treated as in Clause 83(1)(a); or
  - (c) where the owner of a confiscated thing has advised the **Council** in writing that **Council** may dispose of the thing because the owner does not intend to retrieve it, **Council** may dispose of the thing by either of the methods identified in Clause 83(1) (a) and (b).
- (2) If the impounded thing is perishable and will not survive the period specified in Clause 83(1), the **Authorised Officer** may dispose of the thing sooner.
- (3) **Council** is entitled to retain the proceeds of sale of any impounded thing towards its reasonable costs incurred in impounding, keeping, and selling the thing.

## Part 14: Delegations

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



## Schedule 1 – Penalties

Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
11	Dangerous land	5	10
12	Unightly land	3	10
13	Land which is detrimental to the general amenity of the neighbourhood	3	10
14	Obstructions from private land	3	5
15	Dilapidated buildings	5	10
16	Heavy and long vehicles on private land	5	10
17	Camping on Private Land	3	5
18	Property numbers	1	3
19	Intruder alarms	1	5
20	Lights	1	5
21	Short Stay Rental Accommodation	5	10
22	Shipping containers	5	10
23	Environmental weeds	3	10
24	Tree and vegetation protection	3	10
25	Vermin and pests on private land	3	10
26	Open air burning	5	10
27	Council waste services	2	5
28	Non-Council waste services	2	5
29	Commercial waste	5	10
30	Limits on number of animals kept	3	5
31	Animal housing	3	5
32	Private land adequately fenced	3	10
33	Removal of animal waste	1	N/A
34	Animal noise and odour	2	5
35	Feeding of animals and birds	1	N/A
36	Behaviour on Council land and roads	1	5
37	Act contrary to any restriction, closure, condition, fee, charge, hire agreement or authorised instruction in relation to a Council land and municipal place	3	5
38	Access to a municipal place	3	5
39	Camping on Council land or road or public place	3	N/A
40	Obstructions on roads and Council land	3	10
41(1)	Leaving a shopping trolley	1	N/A



Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
41(2) & (3)	Shopping trolleys	3	5
42	Use of toy vehicles or aircraft	3	5
43	Fireworks on Council land and roads	10	15
44	Vehicles on Council land and roads	2	5
45	Repairing or displaying vehicles	3	10
46	Abandoned, derelict and unregistered vehicles	3	10
47	Activities on Council land or roads	3	10
48	Signs	5	10
49	Appeals and Collections	3	10
50	Commercial filming and photography on Council land	5	10
51	Event and busking on Council land	3	10
52	Alcohol	3	10
53	Smoking	1	N/A
54	Asset protection	5	15
55	Notification upon completion of building work	3	10
56(3)	Failure to comply with direction or carry out works	5	15
57	Obligations during building work	5	15
58	Hours of building work	5	15
59	Drains	5	15
60	Spoil on roads	5	15
61	Occupation of roads	5	15
62	Vehicle crossing	5	15
63	Defacing/damaging Council land and assets	5	15
64	Trees and plants on Council land and roads	5	15
70(5) & (6)	Fail to comply with a permit	5	15
80(6)	Failing to comply with a direction or Notice to Comply	5	15



## Schedule 2 — Smoke Free Areas

### Part A – Smoke Free Areas

The following areas are **smoke free areas** for the purposes of Clause 53(1) of this **Local Law**:

1. within **Council** owned facilities and/or on **Council land**;
2. at **Council** operated festivals and **events**;
3. any **children’s playground**;
4. any parcel of land on which a **child care centre** is located; and
5. any parcel of land as **determined** by the **Council**.

### Part B – Guidelines for Determining a Smoke Free Area

When considering whether to **determine** a **smoke free area** for the purposes of this **Local Law**, the **Council** must have regard to the following factors:

1. the size of the proposed **smoke free area**;
2. the opinions of any **person** who is the **owner** or **occupier** of any part of the proposed **smoke free area** or the area immediately adjoining the proposed **smoke free area**;
3. the proximity of the proposed **smoke free area** to a **public place**, part or all of which is not in a **smoke free area**;
4. the extent and outcome of any public consultation on the proposed **smoke free area**;
5. any benefits to the community which would be achieved by the **Council determining** the proposed **smoke free area**; and
6. any detriments to the community which would be caused by the **Council determining** the proposed **smoke free area**.

# **Review of Amenity Local Law**

**Community Consultation Round 1 Summary Report  
(consultation prior to development of new Local Law)**

**19 March 2026**

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

**Table of Contents**

Consultation Overview..... 3

    Introduction..... 3

    Background..... 3

    Consultation Approach ..... 4

    Communications ..... 5

    Response Rate..... 5

    Social Media Reach ..... 5

    Stakeholders and Community..... 5

Consultation Findings Snapshot ..... 6

    Overview..... 6

    Respondent Profile..... 6

    Consultation Findings – Summary Outcomes ..... 6

        Community support for proposed Local Law changes..... 7

        Consultation findings key themes..... 9

Community Survey Outcomes ..... 11

    Overview..... 11

    Respondent Demographics ..... 11

        Gender..... 11

        Age group..... 11

        Connection to Knox ..... 12

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

---

Suburb ..... 12

Identity ..... 13

Proposed amendments to the Local Law ..... 14

Open ended comment themes ..... 19

Written Community Submissions ..... 24

Pop Ups and Online Session ..... 38

Overview ..... 38

Key themes from In-Person Community Feedback ..... 38

## ***Knox City Council – Review of Amenity Local Law*** Community Consultation Round 1 Summary Report

### **Consultation Overview**

#### **Introduction**

Knox City Council (Council) is reviewing its Amenity Local Law 2020 (Local Law). Council sought initial feedback from the community on the current Local Law and other topics or ideas for consideration as part of the review.

The Local Law guides Council's compliance and enforcement activities for a wide range of topics, including property amenity, construction sites and the keeping of animals.

By undertaking a review of the Local Law, Council can ensure it is meeting current community expectations while also protecting our residents, assets and facilities.

Feedback from this initial round of consultation will help us consider emerging issues and community sentiment when preparing the new Local Law.

#### **Background**

The Local Law came into operation in 2020 and will cease to operate on 1 July 2030, unless revoked earlier. Officers have identified certain matters that impact the effectiveness of the Local Law and that certain improvements will enhance the

delivery of its objectives. As such a full review with a view to adopting a new Local Law has commenced.

The objectives of the Local Law are to:

- Provide for the peace, order and good government of the municipal district;
- Promote a physical and social environment free from hazards to health, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community; and
- Prevent and manage nuisances which may adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district.

and to achieve these objectives by:

- Regulating and managing activities of people within the municipal district which may be dangerous, unsafe or detrimental to the quality of life of other people in, or the environment of, the municipal district;
- Regulating and controlling the use and activity relating to Council land, roads and Council assets; and
- providing standards and conditions for specified activities to protect the safety and the welfare of people within, and the environment of, the municipal district.

## ***Knox City Council – Review of Amenity Local Law***

### Community Consultation Round 1 Summary Report

---

An initial officer assessment of the Local Law has shown that the review process should address the following issues:

- Wording clarity and consistent use of language.
- Updating of definitions to ensure compliance with current legislation.
- Updating of penalties to ensure compliance with legislative changes.
- Enforceability of provisions.

### **Consultation Approach**

The following consultation activities were undertaken between **9 February to 9 March 2026**.

#### Council's Online Portal – Have Your Say

- Online survey – provide feedback and suggestions to help inform development of a new Local Law.
- Download a printable survey if preferred.
- Email response to [locallawreview@knox.vic.gov.au](mailto:locallawreview@knox.vic.gov.au)

#### Hard copy options

- Hard copy survey - available upon request.
- Write to Knox - 511 Burwood Highway, Wantirna South 3152.

#### In-person community outreach

- Pop up stalls across 3 locations.
  - Knox Library – 18 February 2026.
  - Knox Fest – 28 February 2026.
  - Knox Civic Centre – 5 March 2026.
- Online zoom session – 25 February 2026.

#### Key external stakeholder consultation

- Direct engagement with Council advisory and representative committees, including:
  - Early Years Advisory Committee.
  - Active Ageing Advisory Committee.
  - Disability Advisory Committee.
- Direct email to stakeholder groups and Have Your Say subscribers.

#### Internal Council stakeholder and Councillor consultation

- Internal Council departments, provide feedback on existing local law provisions and suggested new or amended provisions.
- Councillor workshops and briefings.

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

**Communications**

Communications activities were developed and coordinated by Council’s Communications team to develop awareness and promote the consultation opportunities via:

- Have Your Say page.
- Media releases.
- Social media posts.
- Printed hard copy surveys.
- Article on Council’s website.
- Digital and printed signage.
- Direct email to stakeholder groups and Have Your Say subscribers.
- e-News article sent to 10,087 subscribers.
- Printed collateral distributed through Knox libraries and customer service.

**Response Rate**

**139 people had their say** on the Local Law review.

- 85 valid survey responses were received.
- 4 written community submissions were received and collated.
- 50 people participated at community pop ups.

**Social Media Reach**

A social media campaign achieved a reach of 2,644 people.

The campaign comprised an organic Social Post via Facebook and Instagram during the consultation period designed to promote opportunities for the community to provide feedback.

372 people visited the Knox Have Your Say website during the consultation period. An additional 203 people viewed the news story on Council’s website.

**Stakeholders and Community**

Our target audience included the following:

Stakeholder Type	
Community	Knox residents
Stakeholders	Knox City Council Councillors and staff Knox businesses Advisory and representative committees and groups. State Government Land Managers. Emergency services. Animal shelters / rescues. Visitors to Knox
Volunteer groups and organisations	Friends of groups Environmental groups Sports groups

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

---

## Consultation Findings Snapshot

### Overview

To seek input to guide development of the new Local Law we conducted a community survey 9 February and 9 March 2026.

#### **139 people had their say.**

85 surveys were completed, 4 people made a written submission, and 50 people participated at community pop ups and the online Zoom session.

### Survey Respondent Profile

88.2% of the 85 survey respondents live in Knox. 41.2% reported that they are from Ferntree Gully, 14.1% from Rowville.

43.2% of the 85 survey respondents were between 35 and 54 years of age. 48.2% were over 55.

### Consultation Findings – Summary Outcomes

These summary outcomes represent analysis of all response sources including surveys, written submissions and community pop ups. Respondents were asked to provide feedback on the current Local Law and proposed amendments.

Feedback from this initial round of consultation will help us consider emerging issues and community sentiment when preparing the new Local Law.

Community consultation identified broad support for measures that improve neighbourhood amenity, safety, and environmental protection (particularly around property maintenance, noise control, and wildlife impact) while highlighting significant concerns about fairness, affordability, and overregulation. Feedback reflected mixed views on animal management, with support for responsible ownership but strong opposition to blanket limits and increased restrictions, and similar conditional support for safety-related measures where implementation is practical. A consistent theme was the need for clearer, more consistent enforcement of existing laws, alongside recognition that cost-of-living pressures may limit residents' ability to comply. Overall, the findings indicate a community seeking a balanced approach that protects amenity and safety without imposing unnecessary or inequitable regulatory burdens.

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

Community support for proposed Local Law changes

<b>Theme</b>	<b>Proposed Change</b>	<b>Support Level</b>	<b>Summary of Feedback</b>
<b>Private Land and Amenity</b>	Stronger rules for unsightly/dangerous land	● High	Strong support for improved enforcement and neighbourhood amenity.
	Outdoor lighting nuisance controls	● High	Supported, especially for impacts on neighbours and wildlife.
	Burn-offs without permit (BMO areas)	● Mixed	Support for fire risk management; concerns about smoke, safety, oversight.
<b>Animal Management</b>	Apply animal number limits to all properties	● Mixed	Opposition; concerns about fairness, welfare, impact on larger properties.
	Stronger animal housing and fencing rules	● Mixed	Supported for safety, but concerns about cost, equity, practicality.
	Dog attack management measures	● Mixed	Supported in principle; concerns about enforcement and real-world application.
<b>Council Land and Roads</b>	Clearer behaviour rules on Council land	● High	General support for safety and amenity improvements.
	Election signage controls	● Mixed	Mixed views; safety vs democratic expression.

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

Theme	Proposed Change	Support Level	Summary of Feedback
<b>Construction and Assets</b>	Protect Council assets (drains, roads, debris)	● High	Strong support for accountability and maintenance.
	Construction noise time restrictions	● High	Broad support for alignment with EPA standards.

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

---

### Consultation findings key themes

Community consultation undertaken during Round 1 identified a number of consistent themes. Feedback gathered through surveys, written submissions and in-person engagement activities highlighted community priorities and areas where improvements to the Local Law may be warranted. The key themes identified through the consultation are outlined below.

#### **1. Environmental Protection**

Strong concern about tree removal, wildlife impacts, and lighting effects, with expectations for stronger environmental safeguards.

#### **2. Animal Welfare and Management**

Mixed views:

- Support for responsible ownership and safety.
- Opposition to blanket limits and restrictive controls, with emphasis on welfare over numbers.

#### **3. Amenity and Liveability**

High importance placed on:

- Clean, well-maintained properties.
- Noise control (especially construction).
- Reducing nuisance impacts (e.g. lighting, waste, graffiti).

#### **4. Resistance to Overregulation**

Concern that increased rules may:

- Be unfair or impractical.

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

---

- Reduce community goodwill and compliance.

### **5. Financial and Equity Considerations**

Recognition that:

- Cost-of-living pressures affect ability to comply.
- Some measures (e.g. fencing, permits) may disproportionately impact vulnerable residents.

### **6. Enforcement and Trust in Council**

Consistent feedback that:

- Existing laws are not enforced effectively.
- Greater consistency, visibility, and accountability is needed.

### **7. Safety and Risk Management**

Support for measures that improve:

- Public safety (e.g. dog attacks, construction controls).
- But with concerns about practical implementation and oversight.

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

**Community Survey Outcomes**

**Overview**

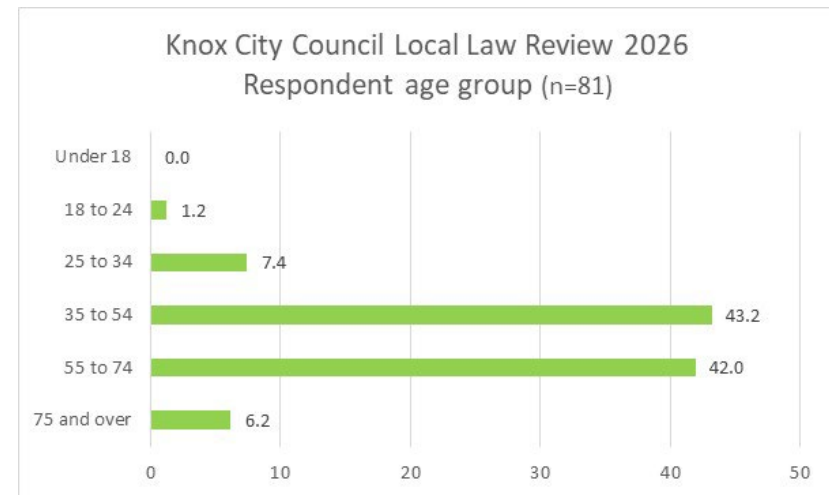
85 valid survey responses were received. Individual comment themes within the survey open ended fields have been coded and categorised to provide context and enable analysis of themes evident.

**Respondent Demographics**

**Gender**

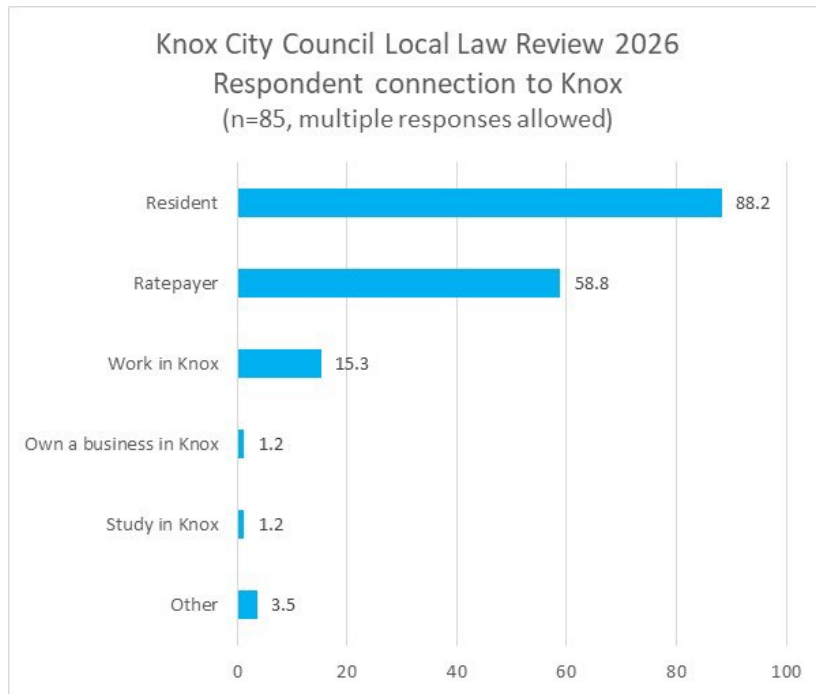


**Age group**

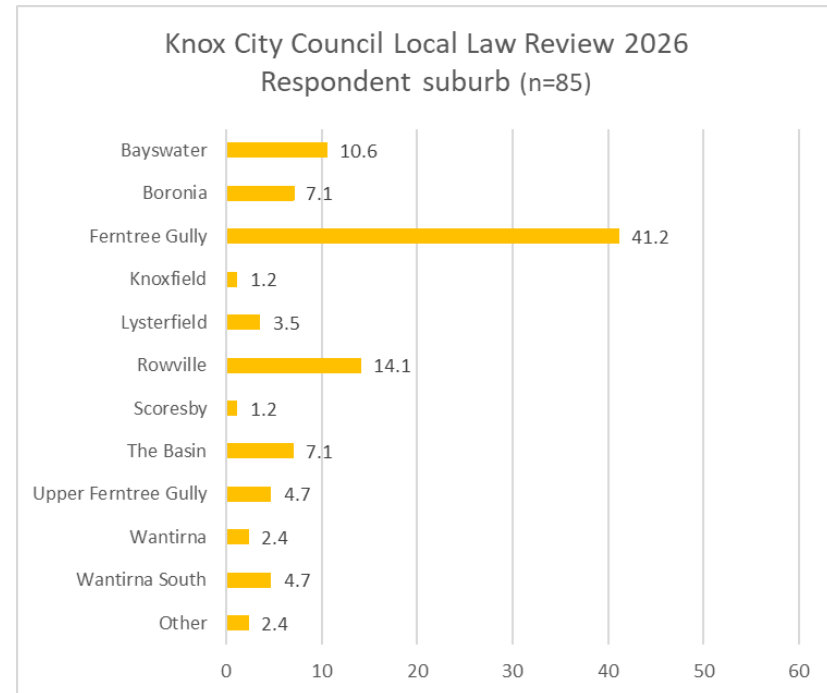


**Knox City Council – Review of Amenity Local Law**  
 Community Consultation Round 1 Summary Report

Connection to Knox

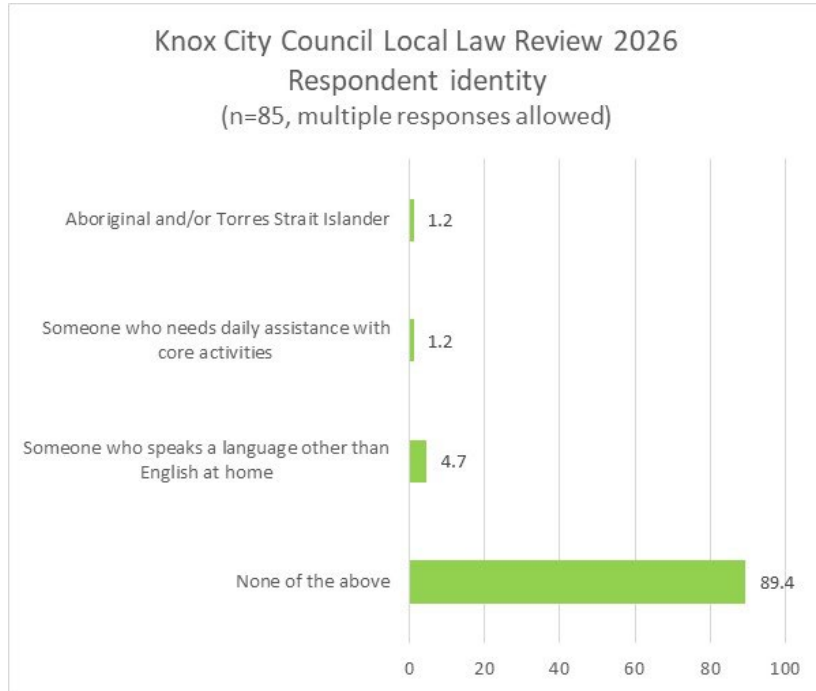


Suburb



**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

Identity



## ***Knox City Council – Review of Amenity Local Law***

### Community Consultation Round 1 Summary Report

#### **Proposed amendments to the Local Law**

Respondents were asked to consider the following proposed changes and indicate their level of support with each.

#### **Private land and neighbourhood amenity**

These laws seek to protect neighbourhood safety and amenity. This includes unsightly or dilapidated land and buildings.

- Strengthen rules to more effectively deal with unsightly and dangerous land (e.g. disused excavations, incomplete building works, litter, overgrown vegetation, scrap material and graffiti).
- A change that would let people living in Bushfire Management Overlay (BMO) areas burn off without a permit, as long as they follow safety conditions. Properties outside a BMO would still need a permit.
- New rules to make sure outdoor lighting doesn't become a nuisance for neighbours.

#### **Animal management**

These laws are about the number and type of animal that can be kept, animal housing, waste and feeding of animals.

- Apply the animal number limits to all properties across the municipality, not just those under 4,000m<sup>2</sup> (this

change won't affect how many animals you can keep – it would make the rules consistent for everyone).

- Clearer, stronger rules to ensure animals are securely housed and properties have proper fencing so they can't wander off.
- Stronger measures to keep the community safe from dog attacks. If a dog is involved in an attack, the owner must stay at the scene and give their details. For dogs that have been involved in a dog attack, Council may require an Animal Management Agreement to help manage the risk.

#### **Council-managed land and roads**

These laws address behaviour and activities on Council land including obstructions on Council land, dumping of shopping trolleys and use of vehicles.

The potential benefits of these changes include ensuring public health and safety, improving the visual appeal of neighbourhoods and, in some instances, preventing obstructions to traffic flow.

- Clearer rules to address activities and behaviour that may impact the safety and amenity of council staff and the public in Council buildings and on Council land.

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

---

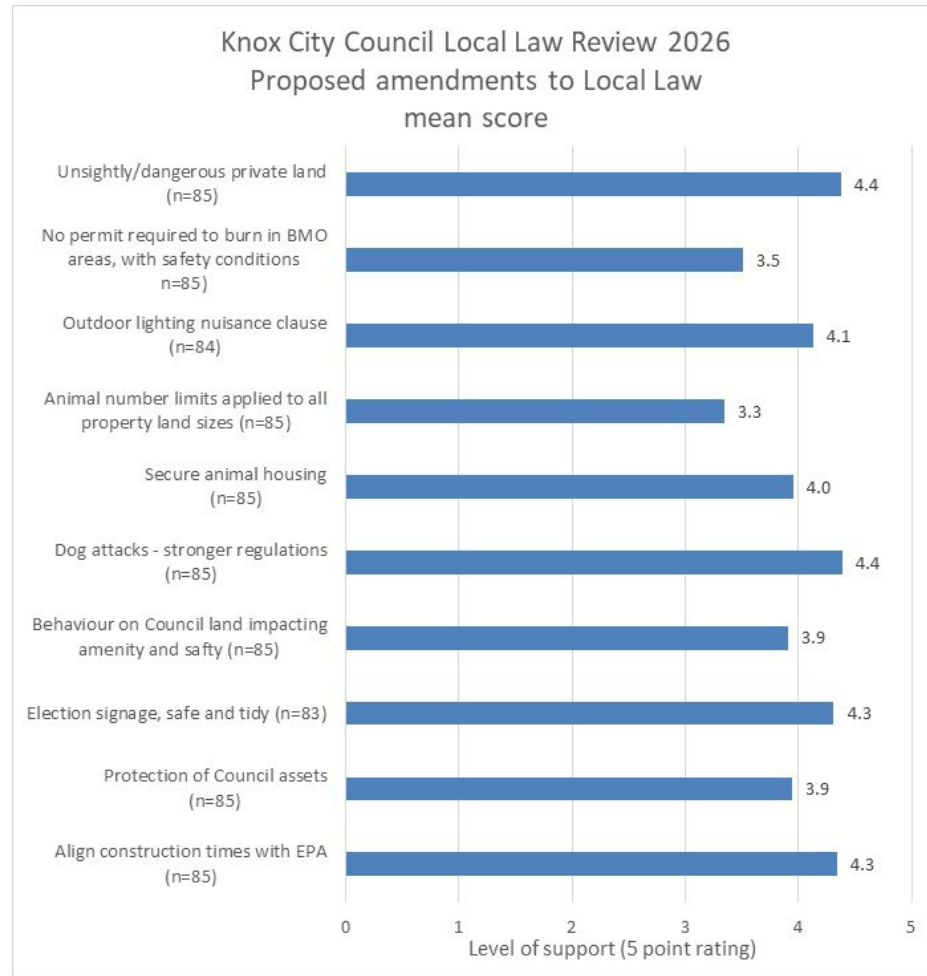
- Manage election signage to help keep our public spaces safe and tidy during elections by reducing clutter and making sure signs don't block visibility or create hazards.

**Council assets, trees and regulating building sites**

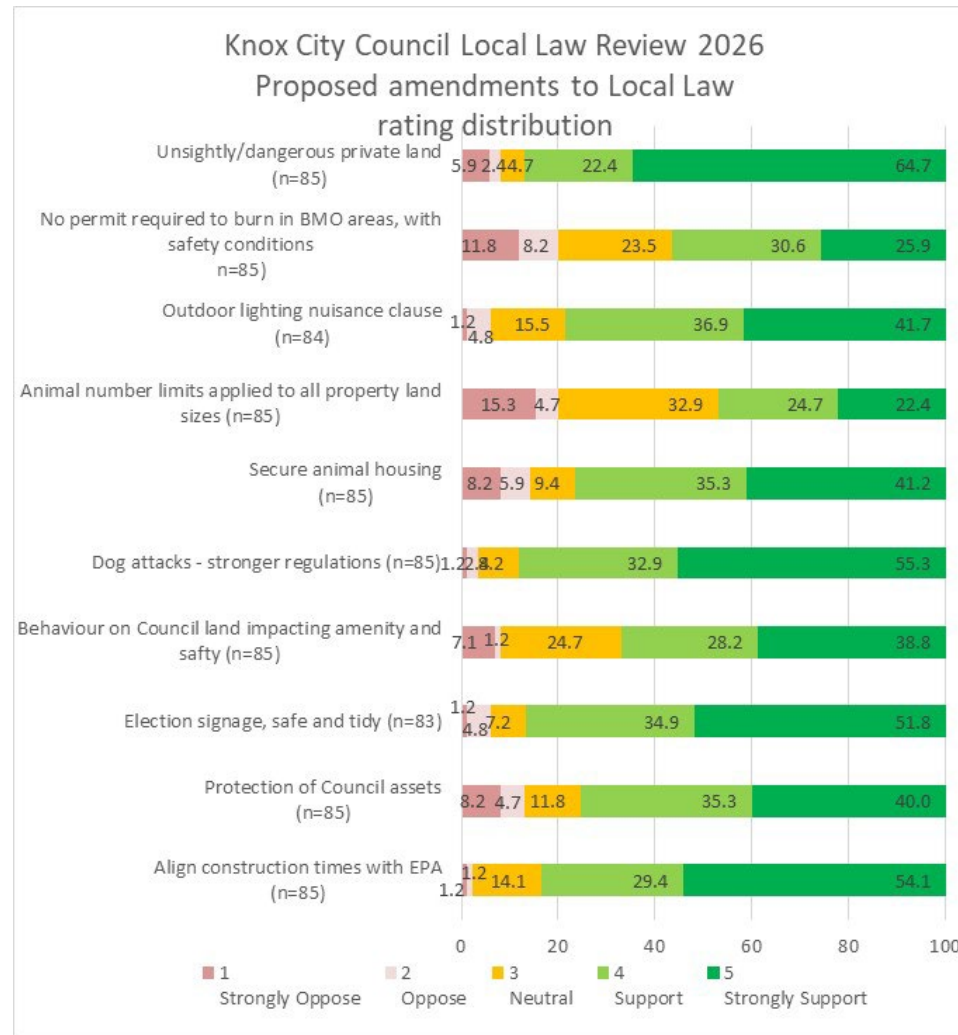
These laws seek to protect Council assets when building works take place to minimise damage to items such as roads, drains and vehicle crossings. The clauses also regulate how building sites are managed to protect neighbourhood amenity, safety and the environment.

- Strengthen the rules so that everyone has a responsibility to protect and maintain Council assets at all times – not only when building works are happening. This includes preventing damage to drains and stormwater systems, keeping soil and debris off roads, and ensuring roads aren't used or blocked in unsafe ways.
- New rules to regulate construction times to align with the same time of noise nuisances as per the Environment Protection Act 2017: 7am–6pm Monday to Friday; 9am–1pm on Saturday for residential construction and demolition sites; and 7am–1pm on Saturday for commercial and industrial construction and demolition sites; and not permitted at any time on a Sunday or Public Holiday.

**Knox City Council – Review of Amenity Local Law**  
 Community Consultation Round 1 Summary Report

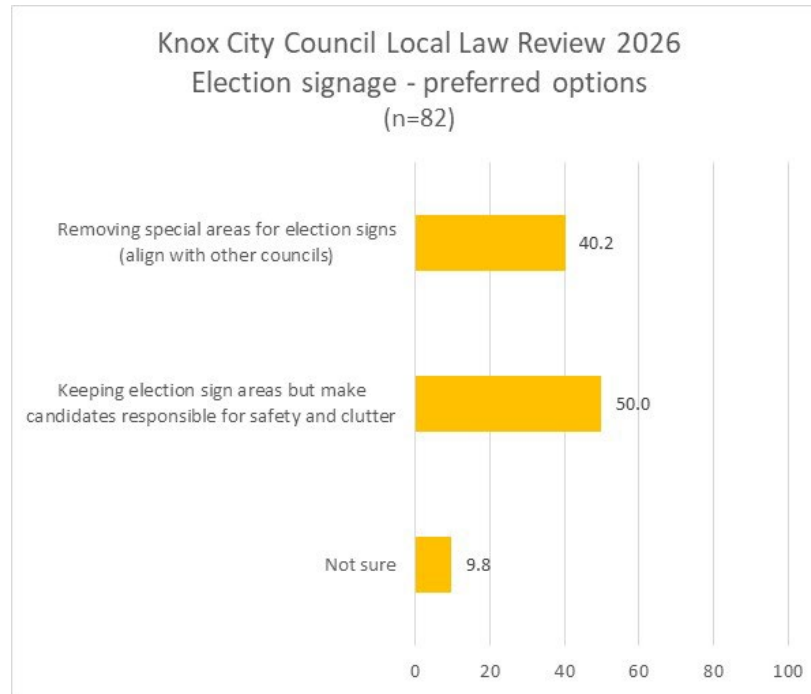


**Knox City Council – Review of Amenity Local Law**  
 Community Consultation Round 1 Summary Report



**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

---



**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

### Open ended comment themes

Respondents were asked if they would like to provide comment on proposed changes to the Local Law.

Comments were coded and categorised in the tables below, according to themes evident.

Private land and neighbourhood amenity	
Comment Themes	Count
There are several unsightly areas in the shire that require attention	6
Local Laws officers need to be enforcing laws and fining property owners	5
Council needs to be more proactive	5
Graffiti is an issue	5
Unoccupied properties are an issue	4
Burning off needs to be controlled and not a free for all. Maintain BMO's	5
Ferntree Gully in general is unsightly	5
More residential street parking is needed	1
Too many double story units/ townhouses are being built next to single story dwellings	1
Council should not be concerned with outdoor lighting; lighting is essential for safety.	1
The term 'Overgrown Vegetation' is too open to interpretation	1
Green bin should be every week and container and bundled collection every alternate week	1
Hard/ dumped rubbish left on streets is an issue	2

Private land and neighbourhood amenity	
Comment Themes	Count
Commission/ rental homes are unsightly	2
Building sites are an issue; debris on footpath and roads	2
Council needs more powers to move in, demolish structures, increase infringements and cancel planning permits	1
Outdoor lighting is an issue and should be reviewed	3
Rubbish bins should be collected from kerbside by residents on the same day they are emptied, not left out for days	1
Council needs to maintain Council assets/ land more effectively	1
There are issues with building sites where tradies monopolise the street parking and create hazards.	1
Council needs to increase capacity and resources to clean up unsightly properties	1
Consider lower wattage lighting and sensor lights	2
Garden maintenance is an issue with properties not being appropriately maintained.	3
Air quality will be an issue if residents do not require a permit to burn off.	1
Council should remind residents of their responsibility to maintain nature strips	1
Anti-social behaviour is an issue	2
Wildlife needs to be considered with regards to lights/ overgrown areas	1

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

<b>Private land and neighbourhood amenity</b>	
<b>Comment Themes</b>	<b>Count</b>
Be mindful that some residents cannot mow or afford to pay someone to mow their properties due to physical/ age limitations.	1
Penalties for graffiti need to be increased and revenue used to assist homeowners to remove graffiti.	1
Protect the amenity and never allow high rise buildings to spoil the landscape.	1
Abandoned cars are an issue	1
<b>Total</b>	<b>68</b>
<b>n=34 (note comments contain multiple themes)</b>	

<b>Animal management</b>	
<b>Comment Themes</b>	<b>Count</b>
All dogs should always be on lead	5
Cat owners are blamed for everything	1
Disheartened by unsubstantiated claim against dog and Council perception that dog owner is in the wrong.	1
Unacceptable if improvements mean that a rooster cannot be kept on a property over once acre in size	1
Uncontrolled/ untrained dogs are an issue	1
Review registration costs for dogs that have been trained	1
Roaming cats are an issue	2
Roaming cats are a threat to wildlife	1

<b>Animal management</b>	
<b>Comment Themes</b>	<b>Count</b>
Council needs to actively enforce laws	1
Barking dogs are a nuisance	2
Barking' diaries are too hard to complete	1
Disabled/ older animals should not be impacted by changes	1
Dog owners need to realise that other dogs may react differently to theirs	2
Penalties need to be more significant	1
Laws need to be tighter regarding cleaning up after animals in public spaces	1
We need to be animal inclusive; animals are important companions	1
More signage required to enforce dogs on lead	1
Dogs digging under fence is an issue	1
Inadequate fencing, residents not able to afford appropriate fencing	2
Owners are the problem.	2
Remove animal limits per property	3
Permit fees should be less to encourage rehoming animals	2
The number of animals permitted should be based on land size	1
Dogs that attack should be euthanised	1
Support specific measures	1
Do not impose any restrictions on existing off lead areas	1

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

<b>Animal management</b>	
<b>Comment Themes</b>	<b>Count</b>
Total	<b>38</b>
n=22 (note comments contain multiple themes)	

<b>Council-managed land and roads</b>	
<b>Comment Themes</b>	<b>Count</b>
Question on clearer rules is unclear	1
Election signage is important for democracy	1
Election signage should be removed within 24-48 hours post event	3
Do not support homeless people being moved on if they have nowhere to go	1
References to Drones and model aircraft is regulated through CASA not Council	1
Clauses 5.9 and 5.10 should be removed from any updated amenity local law	1
Dumped shopping trolleys are an issue	1
How do you enforce candidates to follow safety and clutter guidelines?	1
Council needs to step up; current service is lacking	2
Election signs shouldn't be allowed on highways	2
Antisocial behaviour needs to be addressed, not tolerated.	1
Protect the environment, minimise number of signs	1
Corflute signs and cable ties are an issue	1
Election advertising should not be allowed on private property	1

<b>Council-managed land and roads</b>	
<b>Comment Themes</b>	<b>Count</b>
Election signage is unsightly and unnecessary	1
Generally unhappy with Council	1
There isn't enough signage	1
Total	<b>21</b>
n=15 (note comments contain multiple themes)	

<b>Council assets, trees and regulating building sites</b>	
<b>Comment Themes</b>	<b>Count</b>
If noise is within noise rules it shouldn't be an issue	2
Council needs to maintain streets, drains, parkland and large trees	5
Building noise should be permitted on Sunday's and Public holidays	1
Does the word 'Everybody' include Council?	1
Gum trees should not be planted on nature strips.	2
Council needs to fix pavement/ paths that are uneven due to tree roots.	1
Council should review streetscape planting to ensure appropriate trees are planted	1
Hopefully residents won't be punished if they have submitted complaints regarding stormwater/ drain issues to Council or relevant authorities	1
Fines need to be in place for noise outside of the prescribed times	1
Putting up signs should not be considered as community engagement	1

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

<b>Council assets, trees and regulating building sites</b>	
<b>Comment Themes</b>	<b>Count</b>
Strengthen process for communicating when building permits are changed	1
Strongly support amendment	1
Ensure conscious decisions don't impact environment and surrounding areas	1
Don't amend current noise restrictions.	1
Protect trees from Developers.	1
Where is Knox's Significant Tree Register	1
<b>Total</b>	<b>22</b>
n=15 (note comments contain multiple themes)	

<b>Other comments</b>	
<b>Comment Themes</b>	<b>Count</b>
Graffiti is an issue and makes the area look awful	2
Issue notices to comply for graffiti removal with set dates	1
Better lightening is needed	1
Roads need to be fixed in a timely manner	1
Rooming houses need to be better regulated and supported	1
Parking in The Basin near the temple is dangerous	1
Incentives business to move into shops in Ferntree Gully Village	1
Maintain roadsides so signage is visible	1
Pet registration fees are ridiculous	2

<b>Other comments</b>	
<b>Comment Themes</b>	<b>Count</b>
Tighten laws regarding trucks parked in residential areas	1
Environmental weeds are an issue and need to be addressed, like agapanthus	1
Council should review streetscape planting to ensure appropriate trees are planted and remove gum trees	3
Raised/ damage pavement is an issue/ trip hazard	2
Laws need to be enforced	3
Concern if a resident reports something is the person fined or given a notice to rectify?	1
Council needs to be proactively patrolling and enforcing laws	1
Dumped rubbish is an issue	1
More support for residents to approach/ rectify issues with neighbours where large trees are impacting properties	1
Reinstate twice yearly hard rubbish collections to limit amount of rubbish constantly left out for collections	1
Introduce size limits for hard rubbish collections	1
Medium strips and nature reserves need to be better maintained	1
Proposed changes will worsen living in Knox	1
Questioning Council's commitment to residents	2
Council needs to support pet ownership	2
Fees for cats should be less as they are kept indoors	1
Policy decisions shouldn't be one dimensional	1

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

<b>Other comments</b>	
<b>Comment Themes</b>	<b>Count</b>
Residents shouldn't be allowed to burn off without a permit	1
Unrestricted burning off will result in air quality issues and more complaints	1
Issue with hoons	1
Issue with 'drug houses'	1
Dogs need to be appropriately contained to properties	1
<b>Total</b>	<b>40</b>
<b>n=23 (note comments contain multiple themes)</b>	

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

## Written Community Submissions

4 written submissions were received and collated from individuals and interest groups. A summary of themes for each submission has been prepared in the table below.

#	Source	Submission	Themes
1	Email 20 Feb 2026	<p>I have read this and while in some cases this makes sense in our area but to be able to make informed decision on support it is hard without the below information for our area.</p> <p>(b) Each property within the municipal district is within a category and the onus is on each owner or occupier of the private land to know to which category their private land belongs and to comply with the relevant open air burning restrictions set out in this Local Law.</p> <p>(c) The location of private land and whether it is located within or outside the BMO is shown in Knox City Council's Planning Scheme or can be verified using the Victorian Government's MapShare Tool.</p> <p>This information already available and if so, can this be distributed for evaluation, also regarding Point B how would we manage this as responding brigade as to know what category the property belongs to ?</p>	<p>Concern with changes to burning off proposal:</p> <ul style="list-style-type: none"> <li>• Difficult for community and fire authorities to understand whether a property lies within an BMO.</li> </ul>
2	Email 6 Mar 2026	I am writing to formally object to the proposal in the 2026 Local Law Review to remove burn-off permits for Bushfire Management Overlay (BMO) properties.	Object to proposal to remove permits to burn off on BMO properties.

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>As a resident of a 1,467m<sup>2</sup> block at [REDACTED] (partially intersected by the BMO), I am deeply concerned that Council is proposing to dismantle a functioning, free-of-charge safety framework in exchange for an unmonitored "self-policing" model. This proposal actively increases the risk of property destruction by amateur fire while completely ignoring the topographical smoke hazards inherent to the Dandenong Ranges foothills.</p> <p>To ensure my feedback is properly addressed, I require Council to justify the deliberate removal of the following critical safety mechanisms:</p> <ol style="list-style-type: none"> <li>1. The Loss of Expert Inspection and Public Education. The current permit system is completely free for residents. Its primary value is not bureaucratic; it is educational. It guarantees that an expert (the Municipal Fire Prevention Officer) reviews the fire plan, inspects the site, and educates the resident on safe ignition, water pressure, and clearances.</li> </ol> <p>The Strategic Gap: Council's proposal removes this expert oversight entirely. What specific, mandatory training program is Council proposing to replace the direct, on-site education currently provided by the permit system?</p> <ol style="list-style-type: none"> <li>2. The Abandonment of Airshed Management and Topographical Risk Upper Ferntree Gully and The Basin act as enclosed geological amphitheatres. The permit system currently allows Council to legally space out burn-offs, ensuring the localised airshed is not overwhelmed on a single day.</li> </ol>	<ul style="list-style-type: none"> <li>• Lack of expert oversight presents increased risk of fire and smoke hazards, and insurance liability to residents.</li> <li>• Burn-offs will no longer be spaced out, concern with air quality issues including smoke traps related to steep gradient fires.</li> <li>• Consider other green alternatives to burning off.</li> <li>• Requests to Council for safety metrics and modelling have gone unanswered.</li> <li>• Query whether CFA and EPA have endorsed this self-policing model.</li> <li>• Query if Council enforcement will be available to respond quickly where required.</li> </ul>

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>The Legislative Risk: By deregulating burning, Council loses the ability to space ignitions. How can enclosed blocks in these steep valleys safely contain trapped PM2.5 smoke without breaching the "offensive smoke" clause of the Environment Protection Act 2017?</p> <p>3. The Destruction of the "Alternative Intervention" Strategy When a resident applies for a permit, it creates a crucial communication touchpoint. It gives Council the opportunity to assess the proposed burn and suggest safer, non-combustible alternatives.</p> <p>The Strategic Gap: Removing the permit severs this communication line. Why is Council blinding itself to resident activity and abandoning its best opportunity to divert biomass into safe, zero-liability export services (such as the fortnightly bundled branch kerbside collection)?</p> <p>4. The Liability Trap for Residents By removing the official inspection process, Council is stripping landholders of their primary, government-issued proof of "reasonable care."</p> <p>The Liability Shift: If an uninspected, "permit-free" burn escapes, the homeowner faces the entirety of the legal and financial liability. Does Council acknowledge that this policy leaves residents completely exposed to insurance claim denials under Section 54 of the Insurance Contracts Act 1984?</p> <p>Formal Record of Unanswered Inquiries &amp; Expectations for the Community Impact Statement (CIS)</p>	

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>Finally, I must place on the formal consultation record that prior to submitting this objection, I explicitly requested the foundational safety metrics for this proposal from the Project Team. I received no response, data, or modelling.</p> <p>As Council transitions from Phase 1 to drafting the formal 2026 Local Law, I fully expect these critical safety metrics to be comprehensively addressed in the statutory Community Impact Statement (CIS). To meet the state guidelines for transparent consultation, this CIS must not rely on generic state-wide statistics, but must utilize hyper-local, independent data to explicitly detail:</p> <p>The Two-Way Smoke Trap: Independent meteorological modelling on the topographical realities of steep-gradient fires. Active convective heat pushes toxic smoke and radiant heat directly into uphill properties during the burn, while evening katabatic flows drag cooling, dense PM2.5 smog back into downhill properties overnight.</p> <p>Cost-Shifting &amp; Financial Analysis: A formal evaluation of the economic impact of this policy. If Council is saving administrative costs by removing the MFPO, the CIS must quantify the projected financial burden transferred to volunteer CFA brigades (via increased "investigate smoke" callouts) and ratepayers (via localised insurance premium hikes).</p> <p>Mandatory Alternatives Assessment: A mathematical and risk-based justification documenting why Council rejected zero-liability "Biomass Export" alternatives (e.g., subsidising a free, year-round BMO branch crushing service) in favour of deregulating open-air fire.</p>	

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>Enforcement &amp; Response Logistics: Clear definitions of the enforcement mechanism. If an uninspected fire breaches the EPA "offensive smoke" clause on a Saturday afternoon, the CIS must state whether Council Local Laws officers will be on active, rapid-response duty, or if this enforcement burden is officially being shifted onto the CFA.</p> <p>Historical "Advice Gap" Data: Transparent statistics detailing the number of BMO permit applications that are currently denied or heavily amended by the MFPO, which would become "as-of-right" activities under the new law.</p> <p>Agency Endorsement: Confirmation that the CFA and EPA Victoria have formally endorsed this "self-policing" model.</p> <p>Moving forward with this proposal without publishing the requested modelling in the CIS constitutes a failure of informed public consultation. The 2026 Local Law must retain the free permit system as a vital educational and hazard-control mechanism.</p>	
3	Email 8 Mar 2026	<p><b>New rules to make sure outdoor lighting doesn't become a nuisance for neighbours</b></p> <p>Yes, we strongly support. Requesting low-intensity and auto-switch-off lights, to not disorient, disturb, and harm birds and wildlife.</p> <p><b>Apply the animal number limits to all properties across the municipality, not just those under 4,000m<sup>2</sup> (this change won't affect how many animals you can keep – it would make the rules consistent for everyone)</b></p>	<p>Support</p> <ul style="list-style-type: none"> <li>• Outdoor lighting nuisance proposal.</li> </ul> <p>Oppose:</p> <ul style="list-style-type: none"> <li>• Proposal to apply animal limits to all property sizes. Considered inhumane.</li> <li>• Stronger animal housing rules. Marginalises and disadvantages people.</li> </ul>

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>No, we strongly oppose, as this deprives more animals of homes. Leaving more animals at potential risk of impoundment, and death from euthanasia. Blanket-rule is inhumane.</p> <p><b>Clearer, stronger rules to ensure animals are securely housed and properties have proper fencing so they can't wander off</b></p> <p>No, we strongly oppose this law as written, as it further disadvantages renters, and poorer residents and families. Fencing is expensive. Containment enclosures are cages and destroy shared spaces and gardens. Wildlife are deprived of gardens planted for wildlife and also get caught in the wire. Elderly neighbours can be deprived of social contact.</p> <p>Forcing fencing further marginalizes and disadvantages. Knox cat curfew has already made visible felines, and females, a target for hate-speech, false blame, violent threats, and less livability. Mandating fencing is a divisive law that can harm community wellbeing.</p> <p><b>Stronger measures to keep the community safe from dog attacks. If a dog is involved in an attack, the owner must stay at the scene and give their details. For dogs that have been involved in a dog attack, Council may require an Animal Management Agreement to help manage the risk.</b></p> <p>We feel that this is unreasonably unenforceable. In an attack, any hurt animal or person has to able get to a vet or a doctor immediately. Separation and safety is the immediate concern. In our experience of dogs jumping over</p>	<ul style="list-style-type: none"> <li>• Stronger dog attack rules. Concern with enforceability, welfare of people and animals.</li> </ul> <p>Other:</p> <ul style="list-style-type: none"> <li>• Knox has not actioned necessary intensive, targeted, cat desexing.</li> <li>• Punitive animal plans, science proves are expensive failures (re cat confinement).</li> </ul>

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>private home front gates to chase cats, their owners have not stayed to give name or address.</p> <p>Victims and minority cat-owners, are already disadvantaged when compared to Knox majority dog owners. Better to appeal directly to dog-owners that all dogs must be on-leash on all streets, roads, footpaths, shopping-centres, when near vulnerable animals and people, safely secured, and of owner responsibility to give details when causing harm.</p> <p>Any animal management agreement has to also be in the animal's welfare - no barking shock collars, no caging. Training of the owner may be considered, as aggression is often two-fold.</p> <p><b>Why is Local Laws only considering dogs? Raising expenses to both Council and residents?</b></p> <p>We would like to call your attention to money being spent on enforcement, instead of addressing actual issues.</p> <p>Knox has not considered, or helped, cats. Knox is spending money only on dog initiatives. In DAMP 2026-2029 'Additional funding' for desexing of Knox dogs is actioned, but Knox registered dogs are not required to be desexed.</p> <p>Knox is funding free or low-cost training of Knox dogs, and additional Animal Management Officers' time to be spent on dogs.</p> <p>Knox has not actioned necessary intensive, targeted, cat desexing. A feasibility report, without any active desexing, is due December 2026 - a report that</p>	

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>could be delivered within two weeks, is delayed for a year. Thus rising costs to Council and residents, and not delivering any improved results.</p> <p>It is cheaper for Knox to desex a cat, than to impound a cat. Intensive, targeted cat desexing is the only method that works, and it would cost less than Knox is already paying for impounding cats. Yet Knox has no action for intensive, targeted, cat desexing. Knox spends nothing to help cats, nothing on cat-desexing, and has deflected questions with a vague 'apply for government grants' for 'disadvantaged' - which would fail to help most undesexed cats. General voucher cat desexing does not reach the cats in most need.</p> <p>Knox already spends ratepayers' money on dog-training, dog-parks, waste-bags, patrols, and the non-inclusive 'Pets in the Park'.</p> <p>Knox distributes only divisive, punishing material on cats. Knox has no plans to distribute the Australian Pet Welfare Foundation proactive, science-proven evidence which helps both dogs and cats.</p> <p>Punitive animal plans, science proves are expensive failures. Casey Council spends an estimated \$1.83 million annually on 24-hour cat curfew. Since implementing 24-hours, twenty-seven years ago, Casey has risen impoundments by 680percent, more than double the rate of population growth over the same period.</p>	

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>2025 Management of cat populations in New South Wales Government Response recognises that 'desexing is the most effective way of reducing stray cat populations' in 'targeted accessible desexing programs'. New South Wales Inquiry rejected mandated cat containment.</p> <p>Chair Hon Emma Hurst MLC: 'Cat containment laws are simply cat killing laws ...Now, these organizations and groups that continue to push for these laws are the people who hate cats, let's be absolutely honest about it. If they were genuinely about reducing the number of cats that are in society, then they would be supporting the solutions where there's evidence that they work. Instead, they're pushing for cat killing through cat containment laws, where there's NO evidence that that's even going to work to protect wildlife Now, the Wildlife card is continuing to be used, and we know from the evidence that we heard in this Inquiry, we heard from major organizations, even WIRES, saying that actually, cats are not the biggest threat to wildlife. The biggest threats that we have to wildlife is deforestation, climate change, overdevelopment...and we know that the government needs to really take action in those spaces if they genuinely want to protect our wildlife.'</p> <p>Not actioning intensive, targeted, cat desexing keeps on raising costs to Knox Council. Also placing more pressure on already-struggling carers and rescuers. Causing more homeless kittens to be born. Dividing cat and dog care to have-nots and haves. With less liveability, and less safety - for both felines,</p>	

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>and females. We ask that Knox cease its divisiveness on addressing dog and cat issues. Community Cat Programs are proactive, science-proven, cost-effective, resolution – for animal welfare, and community wellbeing.</p> <p>Knox AdvoCats are community committed to saving animals, and to scientific solutions</p>	
4	Email 9 Mar 2026	<p>Animal Care Australia is a national incorporated association established to consult with government in advocating for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.</p> <p>Animal Care Australia notes This is a 1st round consultation seeking input regarding proposed changes to existing Local Laws – the actual changes won't be available for consultation until around May 2026.</p> <p>Animal management related changes appear to be limited to the following:</p> <div style="background-color: #e0ffe0; padding: 5px;"> <p><b>Proposed changes</b></p> <ul style="list-style-type: none"> <li>• Apply the animal number limits to all properties across the municipality, not just those under 4,000m<sup>2</sup>. This change won't affect how many animals you can keep, it simply makes the rules consistent for everyone.</li> <li>• Clearer, stronger rules to ensure animals are securely housed and properties have proper fencing so they can't wander off.</li> <li>• Stronger measures to keep the community safe from dog attacks. If a dog is involved in an attack, the owner must stay at the scene and give their details. For dogs that have been involved in a dog attack shown aggressive or uncontrolled behaviour, Council may also require an Animal Management Agreement to help manage the risk.</li> </ul> </div>	<ul style="list-style-type: none"> <li>• Opposes proposed animal limits/permits, especially for larger properties (&gt;4000m<sup>2</sup>), arguing they will restrict existing animal keeping practices.</li> <li>• Claims consultation lacks data, detail, and transparency, and misrepresents impacts.</li> <li>• Emphasises animal welfare is about care conditions, not numbers.</li> <li>• Raises concerns about enforcement practicality and lack of response to prior feedback.</li> <li>• Argues restrictions are ineffective, citing mixed</li> </ul>

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>While the above summary looks benign at first glance, the actual documentation provides no detail as to how many properties exist over 4000m2 that will be affected and will now need to seek and pay for excess animal permits. Animal Care Australia does note the overall dwelling context of the LGA as of 2021, states there were 62,011 total dwellings in the City of Knox, of which 82.4% were separate houses (approx. 51,047). While most are standard suburban blocks, a segment consists of these larger properties, frequently in "Bush Suburban" or "Low Density" areas. Therefore approximately 17% or so will likely be affected.</p> <p>Therefore, the claim that it won't affect how many animals you can keep is a blatant misrepresentation of the truth. To date owners with larger properties will have been able to keep many animals due to the land size – WITHOUT excess animal permits. Using birds as an example, aviaries holding multiple species would be constructed on larger land sizes. Yet when this proposed change is implemented, those birds will either need to be maintained under a permit OR be sold.</p> <p>This will also apply to any persons keeping livestock on these land sizes. The current Local Law only permits the following:</p>	<p>outcomes (e.g. registration, microchipping, dog attacks).</p> <ul style="list-style-type: none"> <li>• Advocates for education over regulation and consultation with animal experts.</li> <li>• Key point: Strong opposition to increased regulation, favouring flexible, welfare-based and education-led approaches.</li> </ul>

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes														
		<p>Limits on number of animals kept</p> <p>4.1 An owner or occupier of private land, the area of which is less than or equal to 4,000 square metres must not, without a permit, keep or allow to be kept on that private land any more in number for each animal than is set out in the following table:</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Type of animal</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Dogs</td> <td>Two (2)</td> </tr> <tr> <td>Cats</td> <td>Two (2)</td> </tr> <tr> <td>Poultry</td> <td>Five (5)</td> </tr> <tr> <td>Small birds</td> <td>Twenty Five (25)</td> </tr> <tr> <td>Large Birds</td> <td>Five (5)</td> </tr> <tr> <td>Ferrets, Guinea Pigs, Rabbits or Rodents</td> <td>Five (5)</td> </tr> </tbody> </table> <p style="text-align: right; margin-right: 20px;">Maximum Penalty: 15 Penalty Units</p> <p>4.2 Unless specifically permitted under a Planning Scheme applicable to the private land or an Act, a person must not, without a permit, keep livestock on any private land which is less than 4,000 square metres. Maximum Penalty: 15 Penalty Units</p> <p>4.3 Unless specifically permitted under a Planning Scheme applicable to the private land or any Act, a person must not keep a rooster on any private land. Maximum Penalty: 15 Penalty Units</p> <p>Additionally, Council does not seem to be paying any attention to our previous correspondence (attached) in relation to the proposed numbers for birds, or any of the small mammal's species.</p> <p>How does Council intend on policing animal housing security or fencing? Again, the dog attack suggestions seem reasonable, but no detail as to how those will be managed is explained.</p> <p>Animal Care Australia has noted that Victorian councils have had animal number limits for quite a while now, so there should be some measurement of how well that rule is working against the goal it was designed to have and yet Councils including Knox City are continually bemoaning the fact that they</p>	Type of animal	Number	Dogs	Two (2)	Cats	Two (2)	Poultry	Five (5)	Small birds	Twenty Five (25)	Large Birds	Five (5)	Ferrets, Guinea Pigs, Rabbits or Rodents	Five (5)	
Type of animal	Number																
Dogs	Two (2)																
Cats	Two (2)																
Poultry	Five (5)																
Small birds	Twenty Five (25)																
Large Birds	Five (5)																
Ferrets, Guinea Pigs, Rabbits or Rodents	Five (5)																

**Knox City Council – Review of Amenity Local Law**  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>have low registration numbers, animals aren't microchipped when found straying, dog attack stats are apparently on the rise, etc. Seriously, obviously something isn't working in this 'restrictive/cancel culture' attitude.</p> <p>The new <a href="#">Knox City DAMP 2026-2029</a> draft seems to back up the fact that measures adopted up to end 2025 appear to highlight that the above questions seriously need to be addressed. The stats provided in that document seem to indicate that dog attacks in the local government area actually decreased during the 2021-2025 DAMP period (p6 of document).</p> <p>Animal Care Australia strongly encourages all councils to promote and encourage the keeping of animals as pets as they provide extraordinary mental health benefits for all of us. All restrictions only serve as a detriment to pets and those wishing to keep them.</p> <p>Animal Care Australia does not agree with imposing blanket limits on numbers of animals that can be kept especially when based solely on ideological theories as these theories are animal rights based or on species bias. It is glaringly obvious the stronger restrictions apply to species that most people either dislike or fear – rats, mice, rabbits, and reptiles.</p> <p>Animal welfare is NOT about numbers – it is about the conditions, behaviour, cleanliness, housing, and husbandry that each animal is kept under by the owners – your residents.</p> <p>Policies that restrict the keeping of animals based on preventing noise, odour or other issues for neighbours are strongly discouraged. Restrictions including permit requirements inflict an unnecessary compliance burden on residents</p>	

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

#	Source	Submission	Themes
		<p>and staff which only discourages animal keeping needlessly. Laws are already in place to deal with neighbourhood nuisance issues including matters due to poor animal practices. Council should seek consultation with real animal experts to provide a policy that not only works for the council and its community but also ensures good welfare outcomes for the animals. Animal Care Australia’s primary objective is ‘education over regulation’ and always commend Councils wherever they seek to further the education of their residents. Animal Care Australia has references to support our submission and will be happy to supply them on request. We recommend viewing our online document: Council Animal Management Plans</p> <p>Should you require further details please do not hesitate to reach out as we would be happy to meet with you and further discuss this matter.</p>	

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

## Pop Ups and Online Session

### Overview

Three in person community pop-ups and one online zoom session were held where **50 people** provided feedback on proposed changes to the Local Law.

- Knox Library – 18 February 2026.
- Online zoom session – 25 February 2026.
- Knox Fest – 28 February 2026.
- Knox Civic Centre – 5 March 2026.

Engagement activities included interactive boards, dotmocracy voting, chat board comments, surveys and conversations with Council staff.

Overall engagement was positive, with strong community interest and constructive discussion about neighbourhood amenity and safety. Participants also raised a range of broader municipal issues beyond the Local Law review.

### Key themes from In-Person Community Feedback

Community feedback reflects a balance between supporting protections (environment, safety, animals) and concern about fairness, affordability, and enforcement of regulations.

- **Environmental protection:** Strong concern about tree removal, wildlife impacts, and effects of artificial lighting.
- **Animal welfare and management:** Awareness of pressures on animal rehoming and mixed views on containment rules.
- **Resistance to overregulation:** Worry that too many rules may be unfair or reduce community cooperation.

***Knox City Council – Review of Amenity Local Law***  
Community Consultation Round 1 Summary Report

---

- **Financial constraints:** Recognition that cost-of-living pressures limit residents' ability to comply.
- **Amenity and safety:** Support for better lighting and noise controls, with some interest in surveillance (within legal limits).
- **Trust and enforcement issues:** Frustration over inconsistent enforcement, especially regarding developers and environmental protections.



# **Review of Amenity Local Law**

**Community Consultation Round 1 Summary Report  
(consultation prior to development of new Local Law)**

**SUPPLEMENTARY VERBATIM COMMENTS VOLUME**

## Table of Contents

Overview .....	3
Open-ended question list.....	3
Proposed amendments to the Local Law.....	4
Private land and neighbourhood amenity .....	6
Animal management.....	13
Council-managed land and roads .....	17
Council assets, trees and regulating building sites.....	19
Other comments.....	21

## Verbatim Comments Volume

### Overview

The following is a collation of verbatim comments received through 85 surveys during the Phase 1 Local Law consultation process.

This supplementary volume should be read in conjunction with Review of Amenity Local Law Community Consultation Round 1 Summary Report.

### Open-ended question list

- Would you like to provide comments on proposed changes to the Local Law?
  - Private land and neighbourhood amenity
  - Animal management
  - Council land and roads
  - Construction and assets
- Further comments

## Proposed amendments to the Local Law

Respondents were asked to consider the following proposed changes and indicate their level of support with each.

### Private land and neighbourhood amenity

These laws seek to protect neighbourhood safety and amenity. This includes unsightly or dilapidated land and buildings.

- Strengthen rules to more effectively deal with unsightly and dangerous land (e.g. disused excavations, incomplete building works, litter, overgrown vegetation, scrap material and graffiti).
- A change that would let people living in Bushfire Management Overlay (BMO) areas burn off without a permit, as long as they follow safety conditions. Properties outside a BMO would still need a permit.
- New rules to make sure outdoor lighting doesn't become a nuisance for neighbours.

### Animal management

These laws are about the number and type of animal that can be kept, animal housing, waste and feeding of animals.

- Apply the animal number limits to all properties across the municipality, not just those under 4,000m<sup>2</sup> (this change won't affect how many animals you can keep – it would make the rules consistent for everyone).
- Clearer, stronger rules to ensure animals are securely housed and properties have proper fencing so they can't wander off.
- Stronger measures to keep the community safe from dog attacks. If a dog is involved in an attack, the owner must stay at the scene and give their details. For dogs that have been involved in a dog attack, Council may require an Animal Management Agreement to help manage the risk.

**Council-managed land and roads**

These laws address behaviour and activities on Council land including obstructions on Council land, dumping of shopping trolleys and use of vehicles.

The potential benefits of these changes include ensuring public health and safety, improving the visual appeal of neighbourhoods and, in some instances, preventing obstructions to traffic flow.

- Clearer rules to address activities and behaviour that may impact the safety and amenity of council staff and the public in Council buildings and on Council land.
- Manage election signage to help keep our public spaces safe and tidy during elections by reducing clutter and making sure signs don't block visibility or create hazards.

**Council assets, trees and regulating building sites**

These laws seek to protect Council assets when building works take place to minimise damage to items such as roads, drains and vehicle crossings. The clauses also regulate how building sites are managed to protect neighbourhood amenity, safety and the environment.

- Strengthen the rules so that everyone has a responsibility to protect and maintain Council assets at all times – not only when building works are happening. This includes preventing damage to drains and stormwater systems, keeping soil and debris off roads, and ensuring roads aren't used or blocked in unsafe ways.
- New rules to regulate construction times to align with the same time of noise nuisances as per the Environment Protection Act 2017: 7am–6pm Monday to Friday; 9am–1pm on Saturday for residential construction and demolition sites; and 7am–1pm on Saturday for commercial and industrial construction and demolition sites; and not permitted at any time on a Sunday or Public Holiday.

## Private land and neighbourhood amenity

Respondents were asked if they would like to provide comment on proposed changes to the Local Law.

<b>Private land and neighbourhood amenity – verbatim comments</b>
Low lighting, and sensor switch off lights, particularly for the Foothills.
The property next door to us has largely been unoccupied for at least the last 15 years. The owner resides elsewhere. The house itself is badly maintained and in need of serious exterior renovation. It is so bad that if the property was put up for sale it would require extensive repairs or may even be a knockdown and re-build situation. The garden has been poorly maintained over the years. On several occasions over the years the front grass area (lawn and nature strip) has been allowed to grow to at least 60 cm in height and it was only following complaints to Council that this situation was rectified. Following my repeated complaints to Council the owner is now getting it mowed about every 6 weeks which is acceptable. The rear of the property has been largely left unmaintained and at one stage the dry grass had reached at least a metre high (fire hazard/health and safety hazard) and their vine/creepers were overtaking our property. It was only due to my complaints to Council that this situation was eventually rectified. Although the front area is now being mowed the rear of the property is not being mowed so by next summer it will be a problem again.
Empty properties and building sites shouldn't be allowed to become a permanent eyesore or danger for plants animals and water run off. I think graffiti can be too hard or expensive to stop. Rental homes should not be excused from ridiculous garden conditions and overgrowth onto neighbours properties.
Bmo properties should be able to manage their fuel loads especially when the council is so adamant about keeping large gum trees and paperbacks that can be very dangerous in summer.
Outdoor lighting could have a wattage limit on lights left on. With a rise in thefts I understand people wanting lights on
The proposed change to Knox City Council's local laws—allowing residents in Bushfire Management Overlay (BMO) areas to burn off without a permit—raises significant concerns regarding public health and environmental safety. In high-density areas like Upper Ferntree Gully, the proximity of homes means that smoke from a single property doesn't stay contained; it enters the

<b>Private land and neighbourhood amenity – verbatim comments</b>
<p>living spaces of dozens of neighbours. The geographic "bowl" or "gully" effect creates a temperature inversion where cold, dense air traps smoke at the ground level, preventing it from dispersing. This results in heavy smoke pooling on both sides of the gully, significantly degrading air quality for everyone in the vicinity. Without a permit process to regulate the timing and volume of these burns, a "free-for-all" approach could lead to simultaneous fires across the hills, creating a hazardous smog that is particularly dangerous for children, the elderly, and those with respiratory conditions. While a 3-acre (approximately 1.2-hectare) threshold might offer enough buffer for smoke to dilute, the current proposal overlooks the fact that many BMO properties are much smaller, making unmonitored burning-off a recipe for a localised public health crisis.</p>
<p>Please please can you send letters to remind Knox City residents, including a large amount of tenants to rental properties, that the nature strip in front of their house is their responsibility to mow and maintain on a regular basis, and to keep their property neat. I am sick and tired of seeing these neglected. This will ensure grass seeds don't fly around in the air creating an asthmatic environment. Once a year, as is the current law is not good enough for a suburban landscape.</p> <p>Outdoor lighting :</p> <p>Thank you, I have really appreciated the Templeton Reserve oval lighting being kept on until 8-9pm in the winter, allowing me to get my daily exercise after work and dinner, in a safe environment. Many of our local community use this facility at night, not only the sporting clubs. Please allow these lights to continue to be used for the many who use this Reserve.</p>
<p>Needs to be something done about some public housing residents and their anti social behaviour.</p>
<p>Please make any outdoor lighting not too bright, to have a limit, to protect birds flying.</p> <p>Please do not make an order on houses or land that may be in disrepair or grass overgrown as it further harms elderly residents, and families struggling who cannot afford to keep up everything. There is an elderly man near here, who cannot mow his grass anymore, and enjoys the many animals who come to his land and house everyday. Manicured gardens are often not conducive to wildlife.</p>
<p>Sick and tired of all the graffiti appearing in and around the Ferntree Gully Shops area.</p>
<p>Also, the illegal dumping of rubbish on Forest Road opposite Paddy's Tavern where the local arborists leave mulch for the</p>

<b>Private land and neighbourhood amenity – verbatim comments</b>
<p>community to use is now being contaminated by these low life scums thinking they can just get away with this.</p> <p>So, Knox Council what are you going to do about this????????????????</p>
<p>I have been a resident of the Harcrest estate since 2021</p> <p>At [REDACTED] within the estate is a [REDACTED] house. This has been lying derelict since before I moved here, that is for at least 4 1/2 years. The state of the building is clearly shown on Google Street View</p> <p>The property is an eyesore. The only change over that time has been gradual deterioration. The structure represents a risk of injury to potential trespassers, including unsupervised children..There is the possibility of arson and infestation by vermin, putting nearby properties at risk</p> <p>My home is not very close to this site, but everyone living in the area is affected to a greater or lesser extent. I do feel for the immediate neighbours of [REDACTED] in terms of loss of amenity and negative impact on property values</p> <p>There is clearly a need for the site to be cleared and made available for some constructive use</p> <p>Thank you</p>
<p>The owner is usually a victim of the graffiti and I don't like the idea of making them financially responsible for it - that's victim blaming. Perhaps you can increase the penalty for graffiti instead and use that money to clean up the graffiti.</p> <p>Neighbours can shut their curtains.</p>

<b>Private land and neighbourhood amenity – verbatim comments</b>
<p>The property at [REDACTED] very unsightly. It needs attention as there have been a few fires at this property. People come and go as well as break windows etc.</p>
<p>The Ferntree Gully Village looks like a scene from a 3 world country not the Australian Way of Life. It feels unsafe to be in and walk around Despite the efforts to make it look inviting. the beautiful art works, murals and the fairy lights in the trees at night all of these were starting to make it feel somewhere to be proud of, it was a good start there was a long way to go, but now with empty shops, buildings damaged graffiti, drug dealings taking place in broad daylight drinking in public, and anti-social behavior it has once again taken the efforts of those trying to make positive changes, all go backwards The FTG Village is in a very unique setting, something we should all enjoy and not feel alienated to visit. All railway stations seem to attract anti-social behavior which is not acceptable. We need to have outreach workers on the streets daily to give those persons direction to a better way of life and purpose This problem can't be solved by a one-year pilot program, it will take years to achieve, gradually businesses will return with more street traffic , and not closing up as they are now doing. Please no high rise apartment's to spoil the wonderful unique setting of our village at the foothills of the magnificent Dandenong Ranges., the view should be treasured for many many years in the future</p>
<p>There are a large number of abandoned cars and graffitied walls around Ferntree Gully Village, which worsens the look and feel of the area.</p>
<p>There are a lot of unsightly areas that need to be cleaned up around Knox</p>
<p>Local laws officers need to be more present on the streets and actually start issueing misdemeanors/fines for those Property owners that don't comply - unsightly/unkept nature strips, poor street scapes, grafiitti on private &amp; public propertied &amp; boundaries, dumped hard rubbish etc should all be attracting your attention and be reported by By Laws Officers who need to be seen actively monitoring and managing these issues. In 40 years living, working and volunteering in/around Knox for multiple Community groups, I've never seen a local laws officer on Patrol! If you want to improve the presentation of the</p>

<b>Private land and neighbourhood amenity – verbatim comments</b>
Council, its towns and the general neighbourhood safety and amenity – they have to be physically seen taking an interest and actually doing something about it...
The graffiti is terrible, especially in Ferntree Gully village.
When a house in a suburban street hasn't been occupied for over 10 plus years and the vegetation has overgrown the whole entire house and yard. The council have been notified many times and still doesn't see this as a fire hazard, a vermin hazard and to say the least ruin the street scape we have a very big problem in my eyes.
As a current country Fire authority volunteer I've been too many burn offs inside and outside of bushfire management overlays which Do Not at all have the required safety equipment or conditions for their permits or required assets and safety standards because people don't care allowing them to burn off whenever they want is just asking for a disaster why would we be relaxing the safety steps? We should only be strengthening them because I don't want to be going to Mount Dandenong on Fire because some council members decided they want to burn off so they've changed the laws and now we've got people burning with no safety precautions that are enforced and then we lose 2000+ people on the side of Mount Dandenong. Don't ask the community about this stuff ask the people who have to deal with it and then deal with the consequences.
Ferntree Gully is looking messy and old and uninviting and it's time that changed.
If you are so worried about outdoor lighting being a nuisance.... WHY are you allowing so many units. Including two storey units now being built next to single storey homes and units.
Lights are the least thing to worry about. We need street parking bays for ALL the cars seeing as so many people won't use their garage for cars now that homes are too small and cars too big.
Lightening is essential for safety. You can buy block out blinds. This is a joke!!
The lack of enforcement by for unsightly properties is disgraceful. Do something!

<b>Private land and neighbourhood amenity – verbatim comments</b>
BMO's are there for a reason – to limit risks for people living in that area. They were created following the 2009 fires and council should not be slacking off and should be upholding this law for everyone's safety
First one – overgrown vegetation is too open to interpretation. Second one – opens the door to frequent burn offs, possibility of safety conditions not being followed properly, a nuisance to neighbours and smoke pollution at a time when these things should be reduced. Green bin every week, container and bundled collection every alternate week are adequate and safer.
I love living in Knox but often feel that I live in a neighborhood that equates to a rubbish dump. Un-booked hard and other general rubbish is regularly left on nature strips for weeks (sometimes months) and often by the same properties, until neighbors contact the council to seek resolution and pick up. Community education about the need to book before a collection has only been partially successful. There are a clearly many people who ignorant or recalcitrant in this regard. Council needs to toughen up its approach. Introducing a fine to be held against the property would help reduce the incidence of this problem
Several Commission homes in rowville Wellington estate are unsightly, would welcome that they are cleaned up. Even though this is state owned it reflects poorly on the Knox council.
With more housing developments planned for Knox it is imperative that builders clean up not just the site but any debris that usually spills over to the footpath & roadway.
Council and police really need to tackle graffiti in Ferntree Gully, especially along the railway line.
I encourage you to consider the ongoing amenity issues with [REDACTED] and consider how the refreshed local law would give Council more powers to move-in, demolish structures, increase infringements, cancel planning permits, etc to address amenity issues re hoarding, overgrown lawns, fencing, graffiti and vermin. This would go along way to supporting adjoining neighbours.

<b>Private land and neighbourhood amenity – verbatim comments</b>
Re: outdoor lighting, I would also support reducing it from the angle of how bad bright light at night is for wildlife and how we're losing visibility of the starry night sky.
Rubbish bins left out after collection, should be removed from nature strip by the next day not left out for days, or in one instance left out all week
I am not totally against the idea of allowing people in the Bushfire Management Overlay areas to burn off without a permit, I just think if this is allowed people outside of those areas may take advantage and try burning off as well, which would cause issues.
I would like the council to manage more effectively Council land particularly hazardous trees.
My main concern is in relation to Building Works in residential streets. I live in Fonteyn Dr Wantirna South and we have continually had new building works built along the street. Tradies have no regard as to where they park, often parking opposite each other in the street. I have seen confrontations with other drivers who cannot drive between the parked vehicles. Often bus drivers and Garbage trucks have to sound their horns to attract the attention of the tradie drivers to get them to move their trucks/vehicles. I propose that they (tradies/workman) be instructed to park on the side of the street on which they are working. This then frees up the width of the roadway for other drivers to drive down the street. It also allows residents to be able to park in front of their own residential address. Just a thought... Thanks for your time
Strengthening laws to deal with unsightly land is a step in the right direction but in the interim, please consider increasing capacity and resource to clear the unsightly mess. I've lived in Knox now for 30 years and I have now decided to leave this municipality due to it's ugliness

### Animal management

Respondents were asked if they would like to provide comment on proposed changes to the Local Law.

<b>Animal management – verbatim comments</b>
Dogs dig under fencing – our poodle kept digging holes and escaping. Paling fences fall down in Knox suburbs where there is underground water. Fencing is expensive, many properties are large and residents cannot afford it. Landlords are not going to pay for fencing, so this excludes renters keeping their pets.
Futile to expect a dog to wait and the owner to give their details. Animal Management Agreements are pretty useless as they do not last long, and the aggressive dogs are still running around. Put all dogs on leashes. We cannot even go to bush reserves and native parks because there are always big dogs, and feral owners running around unleashed. Fencing is too expensive, just stop all the unleashed roaming.
All properties have different setups and size does not matter for the number of pets but the owners themselves. Since COVID more animals have been born and now they have no homes. You are limiting the good ppl from rescuing dogs who need homes and good homes. Minimum amount of pets should not apply if the animal management can manage the ppl with pets. Homes set up for more pets should be checked but not out of pocket by council fees when they are doing the right thing. Get rid of dog/pet limits and do proper checks once animals are registered put the onus on the owners not the poor dogs with no homes. Rescuing pets from shelters and death would be more appropriate than overloading them because foster carers and animal rescue good Samaritan’s can’t save them.
Why do you need to limit people who have larger land and can accomodate. Or use permits for animals as a money grab
It would be ludicrous to allow a 2 acre property to only have the same amount of animals as say a 1/4 acre property. Surely the most logical way would be according to land size...
If there is a dog attack, whether to another dog or to a human being, the dog should be put down.
Stronger penalties for dogs off lead in an on lead area also easier to report nuisance dogs barking

**Animal management – verbatim comments**

Consistency is not a good reason to deny animals homes, when there is such great need. Bigger properties can sustain more animals.

Councils should be looking at raising the number of pets per household so that Knox households do not have to put into other names to keep more than two cats/dogs, so that less animals are impounded, and so that more kittens can be adopted.

Remember that dogs are good diggers. We had a poodle that could dig under any fence and get out. A friend had a Malamute that would jump over the high wooden paling fence and take herself running around streets, and could get back over the fence later. Had to be shown on cameras to realise what was happening when at work.

No dogs or cats should be caged. Fencing around whole properties is very expensive, and often unaffordable for many. Mandated pet containment fails. Casey Council pays \$1.83 million annually for 24/7 cat curfew, and has risen impoundments by 680percent.

If Knox registered dogs all had to be desexed, then less dogs would want to go tripping, less hormones - less aggression.

How does Council possibly think that dog owners will stay and give their details after a dog attack? Making this a law will also cause more backlash against people who do not have a dog, and against cat-carers. Dog owners are a majority in Knox - why create more anger, and more threats against cat-carers, and towards females? Animal Management Agreements do not last long.

It is better to educate owners, to make sure that all registered dogs are desexed. To get all the dogs on leads especially on roads, streets, and in bushland areas and people parks.

I do avoid some bushland parks where I encounter off-leash dogs, and far from other people have been too cowed by aggressive owners to say anything about their dog hunting for animals to chase, digging holes, and the owner not picking up

<b>Animal management – verbatim comments</b>
droppings. It is scary for adults, as well as children, and think about the native animals – not easy trying to get food, or sun, with great marauders trampling and scenting.
While I am in support of these specific measures I strongly support dog ownership generally, and would therefore oppose any new restriction on off-lead areas etc
Maybe stop the no lead zones. All dogs should be contained for their safety and safety of everyone else. I'm sick of seeing people walk the streets like it's ALL a lead free zone. They will not take responsibility for their dogs. Yet us cat owners are blamed for everything... when my cats never go outside unless on a harness.
I recently had a complaint put in against my dog. However when I inspected the complaint it was completely false. The complaint was my dog had put their nose out under our gate and bitten another dog. This is not possible due to the size of my dogs head and out gate being secure. Now the lady /person that made this complaint didn't give any evidence however I was still contacted to tell me to watch my dog, and due to my dogs breed i need to be more careful. I found this very upsetting from the council as my dog did nothing wrong and because of her breed she is getting a mark against her name. We always ensure our property is secure due to our dog or dogs.
Would this mean I cannot keep a rooster on over one acre of land? Simply unacceptable
I have proposed this before. I am a volunteer dog trainer and regular dog walker. The biggest problem is uncontrolled dogs that are not trained. I propose halving the dog registration fee for dogs that have been or are undergoing formal training with a dog obedience club or trainer and doubling the registration fee for untrained dogs. This would provide an incentive.
I live near the National Park in The Basin. I am still seeing uncontained domestic cats. That is unacceptable, especially when I know the damage they can do to our native wildlife and that there are people doing the right thing.
Make sure these improvements are actually in forced
Dogs barking day and night in backyards are affecting people's wellbeing and sleep! You have so much red tape to complete a 'barking' diary', so frankly people don't report. It's seems that it is designed this way by the council to avoid reports coming in

<b>Animal management – verbatim comments</b>
given it is so time consuming. Reduce the red tape to make it easy and anonymous to report nuisance/barking dogs and 'No' we can't approach neighbours about their dogs as our society has drastically changed and we could put ourselves in harms way. We need anonymous and easy reporting!!!
As long as the rules don't make it harder on owners of senior or disabled cats that wouldn't be able to climb a fence to begin with.
Owners need to be mindful of other dogs emotions when in public.
Secure housing: seeing cats outside on streets feels far too common at the moment.  Dog attacks: extremely common to see people in Bayswater walking their dogs off lead, in parks as well as suburban streets. Have witnessed an off lead dog run up to someone with an anxious dog, the off lead owner was barely paying attention and had no control.
Tighten laws around owners needing to clean up after their animals and not leave droppings on nature strips and parkland
I think whilst looking at Animal Management, it is important to remember that dogs are extremely important in the owner's lives and should be looked at as supporting their owners through many ups and downs in life. Dogs are important to mental health and are companions for many, but particularly the old, unwell and lonely. We all need to be accepting of the importance of dogs to many people and not make it too hard for people to own a dog. Animals live on this planet too and we need to share the planet with them and make compromises when appropriate.
More signage to support dogs to be on lead

## Council-managed land and roads

Respondents were asked if they would like to provide comment on proposed changes to the Local Law.

<b>Council-managed land and roads – verbatim comments</b>
No election signs on the highway. Council already lacks service. Respect residents and start delivering effectively to the community. It's all a one-way street - pay-up and get done-over. All residents expect is basic service, and common courtesy from Council staff..
Antisocial behaviour is tolerated too much. Councils need to stand up to it before the situation gets worse.
Less signs, better for the environment
I'm not sure about election signage areas however the amount of plastic Corflute signage (and cable ties) which I suspect is not recycled is huge
I don't have a problem with candidates advertising in proposed sites, however I do not like them on private property in our suburbs. It is unsightly and unnecessary.
<p>People know how to behave. If Council actually consulted properly, and did not make enforcement decisions which hurt people more than help, then Council would gain respect. We already have too much nanny-state, overpowering, overspending Councils.</p> <p>When many Councillors do not adhere to their Code of Council, when Knox directors and departments do not reply to residents emails, when there is no effective complaints system at Knox, the proposal of behaviour rules for residents displays a complete lack of respect for ratepayers, and a lack of service.</p> <p>Respect is a two-way street, and Knox acts like a dictatorship.</p> <p>Election signs - they are an eyesore on the highway - no signs outside sports fields, no signs outside public hospitals or shopping centres would be better. Just allow them outside private properties with a stipulation that they must be removed within a few days after the election.</p>

<b>Council-managed land and roads – verbatim comments</b>
A few strategically paced signs is fair, but there is no need for dozens of signs for any given candidate. No-one should be permitted to harass voters heading to the polling both at any time
While it's good to reduce clutter and make sure signs don't block visibility or create hazards, there isn't enough election signage at the moment - I don't know who I'm voting for or against!
The question about clearer rules is really unclear! More information needs to be provided in this question. Election signage is important for democracy
Election notices and how to vote sheets are a complete waste of paper and should not be allowed. If the parties have the money to produce them they should be made to clear them away completely within a day or two after the election.
I'm sick of election rubbish just being left for however long they feel like....
I support making it safer for people on public land. I do not support moving on homeless people with nowhere to go.
Behaviour on council land is already covered by several existing Commonwealth and state laws. Existing clauses 5.9 and 5.10 should be removed from any updated amenity local law. Reference to model aircraft and drones should also be removed as these are extensively covered by Casa regulations.
Shopping trolley dumping is an issue which needs addressing
How would you enforce candidates to follow safety and clutter guidelines? Signage is often moved by other parties, not the candidates team.

### Council assets, trees and regulating building sites

Respondents were asked if they would like to provide comment on proposed changes to the Local Law.

<b>Council assets, trees and regulating building sites – verbatim comments</b>
Council needs to step up to be responsible and to keep roads and drains clear - not the residents. What are we paying for?
Don't allow deliberate actions to harm the surrounding and built environment. But some water damage can be very expensive to prevent.
I still want to be able to use my garden electric/machine tools on weekends and public holidays. I hope these are not affected by the amendment to the rules.
<p>Most people do their best to keep outside their homes clear. However the proposed law change shows Council not attending to their responsibilities. What do we pay Council for? If not at the bare minimum to fix public drains and roads.</p> <p>More rules on developers would be better. Also for Knox to finally stop developers removing protected trees and telling residents it is too hard to enforce after the developer destroys habitat. When plans are approved for some trees to be removed, but not others, often the developer removes all trees and then Knox just accepts the developer's excuse of "a mistake", or that the tree had "lost a branch" as excuse to remove the whole tree, and Knox does not even enforce a fine. The birds and wildlife suffer most.</p> <p>Where is Knox's Significant Tree Register? Other Councils have one to protect both native and non-native trees - but Knox does not.</p>
We are in a housing crisis. If construction is not infringing on the noise rules, why stop people from getting the job done.
I think if the council expect us to maintain council assets, how about the cleaning of streets and gardens and maintaining of large trees that really shouldn't be in a narrow street be kept pruned regularly and maintained..fairs fair

<b>Council assets, trees and regulating building sites – verbatim comments</b>
You should be able to work on a Sunday or public holiday IF the builder wants to. Especially if DIY
I pay rate so council should be taking care of drains, tress etc not me
Absolutely so long as "everybody" includes council, especially when trees cause issues to drains and stormwater systems!
Trees!! What about common sense with this one and removing all gum trees from nature strips. I honestly don't see council fixing the damage of our raised footpaths, cracked concrete, uneven walking paths due to your gum trees on nature strips!! Nothing gets done! So much red tape and outdated thinking. Get rid of them! Do you even think about people with disability and injury trying to maintain their homes with all the branches and leaves they drop and then tripping over the concrete and branches just to enter with property? Become a progressive council and replace them with more appropriate trees. Stop sticking to the same script on this topic. Listen to people for once!
As long as council doesn't use this as an excuse to punish residents who have submitted complaints regarding drain/stormwater issues beyond their control (whether to council or the relevant services).
A fine to be implemented if noise levels are out of the regulated times.
Putting a sign up is not community engagement when you initially approved 1 level for a property and then it's changed to 2 levels. Seriously.
I strongly support this amendment. Please refer to my notes in relation to the parking of tradies/workman in residential streets.
Drains, storm water systems and debris on roads are mostly caused through the ridiculous amount of large gum trees in suburban streets. The very same trees that council seem reluctant to remove

**Other comments**

Respondents were asked if they would like to provide further comments.

<b>Other comments - verbatim</b>
Does Council ever listen? Or do you just make local laws to take away health, and happiness, and living well? Taking away homes from pets? Making it unaffordable to live in Knox? Think about things - some of these proposed laws worsen living in Knox.
Do better with good pet owners. Stop punishing them.
Reduce cat rates. They are now indoors and unlike dogs do not require parks or enclosed park spaces. We now have to have kitty litter at an extra cost and a fortnightly bin removal
Ultimately, in a municipality like Knox—where higher housing density intersects with high bushfire risk and challenging, hilly geography—a simplistic "just burn-off" attitude is fundamentally unworkable. Policy decisions cannot afford to be one-dimensional; they must carefully balance the urgent need for fuel load reduction with the non-negotiable protection of public health through air quality management. In the narrow gullies of the Dandenong Foothills, the air is a shared resource, and the cumulative impact of dozens of simultaneous fires would be a heavy price for the community to pay.
Also need to address the drug houses and hoons
Keep dogs from fence lines when they are near pavements where people will walk
Mandated containment, and Nanny-state laws, are driving up debt, and harming residents and animals.  If Knox shifted its overpowering destructive laws, to instead making science-based, evidence-based laws then less animals and people would be hurt.  A Community Cat Program's targeted intensive desexing, partners with rescuers and carers and effectively lowers cat-population quickly and costs to Council. 24-hr cat curfew is a science-proven failure in Casey and Yarra Ranges and costs

<b>Other comments - verbatim</b>
Casey \$1.83million annually.  Why make laws that are costly failures, when Knox could actually save dogs, cats, wildlife, vets, and rescuers, and community wellbeing.  Reactive, punitive, laws are placing Knox in greater debt, with worse outcomes for people, and animals.  Consult properly, Listen, Act on evidence, not opinion, Start Caring.
As my previous comments in this survey
We are becoming a ghetto with the amount of graffiti, the answer when it is not council property of it is not council it is the private owners responsibility to clean it up is unsatisfactory. Assist with the cleaning with products as the council has done but also give the owner a time limit to clean it up, like a dirty block notice has a to be done by date.
We need better lighting to help everyone feel safer Roads fixed in a more timely manner and support to push vic roads to fix the roads they are responsible for
We need more regulation of the rooming houses that are causing social disruptions in our neighbourhoods. Support needs to be provided to the residents of these facilities.  Parking in The Basin near the temple is dangerous and needs to be regulated.  Implement incentives to get new shop owners in Ferntree Gully Village.
Proper management of road signs ensuring they are not hidden by bushes

<b>Other comments - verbatim</b>
<p>Your pet registration increases are a joke. Complete money grab and beyond insulting. You are constantly increasing the rates of everything.... yet give us make less each year.</p>
<p>This is a below the belt move. Hurting those of us that have rescued animals that are now pets.... thanks a lot!</p>
<p>Tighten laws regarding parking work trucks in residential areas.</p>
<p>Do something that stops people planting and spreading environmental weeds, like agapanthus, especially near National Parks.</p>
<p>If you want Knox to be safer remove the gum trees from the nature strips of residential properties in Rowville and replace them with something more appropriate. They are so dangerous and think of the aging population and people with disabilities trying to navigate the raised concrete, slipping on branches and so many leaves. You spend so much on the street sweeping when you could save costs by removing the gum trees that are meant to be in the bush. Your previous attempt in rowville removed some trees but not all, some people got lucky and others didn't, it was inconsistent and it looks worse now as they are not all the same. Society has changed and your rules and regulations need to follow. Please be progressive for once, be kind and do good for the people!!</p>
<p>House owners that have trees hanging over footpaths to be made aware it is there responsibility to clear                      Paths are tripping hazards                      Council not to plant large trees on naturestrips</p>
<p>Updating laws is only half of it, enforcement would need to occur as well. I wouldn't expect council to know what is happening every where at all times, but many residents may not know how to report potential issues, not feel it's worth it, or be unclear of what rule or category to report under.                      I've also been concerned where, when thinking on reporting vegetation or rubbish from a resident impacting the footpath, if they will get a "please fix" or an immediate fine (and "how much" of an issue it should be to be worth reporting)</p>
<p>Waste of time bringing in laws and regulations unless council is active in enforcing them.                      Make sure any proposed changes can be enforced, should be clear and unambiguous.</p>

<b>Other comments - verbatim</b>
I am astounded with the lack responsibility by the Council regarding checking on properties who are clearly breaking the law running businesses on their properties that impact their neighbours and constantly dumping rubbish on their nature strips.
More support for residents in the more suburban part of the foothills dealing with neighbours gum trees that are ruining houses with roots damaging driveways, branches falling onto property and continuous leaf litter on roof, gutters for the entire season filling our garden bin every week.
What I would like to see in the City of Knox is clean streets free of endless hard rubbish collections. I would like to go back to twice-yearly collections instead of booked collections or even at least 1 free tip voucher per year. With the many rental properties in Knox, it seems that there are always piles of rubbish waiting to be collected. I would like to see people fined who put out their hard rubbish too early or book too late. Also, in the City of Dandenong, there is a size limit to hard rubbish put out and it must be kept to this size and put out neatly - that would at least be a start to giving us back cleaner streets. Put your efforts into the hard, important stuff City of Knox and put less emphasis on the small things (parking fines, etc.)
Major improvements are required to maintain medium strips and nature reserves. If some of this responsibility lies with Vic Roads, then improvements in communication between council and responsible body needs serious consideration. Graffiti needs to be cleaned and maintained. Ridiculously large gum trees that are clearly causing destruction to homes and streets need to be removed or regularly maintained. Knox used to be a very well maintained municipality but it now looks shabby, run down and unkept. Hence, my reason to leave after 30 years!

The logo for Knox City Council, featuring the word "knox" in a lowercase, sans-serif font.

## COMMUNITY IMPACT STATEMENT AMENITY LOCAL LAW 2026

The following information is provided to the community in respect of the proposed Amenity Local Law 2026.

### 1. Introduction

Council is proposing to make Amenity Local Law 2026 to replace the current Amenity Local Law 2020.

This Community Impact Statement has been prepared to inform the community about the proposed Local Law and to assist any member of the public who may wish to make a submission to Council during the public consultation process required under *the Local Government Act 2020* (the Act).

### 2. Background

Local laws are a form of local regulation that enables councils to make legislative controls that reflect the different circumstances of each municipality. They provide the necessary framework within which to ensure that the actions of an individual or group do not have an adverse impact on the rest of the community. The local law-making power attributed to councils comes from the Act.

The Amenity Local Law came into operation in 2020 and will cease to operate on 1 July 2030, unless revoked earlier. Officers have identified certain matters that impact the effectiveness of the Local Law and that certain improvements will enhance the delivery of its objectives. As such a full review with a view to adopting a new Local Law has been undertaken.

### 3. Objectives and intended effect

The objectives and intended effect of the local law are set out in the proposed Amenity Local Law 2026.

The proposed Amenity Local Law 2026 is designed to respond to issues and needs within the municipality. The proposed local law seeks to complement responsibilities and enforcement powers granted to Council under State and Federal legislation and is primarily focused on protecting the amenity of the local area and regulating the use of Council land and assets.

The proposed Amenity Local Law 2026 proposes the following:

- amendments to existing definitions;
- insertion of new definitions;
- amendments to existing clauses;
- insertion of new clauses; and
- penalty amounts aligned under the new *Local Government Act 2020*.

**4. Overview of the proposed Amenity Local Law 2026**

The proposed Amenity Local Law 2026 incorporates a series of changes to language and structure that aim to simplify, modernise, and consolidate it and ensure alignment with State legislation. These changes do not seek to alter the overall intent but rather, are focused on providing clarity.

Additionally, a range of safety and amenity issues were identified during an extensive review, research and consultation process which have resulted in a number of new, proposed clauses and provisions being included in the proposed Amenity Local Law 2026. The proposed Amenity Local Law 2026 also creates a few new offences. These changes are briefly summarised below:

Summary Main Changes – Proposed Amenity Local Law 2026		
Clause	Title	Description
11	Dangerous land	<u>Private land and neighbourhood amenity</u>
12	Unsightly land	Unsightly and dangerous land
13	Land which is detrimental to the general amenity of the neighbourhood	<ul style="list-style-type: none"> <li>• Redrafted the current clause and propose to replace with 3 clauses dealing with dangerous land, unsightly land and land which is detrimental to the general amenity of the neighbourhood.</li> <li>• There is a new proposed definition of ‘unsightly land’ to make it clear and transparent for the community and to eliminate any vagueness.</li> <li>• Includes a property manager to include liability for rental property managers to support compliance.</li> </ul>
20	Lights	<p>Lights</p> <ul style="list-style-type: none"> <li>• A new clause to address nuisance lighting from private properties.</li> <li>• Includes a property manager to include liability for rental property managers to support compliance.</li> </ul>

Summary Main Changes – Proposed Amenity Local Law 2026		
Clause	Title	Description
26	Open air burning	<p><u>Open air burning</u></p> <ul style="list-style-type: none"> <li>The purpose of the proposed clause regulating open air burning is to divide the municipality into two areas, namely private land located within the Bushfire Management Overlay (BMO) and private land located outside the BMO.</li> <li>Land within the BMO can burn without a permit (subject to conditions), and those outside the BMO can only burn with a permit.</li> <li>The proposed clause is to achieve a greater balance between managing fire risk and addressing environmental and health concerns.</li> <li>Add in provision for cultural burning to comply with the Charter of Human Rights and Responsibilities Act 2006 (Vic).</li> </ul>
30 31	Limits on number of animals kept Animal housing	<p><u>Animal Management</u></p> <p>Animal numbers</p> <ul style="list-style-type: none"> <li>Amend the land area for excess animal permits to include all land and not land less than or equal to 4,000sq meters. The numbers of animals have been kept the same.</li> <li>A new clause that a person may have an assistance dog or assistance animal on land to comply with the <i>Disability Discrimination Act 1992 (Cth) &amp; Equal Opportunity Act 2010</i>.</li> </ul> <p>Animal housing</p> <ul style="list-style-type: none"> <li>A new clause regulating fencing of animals (specifically dogs) on private land and as an alternative, due to cost of living, allow for enclosures.</li> <li></li> </ul>

Summary Main Changes – Proposed Amenity Local Law 2026		
Clause	Title	Description
36 37 38	Behaviour on Council land (including a municipal place) and roads Council's power on Council land (including municipal places) Access to a municipal place	<p><u>Council-managed land and roads</u> These clauses regulate behaviour on Council land and access to Council buildings.</p> <ul style="list-style-type: none"> <li>3 new clauses to replace the current clause to extensively address aggressive, insulting and offensive behaviour and activities on Council land and access to Council buildings.</li> </ul>
54 55 56 57 58 59 60 61 62 63 64	Asset protection Notification upon completion of building work Inspection of Council assets and recovery of costs Obligations during building works Hours of building works Drains Spoil on roads Occupation of roads Vehicle crossings Defacing / damaging Council land and assets Trees and plants on Council land and roads	<p><u>Council assets, trees and regulating building sites</u></p> <ul style="list-style-type: none"> <li>A series of changes designed to better protect Council's assets, generally when building works take place.</li> <li>A new clause to regulate building times to align with the same time of noise nuisances as per the <i>Environment Protection Act 2017</i>. Minor building works (defined) are excluded from these restrictions. Therefore, minor renovations will be excluded from these restrictions.</li> </ul>

Summary Main Changes – Proposed Amenity Local Law 2026		
Clause	Title	Description
75	Offences	<u>Compliance and enforcement</u> <ul style="list-style-type: none"> <li>Simplified provisions to clearly articulate what constitutes an offence.</li> <li>Penalties updated in accordance with the Local Government Act 2020.</li> <li>New Schedule 1 Penalties</li> <li>New clause to address operator onus in relation to motor vehicles.</li> <li>A new clause to comply with Due Process under the Charter of Human Rights and Responsibilities Act 2006 (Vic) providing an offender with an opportunity to ask for a review of any legal notice.</li> </ul>
76	Offences by corporations	
77	Operator onus offences	
78	Penalties	
79	Infringement notices	
80	Notice to Comply and directions	

Deleted Clause		
7.2 to 7.4	Election signage	Deleted from new draft Local Law as the clause is not consistent with the local law requirements of the LGA 2020.

#### 5. Evaluation of the proposed Amenity Local Law 2026

Issue	Evaluation
Measures of success of the proposed local law	<p>Council will measure the success of the proposed Amenity Local Law 2026 as follows:</p> <ul style="list-style-type: none"> <li>recording levels of compliance/non-compliance using inspection data;</li> <li>review of enforcement actions taken, including official warnings, notices to comply, infringements and direct prosecutions; and</li> <li>volume of complaints.</li> </ul>
Existing legislation which might be used instead	In preparing the proposed Amenity Local Law 2026 care was taken to ensure that no clauses are included that relate to matters addressed under existing State or Federal legislation.

Issue	Evaluation
Overlap with existing legislation	It is believed that the proposed Amenity Local Law 2026 supplements State legislation without duplicating, overlapping or creating any inconsistencies.
Overlap with Planning Scheme	The proposed Amenity Local Law 2026 does not overlap with the Knox Planning Scheme.
Risk assessment	<p>Council does not believe there are any risks associated with the proposed Amenity Local Law 2026.</p> <p>In reaching this view, Council considered the absence of such a local law and the lack of controls Council would have over its assets and the environment, as a consequence.</p>
Legislative approach adopted	<p>The proposed Amenity Local Law 2026 seeks to place the minimum imposition on the community. This is evidenced by:</p> <ol style="list-style-type: none"> <li>1. reasonable penalties; and</li> <li>2. minimum possible number of provisions creating offences.</li> </ol> <p>Council has also, as far as possible, adopted a performance based, rather than prescriptive, approach in the proposed Amenity Local Law 2026.</p>
Offences and penalties	<p>All offences created under the proposed Amenity Local Law 2026 attract a penalty of 20 penalty units, should the matter be prosecuted in court, with varying infringement penalties prescribed in Schedule 1. The proposed amenity Local Law 2026 differentiates between a natural person and a corporation.</p> <p>Council has compared the general level of penalties provided for in the proposed Local Law with the Local Laws of other like and neighbouring councils.</p> <p>Council is satisfied that penalties are similar in nature and amount to like and neighbouring councils and are sufficient to act as a deterrent for most offences while also reflecting the seriousness of those offences.</p>

Issue	Evaluation
Permits	Clauses 65 to 74 of the proposed Amenity Local Law 2026 were amended to provide a consistent approach to Council permits. These clauses were redrafted to combine and streamline how permits may be applied for, granted, refused, amended or cancelled; and includes provision for appeals and exemptions.
Fees	The proposed Amenity Local Law 2026 provides for Council to determine the fees and charges that will apply at any time. These fees and charges are set through the Council's Council Plan and Budget processes and are subject to separate community consultation.
Restriction of competition	The proposed Amenity Local Law 2026 has been reviewed against National Competition Policy principles and is considered to be consistent with these.
Charter of Human Rights	The implications of the proposed Amenity Local Law 2026 have been assessed by Council as compatible with the requirements of the <i>Charter of Human Rights and Responsibilities Act 2006</i> . To the extent that any provisions engage rights, the limitations imposed are demonstrably justifiable, such that no incompatibility arises.
Gender impact assessment	The proposed Amenity Local Law 2026 has been considered with regard to the requirements of the <i>Gender Equality Act 2020</i> . A primary objective of the proposed Amenity Local Law 2026 is to promote a physical and social environment free from hazards to health, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community. This document will have a positive impact on the local municipality irrespective of gender, religion, age, disability or cultural identity.
Comparison with other Councils	In drafting the proposed Amenity Local Law 2026, Council examined Local Laws from a number of like and neighbouring councils to assess similarities and differences and ensure a reasonable degree of consistency in content, approach and penalties.

Issue	Evaluation
Consultation	The proposed Amenity Local Law 2026 has been developed in consultation with the community, Councillors, Council staff and Council's external legal advisors.
Submissions	Public consultation will be undertaken as part of the process of making the proposed local law and anyone interested in making a submission may do so, in accordance with section 73 of the <i>Local Government Act 2020</i> .

For further information on the proposed Amenity Local Law 2026, please contact Council on (03) 9298 8000 or at [LocalLawReview@knox.vic.gov.au](mailto:LocalLawReview@knox.vic.gov.au)

2020-05-25 - Ordinary Meeting Of Council

---

## 6.2 Amenity Local Law 2020

### **SUMMARY: Coordinator Projects and Improvement, Janet Simmonds**

**Council's *General Provisions Local Law 2010* ('the current Local Law') is due to expire on 30 June 2020, and subject to Council approval, is proposed to be replaced by the *Amenity Local Law 2020* ('the proposed Local Law'). This report is to enable Council to make the proposed Local Law, by completing the legislative requirements for making a Local Law under the *Local Government Act 1989* ('the Act').**

### **RECOMMENDATION**

That Council:

1. Resolve that no changes are required to the proposed Amenity Local Law 2020 resulting from the public submissions, as noted and received at the Ordinary Meeting of Council on 27 April 2020;
2. Thank submitters to the draft Amenity Local Law and provide a written response advising submitters of the decision and the reason for the decision in accordance with Section 223(1)(d) of the Local Government Act 1989;
3. Approves and makes the *Amenity Local Law 2020* as contained in Attachment 1, with a commencement date of 1 July 2020;
4. Approves and incorporates the *Use of Waste Collection Services Policy* in the *Amenity Local Law 2020*, as contained in Attachment 2;
5. Prescribes the listing of Environmental Weeds in accordance with clause 3.1 of the *Amenity Local Law 2020*, as contained in Attachment 3;
6. Notes the changes made to the *Amenity Local Law 2020* subsequent to the draft version released for public consultation, shown as tracked changes in Attachment 4;
7. Authorises the Chief Executive Officer to:
  - a. Give notice of the making of the *Amenity Local Law 2020* in the Government Gazette and public notice in accordance with section 119(3) of the Act; and
  - b. Send a copy of the *Amenity Local Law 2020* to the Minister for Local Government in accordance with section 119(4) of the Act.

### **RESOLUTION**

**MOVED: Councillor Lockwood**

**SECONDED: Councillor Timmers-Leitch**

That Council:

1. Resolve that no changes are required to the proposed Amenity Local Law 2020 resulting from the public submissions, as noted and received at the Ordinary Meeting of Council on 27 April 2020;
  2. Thank submitters to the draft Amenity Local Law and provide a written response advising submitters of the decision and the reason for the decision in accordance with Section 223(1)(d) of the Local Government Act 1989;
-

2020-05-25 - Ordinary Meeting Of Council

---

3. Approves and makes the *Amenity Local Law 2020* as contained in Attachment 1, with a commencement date of 1 July 2020;
4. Approves and incorporates the *Use of Waste Collection Services Policy* in the *Amenity Local Law 2020*, as contained in Attachment 2;
5. Prescribes the listing of Environmental Weeds in accordance with clause 3.1 of the *Amenity Local Law 2020*, as contained in Attachment 3;
6. Notes the changes made to the *Amenity Local Law 2020* subsequent to the draft version released for public consultation, shown as tracked changes in Attachment 4;
7. Authorises the Chief Executive Officer to:
  - a. Give notice of the making of the *Amenity Local Law 2020* in the Government Gazette and public notice in accordance with section 119(3) of the Act; and
  - b. Send a copy of the *Amenity Local Law 2020* to the Minister for Local Government in accordance with section 119(4) of the Act.

**CARRIED**



### Environmental Weeds

In accordance with clause 3.1 of the *Amenity Local Law 2020*, the following plants have been determined by Council as environmental weeds:

Scientific Name	Common Name
<i>Acacia longifolia</i> var. <i>longifolia</i>	Sallow Wattle
<i>Asparagus scandens</i>	Asparagus Fern
<i>Cestrum elegans</i>	Red Cestrum
<i>Chrysanthemoides monilifera monilifera</i>	Boneseed
<i>Coprosma repens</i>	Mirror Bush
<i>Coprosma robusta</i>	Karamu
<i>Cotoneaster</i> Spp	Cotoneasters
<i>Crataegus monogyna</i>	Hawthorn
<i>Crocasmia x crocosmiiflora</i>	Montbretia
<i>Cytisus scoparius</i>	English Broom
<i>Delairea odorata</i>	Cape Ivy
<i>Erica lusitanica</i>	Spanish Heath
<i>Echium plantagineum</i>	Pattersons curse
<i>Fraxinus angustifolia</i> subsp. <i>angustifolia</i>	Desert Ash
<i>Genista monspessulana</i>	Cape Broom/ Montpellier Broom
<i>Genista linifolia</i>	Flax-leaf Broom
<i>Hakea Salicifolia</i>	Willow-Leaf Hakea
<i>Hedera helix</i>	Ivy
<i>Hypericum tetrapterum</i>	St Peter's Wort; Square-stem St John's Wort
<i>Passiflora</i> spp	Banana passionfruit
<i>Lonicera japonica</i>	Japanese Honeysuckle
<i>Pinus radiata</i>	Monterey Pine
<i>Pittosporum undulatum</i>	Sweet Pittosporum
<i>Rubus fruticosus</i> agg.	Blackberry
<i>Sollya heterophylla</i>	Blue bell creeper
<i>Ulex europaeus</i>	Gorse or Furze
<i>Vinca major</i>	Blue periwinkle
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia
<i>Zantedeschia aethopia</i>	White arum Lily



# Use of Waste Collection Services Policy

Policy Number:	2020/05	Directorate:	Engineering and Infrastructure
Approval by:	Council	Responsible Officer:	Waste Management Coordinator
Approval Date:	May 2020	Version Number:	1
Review Date:	May 2023		

## 1. Purpose

Knox City Council provides kerbside waste collection services for garbage, recycling, green waste and hard waste for eligible residential properties, and commercial properties who take up Councils landfill and recycling collection services. Unless a special arrangement has been made, Council supplied bins are to be placed on the naturestrip for collection by the owner or occupier. Council issues bins for landfill, recycling and green waste collections.

The frequency of collection varies dependent on the property type (residential or commercial) and what waste is being collected. There are daily, weekly and fortnightly collections.

There is an additional service available for green waste collection, which is the bundled or own container service. Residential owners or occupiers can place bundles of green waste, or green waste within their own containers on the naturestrip for collection once a fortnight.

Council also provides "at call" hard waste collections for eligible residential properties. Collections can be requested online, by phone, or by visiting Council. The usual allocation is 2 bookings available per residential property per financial year. Commercial properties are not eligible for hard waste collections.

This policy should be read in conjunction with Knox City Councils Policy Eligibility for use of Waste Collection Services provided by Knox City Council which outlines which services are available for various properties types.

The purpose of this policy is to;

- Define the legal responsibilities of owners and occupiers of properties that use council supplied bins.
- Define the way council supplied bins must be presented to be collected.
- Reduce amenity issues and litter caused by poor presentation and use of council waste services.



## 2. Context

This policy is to be used in conjunction with the Knox City Council Local Law, and *Eligibility for use of Waste Collection Services provided by Knox City Council*.

## 3. Scope

This policy applies to any residential or commercial premise that utilises the waste collection services provided by Knox City Council. This includes all landfill, recycle, green waste and hard waste services.

This policy does not apply to non-Council waste collection services. When a planning permit requires a Waste Management Plan it must be approved by Council. The services provided must comply with the Waste Management Plan.

## 4. References

### 4.1 Community & Council Plan 2017-2021

Goal 1 – We value our natural and built environment

Goal 2 – We can move around easily

Goal 4 – We are safe and secure

Goal 5 - We are healthy happy and well

### 4.2 Relevant Legislation

Local Government Act 1989

Knox City Council Amenity Local Law 2020

### 4.3 Related Council Policies

*Eligibility for use of Waste Collection Services provided by Knox City Council*

## 5. Definitions

Approved collection point	Means the naturestrip or any other location designated or advised by Council for collection of waste.
Bundled green waste	Means bundles of branches and/or prunings placed at an approved collection point for collection by Council. Bundled branches are to be no more than 30cm in diameter and 1.5 metres in length, and must be tied with string. Maximum weight of the bundled waste placed for collection is 30 kilo grams.
Collection day	The day designated by Council for landfill, recycling, and/or green waste collection for the relevant address, as advised by Council on Council's website or Recycling and Waste guide.
Collection week	The week designated by Council for hard waste collection for the relevant address, as advised by Council at the time of booking a collection, which starts on a Monday.



Commercial waste	Any landfill, recycling, rubbish, slops or other waste matter arising from or generated by any trade, industry or commercial activity.
Community Group(s)	Means a legal entity who provide services, support or activities to the Knox community.
Council	Means Knox City Council, whether constituted before or after the commencement of this Policy.
Council supplied bin	Is a bin which has been provided by and is collected by Council, for the purposes of waste collection as charged within the annual rates notice.
ewaste	Any material that is powered by an electrical lead or battery operated.
Green waste	Organic garden material as listed in Appendix 5 of this policy and must not include items listed in Appendix 6 of this policy.
Green waste own container	A bin owned by the owner or occupier of a property for the purpose of disposing green waste.
Green waste bin	A council supplied bin for the purpose of containing green waste for collection.
Hard waste	Household items that are too large or heavy to dispose of through the landfill or recyclable services, as specified and/or size or quantity restricted, and listed in Appendix 1 and must not include items listed in Appendix 2 of this policy.
Landfill	Any unwanted materials and objects that accumulate in or about a property, which is not prohibited waste and cannot be recycled. Referred also as garbage, and fits in the landfill bin.
Landfill bin	A council supplied bin for the purpose of containing landfill for collection.
Occupier	The person or persons in charge, or having the management or control of, or legally entitled to occupy land (including premises) and includes, in relation to land which has a lot entitlement or lot liability in respect of common property, the Owners Corporation created on the registration of a Plan of Subdivision affecting that land.
Owner	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 be so registered, or the person who is otherwise entitled to exercise any rights of ownership of the land.
Owner container	A container that can be used for green waste collection. It must be plastic or galvanized and rigid. It must not exceed 55 litres in volume or weight of 30 kilo grams.
Prohibited waste	Building rubble, mechanical parts, hazardous waste, liquid waste, e-waste, any material likely to damage a council supplied bin and includes items listed at Appendices 2 and 4 of this Policy.
Public litter and recycling bin	A bin provided by Council in a public place such as a park or street for the use by the general public for disposal of litter and recycling generated in public areas.
Recyclable	Any material deemed by Council as being suitable for the kerbside recycling collection, as listed in Appendix 2 and must not include items listed in Appendix 3, and any additional items as reviewed by Council from time to time.
Recycling bin	A council supplied bin for the purposes of containing recyclables for collection.



## 6. Council Policy

### Part 1: Use of council supplied landfill, recycle and green waste bins

#### 6.1.1 The owner or occupier of a property that uses council supplied bins must:

- (a) place council supplied bins at an approved collection point, or any manner specified or directed by Council from time to time;
- (b) place any council supplied bin outside the property for no more than 24 hours before or after collection day;
- (c) place a council supplied bin out by 6am on collection day;
- (d) keep all council supplied bins in a clean and sanitary condition(e) notify Council as soon as possible if a council supplied bin is damaged, lost or stolen;
- (e) ensure that the area where the council supplied bins are kept on the owner or occupier's property is kept in a clean and sanitary condition;
- (f) ensure that the lid of any council supplied bin placed at an approved collection point is completely closed; and
- (g) place at an approved collection point a council supplied bin with a total weight not exceeding 50 kilograms.

#### 6.1.2 A person must not:

- (a) deposit waste in or interfere with a council supplied bin from a property that they do not own or occupy;
- (b) remove any council supplied bin from its allocated property; and
- (c) damage or interfere with any council supplied bin.

#### 6.1.3 The owner or occupier of a property must ensure that when a council supplied bin is placed at an approved collection point the council supplied bin;

- (a) is as near as practicable to the kerb, with the handle facing away from the kerb;
- (b) has at least 1 metre clearance from any object, obstruction, overhanging tree, or street sign;
- (c) is a minimum of 0.5 metres distance between any other council supplied bin; and
- (d) does not contain prohibited waste.

#### 6.1.4 An owner or occupier of a property must ensure that when a green waste bin is placed at an approved collection point the green waste bin only contains green waste.

#### 6.1.5 An owner or occupier of a property must ensure that when a recycling bin is placed at an approved collection point the recycling bin only contains recyclables.



- 6.1.6 An owner or occupier of a property must ensure that when a landfill bin is placed at an approved collection point the landfill bin only contains landfill.

## Part 2: Use of bundled and own container green waste service

- 6.2.1 The owner or occupier of a property that places bundled green waste at an approved collection point must ensure that the bundled green waste:

- (a) are tied into bundles with biodegradable string;
- (b) are not wider than 30cm per bundle;
- (c) are not longer than 1.5metres in length;
- (d) does not contain individual branches that are thicker than 10cm.
- (e) does not exceed a volume of 55 litres;
- (f) does not weigh more than 30 kilograms;
- (g) is placed at the approved collection point on the collection day;
- (h) is not placed at the approved collection point for more than 24 hours prior to the collection day; and
- (i) is placed at the approved collection point by 6am on collection day.

- 6.2.2 The owner or occupier of a property that places a green waste own container at an approved collection point must ensure that the green waste own container:

- (a) does not exceed a volume of 55 litres;
- (b) does not weigh more than 30 kilograms;
- (c) is not a bag of any kind;
- (d) is rigid;
- (e) is not overflowing;
- (f) is placed at the approved collection point on the collection day;
- (g) is not placed at the approved collection point for more than 24 hours prior to the collection day;
- (h) is placed at the approved collection point by 6am on collection day;
- (i) is returned to the property within 24 hours after the collection day; and
- (j) is not a wheelie bin.

- 6.2.3 A person must not interfere with any waste service from a property that they do not own or occupy.



### Part 3: Hard Waste Service

- 6.3.1 The owner or occupier of a property that is eligible for, the Council hard waste service must:
- (a) make a booking for collection with Council prior to placing the items at the approved collection point;
  - (b) place items at the approved collection point no more than 48 hours prior to the Monday of the booked collection week;
  - (c) ensure that all items are placed at the approved collection point by 6am on the Monday of the booked collection week;
  - (d) place the items at the approved collection point in a neat and safe pile that does not encroach on the road or footpath, or pose a risk to the community;
  - (e) ensure that small items are to be placed in non-returnable boxes;
  - (f) place items at an approved collection point;
  - (g) only place items at the approved collection point which are listed in Appendix 1; and
  - (h) place items at the approved collection point that are no longer than 1.5 metres or heavier than 30 kilograms unless the items are whitegoods, mattresses and doors .
- 6.3.2 A person must not scavenge or remove items from items placed at approved collection point for commercial gain.
- 6.3.3 A person must not place material or items to a hard waste collection pile at an approved collection point for a property that they do not own or occupy.
- 6.3.4 A person who removes an item from hard waste collection pile for personal use they must leave a neat and safe pile that does not encroach on the road or footpath, or pose a risk to the community.

### Part 4: Suspension of Services

If an owner or occupier of a property on more than one occasion contravenes any provision of this policy Council may suspend any waste collection service to the property.

Failure to comply with this policy constitutes an offence under the Knox City Council Amenity Local Law 2020 which may result in the issuing of Notices to Comply, Warnings, Infringements and/or Prosecution.

### Part 5: Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.



## Appendix 1: Hard waste - list of acceptable items for the hard waste collection service

Air conditioning unit internal/external
Antennas
Bath ceramic/wrought Iron
BBQ - kettle, timber stand, metal
Bean Bag - Beans must be contained
Bikes/scooters/ skateboard
Blanket/doona, bedding
Blinds - Holland/timber/venetian/roman, items no longer than 1.5 m
Books
Cane ware baskets
Car parts metal small individual pieces no engines
Carpet/carpet underlay
CDs/CD/DVD covers
Christmas trees – artificial HT
Clothing/shoes
Colorbond Roofing 1.5m length
Computers/monitors
Corrugated iron & metal
Crockery/glasses
Cubby house plastic
Curtain rods, tracks, brackets
Curtains
Dishwasher
Doors limit 2
Dryer/washing machine
Ducted heating ducts (metal)
DVD/CD/Video
DVDs/CDs/VCR player
Electrical appliances
Filing cabinet metal or timber
Fly Screen door limit 2
Fridges/ freezers – doors removed or taped shut for safety
Furniture



Garden tools
Glass sheets (wrapped & labelled)
Guttering metal 1.5m
Heater - oil
Heater - wall electric or gas / portable
Hot water unit
Iron scrap metal
Ironing board
Ladder timber/metal
Laundry sink - metal cupboard
Lawn mower
Light fittings
Manchester
Mannequins
Mattresses/base
Metal sheds
Mirrors (wrapped & labelled)
Oil heater
Outdoor window awnings
Ovens/stove
Paint tins/drums (dry/empty)
Pillows
Plastic pots/tubs/containers
Plastic wrapping bulk
Plate glass (wrapped)
Polystyrene large pieces
Pool blow up above ground dismantled
Pool pump
Pots & pans
Prams & pushers
Scrap metal, including roofing sheets
Security door (limit 2)
Shoes
Shower screens limit 1 wrapped & labelled, can be longer than 1.5m
Steel (other than cans/tins)
Stoves/oven HT



Styrofoam
Televisions
Textiles/linen
Tiles/carpet
Timber max 10 pieces 1.5m
Toilet (limit 1)
Tools including power tools
Toys
Trampoline dismantled
Tree stumps (maximum 1.5m length and 30 kilograms) without soil
Vacuum cleaner
Vinyl flooring
Washing machines
Whitegoods
Window frames metal (not timber) 1.5 m
Window glass (wrapped)



## Appendix 2: Hard waste - list of unacceptable items for the hard waste collection service

Asbestos
Bricks
Building, demolition and renovation waste
Car parts
Cement sheeting
Commercial waste or commercial quantities of waste
Concrete
Fencing
Fuel containers
Gas bottles
Gates
Green waste (excluding stumps less than 1.5m and 30 kilograms)
Gyprock
Household waste – landfill, recycling, and food waste
More than 2 doors
Oil
Pallets
Soil
Tiles
Trellis
Tyres



### Appendix 3: Recyclables – list of unacceptable items for the Recycling bin collection service

Bagged recycling
Batteries
Bricks
Broken glass
Chemicals
Cling film
Clothes
Coffee cups
Concrete
Crockery
Drinking glasses
e-waste (any item with a lead or battery operated)
Food waste
Garbage or putrescible waste
Green waste
Hazardous waste
Light globes
Linen
Mirrors
Mirrors
Nappies
Plastic bags
Plastic wrapping
Polystyrene
Prohibited waste
Pyrex
Rocks
Rubble
Shoes
Soil
Spectacles
Syringes
Timber



Tissues
Waxed cardboard



Appendix 4: Green waste – list of acceptable items for the green waste bin collection service

Flowers
Garden prunings
Grass clippings
Leaves and bark
Weeds



Appendix 5: Green waste - list of unacceptable items for the green waste bin collection service

Bags
Bricks
Building rubble and timber
E-Waste
Food
Household rubbish
Logs, stumps or tree limbs larger than 10cm in diameter or longer than 30cm
Pet faeces
Plant pots
Potting mix
Rocks
Soil
Syringes
Wire

## 4.2 Minor Grants Program 2025-2026 Monthly Report

<b>Final Report Destination:</b>	Mid-Month Council
<b>Paper Type:</b>	For Decision
<b>Author</b>	Senior Community Partnerships Officer, Kim Johnstone
<b>Manager:</b>	Manager Community Strengthening, Kerryn Jansons
<b>Executive:</b>	Acting Director Connected Communities, Nicole Columbine

### SUMMARY

This report summarises the grant applications recommended for approval in May 2026 for the 2025-26 Minor Grants Program. All applications have been assessed against the criteria set out in the Knox City Council Community Grants Guidelines 2025-2026 (Guidelines).

Applications under the Minor Grants Program are limited to a maximum of \$2,500.00 within the current financial year.

### RECOMMENDATION

That Council resolve to:

1. Approve seven applications under the Minor Grants Program for a total of \$8,721.48 (excluding GST) as detailed below:

Applicant Name	Project Title	10% Contribution for Equipment	Amount Requested (inc. GST)	Amount Recommended (excl. GST)
4Boronia Parkinson's Support Group	<b>Monthly needs for hall hire fees and pianist</b> Monthly meeting requirements to run a support group for people with Parkinson's. Requesting funds for hall hire fees and a piano teacher.		\$1,650.00	\$1,500.00 (lesser amount due to GST)
Feed One Feed All Inc.	<b>Generators</b> to preserve food safety during emergencies.	\$250.00	\$2,500.00	\$2,272.73 (lesser amount due to GST)
Rowville Lions Club	<b>To cover the cost of purchasing members uniforms</b> Partial funding is recommended, as per Guidelines, as printed merchandise or branded materials promoting another organisation are not supported.		\$1,779.70	\$ 418.00 (lesser amount to due ineligible expenditure)

Applicant Name	Project Title	10% Contribution for Equipment	Amount Requested (inc. GST)	Amount Recommended (excl. GST)
Coonara Community House Inc.	<p><b>Coonara Emergency Readiness</b> Funding is sought to engage an emergency management consultant to implement emergency management plan, deliver evacuation and fire warden training, update equipment and signage, and strengthen staff and volunteer emergency preparedness. The 10% co-contribution is based on the equipment purchase.</p>	\$150.00	\$2,500.00	\$2,272.73 (lesser amount due to GST)
Golden Cobra Martial Arts	<p><b>First Aid Equipment</b> Funding is sought for the purchase of instant ice packs and defibrillator pads.</p>	\$20.80	\$208.02	\$208.02
Australian Society of Graduate Tamils Inc.	<p><b>Tamil Forum and Competition</b> Requests support for the Tamil Forum and Competition, a one-off event delivered by an organisation based outside Knox.</p> <p>Under the Grant Program Guidelines, funding for activities delivered by organisations outside Knox is only supported where there is a clear and demonstrated benefit to Knox residents, including evidence of their participation and access to the activity. In this case, this has not been clearly demonstrated.</p> <p>As the organisation is not locally based and the request relates to a single, time-limited event rather than an ongoing program or sustained service within Knox, the overall local impact is</p>		\$2,500.00	\$1,250.00 (lesser amount due to organisation being located outside Knox, and holding a single event in Knox)

Applicant Name	Project Title	10% Contribution for Equipment	Amount Requested (inc. GST)	Amount Recommended (excl. GST)
	considered limited.  On this basis, partial funding is recommended. This approach recognises the value of supporting cultural participation and inclusion for Knox residents, while ensuring funding remains aligned with a focus on sustained, locally delivered outcomes.			
Underneath My Umbrella	<b>Exhibition Gala night</b> Knox Council supported the 2025 'Share Your Story' project at Coonara Community House, leading to the 'Silenced Witness' exhibition. Funding is sought to contribute to a gala showcasing completed works and outcomes from the project, supporting Knox-based survivors and wider community engagement.		\$800.00	\$800.00
<b>Total</b>		<b>\$420.80</b>	<b>\$11,937.72</b>	<b>\$8,721.48</b>

2. Refuse one application under the Minor Grants Program requesting a total of \$2,500.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Reason for Ineligibility
Knox Chinese Elderly Citizens Club	<b>Active Healthy Ageing and Living</b>	\$2,500.00	As per the Guidelines, the applicant isn't eligible as the project start date has already passed.  The grants team will contact the applicant to arrange a meeting to discuss the grant application.
<b>Total</b>		<b>\$2,500.00</b>	

3. Withdraw one application under the Minor Grants Program requesting a total of \$2,500.00 as detailed below

Applicant Name	Project Title	Reason for Withdrawal	Amount Requested
Wantirna Retirement Village	<p><b>Resident Entertainment 2026</b></p> <p>Request funding to purchase a garment steamer, bin enclosure cover, sandwich press, and entertainment activities for community programs throughout the year.</p>	<p>Further information was requested from the applicant to enable assessment of the application. As per the Grant Guidelines, some items included in the budget (including the steamer and fencing) are considered standard operating or maintenance expenses and are therefore not eligible for funding.</p> <p>An updated quote for the entertainment component was also required before the assessment could proceed. Officers contacted the applicant to request this information, and they have since advised that they wish to withdraw the application, with the intention of resubmitting it at a later date.</p> <p>Support has been offered to assist the applicant with preparing a new application for a future funding round.</p>	\$2,500.00

4. Note that should the recommended Minor Grants be approved by Council, the remaining budget for 2025-26 will be \$79,350.50 after GST adjustments.

## 1. DISCUSSION

### 1.1 Background

The Minor Grants Program provides a pool of grant funding that can respond monthly to requests for small amounts of funding to assist with short term, one-off projects or initiatives that are relatively minor in nature.

The objective of the Minor Grants Program is to be an accessible and responsive funding source to assist a wide range of community-led activities across the municipality and support volunteer effort and civic participation.

It operates under the principles of other Knox Council grants programs to ensure:

- Funded projects will provide benefit to the Knox community and help meet Council objectives;
- Co-operation and collaboration between groups will be encouraged;
- The grant process will be consistent, equitable and transparent; and
- The grant process will support and strengthen community groups in developing local solutions to local needs.

Applications are assessed against criteria specified in the Community Grant Guidelines (approved in May 2025), to determine the eligibility of the applicant organisation and the eligibility of the grant application.

The Guidelines and Council's Grant Framework Policy set out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act 2020.

In accordance with the Guidelines, applications for funding have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

This report presents to Council the recommendations for recent Minor Grant applications in accordance with the Guidelines.

### **1.2 Applications Recommended for Approval**

Nine applications have been assessed this month, requesting grants totaling \$16,937.72 (including GST). Of the nine applications, seven are recommended for approval. A summary of the projects recommended is in Attachment 1.

### **1.3 Applications Recommended for Refusal**

One application is recommended for refusal, requesting a grant totaling \$2,500.00:

- Knox Chinese Elderly Citizens Club

### **1.4 Applications Recommended for Withdrawal**

One application withdrew, requesting a grant totaling \$2,500.00:

- Wantirna Retirement Village was unfortunately unable to supply the necessary quotes required to complete the application for assessment. At their request, the application was withdrawn, and they have advised that they will resubmit an application in the next Minor Grants Program funding round.

## **2. ENGAGEMENT**

Engagement is undertaken with organisations in relation to their grant applications whenever possible and if necessary, to clarify details regarding their applications prior to Council's consideration.

Advice or information may be sought from Officers across Council in relation to either the applying organisation or the proposed project, or both, if considered necessary.

The Guidelines specify assessment can occur by the Chief Executive Officer, or delegate, and make recommendation for Council's determination.

### 3. SOCIAL IMPLICATIONS

The Minor Grants Program allows Council to respond promptly to requests from Knox-based community groups for small amounts of funding to assist in a variety of community-based programs, projects or activities. Council's Minor Grants are a simple and streamlined source of funding that can make a significant difference for local community organisations in need of short-term, specific purpose assistance.

### 4. CLIMATE CHANGE CONSIDERATIONS

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

### 5. ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations associated with this report.

### 6. FINANCIAL & RESOURCE IMPLICATIONS

The approval of Minor Grants is managed within Council's adopted budget. The 2025-26 budget provides \$156,696.00 for the Minor Grants Program plus returned grants of \$24,412.21 which increased the budget to \$181,108.21.

Funding commitments to date are summarised below:

Yearly Summary 2025-26	Total Amount Approved at Council Meeting (Excluding GST)
July	\$13,039.83
August	\$14,174.01
September	\$12,606.00
October	\$14,830.55
November	\$2,203.23
December	\$7,356.00
January	Grants Closed for January
February	\$4,956.47
March	\$14,076.58
April	\$9,793.56
May	\$TBC
<b>Totals (Year to Date)</b>	<b>\$93,036.23</b>

Recommended applications for the May period total \$8,721.48 (excluding GST).

If approved as recommended, the remaining Minor Grants budget for 2025-26 will total \$79,350.50 (excluding GST).

The Minor Grants stream currently shows an unallocated balance due to strong acquittal management and the recovery of unspent funds. Over the past financial year, the Grants Team has worked to follow up on outstanding acquittals. This has resulted in the return of unspent

grant funds, contributing to the available balance. This reflects improved financial oversight and compliance with funding agreements, rather than reduced community interest or demand.

Demand for the Minor Grants program remains strong. In the previous financial year, 109 applications were received. In the current financial year, 92 applications have been received to date.

The Grants Team will work closely with the Communications Team to further promote and support the Minor Grants Program, with the aim of maximising uptake in the 26/27 financial year. The grants team have already commenced visits with various community groups and networks to promote the grants, and this will be on-going to ensure that as many groups as possible know about the grants that Council offers and that support is readily available.

## **7. RISKS**

Any risks associated with administering the Minor Grant Program are managed through the implementation of Council's Grant Framework Policy and the Guidelines. All Minor Grants must be acquitted, and evidence of expenditure must be provided by the organisation.

The Guidelines and Council's Grant Framework Policy set out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act 2020.

In accordance with the Guidelines, applications for funding have been assessed by the Chief Executive Officer, or their delegate, for Council or delegate approval as appropriate.

## **8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029**

### **Enhancing community connection to vital services and resources**

Strategy 1.4 - Access to affordable and nutritious food is enhanced through advocacy and working in partnership with relevant organisations to raise awareness and promote available community programs.

Strategy 1.5 - Our community's health and wellbeing is improved through proactive planning, delivery, partnerships and advocacy that enable access to services, education and programs.

### **Embracing connection, inclusion and diversity**

Strategy 2.1 - Our community's diverse needs are addressed by ensuring equity and inclusion are considered in decision making and strategic planning.

Strategy 2.2 - Cultural diversity is celebrated through assisting, participating in, facilitating and delivering accessible programs, initiatives and events in partnership with our community, community groups and service providers.

## **9. CONFLICT OF INTEREST**

The Officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

## **10. STATEMENT OF COMPATIBILITY**

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

## **11. CONFIDENTIALITY**

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

## **ATTACHMENTS**

1. Attachment 1 - Minor Grants Program Application Extraction May 2026 (1) [4.2.1 - 14 pages]

**Minor Grant Program Applications**  
May 2026

## 2526-MGP121

### Boronia Parkinson's Support Group

<b>Application ID</b>	2526-MGP121
<b>Organisation Name</b>	Boronia Parkinson's Support Group
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Provisions to support people with Parkinson's Disease
<b>Project Start Date</b>	11/06/2026
<b>Project End Date</b>	11/05/2027

<b>Request Details</b>	Monthly meeting requirements to run a support group for people with Parkinson's. Requesting funds for Hall hire fees, musical equipment & pianist for this group to run.		
<b>Community Benefit</b>	Those with this disease benefit by: 1. Lung & throat exercises especially with singing and movement 2. Having discussions over morning tea to connect with each other & help curtail depression 3. Finding out important information on this disease & how to tackle it, from our main body - Fight Parkinson's Victoria		
<b>Total Beneficiaries</b>	15-20	<b>Total Project Cost</b>	\$1,650.00
<b>Knox Beneficiaries</b>	10	<b>Total Amount Requested</b>	\$1,650.00

#### **Total Project Income**

<b>Income Description</b>	<b>Income Amount</b>
Council Grant	\$1,650.00
<b>Total Income</b>	<b>\$1,650.00</b>

#### **Total Project Expenditure**

<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Venue hire	\$1,100.00
Musical trainer	\$550.00
<b>Total Expenditure</b>	<b>\$1,650.00</b>

**Minor Grant Program Applications**  
May 2026

**What specifically the grant is funding**

Expenditure Description	Expenditure Amount	10% Co-Contribution Requirement (only if requesting equipment)	Co-Contribution Reflected in Project Income?
Monthly Hall Hire	\$1,100.00	N/A	N/A
Music Trainer/therapist	\$550.00		
<b>Total</b>	<b>\$1,650.00</b>	<b>N/A</b>	<b>N/A</b>

**Minor Grant Program Applications**  
May 2026

## 2526-MGP139

### Feed One Feed All Inc

<b>Application ID</b>	2526-MGP139
<b>Organisation Name</b>	Feed One Feed All Inc
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Generators to preserve food safety during emergencies
<b>Project Start Date</b>	01/06/2026
<b>Project End Date</b>	31/07/2026

<b>Request Details</b>	<p>Feed One Feed All Inc. rescues surplus food and transforms it into healthy, quality meals for distribution to people in need. Our volunteers cook three days per week at Light Chapel Church (Scoresby), working tirelessly to prepare an average of 1500 meals weekly. These are distributed to food relief agencies, and excess supply stored in our onsite freezers.</p> <p>The primary goal is to ensure food safety is maintained in emergencies including prolonged power outages. An average meal has an estimated value of \$10. With over 3,000 meals in our freezers at any one time, this represents a potential loss of over \$30,000 in stock and raw materials. Having emergency backup generators reduces this risk, and supports the two main objectives of Feed One Feed All's meals program: reducing food waste and helping to fill empty stomachs. We aim to purchase four generators, with this grant to fund one of these.</p>		
<b>Community Benefit</b>	<p>Ultimately, if the food cannot be maintained at a safe temperature it becomes unfit for consumption and people who are in need of a meal go without. If there is a prolonged power outage or other emergency, we are likely to see more people in need of food relief during this time, and at present would struggle to support them. A significant loss of stock and other raw materials would also reduce production capacity in the following weeks. It would require additional volunteer hours to source more food, and to 'catch up' or restock on what is lost.</p> <p>The benefits include food safety, increased capacity to support vulnerable community members (including during emergencies) and enhanced sustainability of our service.</p>		
<b>Total Beneficiaries</b>	3000	<b>Total Project Cost</b>	\$11,196.00
<b>Knox Beneficiaries</b>	1500	<b>Total Amount Requested</b>	\$2,500.00

#### Total Project Income

Income Description	Income Amount
Knox Minor Grant	\$2,500.00
Other grants (pending)	\$5,598.00
FOFA Fundraising Dinner (May 2026)	\$2,799.00

**Minor Grant Program Applications**  
May 2026

Co-contribution to Knox grant	\$299.00
<b>Total Income</b>	<b>\$11,196.00</b>

**Total Project Expenditure**

Expenditure Description	Expenditure Amount
1 x generator (see quotes provided)	\$2,500.00
2 x generators	\$5,598.00
1 x generator	\$2,799.00
FOFA contribution to Knox grant	\$299.00
<b>Total Expenditure</b>	<b>\$11,196.00</b>

**What specifically the grant is funding**

Expenditure Description	Expenditure Amount	10% Co-Contribution Requirement (only if requesting equipment)	Co-Contribution Reflected in Project Income?
Generator - Supplier Sydney Tools (contribution towards)	\$2,500.00	\$250.00	Yes
<b>Total</b>	<b>\$2,500.00</b>	<b>\$250.00 - minimum amount required</b>	<b>\$299.00 – exceeds minimum required</b>

**Minor Grant Program Applications**  
May 2026

# 2526-MGP145

## Rowville Lions Club

<b>Application ID</b>	2526-MGP145
<b>Organisation Name</b>	Rowville Lions Club
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	To cover the cost of purchasing members uniforms
<b>Project Start Date</b>	29/05/2026
<b>Project End Date</b>	29/06/2026

<b>Request Details</b>	Members of the Rowville Lions Club regularly participate in outdoor community projects, often in challenging weather conditions. Currently, many members rely on their own personal jackets to stay warm and protected from the elements. To support member wellbeing and improve safety, we propose the purchase of high-quality, weather-resistant jackets for all active members. These jackets would provide protection from cold, wind, and rain, ensuring volunteers can continue their work comfortably and safely.		
<b>Community Benefit</b>	The Rowville Lions Club is actively involved in a wide range of community service initiatives. Our members regularly support programs focused on: Hunger relief and food support, monthly food drive Financial assistance for those in need Youth and educational support programs Community health initiatives, including skin cancer screenings and vision screening for children. Therefore, our community are receiving benefit from this project		
<b>Total Beneficiaries</b>	10000	<b>Total Project Cost</b>	\$1,779.70
<b>Knox Beneficiaries</b>	10000	<b>Total Amount Requested</b>	\$1,779.70

### Total Project Income

Income Description	Income Amount
Council Grant	\$1,779.70
<b>Total Income</b>	<b>\$1,779.70</b>

### Total Project Expenditure

Expenditure Description	Expenditure Amount
Members uniform	\$689.70
Apron(Long & Short)	\$190.00
Lions Cap	\$150.00

**Minor Grant Program Applications**  
May 2026

Hoodie winter (M&W)	\$750.00
<b>Total Expenditure</b>	<b>\$1,779.70</b>

**What specifically the grant is funding**

Expenditure Description	Expenditure Amount	10% Co-Contribution Requirement (only if requesting equipment)	Co-Contribution Reflected in Project Income?
Uniforms (contribution towards). Grant funding not going towards branding as per the guidelines.	\$418.00	N/A	N/A
<b>Total</b>	<b>\$418.00</b>	<b>N/A</b>	<b>N/A</b>

**Minor Grant Program Applications**  
May 2026

## 2526-MGP115

### Coonara Community House Inc

<b>Application ID</b>	2526-MGP115
<b>Organisation Name</b>	Coonara Community House Inc
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Coonara Emergency Readiness
<b>Project Start Date</b>	01/05/2026
<b>Project End Date</b>	30/11/2026

<b>Request Details</b>	<p>We are seeking funding to engage a qualified emergency management consultant to support the implementation of our recently updated Emergency Management Plan. The consultant will review the Plan in practice, provide tailored advice, and deliver training to staff and volunteers to ensure effective, confident execution during an emergency.</p> <p>This project will include practical training in evacuation procedures for both our education facility and kindergarten, ensuring the safety of children, families, staff and visitors. It will also include accredited Fire Warden training to strengthen on-site leadership and compliance with safety requirements.</p> <p>This initiative will build the capacity of our team to respond promptly and safely to emergencies, reduce risk, and ensure our neighbourhood house remains a safe and prepared community facility.</p> <p>These funds will also be used to update evacuation equipment and signage to be used in conjunction with the training provided to staff and volunteers.</p>		
<b>Community Benefit</b>	<p>This project will strengthen community safety by ensuring our neighbourhood house is well prepared to respond effectively in an emergency. As a trusted, high-use community facility supporting children, families, volunteers and vulnerable residents, it is critical that we can act quickly and confidently to protect those in our care. Improved emergency preparedness will reduce risk, minimise disruption to essential programs, and provide reassurance to families whose children attend our education facility and kindergarten. Trained staff and volunteers will be equipped to manage evacuations, respond to fire risks, and support clear communication during incidents. Beyond our organisation, this project contributes to broader community resilience by aligning with local emergency management priorities and ensuring a key community hub remains safe, compliant and operational during times of crisis.</p>		
<b>Total Beneficiaries</b>	4621	<b>Total Project Cost</b>	\$3,382.70
<b>Knox Beneficiaries</b>	3696	<b>Total Amount Requested</b>	\$2,500.00

#### **Total Project Income**

Income Description	Income Amount
Council grant	\$2,500.00

**Minor Grant Program Applications**  
May 2026

Income Description	Income Amount
Coonara contribution	\$882.70
<b>Total Income</b>	<b>\$3,382.70</b>

**Total Project Expenditure**

Expenditure Description	Expenditure Amount
Consulting fees	\$1,000.00
Signage	\$317.00
Equipment	\$681.70
Emergency Kits	\$1,384.00
<b>Total Expenditure</b>	<b>\$3,382.70</b>

**What specifically the grant is funding**

Expenditure Description	Expenditure Amount	10% Co-Contribution Requirement (only if requesting equipment)	Co-Contribution Reflected in Project Income?
Consulting fees	\$1,000.00	\$150.00	Yes
Signage, equipment & kits (contribution towards)	\$1,500.00		
<b>Total</b>	<b>\$2,500.00</b>	<b>\$150.00 - minimum amount required</b>	<b>\$882.70 – exceeds minimum required</b>

**Minor Grant Program Applications**  
May 2026

## 2526-MGP144

### Golden Cobra Martial Arts

<b>Application ID</b>	2526-MGP144
<b>Organisation Name</b>	Golden Cobra Martial Arts
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Dojo First Aid
<b>Project Start Date</b>	18/05/2026
<b>Project End Date</b>	30/09/2026

<b>Request Details</b>	Due to rising commercial rent, we need to move out of our existing dojo and will temporarily be training out of a shared facility in the area. As we will not have access to a fridge to store ice packs, we need to procure some instant ice packs for use in the case of minor injury. We will also need to bring our portable defibrillator into the facility for each training session, so we need new pads as the existing ones are about to expire.		
<b>Community Benefit</b>	It will allow us to continue to provide safe martial arts training in our temporary facility to the local community.		
<b>Total Beneficiaries</b>	150	<b>Total Project Cost</b>	\$231.13
<b>Knox Beneficiaries</b>	80	<b>Total Amount Requested</b>	\$208.02

#### **Total Project Income**

<b>Income Description</b>	<b>Income Amount</b>
Council Grant	\$107.82
Council Grant	\$100.20
Dojo contribution	\$23.11
<b>Total Income</b>	<b>\$231.13</b>

#### **Total Project Expenditure**

<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Instant ice packs	\$119.80
Defibrillator pads	\$111.33
<b>Total Expenditure</b>	<b>\$231.13</b>

**Minor Grant Program Applications**  
May 2026

**What specifically the grant is funding**

<b>Expenditure Description</b>	<b>Expenditure Amount</b>	<b>10% Co-Contribution Requirement (only if requesting equipment)</b>	<b>Co-Contribution Reflected in Project Income?</b>
Instant Ice packs	\$107.82	\$20.80	Yes
Defibrillator pads	\$100.20		
<b>Total</b>	<b>\$208.02</b>	<b>\$20.80 - minimum amount required</b>	<b>\$23.11 – meets minimum required</b>

**Minor Grant Program Applications**  
May 2026

## 2526-MGP118

### Australian Society of Graduate Tamils Inc

<b>Application ID</b>	2526-MGP118
<b>Organisation Name</b>	Australian Society of Graduate Tamils Inc
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	The Tamil Forum and Competition
<b>Project Start Date</b>	11/07/2026
<b>Project End Date</b>	12/07/2026

<b>Request Details</b>	<p>'The Tamil Forum and Competition' is a special opportunity for young Tamil people in Victoria to learn about their language and culture. They also get to improve their communication skills and make friends from different backgrounds, which helps make Victoria a more diverse and welcoming place. Last year, about 600 students took part in this event. We're excited to say that this year's event will be held at The Knox School in Wantirna South. It will happen on July 19th and 20th, 2025. Many students from Knox City join in, making it a great experience for everyone involved. For more details, you can check our website: <a href="http://www.tamilcompetition.org.au">www.tamilcompetition.org.au</a></p>		
<b>Community Benefit</b>	<p>This project delivers meaningful community benefits by achieving several key objectives:</p> <p>It preserves the Tamil language and culture by encouraging young people to appreciate its richness, fostering pride in their heritage and contributing to multicultural Victoria.</p> <p>The event provides a platform for Tamil youth to develop interpersonal and artistic skills, boosting their confidence and personal growth.</p> <p>By bringing together Tamil youth from diverse backgrounds across Victoria, the project creates a strong sense of belonging and community. It also facilitates cultural exchange among Tamils from Sri Lanka, India, Singapore, Malaysia, and beyond, encouraging bonding and shared experiences.</p> <p>Youth are inspired to explore their identity and celebrate their heritage through various art forms, deepening their understanding of Tamil traditions. In Knox City, where a large Tamil community resides, this project strengthens multiculturalism by engaging youth in leadership roles and promoting cultural diversity within the broader community.</p>		
<b>Total Beneficiaries</b>	600	<b>Total Project Cost</b>	\$10,500.00
<b>Knox Beneficiaries</b>	300	<b>Total Amount Requested</b>	\$2,500.00

**Minor Grant Program Applications**  
May 2026

**Total Project Income**

Income Description	Income Amount
Council Grant	\$2,500.00
Organization Funds	\$8,000.00
<b>Total Income</b>	<b>\$10,500.00</b>

**Total Project Expenditure**

Expenditure Description	Expenditure Amount
The Knox School - Venue Hire	\$6,050.00
Material Printing	\$950.00
Volunteers - Refreshments	\$3,000.00
Promotion	\$500.00
<b>Total Expenditure</b>	<b>\$10,500.00</b>

**What specifically the grant is funding**

Expenditure Description	Expenditure Amount	10% Co-Contribution Requirement (only if requesting equipment)	Co-Contribution Reflected in Project Income?
Venue Hire (contribution towards)	\$1,250.00	N/A	N/A
<b>Total</b>	<b>\$1,250.00</b>	<b>N/A</b>	<b>N/A</b>

**Minor Grant Program Applications**  
May 2026

## 2526-MGP146

### Underneath My Umbrella

<b>Application ID</b>	2526-MGP146
<b>Organisation Name</b>	Underneath My Umbrella
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Exhibition Gala night
<b>Project Start Date</b>	01/06/2026
<b>Project End Date</b>	17/10/2026

<b>Request Details</b>	<p>Knox Council sponsored our 2025 *Share Your Story* project at Coonara Community House, enabling the creation of exhibition works for *Silenced Witness*. We seek funding to support venue hire for a gala event that will showcase these completed works alongside outcomes from our 2026 project, sponsored by Community Bank Ferntree Gully. Funding will also provide partial support for catering for 10 Knox-based survivors attending.</p> <p>We anticipate attendance of 80–250 people, including domestic violence survivors, volunteers, and community members from the City of Knox, with broader reach into Casey and Yarra Ranges. The initial 2025 exhibition debuted alongside our *Black and White* series finale in Brimbank, attracting 50 attendees, including five councillors, and was extended from a one-night showing to six weeks.</p> <p>The gala will also feature a Casey survivor who addressed a United Nations conference and a Yarra Ranges resident recognised internationally for excellence in wellness.</p>		
<b>Community Benefit</b>	<p>The exhibition works provide encouragement, education and empowerment around the lifelong family violence recovery journey, while offering insight into our planned 2027 project. Delivered during October's Domestic Violence Awareness Month, the event creates a timely platform for reflection and community engagement.</p> <p>Underneath My Umbrella has expanded its network across Melbourne, regional Victoria and interstate, delivering direct benefit to the Knox community by connecting local survivors and volunteers with broader support networks and opportunities. As survivors are often transient and may lose community connections, this cross-regional reach helps reduce barriers to ongoing, long-term support.</p> <p>The gala raises awareness of family violence, reduces stigma and encourages help-seeking behaviours. It brings together survivors, volunteers, service providers and community members across Knox, Casey and Yarra Ranges, strengthening collaboration and understanding.</p> <p>By reducing financial barriers, the event ensures inclusive access, celebrates lived experience, and builds a more informed, compassionate and connected community.</p>		
<b>Total Beneficiaries</b>	250	<b>Total Project Cost</b>	\$6,500.00

**Minor Grant Program Applications**  
May 2026

<b>Knox Beneficiaries</b>	25	<b>Total Amount Requested</b>	\$800.00
---------------------------	----	-------------------------------	----------

**Total Project Income**

<b>Income Description</b>	<b>Income Amount</b>
Ticket sales for 55 people @\$80 each	\$4,200.00
Community Bank ferntree Gully grant	\$1,000.00
City of Casey grant NOT CONFIRMED	\$1,000.00
Grilld Sponsorship NOT CONFIRMED	\$100.00
<b>Total Income</b>	<b>\$6,300.00</b>

**Total Project Expenditure**

<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Venue hire	\$1,000.00
Dinner costs for 75 people	\$5,200.00
Advertising, printed and social media	\$100.00
<b>Total Expenditure</b>	<b>\$6,300.00</b>

**What specifically the grant is funding**

<b>Expenditure Description</b>	<b>Expenditure Amount</b>	<b>10% Co-Contribution Requirement (only if requesting equipment)</b>	<b>Co-Contribution Reflected in Project Income?</b>
Assistance for 10 previous workshop attendees (Knox residents) to attend new gala opening and see their work exhibited	\$800.00	N/A	N/A
<b>Total</b>	<b>\$800.00</b>	<b>N/A</b>	<b>N/A</b>

## 4.3 Ferntree Gully Cemetery Masterplan Progress Report

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Noting
<b>Author:</b>	Head of Governance, Saskia Weerheim
<b>Manager:</b>	Manager Governance and Risk, Andrew Dowling
<b>Executive:</b>	Director Customer and Performance, Matt Kelleher

### SUMMARY

This report provides an update on initial progress towards implementation of the Ferntree Gully Cemetery Masterplan.

An internal working group has been established to oversee and coordinate delivery of the Masterplan, ensuring clear governance, accountability, and alignment between strategic objectives and operational requirements.

Planning has commenced for the procurement of concept design services for new niche walls and memorial elements. Scope definition and procurement planning are underway, with the process to include opportunities for Council input into final design outcomes.

Landscaping works along the external boundary in The Glade are also in progress. These works are intended to maintain a landscaped outlook for nearby properties following the future removal of the existing internal hedge to accommodate new niche walls.

Implementation is progressing in a structured and staged manner, with further updates to be provided as key milestones are reached.

### RECOMMENDATIONS

That Council, as Trustee for Ferntree Gully Cemetery, note:

1. The presentation of the first annual report on the implementation of the Ferntree Gully Cemetery Masterplan incorporating:
  - a. Actions taken to date; and
  - b. Next steps for staged project delivery, including the opportunity to secure external grant funding to support implementation.
2. That a further report will be presented to Council on concept designs prior to implementation.

### 1. DISCUSSION

At the Council Meeting of 15 December 2025, Council resolved the following:

“That Council, as Trustee for Ferntree Gully Cemetery:

1. Notes the feedback received from the community through Phase 2 of the engagement process (Attachment 1).
2. Notes the information provided in the Ferntree Gully Cemetery Masterplan Business Case in Attachment 3.
3. Adopt the Ferntree Gully Cemetery Masterplan in Attachment 2.

4. Note the next steps in relation to implementation of the Ferntree Gully Cemetery Masterplan.
5. Requests that officers provide Council, in addition to the Cemetery's Annual Report, with an annual report on the implementation of the Ferntree Gully Cemetery Masterplan, detailing progress on staged projects, detailed design, financial performance, revenue generated, and associated community outcomes.
6. Note that officers will seek relevant external grant funding where opportunities align with the Masterplan's priorities or other financial opportunities to reduce capital outlay and accelerate delivery of masterplan.
7. Notes that all works will be undertaken using Cemetery Trust funds, ensuring no ratepayer funding is required unless endorsed by Council.
8. Note that a fee review will be undertaken as new interment opportunities become available, and that any new and revised fees will be set by Council with consideration of affordability, competitiveness within the sector, and alignment with Council's long-term sustainability obligations.
9. Acknowledge the presence of unmarked graves, including those of children, within the Cemetery, and note the inclusion of a dedicated feature in the Masterplan to respectfully recognise and commemorate these resting places."

The Ferntree Gully Cemetery Masterplan sets out a long-term vision to guide the development, renewal and enhancement of the Cemetery to ensure it remains functional, respectful and responsive to community needs – see Attachment 1 for a summary of the opportunities identified in the Masterplan.

This report provides an update on progress made to date in implementing key priority actions identified in the Masterplan (Attachment 2). It outlines the governance arrangements established to support delivery, preparatory work underway for the design and procurement of new niche walls and memorial elements, and planning for associated landscaping improvements along the Cemetery boundary.

The focus of this update is to inform stakeholders of current activities, confirm implementation direction and provide visibility of the next steps in progressing the Masterplan from strategy into delivery.

It is noted that reporting is intended to occur on a six-monthly cycle, with a Masterplan update presented in March-April each year, and a second report in September covering statutory financial reporting and a further Masterplan update. This approach reflects the intent to provide regular, structured updates with a clear distinction between financial performance and compliance, and progress against the Masterplan; while also maintaining visibility of delivery across the year.

### **1.1 Concept Designs**

Preliminary planning has commenced to progress the procurement of professional concept design services for the niche walls and associated memorial elements identified as priorities within the Cemetery Masterplan. Governance will work closely with Council's Major Projects Department to progress this work.

The proposed niche walls along the eastern boundary in The Glade, form a key component of the Masterplan's long-term vision to expand memorial options and improve functionality. As such,

Careful preparation of the concept design scope is critical to achieving quality and cost-effective outcomes.

It is proposed that the concept design be approached from a precinct perspective, enabling several related elements of the Foothills area of the Masterplan to be considered together rather than in isolation. This approach will support more cohesive design outcomes and ensure that the niche walls integrate effectively with surrounding memorial and landscape elements.

Work will shortly commence on preparing a Request for Quote (RFQ) to obtain concept designs. This process will involve:

- Defining the project scope and clarifying the intended design objectives, including capacity, accessibility and aesthetic considerations.
- Identifying the most appropriate procurement pathway in accordance with Council's Procurement Policy and legislative requirements.

Importantly, the concept design process will incorporate structured opportunities for further input and feedback on the preferred concept design prior to final Council endorsement; ensuring that the final outcome reflects both the strategic objectives of the Masterplan and Council's expectations regarding quality, functionality, yield and visual integration within the Cemetery setting.

Once a preferred concept is selected, the project will then progress to the detailed design stage to facilitate construction of priority projects in the Foothills precinct.

## **1.2 Internal Working Group**

An internal working group has been established to provide coordinated oversight and drive the staged implementation of the Cemetery Masterplan.

The working group includes representatives from Governance, Green Spaces and Environment and Major Projects, ensuring that both governance considerations and operational delivery requirements are integrated into decision-making. This cross-functional approach supports more effective planning, clearer role delineation, and stronger alignment between strategic intent and on-ground implementation.

The group will meet regularly to review progress against identified priority actions, confirm sequencing of works, and resolve emerging issues. Key responsibilities include:

- Establishing and monitoring implementation priorities.
- Confirming scope, timelines, and dependencies across projects.
- Identifying risks and mitigation strategies.

The establishment of this group represents a significant governance step in transitioning the Masterplan from a strategic document into an operational delivery program. It provides a clear framework for accountability, transparency, and structured progression of works over the short and medium term.

### **1.3 Planting Along External Fence (The Glade)**

Planning has progressed in relation to landscape improvements along the external fence line of The Glade, consistent with the Masterplan's objective to enhance the Cemetery's visual presentation, soften boundary treatments and strengthen its overall landscape character.

As part of the future development of new niche walls along sections of the internal boundary, it is anticipated that the existing pittosporum hedge on the inside of the Cemetery fence will be removed to accommodate these structures. In recognition of the visual impact this would have, planting along the external side of the boundary will provide screening and maintain a similar green outlook for neighbouring properties.

The intention is to ensure that, while internal infrastructure is enhanced to meet future memorial needs, the external presentation of the Cemetery remains soft, landscaped and visually consistent with current neighbourhood expectations.

Planning considerations to date include:

- Selection of plant species suited to local soil and climatic conditions.
- Aesthetic composition, including a mix of low and medium-height planting to create visual layering and a balanced, visually appealing landscape outcome.
- Long-term maintenance.
- Integration with existing landscape elements.

These works are intended to enhance the presentation and environmental quality of the site while remaining mindful of operational sustainability.

Preparatory works for planting have been completed, and species selection and planting will be finalised between May and July 2026, being the optimal timing for successful plant establishment.

## **2. ENGAGEMENT**

Two rounds of community engagement were undertaken to inform the development of the Masterplan. Further engagement with key community stakeholders is intended to progress the design of the two memorial areas.

Following the development of concept plans and consideration of Council feedback, further engagement is anticipated to inform the community of the final concept plans and the next phase of implementation in accordance with the adopted Masterplan.

## **3. SOCIAL IMPLICATIONS**

Implementation of the Masterplan will support Council to manage community expectations regarding the long-term management of Ferntree Gully Cemetery and contribute to the continued provision of respectful and appropriate interment options for the community.

## **4. CLIMATE CHANGE CONSIDERATIONS**

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

## **5. ENVIRONMENTAL IMPLICATIONS**

Implementation of the recommendation is considered to have no direct environmental implications.

## **6. FINANCIAL AND RESOURCE IMPLICATIONS**

The Cemetery Masterplan includes an Implementation Framework outlining proposed works, indicative costs, and staged priorities. If delivered in full, the total estimated cost is approximately \$2.9 million (subject to final design), to be implemented progressively over many years with each stage approved by Council in its role as Trustee.

The staged delivery model is designed to create a cycle of investment and reinvestment, where revenue generated from each project funds subsequent stages and contributes to perpetual maintenance. The cost of both design and delivery will be met through Cemetery funds, and there is no requirement for Council to allocate funding from its general budget.

Once final designs are confirmed, a grant application to the Department of Health will be prepared, seeking to help offset the cost of delivery, further reducing reliance on existing Cemetery resources and supporting the financial viability of the Masterplan.

Without further development, the Cemetery's capacity to generate revenue and remain financially self-sustaining would be significantly constrained, placing its independence and ability to meet cost-recovery obligations at risk.

## **7. RISKS**

The major risk for the Trust's consideration is the balance between the requirement for the Cemetery to be maintained in perpetuity and the costs associated with ongoing operations and maintenance.

The Landscape Masterplan aims to address this risk by providing a pipeline of sensitive development of ashes interment positions and memorialisation options, that will contribute to placing the Trust in a more financially sustainable position, enabling it to independently meet its ongoing operating and perpetual maintenance costs.

## **8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029**

### **Embracing connection, inclusion and diversity**

Strategy 2.3 - Our community is supported to thrive during all stages of life through the promotion and provision of services, advocacy and partnerships with local service providers.

## **9. CONFLICT OF INTEREST**

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

## **10. STATEMENT OF COMPATIBILITY**

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

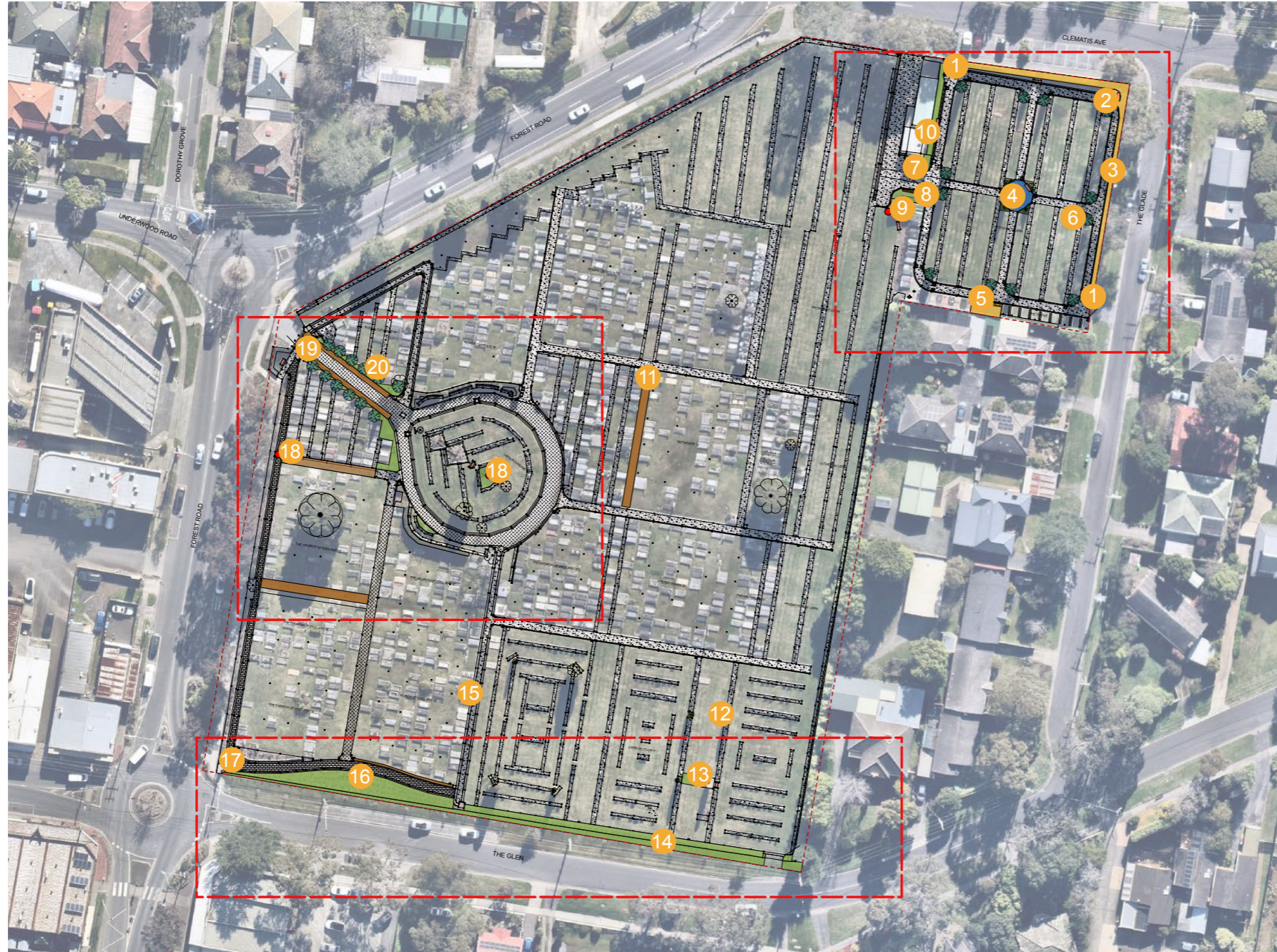
## **11. CONFIDENTIALITY**

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

## **ATTACHMENTS**

1. Attachment 1 - Masterplan Recommendations [4.3.1 - 1 page]
2. Attachment 2 - Masterplan Progress Overview [4.3.2 - 1 page]

# 5 Master Plan Recommendations



It is evident that the local community value the Cemetery as a resting place for loved ones, and as a beautiful space in the centre of the Ferntree Gully village. Improvements and new works are intended to complement and enhance the existing features and character of the Cemetery. The Master Plan considers a variety of memorial types with short, medium and long term opportunities for development. Identified opportunities include:

- 1 Entrance reconfigured to activate the Cemetery.
- 2 Redesign as a Children's Area.
- 3 Hedge could be replaced with a niche wall.
- 4 Redesign the fountain and surrounds for memorialisation opportunities including new seating. Brick paving is uneven and should be replaced.
- 5 Additional niche walls.
- 6 Consider replacement species for memorial trees.
- 7 Area redesigned for garden bed memorials.
- 8 Wayfinding signage location. Replace existing rotten 'Foothills' sign.
- 9 Identified location for memorial for unmarked graves.
- 10 Existing depot building and toilet retained.
- 11 Opportunity for new seating and pathway memorialisation in this gap between graves.
- 12 Garden bed memorials.
- 13 Vacant space with existing seat for memorial opportunity.
- 14 Cemetery could relocate fence to the title boundary and reclaim land for memorials.
- 15 Path edge developed with memorials.
- 16 Existing Rose Garden extended with pathway to allow for double row.
- 17 Opportunity for new niche memorial wall with new paving and garden beds.
- 18 Possible location for memorial artwork sculpture.
- 19 Opportunity for existing path width to be reduced to 2.4m, allowing garden bed to be extended for memorialisation.
- 20 New avenue trees along entry pathway.

Opportunity		Progress	Notes (if applicable)
2	Redesign Children’s Area		Planning has commenced, in partnership with Major Projects, to seek quotes for concept plans for the Foothills area.
3	Replace hedge with niche walls – The Glade		
4	Redesign Fountain area		
5	Additional niche wall - Foothills Lawn		
6	Replace Memorial Trees (pencil pines)		
7	Garden Bed Memorials		
9	Memorial for Unmarked Graves		
10	Retain existing depot and toilet		No action required
1	Reconfigure entrance		Future stage (medium / low priority)
8	Wayfinding Signage		Future stage (medium / low priority)
11	New seating and pathway memorialisation in between graves		Future stage (medium / low priority)
12	Garden Bed Memorials		Future stage (medium / low priority)
13	Memorial opportunity		Future stage (medium / low priority)
14	Relocate boundary fence for additional memorials		Future stage (medium / low priority)
15	Path edge memorials		Future stage (medium / low priority)
16	Extend rose garden		Future stage (medium / low priority)
17	New niche memorial wall with new paving and garden bed		Future stage (medium / low priority)
18	Memorial artwork sculpture		Future stage (medium / low priority)
19	Reduce existing path width for additional memorials		Future stage (medium / low priority)
20	New avenue trees along entry pathway		Future stage (medium / low priority)

Not started		In progress		On hold		Behind schedule	
-------------	--	-------------	--	---------	--	-----------------	--

5 Notices Of Motion

6 Supplementary Items

7 Urgent Business

8 Confidential Items