

MINUTES

Meeting of Council

Held at the
Civic Centre
511 Burwood Highway
Wantirna South
On
Monday 24 August 2026



The Agenda for the Meeting of Council, Monday 24 August 2026, forms part of these Minutes and is attached in full at the end of the Minutes.

These Minutes are considered draft until adopted and confirmed at the next Meeting of Council.

The meeting commenced at 7:03pm.

PRESENT:

Cr Paige Kennett (Mayor)	Chandler Ward
Cr Chris Duncan (Deputy Mayor)	Collier Ward
Cr Peter Lockwood	Baird Ward
Cr Robert Williams	Dinsdale Ward
Cr Meagan Baker	Dobson Ward
Cr Parisa Considine	Friberg Ward
Cr Lisa Cooper	Scott Ward
Cr Susan Pearce	Taylor Ward
Cr Glen Atwell	Tirhatuan Ward
Bruce Dobson	Chief Executive Officer
Grant Thorne	Director Infrastructure
Jonathan McNally	Director City Liveability
Judy Chalkley	Director Connected Communities
Matt Kelleher	Director Customer and Performance
Navec Lorkin	Chief Financial Officer
Andrew Dowling	Manager Governance and Risk
Saskia Weerheim	Head of Governance

THE MEETING OPENED WITH A STATEMENT OF ACKNOWLEDGEMENT AND A STATEMENT OF COMMITMENT

Council acknowledges the Wurundjeri Woi-wurrung people and Bunurong people of the Kulin Nation as Traditional Custodians of the land, and meets on the traditional lands of the Wurundjeri Woi-wurrung people. We pay our respects to elders both past and present.

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1 Apologies And Requests For Leaves Of Absence

Nil.

2 Declarations Of Conflict Of Interest

Nil.

3 Confirmation Of Minutes

The Chairperson, Councillor Paige Kennett, invited Councillors to raise any opposition to the Minutes of the Meeting of Council held on Monday 27 July 2026. There being none, the Chairperson declared the Minutes be confirmed.

4 Presentations, Petitions And Memorials

MEMORIAL – WALLY GAUGG

Councillor Pearce acknowledged the passing of Wally Gaugg, aged 74 years.

Councillor Pearce noted Wally was the devoted husband of Irene and a wonderful father who was cherished and deeply loved by his family.

Wally was a butcher by trade and spent many years running his two butcher shops, running raffles, building relationships with the community he would go on to serve so generously. Over the course of his life, he devoted himself tirelessly to local sporting clubs, community organisations, and to helping others whenever he could. He was a much-loved and highly respected figure throughout the greater Knox area, known and admired for his warmth, generosity, his laugh and unwavering community spirit. His contributions were recognised with numerous honours over the years, including Citizen of the Year and several business awards.

Councillor Pearce recognised that for the past 45 years, Wally took immense pride in caring for the park on Major Crescent, Lysterfield. Rain or shine, he ensured the lawns were neatly mowed, the edges trimmed, and any litter cleared away, keeping the park in immaculate condition for everyone in the neighbourhood to enjoy. It was a quiet, faithful act of love for his community, and a lasting part of the legacy he leaves behind.

Wally will be forever remembered for his generosity, dedication and the countless lives he touched and he will be deeply missed.

MEMORIAL – GEORGE HETREL

Councillor Cooper acknowledged the passing of George Hetrel.

Councillor Cooper proposed to provide a formal Memorial for George Hetrel at the Council Meeting on 28 September 2026.

Councillor Cooper acknowledged George, and his partner Pat, for their lifelong contribution to the community and expressed condolences to the Hetrel family.

MEMORIAL – ANNMARIE O'REILLY

Mayor Kennett acknowledged the tragic death of Annmarie O'Reilly in Ferntree Gully last week.

Annmarie was the 46th Australian woman to lose her life to violence this year - a deeply distressing reminder of the devastating impact of violence against women in our community.

Council's thoughts are with Annmarie's children, family and friends, and with all members of our local community who have been affected by her death during this incredibly difficult time.

5 Reports By Councillors

5.1 Councillor Baker

Councillor Baker reported attending the following:

- Knox Disability Advisory Committee Meeting.
- Meeting with Knox Historical Society with Mayor Kennett and Chief Executive Officer Bruce Dobson, to discuss the need to address financial support, maintenance concerns and the ageing volunteer committee who preserve historical artefacts for the wider Knox community.
- 'Young At Art' Event at The Hut Gallery, congratulating the award recipients for their creative artwork.
- Visit to Ambleside Park Homestead in Ferntree Gully.
- Community engagement sessions for the Open Space Strategy; and the Annual Plan and Budget Engagement at the State Basketball Centre.
- Councillor Workshop.

5.2 Councillor Cooper

Councillor Cooper reported attending the following:

- Engagement sessions regarding the Annual Plan and Budget 2027/28.
- Open Space Strategy Engagement Activity at Lewis Park, Wantirna South.

Councillor Cooper also:

- Noted several projects taking shape, including renewal works to lighting, fencing, and access paths for the Tennis Courts at Knox Gardens Reserve in Wantirna South; sportsfield lighting at Walker Reserve; and the installation of new play equipment, canopy tree planting, bench areas and a shared path at Riddell Reserve.
- Noted the consultation process for the Draft Open Space Strategy with pop-up engagement sessions being held across Knox where residents could provide feedback.

5.3 Councillor Duncan

Councillor Duncan reported attending the following:

- Knox Citizenship Ceremonies with Mayor Kennett.

- Wantirna College 'Matilda The Musical' Production with Mayor Kennett - acknowledged the absolutely phenomenal performance by Harry Brock who played the character 'Miss Trunchbull'.
- Budget Engagement Pop-Ups at Knox Library and Knox Leisureworks.
- Draft Open Space Strategy engagement events at the State Basketball Centre where the community provided extensive feedback.
- Local Safety Round Table with Knox Police and community groups with a report to be written and circulated for Councillors.

Councillor Duncan also:

- Received multiple phone calls regarding new developments and multi-unit planning applications, recognising some community misunderstanding of the current planning rules and how they differ from previous requirements. It was valuable to engage with residents and discuss their concerns, clarify the planning framework and explain the matters that are within Council's control
- Foreshadowed attending the Eastern Region Group of Councils' Meeting and Youth Advisory Committee Meeting.

5.4 Councillor Lockwood

Councillor Lockwood reported attending the following:

- Knox Citizenship Ceremonies.
- Budget Engagement Pop-Up at Knox Library which is a fabulous place.
- Abhivyakti Fine Arts Academy - Abhivyakti Kala Utsav Celebration, noting we are better for the influence of immigration.

Councillor Lockwood also:

- Noted the consultation process for the Draft Open Space Strategy with a pop-up event at State Basketball Centre, acknowledging officers for organising the engagement.
- Noted men need to take greater responsibility for violence against women.

5.5 Councillor Considine

Councillor Considine reported attending the following:

- Meeting with the Vice President of the Victorian Racket Club at Carrington Park with Mayor Kennett.

- St Vincent De Paul Conference at the St John The Baptist Community Centre, highlighting the volunteers who make a difference.
- Budget Engagement Pop-Up Event at Knox Library where feedback was received from residents.
- Knox Local Safety Committee Meeting with Mayor Kennett, Councillor Duncan and Councillor Pearce.
- Victorian Local Government Grants Commission Information Session.

Councillor Considine:

- Noted concerns raised by residents.

5.6 Councillor Atwell

Councillor Atwell reported attending the following:

- Knox Disability Advisory Committee Meeting with Councillor Baker.
- Rowville Secondary College Production of 'Mary Poppins', congratulating the participants and the school community for their arts and culture program.
- Scoresby Fire Brigade Annual Dinner at The Knox Club with past and present members of the volunteer brigade. Cr Atwell congratulated all award recipients.
- Paul Sadler Swimland 1km Swim which included children as young as 6 or 7 years old, praising staff for organising the event.
- Your Library Audit and Risk Advisory Committee Meeting and catch-up with Maroondah Councillor, Kylie Speers, who is the Your Library Board of Directors Chair.
- Budget Engagement Pop-Up at Knox Library where feedback was received from residents.

5.7 Councillor Williams

Councillor Williams reported attending the following:

- Centre for Oneness Event with Mayor Kennett and Councillor Pearce.
- Annual Plan and Budget Pop-Up Event at Knox Library.
- 80th Anniversary of Indian Independence and Flag-Raising Celebration at the Australian Indian Community Charitable Trust with Councillor Pearce.
- Indian Independence Day Dance at Carrington Park with Councillor Lockwood and Councillor Pearce.
- Hillsong Church Annual Clean-Up.

- Scouts Bayswater Annual Report and Awards Night.
- 60th Anniversary of Bayswater Hall.
- Catch-up with Jackson Taylor MP, Member for Bayswater.
- Discussions with Council officers regarding local laws.
- Knox Rotary Catch-Up.
- Abhivyakti Fine Arts Academy - Abhivyakti Kala Utsav Celebration.
- Clean-up at McAuley Parade in Bayswater, noting that a porcelain cat left on a tree in Bayswater is missing.

Councillor Williams also:

- Congratulated the Under 15 Bayswater Junior Football Club Boys team and the Division 4 Bayswater Strikers Under 15 team for their Premiership wins.
- Acknowledged the recent tragic accident at Westfield Knox.

5.8 Councillor Pearce

Councillor Pearce reported attending the following:

- Soccer match at Carrington Park involving the Knox United Senior Girls Team.
- Heany Park Scout Group ARAP with Liberal Candidate Max Williams and The Hon. Kim Wells MP, Member for Rowville, recognising the sons of Councillor Atwell who are Joey Scouts.
- 80th Anniversary of Indian Independence Celebration and Flag-Raising at the Australian Indian Community Charitable Trust with Councillor Williams and Liberal Candidate Max Williams, noting it was fascinating to meet a gentleman who has met Nelson Mandela and Gandhi.
- Concert and Dance celebrating Indian Independence with Councillor Williams.
- Local Safety Committee Meeting with Mayor Kennett, Councillor Duncan and Councillor Considine and local Police Officers, noting the meeting was informative.
- Annual Plan and Budget Drop-In Session with Councillor Atwell and Council's Chief Financial Officer to speak with residents.
- A recent Rowville Hawks Home Game where they won by 50 points .
- Engage, Explore, Evolve Event at the Sant Nirankari Mission in Rowville with Mayor Kennett, Councillor Williams, his wife April and former Councillor Darren Pearce, noting

highlights including the Youth of the Mission acting out a skit about homelessness; along with beating Councillor Williams in a tug of war battle and bean bag toss competition.

Councillor Pearce also:

- Spoke with residents regarding issues relating to trees, footpaths, parking and rubbish.
- Noted seniors activities such as line dancing and Zumba.

5.9 Councillor Kennett

Councillor Kennett reported attending the following:

- Knox Citizenship Ceremonies welcoming almost 300 new Knox residents as citizens, with many already having lived in Knox for many years.
- Annual Plan and Budget 2027/28 Drop-In Sessions at the Rowville Community Centre, Knox Leisureworks, Knox Library and the State Basketball Centre.
- Open Space Strategy Consultation alongside Council Staff to gain important feedback residents – thanked staff who supported the engagement.
- Four Meet The Mayor sessions.
- Environment Advisory Committee Meeting.
- Abhivyakti Fine Arts Academy - Abhivyakti Kala Utsav Celebration.
- Radio Eastern 98.1FM Mayoral Interview.
- Your Library CEO Remuneration Committee Meeting.
- Greater South East Melbourne Meeting with David Kitchen, Liberal Candidate for Bayswater.
- 'Matilda The Musical' Wantirna College Production.
- Council Corporate Induction.
- ALGWA Meeting.
- Visit to Ambleside Park Homestead.
- Waverley Social Enterprises Tour.
- Knox Local Safety Committee Meeting.
- Boronia Scout Group Annual Awards and Presentation Night.
- Councillor Workshop

- MAV 'The Local Leaders' Series, Session 1: Leading Cities Through Compounding Crisis and Municipal Diplomacy.
- Sant Nirankari Mission – Engage, Explore and Evolve.
- Boronia Money Expo.
- Share Space – Christmas in July celebration
- Knox Hockey Club to meet with the President and watch the afternoon game.
- A number of individual resident meetings regarding local issues.

6 Planning Matters

6.1 Report of Planning Applications Decided Under Delegation 1 July 2026 to 31 July 2026

SUMMARY

Details of planning applications considered under delegation are referred for information. It is recommended that the items be noted.

RECOMMENDATION

That Council note the planning applications decided under delegation 1 July 2026 to 31 July 2026 as set out in the officers' report.

RESOLUTION

MOVED: Councillor Baker

SECONDED: Councillor Williams

That Council note the planning applications decided under delegation 1 July 2026 to 31 July 2026 as set out in the officers' report.

CARRIED

7 Public Question Time

Question Time commenced at 7:36pm.

7.1 Question One - Kirstin Joubert

What consultation has Council undertaken with Knox residents to ensure that it is respectfully and appropriately reflecting the wishes of the Knox residents with regards to acknowledging religious events?

The Director Connected Communities, Judy Chalkley responded:

- Council does not undertake specific community consultation regarding the acknowledgement of religious events.
- However, Council undertook extensive community consultation as part of the development of its Council and Health and Wellbeing Plan, which provided opportunities for community members to share their views, priorities and expectations regarding diversity, inclusion and community wellbeing.
- Feedback, requests and suggestions received from community members are considered as part of Council's ongoing review of how it acknowledges and supports significant cultural and faith-based occasions across the municipality.

7.2 Question Two - Kirstin Joubert

Please advise how decisions are arrived at Council with regards to publicly acknowledging religious events?

The Director Connected Communities, Judy Chalkley responded:

- Council recognises the importance of transparency and consistency in decision-making.
- There is not a standalone Council policy that specifically addresses the acknowledgement of religious events. Decisions in this area are informed by Council's broader commitment to supporting a diverse, inclusive and respectful community and aligns with Council priorities that are in the Council Health and Wellbeing Plan.
- Where decisions are delegated to Council officers, those decisions are made within established governance and delegation frameworks. Officers are expected to act impartially, consider relevant factors, and apply professional judgement in accordance with Council policies, values and statutory responsibilities.
- Council appreciates the opportunity to reflect on the matters raised and acknowledges the importance of continually reviewing its practices to ensure transparency, consistency and community confidence in its decision-making processes.

7.3 Question Three - Knox AdvoCats

In relation to the Local Law Review, why deprive animals of homes and welfare, and make more animals face euthanasia - by further limiting pet numbers on larger properties; and by mandating expensive fencing, thus making it too hard for renters, students, and the elderly, to care for their fur families?

The Director City Liveability, Jonathan McNally responded:

- Clause 30 of the draft Local Law relates to the maximum number of animals that can be kept on a property without a permit. The limitation on animal numbers per property has not changed from the current Local Law, however for consistency, the requirement for a permit now applies to all properties in Knox regardless of property size. The proposed change is not intended to deprive animals of homes, reduce animal welfare outcomes, or increase the risk of euthanasia. The purpose of the permit requirement is to support responsible pet ownership and enable Council to appropriately assess and monitor circumstances where higher numbers of animals are kept.
- The permit process allows officers to consider matters such as animal welfare, property suitability, amenity impacts, and the capacity of owners to adequately care for their animals. It also provides a mechanism to respond to community concerns where issues arise, while continuing to support residents who responsibly keep multiple pets. Importantly, the change does not prohibit residents from keeping more than two animals, however establishes a consistent framework across all properties within Knox.
- The Application Fee for additional animals is \$308 as per the adopted Budget for this year.
- Clause 32 of the draft Local Law relates to the provision of adequate fencing or enclosures for domestic pets. According to Agriculture Victoria, some 80% of dog attacks in public places occur when dogs are not adequately confined to their property.
- The purpose of Clause 32 is to provide officers with the ability to direct a dog owner to repair, maintain, or improve fencing where it is insufficient to securely contain a dog. This is intended to improve community safety and support animal welfare outcomes by reducing the risk of dogs escaping, becoming lost, being injured, or causing harm to other animals or people. The Clause is designed to address a current regulatory gap between the existing Local Law and the *Domestic Animals Act 1994* by providing a practical and proactive mechanism for Council to require fencing issues to be rectified prior to serious incidents occurring. The draft Clause also allows an alternative provision to assist people with cost of living to have an enclosure on the property in the event fencing is not an option.
- Council recognises the important role that companion animals play in people's lives.
- The intent of the proposed changes is not to reduce pet ownership, but to promote responsible pet ownership, support animal welfare, improve community safety, and ensure that animals are kept in environments that are suitable for their ongoing care and containment.

7.4 Question Four - Ashley Morgan-Shae

With Local Laws' proposed changes of deeming residents as 'aggressive, insulting, or offensive' to prevent entry to council buildings, how does Knox make this judgement - by clothing, a badge, a peaceful-protest, by questioning council's information and stance?

Director City Liveability, Jonathan McNally responded:

- Clause 36 of the Draft Local Laws relates to behaviour on Council land. Section 15 of the Charter of Human Rights and Responsibilities protects a person's right to hold opinions and to express themselves freely through speech or public protest. However, this right is not absolute but protects all forms of peaceful communication and exchange of ideas in public spaces.
- The proposed provision is not intended to restrict a person's right to express a view, ask questions, participate in peaceful protest, or challenge Council decisions. Rather, the provision is intended to support the safety and wellbeing of Council staff, Councillors, contractors and members of the public when accessing Council facilities.
- Any assessment of whether conduct is aggressive, insulting or offensive would be based on a person's behaviour and actions in the circumstances, not on their clothing, personal views, badges, or the fact that they are questioning Council's position on an issue.
- The provision is intended to address behaviours that may threaten, intimidate, harass, abuse or otherwise adversely affect the safety and amenity of other users of Council facilities.

Question Time concluded at 7:49 pm.

8 Officer Reports

8.1 Council and Health and Wellbeing Plan Progress Report Q4 2025-2026

SUMMARY

The Council and Health and Wellbeing Plan Progress Report for Quarter 4 2025-2026 provides an overview of performance against year one of the Council and Health and Wellbeing Plan 2025-2029 for the quarter ending 30 June 2026.

RECOMMENDATION

That Council note the Council and Health and Wellbeing Plan Progress Report for the period ended 30 June 2026 (Attachment 1).

RESOLUTION

MOVED: Councillor Cooper

SECONDED: Councillor Baker

That Council note the Council and Health and Wellbeing Plan Progress Report for the period ended 30 June 2026 (Attachment 1).

CARRIED

8.2 Local Law Review

SUMMARY

The purpose of this report is to provide Council with the outcomes of the community engagement process in relation to the exhibition of the draft Amenity Local Law 2026 (draft Local Law 2026), and to propose that Council note the feedback and officer responses, and to adopt the Amenity Local Law 2026 (**Attachment 4**).

Extensive consultation was undertaken with internal and external stakeholders and Councillors. Taking into account all feedback, Officers proposed to make major changes to the current Amenity Local Law 2020 (Local Law 2020) to address the needs of the community and to ensure that all provisions within the draft Local Law 2026 are both effective and enforceable. A Comparative Analysis between the Local Law 2020 and the draft Local Law 2026 has been developed to provide a clear understanding of the proposed changes, with reasons explaining the changes (**Attachment 6**).

The draft Local Law 2026 has been reviewed and certified pursuant to section 74(1) of the Local Government Act 2020 (LGA 2020) by Mark Hayes, Partner at Maddocks, stating that they are of the opinion that the draft Local Law 2026 is consistent with the local law requirements. The certificate has been included in the draft Local Law 2026 attached to this report as **Attachment 5**.

RECOMMENDATION

That Council resolve to:

1. Receive and note the Local Law Review report.
2. Note the results of the exhibition of the draft Amenity local Law 2026 that was undertaken.
3. Note the Certificate by a qualified person, Mark Hayes from Maddocks Lawyers, under section 74 of Local Government Act 2020 stating that they are of the opinion that the Amenity Local Law 2026, as contained in Attachment 5, is consistent with the local law requirements.
4. Approve and adopt the Amenity Local Law 2026 as contained in Attachment 4, with a commencement date of 1 January 2027.
5. Approve and incorporate the Use of Waste Collection Services Policy in the Amenity Local Law 2026, as contained in Attachment 7.
6. Approve and incorporate the List of Environmental Weeds in the Amenity Local Law 2026, as contained in Attachment 8.
7. Authorise the Chief Executive Officer to give notice of the making of the Amenity Local Law 2026 in the Government Gazette and public notice in accordance with the Local Government Act 2020.
8. Send a copy of the Amenity Local Law 2026 to the Minister for Local Government.

RESOLUTION

MOVED: Councillor Baker

SECONDED: Councillor Pearce

That Council resolve to:

1. Receive and note the Local Law Review report.
2. Note the results of the exhibition of the draft Amenity local Law 2026 that was undertaken.
3. Note the Certificate by a qualified person, Mark Hayes from Maddocks Lawyers, under section 74 of Local Government Act 2020 stating that they are of the opinion that the Amenity Local Law 2026, as contained in Attachment 5, is consistent with the local law requirements.
4. Approve and adopt the Amenity Local Law 2026 as contained in Attachment 4, with a commencement date of 1 January 2027.
5. Approve and incorporate the Use of Waste Collection Services Policy in the Amenity Local Law 2026, as contained in Attachment 7.
6. Approve and incorporate the List of Environmental Weeds in the Amenity Local Law 2026, as contained in Attachment 8.
7. Authorise the Chief Executive Officer to give notice of the making of the Amenity Local Law 2026 in the Government Gazette and public notice in accordance with the Local Government Act 2020.
8. Send a copy of the Amenity Local Law 2026 to the Minister for Local Government.

CARRIED

8.3 Council Property - 68 Mclver Street Ferntree Gully

SUMMARY

Council-owned land at 68 Mclver Street, Ferntree Gully (Volume 8351 Folio 546, being Lot 167 on Plan of Subdivision LP024992) is a vacant site within a Neighbourhood Residential Zone. The land contains no council infrastructure and is largely open grassed area. There are 24 trees on the site, predominantly located around the perimeter. Of these, two have been assessed as having medium retention value, with the remaining 22 assessed as having low retention value. Assessment against Council's Sale of Land and Building Policy has identified no current or future Council service need for the site.

The site is located within the Neighbourhood Residential Zone, and does not have an Open Space designation, making it one of the relatively few Council-owned properties that may be disposed of without triggering open space replacement requirements or incurring Windfall Gains Tax. The sale proceeds are intended to contribute to the funding of Council's adopted capital works program, which for the 2026-27 year includes works such as pavilion upgrades at Carrington Park; improved facilities at community buildings including Coonara Community House and Ferntree Gully Community Centre and road renewals.

Following completion of all statutory requirements, a further report will be presented to Council outlining the outcomes of the process, including the results of community engagement, and seeking a decision on whether to proceed with the sale.

RECOMMENDATION

That Council:

1. Having considered the findings of the assessment undertaken in accordance with Council's Sale of Land and Buildings Policy, declare the land at 68 Mclver Street, Ferntree Gully to be surplus to Council's requirements.
2. Approve commencing the statutory requirements under Section 114 of the Local Government Act 2020 to sell the site for no less than market value, including
 - a. Public notice of the proposed sale on Council's internet site;
 - b. Undertaking a community engagement process in line with Council's Community Engagement Policy.
3. Note a further report will be presented to Council to enable considerations of all community feedback prior to making a final determination on the matter.

RESOLUTION

MOVED: Councillor Baker

SECONDED: Councillor Pearce

That Council:

1. Having considered the findings of the assessment undertaken in accordance with Council's Sale of Land and Buildings Policy, declare the land at 68 Mclver Street, Ferntree Gully to be surplus to Council's requirements.
2. Approve commencing the statutory requirements under Section 114 of the Local Government Act 2020 to sell the site for no less than market value, including
 - a. Public notice of the proposed sale on Council's internet site;

- b. Undertaking a community engagement process in line with Council's Community Engagement Policy.**
- 3. Note a further report will be presented to Council to enable considerations of all community feedback prior to making a final determination on the matter.**

CARRIED

8.4 Council Resolutions Progress Report - April to June 2026

SUMMARY

This report provides Council with an update on the implementation of all Council resolutions from April to June 2026, along with resolutions with a status of in-progress from the balance of the current Council term; offering a clear overview of the progress made on decisions made by Council. By providing this information, the report supports transparency and accountability, enabling both Council and the community to monitor the effective implementation of Council decisions.

RECOMMENDATION

That Council note the Council Resolutions Progress Report as set out in Attachment 1 to the officers' report.

The Chairperson noted that the report for Item 8.4 Council Resolutions Progress Report - April to June 2026 was updated on 21 August 2026 following publication of the Agenda to include a revised attachment and consequential updates to the commentary in section 1.1 of the report. Table 2 of the attachment now includes three items that were previously omitted due to an administrative error.

RESOLUTION

MOVED: Councillor Cooper

SECONDED: Councillor Atwell

That Council note the Council Resolutions Progress Report as set out in Attachment 1 to the officers' report.

CARRIED

9 Supplementary Items

Nil.

10 Notices Of Motion

10.1 Notice of Motion No. 196 - Wellington Road - Advocacy for Road Safety Improvements

That Council resolve to:

1. Write to the Department of Transport and Planning (DTP):

- Requesting an update on the safety improvements along Wellington Rd Council advocated for in April 2025;
- Requesting DTP reconsider its position on the advanced warning signs and lights at the intersection of Wellington Rd and Braeburn Pde.

2. Write to the Department of Justice and Community Safety (DJCS) requesting the DJCS reconsider its position on the fixed road safety cameras at the intersection of Wellington Rd and Braeburn Pde.

3. Write to The Hon. Kim Wells MP, Member for Rowville and The Hon. Paul Hamer MP, Minister for Roads and Road Safety, providing a copy of the above correspondence and seeking their support.

The motion LAPSED for want of a mover.

11 Urgent Business

Nil.

12 Questions Through the Chair

Nil.

13 Confidential Items

Nil.

MEETING CLOSED AT 8:08pm

Minutes of Meeting confirmed at the
Meeting of Council
held on Monday, 28 September 2026

.....
Chairperson

The Agenda for this meeting is attached in full at the end of the Minutes.

AGENDA



Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 24 August 2026 at 7:00 PM

This meeting will be conducted as a hybrid meeting

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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 Meeting of Council held on Monday 27 July 2026.

4 Presentations, Petitions And Memorials

5 Reports By Councillors

6 Planning Matters

6.1 Report of Planning Applications Decided Under Delegation 1 July 2026 to 31 July 2026

Final Report Destination: Council
Paper Type: For Noting
Author: Manager City Planning & Building, Paul Dickie
Manager: Manager City Planning & Building, Paul Dickie
Executive: Director, City Liveability, Jonathan McNally

SUMMARY

Details of planning applications considered under delegation are referred for information. It is recommended that the items be noted.

RECOMMENDATION

That Council note the planning applications decided under delegation 1 July 2026 to 31 July 2026 as set out in the officers' report.

1. REPORT

Details of planning applications decided under delegation from 1 July 2026 to 31 July 2026 are attached. The applications are summarised as follows:

Application Type	No.
Building & Works: Residential	7
Other	5
Subdivision	16
Units	19
Tree Removal / Pruning	21
Small Second Dwelling	2
Childcare Centre	1
Change of Use	3
TOTAL	74

2. CONFIDENTIALITY

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

ATTACHMENTS

Nil

Knox City Council

Report of Planning Applications Decided Under Delegation

1 July 2026 and 31 July 2026

Ward	No/ Type	Address	Description	Decision
Baird	2026/6117	69 Commercial Road FERNTREE GULLY VIC 3156	The construction of one (1) double storey dwelling, and one (1) single storey dwelling, and the retention of the existing dwelling (total of three (3) dwellings)	15/07/2026 Approved
Baird	2026/6377	10 Wrexham Road FERNTREE GULLY VIC 3156	Removal of T5, T27 & T36: Three (3) Eucalyptus gonicalyx (Long Leaved Box), T7: One (1) Eucalyptus viminalis (Manna Gum), T25: One (1) Acacia longifolia (Sallow Wattle), T26 & T35: Two (2) Eucalyptus melliodora (Yellow Box) and T34: One (1) Melaleuca ericifolia (Swamp Paperbark)	15/07/2026 Approved
Baird	2026/6048	23 Malua Road FERNTREE GULLY VIC 3156	Development of the land for two (2) single storey dwellings and removal of vegetation	17/07/2026 Approved
Baird	2026/6286	31 Helen Road FERNTREE GULLY VIC 3156	Removal of One (1) Cupressus × leylandii (Leyland Cypress), one (1) Callistemon viminalis (Weeping Bottlebrush), one (1) Pittosporum tenuifolium (Kohukohu)	14/07/2026 Approved
Baird	2026/6297	7 Patrick Court BORONIA VIC 3155	Removal of one (1) Eucalyptus robusta (Swamp Mahogany), and the pruning of one (1) Corymbia citriodora (Lemon Scented Gum)	16/07/2026 Approved
Baird	2026/6239	47 Johnson Drive FERNTREE GULLY VIC 3156	Removal of one (1) Eucalyptus radiata (Narrow Leaved Peppermint)	03/07/2026 Approved
Baird	2025/6578	41 Johnson Drive FERNTREE GULLY VIC 3156	Construction of three (3) double storey dwellings	09/07/2026 Notice of Decision
Baird	2026/9077	13 Catesby Court BORONIA VIC 3155	Removal of one (1) Eucalyptus obliqua (Messmate)	03/07/2026 Approved
Baird	2026/6110	1/383 Dorset Road BAYSWATER VIC 3153	Change of use to an indoor recreation facility (dance studio) with associated buildings and works, and business identification signage	23/07/2026 Approved

Ward	No/ Type	Address	Description	Decision
Baird	2026/6240	83 Scoresby Road BAYSWATER VIC 3153	Four Lot subdivision (approved unit development)	15/07/2026 Approved
Baird	2025/6506	1 Percival Street BAYSWATER VIC 3153	The construction of ten (10) single storey dwellings and removal of vegetation	21/07/2026 Notice of Decision
Chandler	2026/6262	Lot P+ Mountain Highway THE BASIN VIC 3154	The removal of T5, T6 & T28: Three (3) Prunus subhirtella (Rosebud Cherry) and T7, T23, T30, T31, T37 & T40: Five (5) Melaleuca styphelioides (Prickly-Leaved Paperbark)	14/07/2026 Approved
Chandler	2026/6244	4 Judith Avenue BORONIA VIC 3155	Buildings and works (extension to existing dwelling)	07/07/2026 Approved
Chandler	2025/6236	35 Moroney Street BORONIA VIC 3155	Development of the land for two dwellings (one single storey and one double storey) and vegetation removal	27/07/2026 Approved
Chandler	2026/9037	9 Thornton Court THE BASIN VIC 3154	Buildings and works (construction of a small second dwelling and the removal of vegetation)	29/07/2026 Approved
Chandler	2026/6308	16 Robertson Crescent BORONIA VIC 3155	Removal of one (1) Eucalyptus nicholii (Narrow leaved Black Peppermint) and one (1) Grevillea robusta (Silky Oak)	09/07/2026 Approved
Chandler	2026/6255	1/20 Robertson Crescent BORONIA VIC 3155	Removal of one (1) Syzygium smithii (Lily Pilly)	07/07/2026 Approved
Chandler	2026/6094	30 Inverness Avenue THE BASIN VIC 3154	Alterations and additions to the existing dwelling, including vegetation removal	10/07/2026 Approved
Chandler	2026/6248	13 Hayles Street BORONIA VIC 3155	Removal of one (1) Eucalyptus radiata (Narrow Leaved Peppermint) and one (1) Cupressus sempervirens (Italian Pencil Pine)	16/07/2026 Approved
Chandler	2026/6316	22 Waratah Avenue THE BASIN VIC 3154	Removal of one (1) Eucalyptus scoparia (Wallangara white gum), Removal of three (3) Dead trees.	28/07/2026 Approved
Chandler	2026/6366	41 Avington Crescent BORONIA VIC 3155	Buildings and Works for a new carport	29/07/2026 Approved
Chandler	2026/9045	9 Bambury Street BORONIA VIC 3155	Small Second Dwelling and Tree Removal	20/07/2026 Approved

Ward	No/ Type	Address	Description	Decision
Collier	2026/6243	20 Tanderra Crescent WANTIRNA VIC 3152	Removal of one (1) Magnolia grandiflora (Southern Magnolia) and one (1) Cupressus × leylandii (Leyland cypress)	08/07/2026 Approved
Collier	2026/6223	517 Boronia Road WANTIRNA VIC 3152	Six Lot Subdivision (Approved Unit Development)	03/07/2026 Approved
Collier	2026/6203	6 Tara Court WANTIRNA VIC 3152	Three lot subdivision (approved unit development)	09/07/2026 Approved
Dinsdale	2025/6559	7 Opal Court BAYSWATER VIC 3153	Construction of a double storey dwelling to the rear of the existing dwelling, including minor alterations to existing dwelling and tree removal	08/07/2026 Approved
Dinsdale	2025/6279	331 Boronia Road BORONIA VIC 3155	Development of the land for two (2) double storey dwellings and altering access to a road in a Transport Zone 2	20/07/2026 Notice of Decision
Dinsdale	2026/6305	12 Derwent Drive BAYSWATER VIC 3153	Construction of two single storey dwellings	02/07/2026 Approved
Dinsdale	2025/6430	23 Edinburgh Road BAYSWATER VIC 3153	Use and development of the land for a childcare centre, including vegetation removal	08/07/2026 Refused
Dinsdale	2025/6610	1st Floor 199 Stud Road WANTIRNA SOUTH VIC 3152	Construction of three (3) studio dwellings at first floor above the existing restaurant	23/07/2026 Approved
Dinsdale	2024/6583	22 Neal Street BAYSWATER VIC 3153	Development of the land for three (3) double storey dwellings	30/07/2026 Approved
Dinsdale	2025/6593	44 Dinsdale Road BORONIA VIC 3155	The construction of two side-by-side single-storey dwellings on the land	02/07/2026 Approved
Dinsdale	2026/9091	59 Tamar Street BAYSWATER VIC 3153	Two lot subdivision (approved unit development)	24/07/2026 Approved
Dinsdale	2025/6581	7 Dinsdale Road BORONIA VIC 3155	Buildings and works in association with an existing place of worship	02/07/2026 Notice of Decision
Dinsdale	2025/6518	36 Kumala Road BAYSWATER VIC 3153	Construction of three (3) single storey dwellings on the land	02/07/2026 Approved
Dinsdale	2026/6222	16 Church Street BAYSWATER VIC 3153	Construct two (2) single storey dwellings on a lot	23/07/2026 Approved

Ward	No/ Type	Address	Description	Decision
Dinsdale	2026/9080	742 Mountain Highway BAYSWATER VIC 3153	Buildings and Works (ATM replacement)	03/07/2026 Approved
Dinsdale	2026/6245	3/5 Claude Street BAYSWATER VIC 3153	Removal of one (1) Corymbia citriodora (Lemon Scented Gum)	07/07/2026 Approved
Dobson	2026/9076	13 Butlers Road FERNTREE GULLY VIC 3156	Pruning of one (1) Quercus robur (English Oak)	17/07/2026 Approved
Dobson	2026/6300	35 Station Street FERNTREE GULLY VIC 3156	Two Lot Subdivision (Approved Unit Development)	30/07/2026 Approved
Dobson	2025/6616	33 Heritage Way LYSTERFIELD VIC 3156	Buildings and Works (extension to the rear of the existing dwelling, a new garage and a gazebo with an adjoining studio)	31/07/2026 Approved
Dobson	2026/6192	1136 Burwood Highway FERNTREE GULLY VIC 3156	Use of the land for car sales, business identification signs, pole sign and waive bicycle facility requirements	03/07/2026 Approved
Dobson	2025/6614	5 Heath Avenue FERNTREE GULLY VIC 3156	Alterations and additions to an existing dwelling	20/07/2026 Notice of Decision
Dobson	2026/6069	9 Glass Road UPPER FERNTREE GULLY VIC 3156	Single storey extension to existing dwelling and removal of vegetation	13/07/2026 Approved
Dobson	2026/6256	39 Kevin Avenue FERNTREE GULLY VIC 3156	Three lot Subdivision (approved unit development)	22/07/2026 Approved
Friberg	2026/6324	63 Folkstone Crescent FERNTREE GULLY VIC 3156	Removal of one (1) Liquidambar styraciflua (Sweetgum)	24/07/2026 Approved
Friberg	2026/6341	1 Cardwell Court FERNTREE GULLY VIC 3156	Buildings and Works (Construction of a Verandah to the existing dwelling)	03/07/2026 Approved
Friberg	2026/9081	890 Burwood Highway FERNTREE GULLY VIC 3156	Buildings and works (extension to existing warehouse)	03/07/2026 Approved
Friberg	2026/9086	5 Renwick Road FERNTREE GULLY VIC 3156	Two lot Subdivision	29/07/2026 Approved
Friberg	2026/6250	33 Harley Street KNOXFIELD VIC 3180	Two lot subdivision (approved unit development)	22/07/2026 Approved
Friberg	2026/6233	60 Kathryn Road KNOXFIELD VIC 3180	Construct a second dwelling on a lot	29/07/2026 Approved

Ward	No/ Type	Address	Description	Decision
Scott	2026/6259	27 Foster Crescent KNOXFIELD VIC 3180	Removal of T1: One (1) Eucalyptus nicholii (Narrow leaved Black Peppermint), T2: One (1) Corymbia ficifolia (Flowering Gum) and T3: One (1) Eucalyptus cephalocarpa (Silver Stringybark)	03/07/2026 Approved
Scott	2026/6318	36 Elliot Street KNOXFIELD VIC 3180	Two lot subdivision (Approved unit development)	06/07/2026 Approved
Scott	2026/6257	14 Valetta Crescent KNOXFIELD VIC 3180	Removal of T1: One (1) Corymbia calophylla (Marri), T2: One (1) Liquidambar styraciflua (Sweetgum)" and T4: One (1) Pittosporum eugenioides 'Variegatum' (Variegated Pittosporum)	07/07/2026 Approved
Scott	2025/6414	8 Finley Court WANTIRNA SOUTH VIC 3152	Construction of two (2) double storey dwellings	07/07/2026 Approved
Scott	2026/9089	94A & 94B Kathryn Road KNOXFIELD VIC 3180	Two Lot subdivision (approved unit development)	21/07/2026 Approved
Scott	2026/9088	460 Scoresby Road FERNTREE GULLY VIC 3156	Two lot subdivision (community care accommodation)	24/07/2026 Approved
Scott	2026/6205	109 Kathryn Road KNOXFIELD VIC 3180	Two Lot Subdivision (approved development site)	01/07/2026 Approved
Taylor	2026/6265	5 Hodges Close ROWVILLE VIC 3178	Removal of two (2) Cupressus × leylandii (Leyland cypress)	16/07/2026 Approved
Taylor	2024/6505	10 Grenfell Place LYSTERFIELD VIC 3156	Two (2) Lot Subdivision and variation of Covenant AC660449D	09/07/2026 Notice of Decision
Taylor	2026/6224	57A & 57B Taupo Crescent ROWVILLE VIC 3178	Two lot subdivision (approved unit development)	06/07/2026 Approved
Taylor	2025/6003	1341 - 1351 Stud Road ROWVILLE VIC 3178	Use and development of the land for a place of worship and alteration of access to a Transport Zone 2	21/07/2026 Refused
Tirhatuan	2025/6516	669 Stud Road SCORESBY VIC 3179	Construction of six (6) dwellings on the land and alterations to the access to a road within the Transport 2 Zone	14/07/2026 Approved

Ward	No/ Type	Address	Description	Decision
Tirhatuan	2026/6296	1260 Ferntree Gully Road SCORESBY VIC 3179	Buildings and works for a warehouse and office and creation of access to a road in a Transport 2 Zone	14/07/2026 Approved
Tirhatuan	2026/9078	7 Seebeck Road ROWVILLE VIC 3178	Two Lot Subdivision	15/07/2026 Refused
Tirhatuan	2026/6310	2 Caribbean Drive SCORESBY VIC 3179	Buildings and works (extension to existing warehouse and office) and reduction in car parking	07/07/2026 Approved
Tirhatuan	2026/6258	68 Sheppard Drive SCORESBY VIC 3179	Removal of one (1) Eucalyptus goniocalyx (Long Leaved Box)	16/07/2026 Approved
Tirhatuan	2026/6037	10 Deschamp Crescent ROWVILLE VIC 3178	Construction of two double storey dwellings on the land	24/07/2026 Approved
Tirhatuan	2025/6429	21 Carrara Road ROWVILLE VIC 3178	Construction of a double storey dwelling to the rear of the existing dwelling	03/07/2026 Approved
Tirhatuan	2026/6299	10 Sheppard Drive SCORESBY VIC 3179	Removal of one (1) Pittosporum tenuifolium (Kohukohu)	23/07/2026 Approved
Tirhatuan	2026/6264	14 The Fairway ROWVILLE VIC 3178	Removal of eight (8) Cupressus × leylandii (Leyland Cypress)	14/07/2026 Approved
Tirhatuan	2026/6169	12 Mantung Crescent ROWVILLE VIC 3178	Construct two dwellings on a lot	14/07/2026 Approved
Tirhatuan	2026/9095	21 Nevana Street SCORESBY VIC 3179	Two lot Subdivision (approved unit development)	28/07/2026 Approved
Tirhatuan	2026/6326	21 Candlebark Quadrant ROWVILLE VIC 3178	Pruning of one (1) Eucalyptus obliqua (Messmate)	27/07/2026 Approved

7 Public Question Time

8 Officer Reports

8.1 Council and Health and Wellbeing Plan Progress Report Q4 2025-2026

Final Report Destination:	Council
Paper Type:	For Noting
Author:	Corporate Reporting and Planning Officer, Kash Khalid Head of Strategy and Business Intelligence, Kate McInnes
Manager:	Manager Strategy and Transformation, Tom Scanlan
Executive:	Director Customer and Performance, Matt Kelleher

SUMMARY

The Council and Health and Wellbeing Plan Progress Report for Quarter 4 2025-2026 provides an overview of performance against year one of the Council and Health and Wellbeing Plan 2025-2029 for the quarter ending 30 June 2026.

RECOMMENDATION

That Council note the Council and Health and Wellbeing Plan Progress Report for the period ended 30 June 2026 (Attachment 1).

1. DISCUSSION

1.1 Introduction

The provision of the Council and Health and Wellbeing Plan Progress Report ensures that associated processes are accountable, transparent and responsible, to ensure sound financial management and transparent reporting on Council actions. The Council and Health and Wellbeing Plan Progress Report provides an overview of how we performed in the final quarter of the 2025/26 financial year.

1.2 Council and Health and Wellbeing Progress Report

The Council and Health and Wellbeing Plan 2025-2029 (the Plan), adopted on 23 June 2025, represents Council's commitment to the Knox community and outlines how Council will deliver on the community's aspirations and needs. The Plan is structured around six strategic themes supporting the Community Vision and eight health and wellbeing priorities aimed at improving the health, wellbeing and quality of life of the local community.

The Council and Health and Wellbeing Plan Progress Report Quarter 4 (Attachment 1) provides detailed progress against each of these actions identified for delivery in 2025-2026, as well as end of year progress against the performance measures set out in the Plan. There were 45 actions to be delivered in 2025-2026. Of these:

- Forty-three actions have been completed.
- Two actions are behind schedule.

The two actions behind schedule are:

- Undertake the Knox Aquatics Feasibility Study.
- Deliver the year one actions of Council's Organisation Strategy 2025-2029.

It is proposed that the two actions that are behind schedule remain in progress and are carried forward to 2026-2027 to support their completion. Should the actions be carried forward, progress will continue to be monitored and reported through the quarterly reporting process.

Year 1 results across each of the Council and Health and Wellbeing Plan performance measures are also included and have been used to evaluate progress toward each strategic objective. Of the 43 performance measures included in the Plan, 38 have met or exceeded their annual target or expected result, demonstrating positive progress towards the achievement of the Council and Health and Wellbeing Plan 2025-2029. Three performance measure did not meet their target or expected result, while data for two performance measures is not yet available.

2. ENGAGEMENT

Significant community engagement was incorporated into the development of the Council and Health and Wellbeing Plan 2025-2029. This report summarises Council's progress against the delivery of year one of the Council and Health and Wellbeing Plan 2025-2029.

3. SOCIAL IMPLICATIONS

Information about Council's achievements and aspirations for the community and social impacts are contained within the report.

4. CLIMATE CHANGE CONSIDERATIONS

Council's achievements and progress working towards Council's Net Zero 2030 target and the Community Net Zero 2040 are contained in the report.

5. ENVIRONMENTAL IMPLICATIONS

Information about Council's achievements and aspirations for the environment are contained in the report. Producing the report in a primarily electronic format saves paper resources and printing costs.

6. FINANCIAL AND RESOURCE IMPLICATIONS

There are no direct financial implications associated with this report.

7. RISKS

The development of the report prioritised the assessment of risk throughout the process.

8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029

Leading, listening and governing responsibly

Strategy 4.1 - Council demonstrates its accountability through transparent and responsible decision-making and working together productively.

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 - Council Health and Wellbeing Plan Progress Report Q4 2025-2026 [**8.1.1** - 38 pages]

Council and Health and Wellbeing Plan 2025–2029

Progress report quarter four:
2025–2026



knox



About the plan

The Council and Health and Wellbeing Plan 2025-2029 was adopted on 23 June 2025 and is our promise to the Knox community. It sets out what we will do to respond to changing needs and has been shaped by our aspirations, needs, values and priorities. It informs long term financial planning with annual actions and performance measure targets represented in each Annual Budget.

To develop the Council and Health and Wellbeing Plan 2025-2029 we engaged over 1,100 community members to make sure the plan reflects the vision, values and aspirations of the people of Knox.

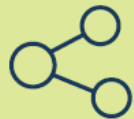
Our Community Vision 2035

Our Community Vision describes our collective long-term hopes and aspirations for Knox. It helps us to plan for the needs of our community now and into the future.

“Knox: where we connect with our people and our environment, ensuring they are safe, supported and have every opportunity to thrive.”

Our themes

We have 6 key themes to focus on that help achieve our Community Vision. These themes reflect the priorities and aspirations of our community.



Enhancing community connection to vital services and resources

Our community can access important local services and resources through Council's delivery, advocacy, and partnerships.



Caring for and enhancing our environment

Our environment is greener, healthier and sustainable through Council's environmental protection and enhancement, working in collaboration with our community.



Being a strong voice for safety

Our community feels safe, respected and supported in public spaces and at home through Council's delivery, advocacy and partnerships.



Embracing connection, inclusion and diversity

Our diverse and connected community is strengthened by creating opportunities to actively participate, connect and learn.



Leading, listening and governing responsibly

Our community feels empowered, heard, and has trust in Council through responsible governance, proactive communication and engagement, and transparent decision making.



Planning our future city

Our neighborhoods, housing and infrastructure meet the needs of our changing community through effective planning, delivery and advocacy.

Our health and wellbeing priorities

We understand that the health and wellbeing of our community is essential for our collective prosperity and quality of life. By measuring and addressing wellbeing, we can identify areas of need, track progress, and implement targeted interventions to create a healthier, more resilient community.



How to read this report

Actions

This report details the progress of the Council and Health and Wellbeing Plan 2025-2029 actions that are funded in the current financial year. These are the major initiatives that will be delivered during this financial year.

Progress status is reported based on the following colour coding:

Complete	Behind schedule
	

Performance measures

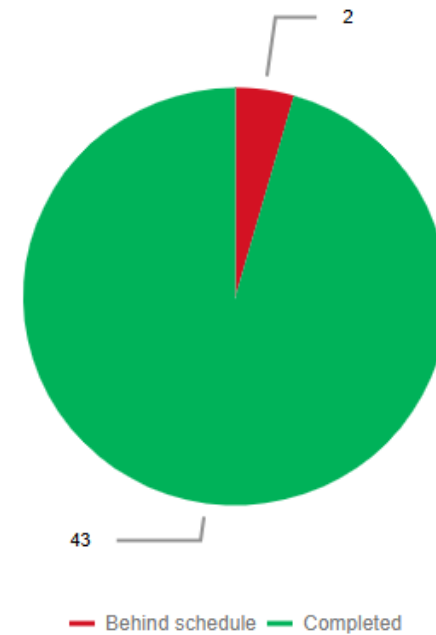
This report also includes the Council and Health and Wellbeing Plan 2025-2029 performance measures which demonstrate progress towards achieving each Strategic Objective. The data reflects the year end result. Each measure is tracked against its annual target as set out in the Annual Budget.

Progress Report Q4, 2025-2026

2025-2026 actions summary

There are 45 actions to be delivered in 2025-2026. Of these, 43 actions have been completed and two actions are behind schedule. It is proposed that the two actions that are behind schedule remain in progress and are carried forward to 2026-2027 to support their completion.

Theme	Actions		
	Complete	Behind schedule	Grand Total
Enhancing community connection to vital services and resources	7	0	7
Embracing connection, inclusion and diversity	9	1	10
Caring for and enhancing our environment	7	0	7
Leading, listening and governing responsibly	7	1	8
Being a strong voice for safety	6	0	6
Planning our future city	7	0	7
Total	43	2	45



Theme 1: Enhancing community connection to vital services and resources

Actions

Action	Progress	Comments	Status
Finalise and commence implementation of a Cemetery Landscape Masterplan to guide development of new ashes interment areas that meet community needs while complementing the existing amenity of the cemetery.	100%	Procurement for concept design services for new niche walls and memorial elements has been completed, supporting the next stage of implementation of the Cemetery Landscape Masterplan. The engagement of design services will assist in progressing detailed concepts, exploring design options and ensuring proposed memorial elements align with the Masterplan objectives, operational requirements and the future needs of the cemetery.	Complete 
Implement Economic Development's 2025-26 events program to strengthen capacity building for local businesses.	100%	The 2025-2026 Economic Development Events Program has been delivered, providing a range of networking and business capability building opportunities for local businesses. Sessions included Human + AI: Creating Strategic Content That Converts, Numbers & Networking: EOFY Tips and Local Connections, and Marketing When Customers Are Spending Less. The program supported local businesses to build capability, strengthen skills, expand professional networks, and respond to evolving market conditions.	Complete 

Action	Progress	Comments	Status
Promote <i>Your Library</i> activities, programs and events that focus on lifelong learning, increase social connection and improve access to technology.	100%	Council and Your Library continue to work collaboratively through regular programming meetings to align library activities with Council's strategic objectives. Council actively promotes Your Library programming and many activities are delivered in partnership between Council and Your Library. In response to community demand, Your Library has expanded programming at Rowville library to increase access to technology support services.	Complete 
Improve our shared path network through new and renewed upgrades including the Liverpool Road shared path.	100%	The Knox Cycling Action Plan has continued to guide shared path priorities for 2025-2026. Council has completed the Green Spine shared path on Chandler Road in Boronia and delivered the first stage of the Liverpool Road shared path. Further stages of the Liverpool Road shared path are planned to commence in 2026-2027, subject to final delivery requirements. Council has also progressed design, scoping and investigation work for future shared path improvements. These include Brenock Park Drive, Railway Trail connections in Upper Ferntree Gully, Railway Parade and the Stud Road service road in Scoresby.	Complete 

Action	Progress	Comments	Status
Advocate for enhanced bus service frequency and coverage across the Knox network and for release of the business case for transport options in the Caulfield-Rowville corridor.	100%	Council has continued to advocate for more frequent and better connected bus services across Knox through ongoing engagement with the Department of Transport and Planning and participation in the Eastern Transport Coalition. During the year, council supported regional advocacy priorities, including improved bus connections between Vermont South, Mountain Highway and Bayswater, investigation of a Bayswater to Stud Park bus link via Henderson Road, and identification of safer arterial road crossings to improve access to frequent bus services. Council also continued to advocate to seek the release of the business case for transport options in the Caulfield to Rowville corridor. Ongoing coordination with State Government project teams, including the Boronia Station Precinct Upgrade, supported integrated transport, and improved access, safety and community connections across Knox.	Complete 
Lead and deliver the Knox Food Relief Taskforce and actively participate and contribute to the Knox Emergency Relief Network.	100%	The Knox Food Relief Taskforce continues to progress actions from its workplan, including engaging with local businesses and planning a winter tin food donation drive. The Taskforce also continues to inform Councils advocacy efforts with State and Federal government on food relief and related community needs. Council remains an active participant in the Knox Emergency Relief Network and continues to support collaboration across the sector. In June 2025, Council promoted the winter tinned food drive and the recent Outer East Homelessness Round Table.	Complete 

Action	Progress	Comments	Status
Collaborate with Yarra Ranges Shire and Maroondah City Council to develop the Bayswater Business Precinct Spatial Plan.	100%	Council officers continue to collaborate with Yarra Ranges Shire and Maroondah City Council in the development of the spatial plan for Bayswater Business Precinct. The draft spatial plan is expected to be presented for Council endorsement by December 2026 for the purpose of community and stakeholder engagement.	Complete 

Performance measures

Performance Measure	Annual Target	2025-2026 Result	Comments
Kilometres of new active transport in Knox aligned with the Knox Cycling Action Plan and other active transport plans.	2Kms	2.8Kms	Council delivered 2.8 kilometres of new active transport infrastructure in line with the Knox Cycling Action Plan and other active transport priorities. Key projects completed included new footpaths, shared path connections, mobility improvements and road safety upgrades.
Community satisfaction with bike and shared paths (both on road and off-road and including shared paths).	79-80	79	Community satisfaction with bike and shared paths was 79 which is an “excellent” level of satisfaction.
Community satisfaction with the maintenance and repair of sealed and local roads.	68-70	75	Community satisfaction with sealed local roads was 75 which is a “very good” level of satisfaction.
Number of visits to libraries in the Knox municipality.	625,00 - 640,000	778,592	The 2025-2026 result was significantly higher than the annual target. This increase is largely due to the continued success of Knox Library Ngarrgoo.
Community satisfaction with local library services.	8.5-8.6	8.7	Community satisfaction with library services was 8.7 which is an “excellent” level of satisfaction.
Number of planning permits issued for commercial, office or retail use and development.	130-150	<i>Data not available</i>	Data will be available in late 2026.

Performance Measure	Annual Target	2025-2026 Result	Comments
Value of grants provided to emergency relief organisations.	\$100,000	\$100,000	The Emergency Relief Grant was established with an annual allocation of \$100,000. This grant stream was exhausted in during 2025-26 with all grant money going to Emergency Relief organisations with the City of Knox.
Self-reported health status of Knox residents.	36%-38%	37%	This figure is obtained from the Victorian Population Health Survey which is undertaken every 4-6 years. The latest figures are from 2023 and state that the 'self-reported health status of Knox residents is excellent/very good 37.2%'. The next survey is expected to be undertaken in 2026 with data released in 2027.
Amount of gross regional product (GRP) (\$) generated by businesses in Knox.	\$9.4B-\$9.7B	\$10.31B	Knox City Council's Local Industry Gross Regional Product was \$10.31 billion for the year ending June 2025. This is the most recent data available, with Economy ID expected to receive the first Local Government Area estimates for 2025-2026 GRP in April 2027.
Community satisfaction with Council services and facilities.	7.7-7.9	8.0	Community satisfaction with Council services and facilities was 8.0 which is an "excellent" level of satisfaction.

Theme 2: Embracing connection, inclusion and diversity

Actions

Action	Progress	Comments	Status
Strengthen the ongoing partnership with sessional kindergarten providers operating from Council facilities through enhancement of processes and partnership meetings.	100%	Partnership activities continued throughout the year. Strong attendance and participation from key kindergarten stakeholders and supporting sector regulators remained a key strength of the partnership model. This sharing of practice continued to strengthen collaboration and provided a strong foundation for ongoing work to support the ongoing implementation of kindergarten into the future.	Complete 
Consider the child perspective in service delivery, decision making and design through a Child Friendly Cities Education Campaign to build capability of our staff.	100%	Stage 2 of the Child Friendly Cities initiative has commenced, focusing on learning and capacity building for Council staff. An internal working group representing a range of service areas has been established, and a workplan has been developed to support ongoing staff education, awareness and information sharing across the organisation. Remaining activities will continue through 2026-2027 early years actions.	Complete 

Action	Progress	Comments	Status
Deliver targeted programs for priority population groups, including intergenerational initiatives, for example an annual fishing program, to strengthen community connections.	100%	Planning for the intergenerational program between Swinburne TAFE Certificate II in Community Service studies with secondary school students has been completed, with sessions commencing in July 2026. The program has been developed through collaboration between Swinburne staff, a retirement village lifestyle coordinator and an intergenerational specialist, creating a new approach to engaging students from across Knox secondary schools. Residents experiencing loneliness and social isolation have been invited to participate, with program outcomes helping to inform future work with tertiary education providers. Across the year, 168 programs were delivered, reaching more than 4,700 community members and strengthening community connections.	Complete 
Undertake the Knox Aquatics Feasibility Study.	60%	The Feasibility Study has been split into two stages. Stage 1 involved an extensive technical assessment of the site, which included a delay while additional information relating to underground services was obtained. These details required review by an external consultant and are informing the strategic review (Stage 2), which is progressing well. The review is expected to be completed in the first half of 2026-2027.	Behind schedule 

Action	Progress	Comments	Status
Deliver sporting club capacity-building sessions in partnership with key stakeholders.	100%	A number of sporting club capacity-building sessions were delivered throughout the year in partnership with key stakeholders. Sessions included Cultural Awareness, Preventing Vaping Among Youth Players and Responsible Service of Alcohol. The Knox Sport and Leisure Awards were held on 17 June 2026, recognising the contributions and achievements of the local sporting community. The Vic Kids Eat Well pilot program also continued throughout the year with four Knox sporting clubs in partnership with Community Strengthening and Eastern Access Community Health (EACH).	Complete 
Deliver the 2025-26 actions of the Alcohol Statement of Commitment implementation plan.	100%	The Knox Local Drug Action Team met throughout the year with representatives from community health, women's health services, and prevention and response organisations. The group progressed planning for community engagement to better understand alcohol-related harm experienced by mothers and women who are carers in Knox. A Community Action Plan grant application was submitted, and Council is awaiting the outcome.	Complete 

Action	Progress	Comments	Status
Deliver volunteer training sessions and promote opportunities to strengthen social and community networks and reduce loneliness.	100%	The Community Training Program delivered 17 community training sessions during the year, supporting local community groups, volunteers and organisations to build their knowledge and capacity across a broad range of topics. Training delivered included: • Running a Successful Community Group/Sporting Club • Safe Food Handling • Child Safe Training (two sessions) • Managing Challenging Member and Volunteer-Related Situations • Building Aboriginal Cultural Competency (two sessions) • Cultural Awareness • 3Rs of Family Violence • Volunteering – Recruitment and Retention • Fundraising for Community Groups • Grant Writing • Social Media • Social Media Consultancy • Three Knox City Council Grant Information Sessions 299 participants attended, with strong participation in the Council Grant Information Sessions (63 attendees across three sessions) and	Complete 

Action	Progress	Comments	Status
Partner with our diverse and multicultural community, key services and networks to support and celebrate our diversity, including the coordination of the Knox Community Safety, Health and Wellbeing and Multicultural Advisory Committees.	100%	continued demand for governance, grants, child safety and cultural competency training. In addition, 15 Community Strengthening e-bulletins were distributed, including three special editions, to nearly 800 subscribers throughout the year. These e-bulletins provided information on funding opportunities, training, networking events and other resources relevant to community organisations.	
		The Knox Community Safety, Health and Wellbeing Advisory Committee continued to provide advice and input throughout the year. To streamline engagement and encourage participation, the June committee meeting was rescheduled and replaced by a joint Advisory Committee meeting in July 2026. The Knox Multicultural Advisory Committee met regularly throughout the year. Members provided feedback on Cultural Services planning, gender equality and family violence prevention initiatives, the development of Committee priorities for 2026, and the proposed Knox Multicultural Advisory Committee eNewsletter. Members were also invited to participate in Community Day at Westfield Knox to strengthen connections with community organisations and stakeholders. These activities provided valuable insights that will help shape Council's future programs, communications and engagement with multicultural communities.	Complete 

Action	Progress	Comments	Status
Review the Reconciliation Action Plan 2023-2025 and develop the next iteration of the plan.	100%	Actions under the Knox Reconciliation Action Plan 2023-2025 were implemented and reviewed at the conclusion of the Plan. A review report was presented to Council in September 2025. The new Reconciliation Action Plan 2026-2030 has been developed and will be presented to Council for endorsement in 2026-2027.	Complete 
Deliver the bi-annual Youth Summit to hear from the voices of young people on issues which are important to them.	100%	Youth Services delivered the Youth Summit in August 2025 for young people aged 12 to 18 years. Every secondary school in Knox was invited, with six schools represented on the day. 68 students registered and 50 attended. The event was supported by 16 Youth Advisory Committee members. Key topics discussed included life skills and education, outdoor and recreation activities and how Council communicates with young people. Youth Services will use the insights from the Summit to guide service delivery for the next 18 months. In September, two young people presented the Summit outcomes to Councillors, and their contribution was well received. Youth Services is also working with Council's Communications and Engagement team to develop a plan to engage the 16-to-25-year age group in further consultation opportunities.	Complete 

Performance measures

Performance Measure	Annual Target	2025-2026 Result	Comments
Participation of young people in Youth Services programs.	7,500-8,000	14,745	Program participation was strong throughout 2025-2026, with larger than predicted engagement by young people in Pop-Up Youth Hives. Participation was particularly strong in the second half of the year, with May being the busiest month for the period, contributing to a result that significantly exceeded the annual target.
Participation in social inclusion programs and intergenerational initiatives.	4,000-4,200	4,701	Participation rates have exceeded the target for this performance measure.
Community satisfaction with community and cultural activities, festivals, and events.	8.0-8.2	8.4	Community satisfaction with community and cultural activities, festivals, and events was 8.4 which is an “excellent” level of satisfaction.
Number of health promotion initiatives targeted at reducing alcohol-related harm.	8-9	8	There were 8 health promotion initiatives targeted at reducing alcohol-related harm delivered during 2025-2026.
Number of volunteers that attend volunteer training and education.	275-325	320	The total number of attendees for 2025-2026 was 320, an increase of 54 from 2024-2025. Attendees per session averaged 19, on par with 2024-2025. We held 17 sessions in 2025-2026, an increase from 15 in 2024-2025.

Performance Measure	Annual Target	2025-2026 Result	Comments
Participation of people living with disability and their carers in targeted events, programs and professional development opportunities.	1,800-2,000	2,797	Participation significantly exceeded the target range, with 2,797 attendances recorded. This outcome demonstrates the continued demand for inclusive events, programs and support groups delivered for people living with disability, their carers, and educators who access Council's professional development programs.
Number of residents accessing the Knox community transport bus outings.	5,000-5,500	6,075	There has been increased use of community transport this year, with higher number of clients enjoying outings and community organisations hiring the buses for excursions.
Community Satisfaction with services for youth.	8.0-8.1	8.1	Community satisfaction with services for youth was 8.1 which is an "excellent" level of satisfaction.
Community Satisfaction with sports ovals and other outdoor sporting facilities.	8.2-8.3	8.2	Community satisfaction with sports ovals and other outdoor sporting facilities was 8.2 which is an "excellent" level of satisfaction.
Number of upgrades that provide for gender inclusion in Council owned pavilions.	1-2	4	Seebeck Reserve, Park Ridge Modular Pavilion, Wally Tew Pavilion and Tormore Reserve Pavilion have been upgraded.

Theme 3: Caring for and enhancing our environment

Actions

Action	Progress	Comments	Status
Progressively replace fleet vehicles with zero/low emission vehicles.	100%	New fleet assets are being purchased to reduce council's environmental footprint. Electric Vehicles (EV's) and hybrid vehicles are being considered for dedicated pool and passenger fleet.	Complete 
Finalise the first draft of the 10-year Open Space Strategy.	100%	An initial draft of the Open Space Strategy has now been developed. A Councillor briefing held on 13 April 2026 outlined the draft community values, strategic principles and key community feedback received to date. Further community consultation is currently underway to help refine the draft Strategy. Following this engagement, the Strategy will be updated and is expected to be presented to Council for endorsement in 2026-27.	Complete 

Action	Progress	Comments	Status
Deliver the year two funded actions of the Biodiversity and Resilience Strategy 2024-2034 Action Plan.	100%	A range of year two actions under the Biodiversity and Resilience Strategy 2024-2034 Action Plan were delivered throughout the year. The Gardens for Wildlife program celebrated its 20th anniversary, while work continued on the Biodiversity Sensitive Urban Design Framework in partnership with the University of Melbourne. A Nature Conversations community co-design workshop was delivered, and the Nature Stewards Program received positive feedback from participants. Community planting events were also held for World Environment Day and at Koolunga Native Reserve, supporting community participation in biodiversity and environmental stewardship.	Complete 
Deliver the annual Sustainability Initiatives of Council's Capital Works Program to reach net zero emissions by 2030.	100%	The annual Sustainability Initiatives of Council's Capital Works Program were completed and included projects such as: • efficiency upgrades to lighting and air conditioning at Knox Civic Centre • lighting replacement at several outdoor car parks including Wally Tew Reserve and Pickets Reserve • the installation of pool blankets to the 50m Pool at Knox Leisureworks • lighting upgrades to Knoxfield Tennis Club	Complete 
Conduct the mid-term review of Council's Climate Response Plan 2021-2031.	100%	The mid-term review of Council's Climate Response Plan 2021-2031 was completed with the draft to be presented to Council for consideration in July 2026.	Complete 

Action	Progress	Comments	Status
Advocate to Federal and State Governments to reconsider the kerbside glass only service reform, in favour of an expanded Container Deposit Scheme (CDS) to enhance glass recycling and reduce cost to the Knox community.	100%	Knox is among 39 Victorian councils calling on the State Government to delay the mandatory rollout of a costly fourth glass bin. Community feedback from our 2025 Waste Service Review showed that homes in Knox have less than 10 glass items to recycle per week. For our community, this suggests a fourth household bin dedicated solely to glass recycling would not be well utilised. Knox residents responded to the “Let’s be clear on glass” community survey and the results are being provided to the State Government for review. The 39 Councils are requesting expanding the CDS to include wine and spirit bottles and an extension of the July 2027 deadline for the glass-only kerbside service. This would allow sufficient time to fully explore alternative options.	Complete 
Participate in the South East Metropolitan Advanced Waste Processes Project Oversight Group, to oversee facility construction and report back to Council.	100%	Knox City Council is involved in ongoing discussions following the Victorian Civil and Administrative Tribunal (VCAT) decision in April that will impact the South East Metropolitan Advanced Waste Processes Project. Knox City Council is a part of the South East Council landfill user group and there is a working group tasked with preparing a report investigating the impacts of the landfill and transfer station capacity after the closure of Veolia Hallam. Knox is up to date with providing the working group with required data and attending meetings.	Complete 

Performance measures

Performance Measure	Annual Target	2025-2026 Result	Comments
Community satisfaction with the provision and maintenance of parks and gardens.	7.8-8.0	8.1	Community satisfaction with the provision and maintenance of parks and gardens was 8.1 which is an “excellent” level of satisfaction.
Net change in Council trees (planted vs removed).	1,250-1,350	1,298	During 2025-26 council planted 2,372 trees and 1,074 trees were removed. This is a net gain of 1,298 trees.
Waste diverted from landfill.	72-74%	71%	The diversion rate is relatively consistent with the previous reporting period. The diversion rate has been impacted by the successful uptake of the Container Deposit Scheme (CDS), which has shifted recyclable materials away from Council’s collection system, and lower green waste tonnages due to reduced rainfall. As a result, these materials are no longer included in our reported recycling figures, impacting the calculated diversion percentage. The diversion rate of 71% continues to place Knox as a leading Council in reducing waste to landfill and in a strong position to achieve state and Council goals on this key environmental indicator.
Council’s greenhouse emissions (CO2 equivalent).	1,800-1,850	<i>Data not available</i>	Data will be available in August 2026.
Electrification of Council Buildings (removal of gas and/or installation of solar and/or battery connection).	3-5 buildings per financial year	3 buildings	HV Jones Pavilion, Wally Tew Pavilion and Tormore Reserve Pavilion have been fully electrified in this financial year.

Theme 4: Leading, listening and governing responsibly

Actions

Action	Progress	Comments	Status
Optimise Council's key communication channels to ensure our customers have easy access to relevant and timely information.	100%	The review of Council owned communication channels has been completed for Knox News print magazine, eNewsletter, roadside banner, the Have Your Say website and on hold messages. The review process included completing Equity Impact Assessments to ensure the needs of different audiences were considered. Reviews were also completed for external communication channels that Council regularly utilises including digital screens, Electric Vehicle (EV) charging station screens, community newspapers, and the Mayor's radio segment. Findings from the reviews will inform the development of guides, documenting processes, monitoring and evaluation measures and actions for improvement. This work aligns with the Digital Roadmap and Social Media Framework.	Complete 
Finalise the platform tender process for Core Business Systems to integrate technology systems into a single source of truth, optimising efficiency, cybersecurity and productivity.	100%	The tender was finalised and the contract was awarded to the preferred tenderer on 24 December 2025.	Complete 

Action	Progress	Comments	Status
Develop and endorse Council's Annual Budget 2026-27.	100%	The 2026-2027 Annual Budget was adopted by Council on 22 June 2026.	Complete 
Actively pursue and participate in collaborative procurement opportunities to maximise contract outcomes.	100%	Council continued to pursue collaborative procurement opportunities throughout the year to achieve improved contract outcomes and value for money. This included participation in collaborative procurement activities for Traffic Management and IT Operations Management services. Council will continue to review procurement opportunities and where appropriate, align contracts with broader Eastern Region collaborative arrangements to support efficiency, consistency and value for money outcomes.	Complete 
Deliver the year one actions of Council's Organisation Strategy 2025-29.	90%	Our Organisation Strategy focuses on five key themes. It encourages our people to be customer centric, people focused, financially sustainable, change ready and outcomes driven. Nine of the ten actions within the Organisation Strategy were completed during 2025-26. The remaining action will be carried forward to 2026-27.	Behind schedule 

Action	Progress	Comments	Status
Complete a community engagement program to inform Council's Annual Budget 2026-27.	100%	Community engagement for the Annual Budget and Action Plan was undertaken between 28 July and 24 August 2025 with 594 responses from community members and eight formal submissions. The engagement activities were focused on understanding how we can best meet community needs under each theme of the Council and Health and Wellbeing Plan, community ideas for actions or projects in a specific location in Knox and the services our community think deliver most value. Engagement activities included an online survey, five pop-up events across the municipality and targeted events at the hubs and with the multi-advisory committee. The community engagement report was presented to Council at the Council Meeting on 29 September 2025 with formal submissions being heard on 1 October 2025 by Councillors. The feedback received during these community engagement activities informed the development of the Annual Budget 2026-27.	Complete 
Develop and launch a Continuous Improvement Framework and Year 1 program of initiatives to improve customer experience, staff experience, and operational efficiency.	100%	The Continuous Improvement Framework and associated roadmap were endorsed by the Executive Leadership Team in May 2026. The program has now been launched, with the prioritisation of improvement projects underway to support the delivery of ongoing improvements across Council.	Complete 
Develop and endorse Council's Asset Plan 2025-2035.	100%	Council adopted the Asset Plan 2025-2035 on Monday 27 October 2025.	Complete 

Performance measures

Performance Measure	Annual Target	2025-2026 Result	Comments
Community satisfaction with Council's community consultation and engagement	6.9-7.1	7.1	Community satisfaction with community consultation and engagement was 7.1 which is a "good" level of satisfaction.
Adjusted underlying surplus	9.15%	4.69%	The adjusted underlying surplus for the 2026 financial year was 4.69%. The major variance to budget in the adjusted underlying result was the \$11.7 million variance for the net gain (loss) on disposal of property, infrastructure, plant and equipment, including a timing difference in land and building sales totalling \$10.0 million which are now set to proceed during the 2027 financial year. Partially offsetting this was an increase of \$8.3 million for depreciation due to the impact of AASB 13 Fair Value Measurement which contributed to an increase of \$253 million in the value of Council assets as at 30 June 2025 (after the adoption of the budget for the 2026 financial year).
Community satisfaction with Council having a sound direction for the future.	6.7-6.9	7.1	Community satisfaction with Council having a sound direction for the future was 7.1 which is a "good" level of satisfaction.
Community satisfaction with Council's representation,	6.7-6.9	7.1	Community satisfaction with Council's representation, lobbying, and advocacy on behalf of the community was 7.1 which is a "good" level of satisfaction.

Performance Measure	Annual Target	2025-2026 Result	Comments
lobbying, and advocacy on behalf of the community			
Community satisfaction with Customer Service	7.7-7.9	7.7	Community satisfaction with Customer Service was 7.7 which is a “very good” level of satisfaction.
Community satisfaction with Council’s overall performance	6.9-7.1	7.2	Community satisfaction with Council’s overall performance was 7.2 which is a “good” level of satisfaction.
Council decisions made at meetings closed to the public.	4%-6%	4%	Council continues to strive to limit the number of decisions made in meetings closed to the public as much as possible. Seven resolutions were made in closed meetings of Council during 2025-26.

Theme 5: Being a strong voice for safety

Actions

Action	Progress	Comments	Status
Complete the Domestic Animal Management Plan 2025-2029.	100%	The development of the Domestic Animal Management Plan (DAMP) 2025-2029 has been finalised and was endorsed by Council on 23 February 2026.	Complete 
Participate in the Eastern Metropolitan Council's Emergency Management Partnership (EMCEMP) in order to deliver a collaborative approach to regional emergency preparation and preparedness.	100%	Knox City Council has recently signed a new partnership agreement with the EMCEMP Councils, including ongoing funding for the next four years to enable a collaborative approach to regional emergency preparation and preparedness. Under this new partnership, officers will continue to participate in the collaboration.	Complete 
Develop a first draft of a Public Lighting Policy for Knox to extend usable hours and improve perceptions of safety in public spaces.	100%	A first draft of the Public Lighting Policy for Knox has been developed following a review of public lighting policies from other municipalities and input from the project working group. Officers are currently reviewing the draft to consider policy scope, public safety outcomes, asset and maintenance implications, implementation requirements and alignment with the Council and Health and Wellbeing Plan 2025-2029. Feedback from the internal review will inform further refinement of the draft before presentation to Council for consideration.	Complete 

Action	Progress	Comments	Status
Partner with key stakeholders to deliver community safety programs and initiatives that improve perceptions of safety and neighbourhood connection.	100%	Three Knox eNews articles were published between April and June 2026, with a cumulative 380 click throughs. Council delivered an internal and external session titled ' <i>Understanding the Youth Crime Narrative</i> ' in June 2026, attended by 27 participants. The ' <i>Keeping Knox Safer</i> ' round table was held in May 2026, bringing together 44 participants from a range of services across Knox and State Government. <i>Three Cuppa with a Cop</i> sessions were also attended by Council Officers in collaboration with Victoria Police.	Complete 
Celebrate the achievements of women and progress towards gender equality through the delivery of International Women's Day event and 16 days of Activism Against Gender-Based Violence in partnership with our community.	100%	Throughout the year, Council delivered a range of initiatives to celebrate the achievements of women and promote gender equality, including International Women's Day events and activities delivered through the 16 Days of Activism campaign. Delivered in partnership with community organisations, regional councils, Knox Libraries and other stakeholders, these initiatives supported community awareness, encouraged respectful relationships and strengthened understanding of gender equality and the prevention of gender-based violence. Planning has also commenced for 2026-27 activities, including the 16 Days of Activism Against Gender-Based Violence campaign, and Councils participation in the <i>Put Her Name On It</i> program to support recognition of women's contributions and promote gender equality within the community.	Complete 

Action	Progress	Comments	Status
Deliver year two of the Free From Violence project.	100%	Year two of the project was completed in March 2026 and year three of the Free From Violence project has commenced in April 2026 following approval by Department of Families, Fairness and Housing of the Project Plan. The Free From Violence project saw the activation of a major family violence awareness and help seeking campaign across a number of settings within Knox, including sporting clubs and stadiums, early years settings, neighbourhood houses, opportunity shops, licenced venues as well as through billboards and roadside banners. An event to mark World Elder Abuse Awareness Day was delivered on 24 June 2026 to promote gambling harm awareness and the link to elder abuse. Planning is underway for education sessions to be rolled out in Quarter 1 to meals on wheels volunteers, library staff, sporting clubs and Council staff.	Complete 

Performance measures

Performance Measure	Annual Target	2025-2026 Result	Comments
Perception of community safety in public areas of Knox.	7.9-8.1	8.2	The perception of community safety in public areas of Knox exceed the target.
Perception of community safety at home.	8.2-8.3	8.3	The perception of community safety at home met the target.
Number of days taken to follow up a major or critical food notification or outbreak.	1-2	1	Follow ups on major or critical food notification or outbreak continue to be conducted within one day of notification.
Percentage of high-risk buildings (large public buildings such as shopping centres, aged care facilities, hospitals or entertainment venues) audited annually, for compliance with safety requirements.	30%-35%	30%	The audits undertaken continue to be a mix of proactive and reactive reviews of high-risk buildings. The bulk of the audits relate to high-risk combustible cladding buildings located within the Knox Municipality that have been referred to the Knox Building team by Cladding Safety Victoria.
Animal Management Prosecutions.	95%-100%	100%	Council prosecutes serious offences under the Domestic Animals Act, as well as matters involving repeat offenders who consistently show irresponsible pet ownership. The Council has maintained a 100% success rate in its prosecutions.

Theme 6: Planning our future city

Actions

Action	Progress	Comments	Status
New or upgraded Council facilities are designed to be Disability Discrimination Act compliant.	100%	All building works undertaken in the Capital Works Program for 2025-2026 requiring a building permit were compliant with the Disability Discrimination Act (DDA), as required under the Building Regulations, ensuring inclusive and accessible design.	Complete 
Assess building condition audit data and create renewal programs to align with building hierarchy and the long-term financial plan.	100%	A prioritised renewal program has been prepared utilising the 2024 building condition audit data. This renewal program aligns with building hierarchy and the long-term financial plan.	Complete 
Review the Public Toilet Policy and develop the next iteration of the Policy and Implementation Plan.	100%	The Draft Public Toilet Management Policy and Draft Public Toilet Management Plan have been completed. The final Policy and Plan will be presented to Council in 2026-2027.	Complete 

Action	Progress	Comments	Status
Commence preparation of the Knox Housing Strategy review following release of the new Plan for Victoria and State housing targets to ensure that Knox is well placed to respond to legislative change and market demands.	100%	This project has commenced however continues to be rescoped in response to planning reform being progressed by the State Government. Delivery was significantly delayed awaiting the release of the housing modelling tool required to determine the distribution of State Government-allocated housing targets. The tool was released in February 2026, enabling the next phase of the project to proceed.	Complete 
Prepare the Bayswater Renewal Strategy Planning Scheme Amendment for implementation into the Knox Planning Scheme.	100%	Preparation of documentation associated with the planning scheme amendment has been completed, including a response to a request for further information from the Department of Transport and Planning (DTP) regarding the amendment. Council is awaiting final authorisation from DTP before presenting a report to Council to note the planning scheme amendment documentation prior to public exhibition of the amendment in 2026-2027.	Complete 

Action	Progress	Comments	Status
Advocate and provide support for eligible community members over 55 to access safe and affordable housing.	100%	Council officers continue to work with the Department of Families, Fairness and Housing (DFFH) to support older residents to access affordable housing. In response to increasing numbers of visible homelessness, Council sent a targeted advocacy letter to the Minister for Housing advocating for State Government funding to support homelessness outreach services in Knox, following the identification of a gap in funding for these services within the municipality. The State Government advised that the 2026-2027 Budget includes funding for homelessness and housing support services in areas where services are currently unfunded or where additional investment is required due to increasing levels of homelessness. Advocacy for safe and affordable housing will continue.	Complete 
Deliver the year three actions of the Social and Affordable Housing Strategy 2023-2027.	100%	The Mid-Term Review of the Social and Affordable Housing Strategy 2023-2027 was presented to Council in November and received positive feedback. The actions identified during the associated Equity Impact Assessment (EIA) have commenced. The implementation group meet quarterly to monitor progress and support delivery of the identified actions.	Complete 

Performance measures

Performance Measure	Annual Target	2025-2026 Result	Comments
Community satisfaction with planning for population growth.	6.0-6.5	6.8	Community satisfaction with planning for population growth was 6.8 which is a “good” level of satisfaction.
The number of one- and two-bedroom dwellings approved in planning permits.	50-60	72	The result exceeded the annual target.
Extent of housing development that is consistent with housing strategy expectations.	66%-76% alignment	77%	In 2025, 77% of new dwelling approvals were consistent with their designated Housing Strategy Area, representing a 9% increase from 68% in 2024. This is the third-highest level of alignment recorded since 2016 and is above the 10-year average of 74%.
Percentage and proportion housing defined as affordable for very low- and low-income earners sales.	3.2%-3.5%	4%	3.5% of housing sales in Knox in the 12 months to December 2025 were affordable for low-income households and 0.4% of sales were affordable for very low-income households. There is a 6-month lag for this data as this comes from a non-Council dataset.
Percentage and proportion housing defined as affordable for very low- and low-income earners rentals.	44%-47%	24%	23.7% of rentals in Knox in the 12 months to December 2025 were affordable for low-income households and 0.3% were affordable for very low-income households. Affordable rental listings have continued to decline steadily since data monitoring became available in 2020, but this decline has accelerated at a much faster rate than the previous trend since January 2023. This

Performance Measure	Annual Target	2025-2026 Result	Comments
			explains the much lower figure than the annual target. The accelerated decline in rental affordability coincides with a 'landlord exodus'. A high rate of rental sales starting in 2023-24 has been attributed by industry experts to Government policy changes (including Land Tax). Rental property losses tend to push prices up under basic supply-demand logic. There is a 6-month lag for this data as this comes from a non-Council dataset.
Percentage of Asset Renewal Program completed.	85%-95%	100%	The Capital Works Renewal Program for 2025-2026 has expended \$31.83m out of the \$31.96m amended budget which equates to a 99.6% completion delivery rate. This is across renewal programs for Bridge, Road Sub Structures, Road Surface, Drainage, Water Sensitive Systems, Footpath, Shared Path, Building, Active Reserves, Road Furniture, Carpark, Plant, Playground, Passive Open Space and Artwork.

8.2 Local Law Review

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

SUMMARY

The purpose of this report is to provide Council with the outcomes of the community engagement process in relation to the exhibition of the draft Amenity Local Law 2026 (draft Local Law 2026), and to propose that Council note the feedback and officer responses, and to adopt the Amenity Local Law 2026 (**Attachment 4**).

Extensive consultation was undertaken with internal and external stakeholders and Councillors. Taking into account all feedback, Officers proposed to make major changes to the current Amenity Local Law 2020 (Local Law 2020) to address the needs of the community and to ensure that all provisions within the draft Local Law 2026 are both effective and enforceable. A Comparative Analysis between the Local Law 2020 and the draft Local Law 2026 has been developed to provide a clear understanding of the proposed changes, with reasons explaining the changes (**Attachment 6**).

The draft Local Law 2026 has been reviewed and certified pursuant to section 74(1) of the Local Government Act 2020 (LGA 2020) by Mark Hayes, Partner at Maddocks, stating that they are of the opinion that the draft Local Law 2026 is consistent with the local law requirements. The certificate has been included in the draft Local Law 2026 attached to this report as **Attachment 5**.

RECOMMENDATION

That Council resolve to:

1. Receive and note the Local Law Review report.
2. Note the results of the exhibition of the draft Amenity local Law 2026 that was undertaken.
3. Note the Certificate by a qualified person, Mark Hayes from Maddocks Lawyers, under section 74 of Local Government Act 2020 stating that they are of the opinion that the Amenity Local Law 2026, as contained in Attachment 5, is consistent with the local law requirements.
4. Approve and adopt the Amenity Local Law 2026 as contained in Attachment 4, with a commencement date of 1 January 2027.
5. Approve and incorporate the Use of Waste Collection Services Policy in the Amenity Local Law 2026, as contained in Attachment 7.
6. Approve and incorporate the List of Environmental Weeds in the Amenity Local Law 2026, as contained in Attachment 8.
7. Authorise the Chief Executive Officer to give notice of the making of the Amenity Local Law 2026 in the Government Gazette and public notice in accordance with the Local Government Act 2020.
8. Send a copy of the Amenity Local Law 2026 to the Minister for Local Government.

1. DISCUSSION

1.1 Background

The current Local Law 2020 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 2020 and where improvements could enhance the delivery of its objectives.

Furthermore, a key action from the Community Laws Service Plan identified an 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 2020 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, was recommended and has been completed.

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, Local Laws 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 Development of the draft Local Law Review

The program to review the Local Law commenced in July 2025 and included internal consultation, development of a draft local law and two rounds of community engagement. Following the recent exhibition of the draft Local Law 2026, it is proposed that Council adopt the draft Local Law, with the local law to take effect from 1 January 2027.

APPROACH AND TIMELINE



Outcomes from the consultation and exhibition of the draft Local Law 2026 are contained in part two of the this report below.

1.4 Amendments made to the draft Local Law 2026 following exhibition

The Phase 2 exhibition generated 87 online survey contributions. In addition, 33 written submissions were received via the local law review email address. Officers have collated all online survey contributions and written submissions and provided comments on each submission in the attached document “Officer comments on Written Community & Online Survey Submissions - draft Amenity Local Law 2026” (**Attachment 2**).

Officers have recommended three (3) changes to the draft Local Law 2026 as a result of community submissions and feedback from Councillors.

Clause 42 – Use of toy vehicles or aircraft

The Victoria Drone Flyers made a submission that any reference to ‘model aircraft’ must be excluded from incorporation in the draft Amenity Local Law 2026 as ‘model aircraft’, including drones are comprehensively regulated by the Commonwealth through the Civil Aviation Safety Authority (CASA). On advice from Maddocks, Officers have noted this feedback and proposed to delete any reference to ‘model aircraft’ in the clause and have also deleted the words in the definition clause.

Clause 24 – Tree and vegetation protection and Schedule 1 - Penalties

Council has received 25 written submissions objecting to the penalty units proposed in the draft Local Law regulating Clause 24 – Significant trees and vegetation. In the current Local Law, the infringement (fine) penalty units for this offence are set at 10 penalty units (\$1,000.00), whilst the proposal in the exhibited draft Amenity Local Law 2026 was 3 penalty units (\$627.00).

Officers have considered the feedback regarding the importance of preserving significant trees and vegetation. Therefore, officers propose to increase the fine penalty unit in the draft Amenity Local Law 2026 to 10 penalty units, which means the fine penalty amount will be \$2,091.00 (based on a standard penalty unit amount of \$209.10 for the 2026/27 financial year). The penalty amount will increase annually in line with CPI.

The court-imposed penalty under the draft Amenity Local Law 2026 for all offences is the maximum allowed under legislation and is therefore set at 20 penalty units (\$4,180.00).

It should be noted that the Knox Planning Scheme contains a number of controls that allow for the protection of Vegetation, including:

- Environmental Significance Overlay;
- Vegetation Protection Overlay;
- Significant Landscape Overlay;
- Heritage Overlay (can also protect vegetation that has heritage significance);
- Clause 52.17 – Native Vegetation; and
- Clause 52.37 – Canopy Trees.

Specifically, Vegetation Protection Overlay Schedule 2 is targeted at protecting Significant and Non-Indigenous Native Trees. Additionally, Clause 52.37 was introduced by the State Government in September 2025 (Amendment VC289) and has expanded the areas covered by vegetation controls within Knox. Officers will generally deal with vegetation removal under the Planning and Environment Act 1987 and Knox Planning Scheme as the most appropriate legislation. The Local Law will only apply to vegetation declared as significant under the Local Law and not otherwise protected by the Planning Scheme. The penalties under the Planning and Environment Act 1987 are significant and any breach of the Planning Scheme can either lead to a fine or prosecution or enforcement action at VCAT. A fine of 5 penalty units or Court prosecution of up to 1200 penalty units (\$250,800.00) is applicable.

Clause 17 – Camping on private land

Council received several community submissions expressing concern that family members could be liable for camping in their own backyard. Council are unable to amend the clause at this stage of the process without having to recommence exhibition of the draft Local Law, as any substantive or material change would require another period of public consultation under the LGA 2020. In response to this feedback on the application of the camping on private land provision, officer sought advice from Maddocks to draft an explanatory note for inclusion in the draft Local Law 2026.

Officers recommend including an explanatory note at Clause 17 of the draft Local Law 2026 to clarify that Council will exempt a person from obtaining a permit where a family member or friend camps on private land overnight or for a short period, such as children sleeping in a backyard tent overnight or for a few nights.

1.5 Draft Local Law 2026 – Fine Penalties

The Schedule 1- Penalties has undergone a comprehensive review as a result of feedback from the community. Following benchmarking with other Councils, with the exception of increasing the fine penalty unit for Clause 24, the remainder of the penalties are fair and consistent with surrounding councils. The main purpose of issuing a fine is to provide an alternative means of dealing with low-level offences, enabling the offence to be dealt with by payment of a fixed fine penalty, rather than through prosecution in court.

The current Local Law 2020 was made under the Local Government Act 1989, and the fixed penalty amount is \$100.00. The draft Local Law 2026 is made under the Local Government Act 2020 and penalties are governed by the Monetary Units Act 2004. The penalty amount is

determined by the State Government every year from 1 July and will increase based on the Consumer Price Index (CPI). The penalty amount of a penalty unit from 1 July 2026 will be \$209.10 (rounded to \$209.00). Section 79(1) of the LGA 2020 provides that the maximum penalty for a breach of the Local Law, if prosecuted in Court, is 20 penalty units (\$4,180.00 as from 1 July 2026).

The [Attorney-General's Guidelines to the Infringements Act 2006 – for Legislating Agencies | Department of Justice and Community Safety Victoria](#) has been considered when determining a fine penalty unit. The Guidelines specifically state that the penalty unit should be set at the minimum level required to achieve deterrence of the specific offending behaviour and at a level that is proportionate to the gravity of offending behaviour and represents a fair punishment to the offender. The fine penalty unit should also be set with reference to the court-imposed maximum penalty. The Guidelines further state that an infringement fine should be no more than 25 per cent of the statutory maximum penalty for the offence. A higher proportion of the maximum penalty up to 50 per cent may be justified if there are public interest grounds for exceeding the 25 per cent limit. The court-imposed penalty under the draft Local Law 2026 for all offences is the maximum allowed under legislation and is 20 penalty units (\$4,180.00).

1.6 Incorporated documents

Section 76 of the LGA 2020 allows Council to adopt or incorporate any document, code, standard, rule, specification or method into a local law. The Use of Waste Collection Services Policy (**Attachment 7**) and the List of Environmental Weeds (**Attachment 8**) were adopted by Council resolution on 20 May 2020.

To make these documents enforceable under the draft Local Law 2026, Council must approve the incorporation of Attachments 7 and 8 as incorporated documents. Council officers may amend the incorporated documents at any time without amending the Local Law. Under section 76(2) of the LGA 2020, Council is only required to publish notice of any amendment on its website.

Officers responsible for the incorporated documents have been consulted and confirmed that they remain current and relevant. The Waste Team is reviewing the Use of Waste Collection Services Policy and has advised that the review is expected to be administrative, focusing on current services and relevant policies. The Biodiversity Team considered the List of Environmental Weeds during internal stakeholder engagement and supported retaining the existing list.

1.7 Legal compliance

Following post exhibition amendments to the exhibited draft Local Law 2026, advice has been sought from Councils external lawyers (Maddocks) to enable them to review the draft Local Law 2026 and ensure compliance with the legislative requirements under LGA 2020. Section 74 of the LGA 2020 specifically regulates that before a Council makes a local law, a Council must obtain a certificate from a qualified person stating that the person is of the opinion that the proposed local law is consistent with the requirements of the LGA 2020.

Maddocks have reviewed the draft Local Law 2026 and proposed amendments which are not substantive and material in nature (i.e. they do not propose to add or remove clauses, however, they clarify language, structure and legislative compliance within the draft Local Law) and as such do not require to be subject to a further period of public consultation under Section 73(6) of the LGA 2020. **Attachment 3** provides a tracked-changes version of the draft Local Law 2026, marked-up with the comments and suggested changes provided by Maddocks.

The LGA 2020 allows amendments to a draft local law that was released by Council for exhibition, and these amendments can include those proposed by the community, Council and external lawyers as part of their review. The only restriction is to adhere to section 73(6) of the LGA 2020 as mentioned above.

Specifically, Maddocks have proposed the following amendments to the exhibited draft Local Law 2026:

Part1: Preliminary, Objectives and Definitions

- Language and structure have been simplified and a number of definitions clarified or amended to align with State legislation.

Part 2: Private land and Neighbourhood Amenity

- Language and structure have been simplified;
- Refined clause 15 and deleted subclause 15(6) as this is addressed by clause 25 (avoid duplication);
- Inserted an explanatory note at Clause 17 – Camping on private land; and
- Refined clause 21 regulating short stay rental accommodation to make it more certain when a complaint is regarded as ‘substantiated’.

Part 3: Private Land and the Environment

- Cosmetic changes;
- Refined clause 23 dealing with environmental weeds; and
- Refined clause 24 dealing with Tree and vegetation protection.

Part 4: Open Air Burning

- Cosmetic changes; and
- Language and structure have been simplified.

Part 5: Waste Management

- Cosmetic changes; and
- Language and structure have been simplified.

Part 6: Animals

- Cosmetic changes; and
- Language and structure have been simplified.

Part 7: Use of Council Land and Roads

- Cosmetic changes; and
- Deleted any reference to ‘model aircraft’ in clause 42 and renamed the heading – Use of Toy Vehicles and insert a subclause to list the prohibition on Council’s webpage to inform the community of the prohibition.

Part 8: Vehicles on Council Land or Roads

- Cosmetic changes.

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

- Cosmetic changes.

Part 10: Alcohol and Smoking on Council Land and Roads

- Cosmetic changes; and
- Insert a subclause to list the prohibition on Council's webpage to inform the community of the prohibition.

Part 11: Council Assets, Trees and Regulating Building Sites

- Cosmetic changes; and
- Language and structure have been simplified.

Part 12- Administration (Permits)

- Cosmetic changes; and
- Language and structure have been simplified.

Part 13: Compliance and Enforcement of the Local Law

- Cosmetic changes; and
- Language and structure have been simplified.

Part 14: Delegations

- Cosmetic changes.

Schedule 1 – Penalties

- Increase the fine penalty unit to 10 for Clause 24 – Tree and vegetation protection.

1.8 Certification of the draft Local Law 2026.

Section 74 of the Act requires Council to obtain a certificate from a qualified Australian lawyer who has been admitted to the legal profession for at least five years, stating that they are of the opinion that the proposed Local Law is consistent with the local law requirements. The draft Local Law 2026 has been reviewed and certified pursuant to section 74(1) of the LGA 2020 by Mark Hayes, Partner at Maddocks. The certificate has been added to the draft Local Law 2026 attached to this report as Attachment 5.

1.9 Review required for any amendments to the draft Local Law 2026

If Council makes any amendment to the draft Local Law 2026 contained in Attachments 4 and 5, including a minor change, the current certification will be affected, and the amended draft Local Law 2026 will need to be referred back to the external lawyer for review. For minor amendments, a new certificate may be issued. However, any substantive amendment will require a further period of public consultation under section 73(6) of the LGA 2020.

1.10 Commencement of the draft Amenity Local Law 2026

The proposed commencement date for the draft Amenity Local Law 2026 is 1 January 2027. This will give officers and staff sufficient time to update compliance processes and templates, communicate the changes, and update Council's website. The later commencement date will also allow clear community messaging about bushfire hazard reduction and burning off under new clause 26 – Open Air Burning. As the new provisions will commence after the fire danger period is declared, which may occur as late as December, residents will be required to comply with the Local Law 2020 during the 2026 summer fire hazard reduction program. This timing will allow sufficient time for comprehensive community engagement and communication about the new provisions prior to them taking practical effect post the 26/27 bushfire season.

2. ENGAGEMENT

2.1 Phase 1 community engagement

The existing Local Law 2020 underwent a review process during 2025 with feedback sought from internal stakeholders and Councillors. Through this process, eight key issues were identified in the current Local Law. Councillors provided feedback on the eight issues in November 2025 in order to inform the first round of community engagement on the development of a new Amenity Local Law.

The Phase 1 community engagement regarding the eight issues was completed from 9 February 2026 to 9 March 2026. The community provided valuable feedback that helped shape the new draft Local Law 2026 to better support the needs of our community.

2.2 Preparation of draft Local Law 2026

Feedback received via the Phase 1 consultation process was considered and utilised in the preparation of the draft Local Law 2026. Prior to the exhibition of the draft Local Law 2026, additional consultation was completed with internal stakeholders whose feedback also informed its preparation. Legal advice on the draft Local Law 2026 also provided guidance to ensure the draft Local Law was compliant with legislation. The draft Local Law 2026 was exhibited as part of the Phase 2 round of engagement.

2.3 Phase 2 Community engagement (exhibition)

Following preparation of the draft Local Law 2026, the formal statutory process of adopting a new Local Law commenced. At the 11 May 2026 Council Meeting, Council resolved to release the draft Local Law 2026 for public exhibition and submissions.

The Phase 2 consultation was undertaken from 18 May to 14 June 2026 to:

- seek community feedback on the draft Local Law 2026;
- gauge the level of support for the proposed changes; and
- identify any matters requiring further consideration before adoption.

The draft Local Law 2026 and supporting documents were made available:

- in hard copy at Council's Civic Centre; and
- electronically on Council's website.

Engagement outcomes included:

- 9,437 people reached through social media;
- 1,448 Have Your Say page views;
- 1,095 visits;
- 875 visitors; and
- 120 submissions received, comprising:
 - 87 online survey responses; and
 - 33 written submissions.

Phase 1 community engagement generated 660 views and 85 contributions, including four written submissions. Feedback received via the Phase 2 exhibition period is contained in the Phase 2 Engagement Report & Verbatim Comments (**Attachment 1**) and was considered and utilised in the

preparation of the final draft Local Law 2026. Officers have collated all submissions received from the community and Attachment 1 includes the verbatim comments from the community.

2.4 Summary of community engagement outcomes

Community feedback during the Phase 2 exhibition process 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.

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 is included in Table 1 below, with more detailed content included on pages 6 to 8 of Attachment 1.

Table 1 – key themes Phase 2 exhibition

Theme	Proposed change area	Support level	Summary of feedback
Private Land and Amenity (n=83)	Draft provisions relating to unsightly/dangerous land, dilapidated buildings, lighting and related private land matters	● High	73.5% of the 83 responses to this question (61 responses) contributed supported or strongly supported. Comments supported stronger action on unsightly or vacant properties, graffiti and lighting, while raising fairness and affordability concerns.
Open Air Burning (n=83)	Draft provisions for open air burning, including BMO burn-offs subject to conditions	● Mixed	57.8% of the 83 responses to this question (48 responses) contributed supported or strongly supported. Support for fuel-load management was balanced by concerns about smoke, fire safety, loss of permit oversight and evidence/conditions.
Animal Management (n=83)	Draft provisions relating to animal numbers, housing, fencing, waste and responsible ownership	● Moderate/high	66.3% of the 83 responses to this question (55 responses) supported or strongly supported. Feedback supported responsible ownership and containment but questioned blanket limits, permits, affordability and animal welfare impacts.
Council Land and Roads (n=83)	Draft provisions relating to behaviour, access, obstructions, signs, vehicles and other activities on Council land and roads	● Moderate/high	62.7% of the 83 responses to this question (52 responses) supported or strongly supported. Safety objectives were supported, but comments raised concern about subjective behaviour provisions and election signage controls.
Council Assets, Trees and Building Sites (n=82)	Draft provisions relating to asset protection, building works, drainage, spoil, occupation of roads and Council land/assets	● High/qualified	67.1% of the 82 responses to this question (55 responses) supported or strongly supported. Building work hours, road cleanliness and site accountability were supported. However, substantive tree/vegetation penalty reductions attracted strong concern in comments and submissions.

Specific feedback was sought from the Country Fire Authority (CFA) in relation to Clause 26 (Open Air Buring) of the draft Local Law. The ability for vacant properties or properties within the Bushfire Management Overlay to burn off forms part of effective bushfire hazard reduction programs. The CFA is a key partner in managing bushfire risk, and feedback was sought regarding the proposed amendments to these Clauses. Responses were received from the Basin, Ferntree Gully and Upper Ferntree Gully CFA Stations, in addition to feedback from the CFA District 13 Commander that the CFA were comfortable with the proposed new Clauses subject to a detail education program for the community prior to the implementation of the Local Law 2026. The proposed commencement date for the draft Local Law 2026 has also be extended to 1 January 2027 in order to ensure that a changeover between the old and new local laws does not occur in the middle of the 2026 hazard reduction program.

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 has been funded through the existing City Safety and Health operational budget, noting that most of the proposed communication deliverables have been developed 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. 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 review of the local law and the certification process has been 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 - Phase 2 Engagement Report & Verbatim Comments [**8.2.1** - 142 pages]
2. Attachment 2 - Officer comments on Written Community & Online Survey Submissions - draft Amenity Loc [**8.2.2** - 60 pages]
3. Attachment 3 - Draft Amenity Local Law 2026 - Maddocks markup & track changes [**8.2.3** - 59 pages]
4. Attachment 4 - Amenity Local Law 2026 - to be adopted [**8.2.4** - 56 pages]
5. Attachment 5 - Certificate under Section 74 LGA 2020 of Draft Amenity Local Law 2026 by Maddocks [**8.2.5** - 57 pages]
6. Attachment 6 - Comparative Analysis between local laws [**8.2.6** - 69 pages]
7. Attachment 7 - Use of Waste Collection Services Policy [**8.2.7** - 14 pages]
8. Attachment 8 - List of Environmental Weeds [**8.2.8** - 1 page]



Review of Amenity Local Law

**Community Consultation Round 2 Summary Report
(consultation on draft Local Law)**

June 2026

Knox City Council – Review of Amenity Local Law
Community Consultation Round 2 Summary Report

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Community Consultation Round 2 Summary Report

Consultation Overview

Introduction

Knox City Council (Council) is reviewing its Amenity Local Law 2020 (Local Law). Following an initial round of community engagement to understand community sentiment and priorities, Council prepared a draft Amenity Local Law 2026 for public exhibition and sought further community feedback.

The purpose of Round 2 engagement was to test the draft Local Law, understand the level of community support for proposed changes, and identify any matters requiring further consideration before Council adopts the new Local Law.

The Local Law guides Council's compliance and enforcement activities across a wide range of topics, including private property amenity, open air burning, animal management, Council land and roads, Council assets, construction sites and the protection of trees and vegetation.

Background

The Amenity Local Law 2020 came into operation in 2020 and will cease to operate on 1 July 2030 unless revoked earlier. Officers have identified matters that affect the effectiveness of the current Local Law, including wording clarity, definitions, penalties, consistency with current legislation and enforceability of provisions.

Phase 1 engagement was conducted from February to March 2026 to help Council understand community sentiment on several proposed key changes prior to drafting the new Local Law. Phase 2 engagement focused on the draft Local Law itself, with a focus on proposed key changes.

The draft Local Law was available on Council's Have Your Say page and open for community feedback between **18 May and 14 June 2026**.

Consultation Approach

The following consultation activities were undertaken between 18 May to 14 June 2026.

Council's Online Portal – Have Your Say

- Online survey – provide feedback on the draft Local Law.
- Download a printable survey if preferred.
- Email response to locallawreview@knox.vic.gov.au

Hard copy options

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

Communications

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

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- Have Your Say page.
- Media releases.
- Social media posts.
- Article on Council's website.
- Direct email to stakeholder groups and Have Your Say subscribers.
- Articles in relevant Council newsletters.
- Printed collateral distributed through Knox libraries and customer service.
- Printed collateral distributed through Knox libraries and customer service.

Response Rate

Round 2 engagement generated 87 online survey contributions. In addition, 33 written submissions were received and collated.

Social Media Reach

A social media campaign achieved a reach of 9,437 people.

The campaign comprised two social posts (one organic and one paid) via Facebook and Instagram during the consultation period designed to promote opportunities for the community to provide feedback.

The Have Your Say project recorded 1,448 views, 1,095 visits and 875 visitors during the reporting period.

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

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Consultation Findings Snapshot

Overview

Survey results show majority support for all five draft Local Law topic areas tested. Strongest quantitative support was for private land and neighbourhood amenity provisions, followed by Council assets, trees and regulating building sites, animal management and Council-managed land and roads. Open air burning provisions received majority support but also attracted the highest neutral/don't know result and notable opposition.

The qualitative feedback provides important context. While many respondents supported stronger amenity, safety and construction-site controls, a dominant issue across written submissions and open comments was concern about proposed Schedule 1 penalty reductions, particularly for Clause 24 tree and vegetation protection. This issue was raised repeatedly even where it did not align neatly with the survey topic boxes.

Respondent Profile

Most survey respondents selected a Knox suburb when asked where they live (83 of 87 responses, or 95.4%). The suburbs with the highest number of responses were Boronia, Ferntree Gully, Wantirna South and Rowville. Survey respondents were more likely to be women (62.4%) and were concentrated in the 35 to 54 and 55 to 74 age groups.

Consultation Findings – Summary Outcomes

Overall, Round 2 engagement indicates a community that supports practical measures to maintain safety, amenity and accountability, while expecting local laws to be clear, evidence-based, proportionate and enforceable. Feedback highlights the need to balance amenity and safety objectives with fairness, affordability, property rights, environmental protection and community trust.

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Community support for draft Local Law changes

Theme	Proposed change area	Support level	Summary of feedback
Private Land and Amenity (n=83)	Draft provisions relating to unsightly/dangerous land, dilapidated buildings, lighting and related private land matters	● High	73.5% (61 people) supported or strongly supported. Comments supported stronger action on unsightly or vacant properties, graffiti and lighting, while raising fairness and affordability concerns.
Open Air Burning (n=83)	Draft provisions for open air burning, including BMO burn-offs subject to conditions	● Mixed	57.8% (48 people) supported or strongly supported. Support for fuel-load management was balanced by concerns about smoke, fire safety, loss of permit oversight and evidence/conditions.
Animal Management (n=83)	Draft provisions relating to animal numbers, housing, fencing, waste and responsible ownership	● Moderate/high	66.3% (55 people) supported or strongly supported. Feedback supported responsible ownership and containment but questioned blanket limits, permits, affordability and animal welfare impacts.
Council Land and Roads (n=83)	Draft provisions relating to behaviour, access, obstructions, signs, vehicles and other activities on Council land and roads	● Moderate	62.7% (52 people) supported or strongly supported. Safety objectives were supported, but comments raised concern about subjective behaviour provisions and election signage controls.
Council Assets, Trees and Building Sites (n=82)	Draft provisions relating to asset protection, building works, drainage, spoil, occupation of roads and Council land/assets	● High/qualified	67.1% (55 people) supported or strongly supported. Construction hours, road cleanliness and site accountability were supported. However, tree/vegetation penalty reductions attracted strong concern in comments and submissions.

Percentages are based on answered survey questions. Comments and written submissions provide context and may raise issues not isolated in the survey scale questions.

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Consultation findings key themes

Community consultation undertaken during Round 2 identified several consistent themes. Feedback gathered through surveys and written submissions highlighted community priorities. The key themes identified through the consultation are outlined below.

1. Tree and vegetation protection

The strongest qualitative issue was opposition to proposed penalty reductions for illegal removal of significant trees or vegetation. Submissions argued that penalties should be retained or increased, especially because loss of mature canopy, habitat and biodiversity is difficult or impossible to remedy quickly.

2. Open air burning, smoke and safety

Views on permit-free BMO burn-offs were mixed. Supporters saw value in practical fuel-load management. Opponents raised concerns about smoke pooling, air quality, community health, cumulative impacts, fire safety and the loss of site-specific permit oversight.

3. Amenity and property condition

Many comments supported stronger action on unsightly, vacant, derelict or poorly maintained properties, graffiti, dumped rubbish and nature-strip maintenance. Others cautioned that local laws should not unfairly penalise older people, renters, residents experiencing hardship or property owners who are victims of graffiti.

4. Animal management and welfare

Respondents supported responsible ownership and improved containment where it prevents roaming animals or attacks. However, there was concern about blanket animal limits, permit costs, fencing affordability, impacts on renters and the risk of reducing opportunities for animal rescue or rehoming.

5. Council land, roads and public behaviour

Some participants supported stronger tools to manage safety and amenity on Council land. Others were concerned that provisions relating to offensive or aggressive behaviour could be subjective and might restrict public questions, protest or democratic participation.

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6. Enforcement and trust in Council

Across topics, participants wanted laws that are enforceable and supported by visible Council action. A recurring theme was that new or clarified provisions will only be effective if they are resourced, consistently applied and accompanied by education, transparent decision-making and clear thresholds.

7. Building sites and Council assets

There was support for aligning construction hours with EPA noise rules, controlling spoil and debris on roads, protecting drains and maintaining safe pedestrian access. Respondents also expected Council to maintain its own assets, roads and drains to the same standard it expects of residents and builders.

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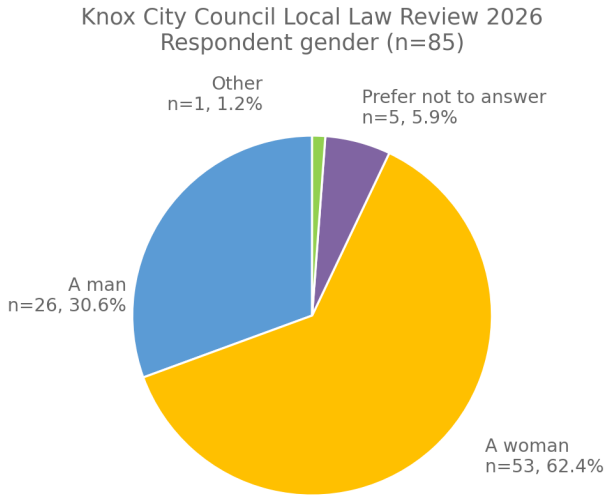
Community Survey Outcomes

Overview

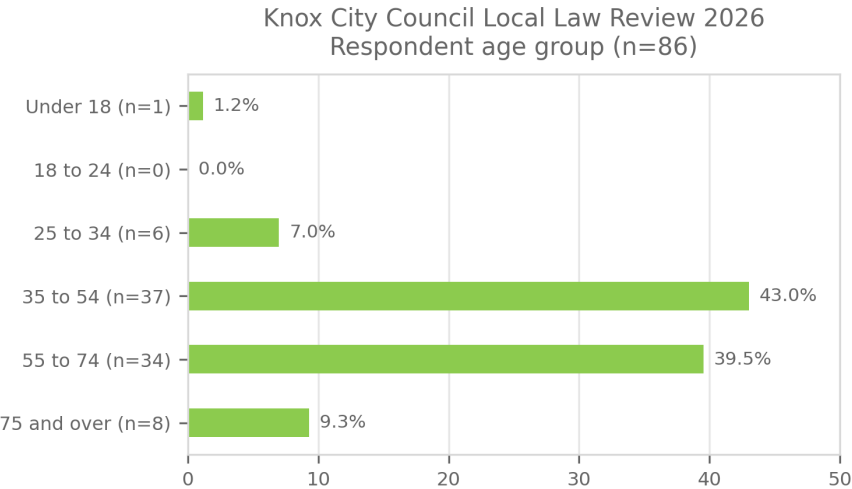
87 valid survey responses were received.
Individual comment themes within the survey open ended fields have been coded and categorised to provide context and enable analysis of themes evident.

Respondent Demographics

Gender

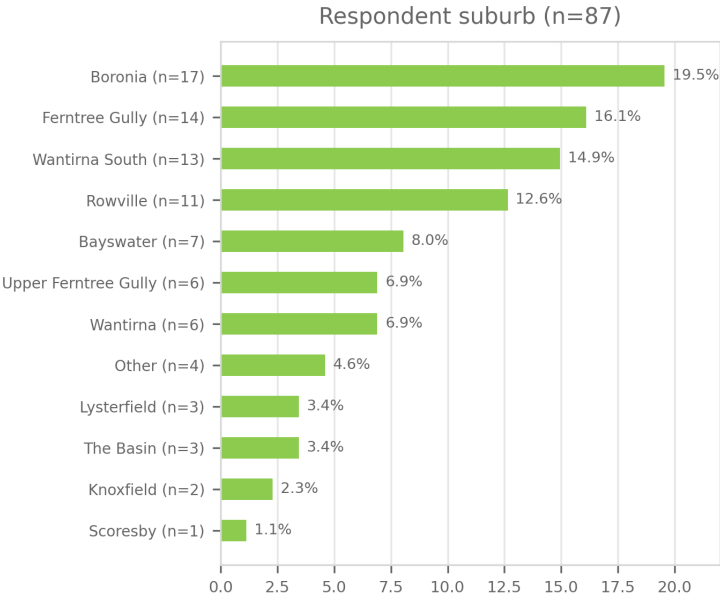


Age group

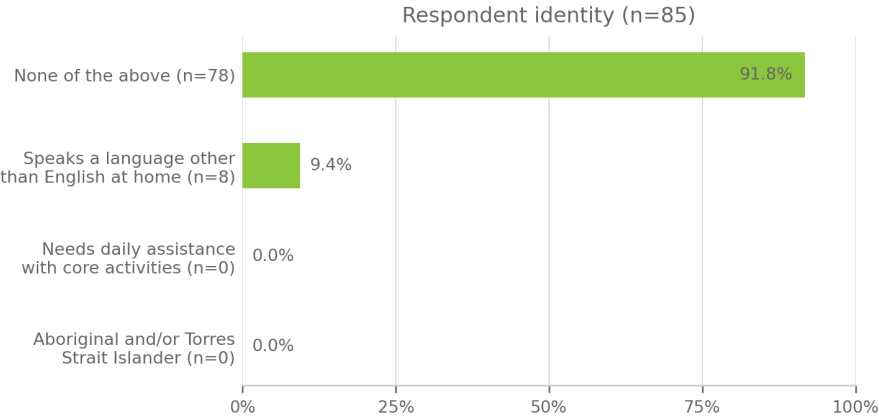


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Suburb



Identity



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Proposed amendments to the Local Law

Summary of proposed amendments to the Local Law

Private land and neighbourhood amenity

These clauses address the amenity of private property. This includes unsightly, dangerous or dilapidated land and buildings, camping on private property.

Changes include:

Redrafted current clause and replaced with 3 clauses:

- Dangerous land
- Unsightly land
- Land which is detrimental to the general amenity of the neighbourhood

New definition of ‘unsightly land’ to provide clarity to the community.

Included graffiti to address antisocial behaviour.

Redrafted the clause regulating dilapidated buildings to impose obligations on the owner to clean up and maintain a property. Includes graffiti as part of the owner’s obligations.

New clause to address nuisance lighting.

Expand provisions to include liability for property managers, to address compliance issues with rental properties.

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Private land and environment – open air burning

These provisions address open air burning.

Changes include:

Divide the municipality into two areas:

- Private land located within the Bushfire Management Overlay (BMO)
- Private land outside the BMO

Land within the BMO can burn without a permit, subject to conditions to allow reduction of vegetation fuel loads.

Land outside the BMO can only burn with a permit, subject to conditions to minimise smoke nuisance in high-density residential areas.

Conditions include extensive safety and amenity obligations for people burning material on private land including but not limited to buffer zones, pile size, supervising and extinguishing fires.

Provide exemptions for cultural burning to comply with the Charter of Human Rights and Responsibilities Act 2006 (Vic).

Animal management

These clauses are about the number and type of animals that can be kept, and regulating fencing of animals.

Amend the land area for excess animal permits to include all land and not land less than or equal to 4,000sq metres.

Propose keeping the numbers of animals the same.

Introduce an exemption for assistance dog or assistance animal.

Add a new clause regulating fencing of animals (specifically dogs) on private land to prevent them escaping the property, to ensure responsible pet ownership as prescribed under the Domestic Animals Act 1994 (cats and dogs). There is an option to install and maintain an enclosure instead.

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Use of Council land and roads

These clauses address behaviour and activities on Council land.

Changes include:

Add a new 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.

Council assets, trees and regulating building sites

These clauses generally address activities related to building works and are intended to protect both Council assets and neighbourhood amenity.

Changes include:

Noise is regulated under the Environment Protection Act 2017, but a new proposed clause would regulate building works during certain times. The purpose of this new clause is to fill the gap between noise nuisance and building works nuisance. Minor building works – which are small, non-structural works such as painting, fencing, flooring, shelving, and small sheds or pergolas – do not require a permit.

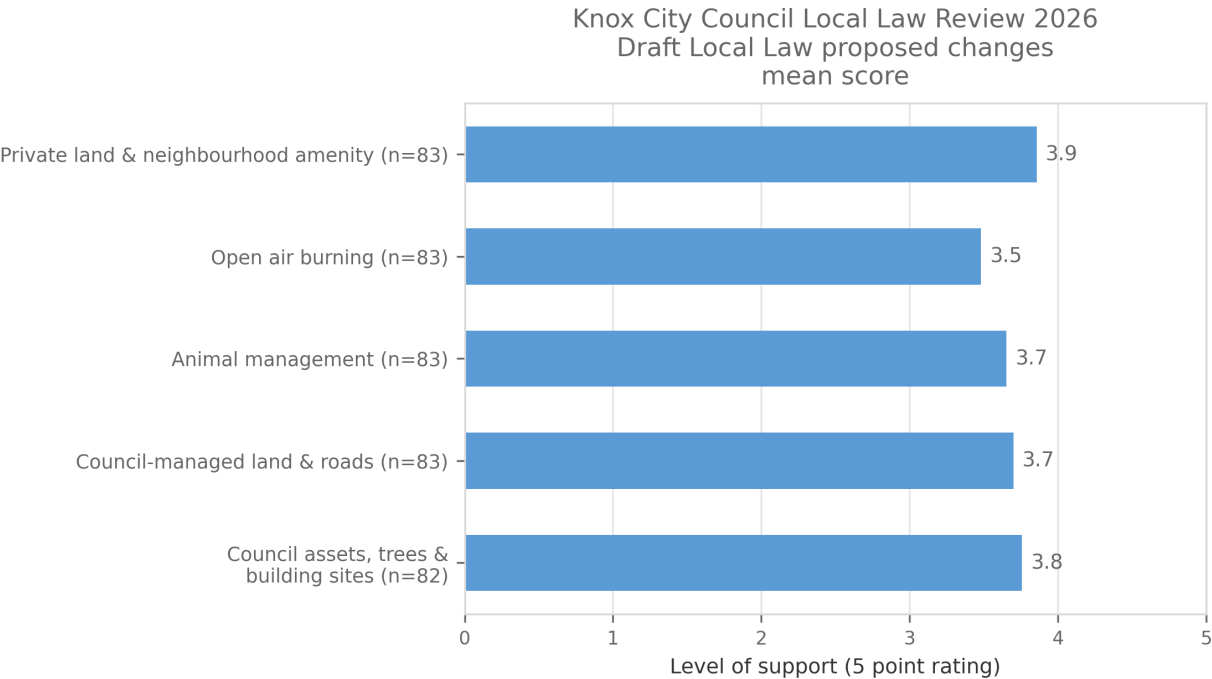
Strengthened the clauses to provide Council assets protection (particularly during building works), and drafted two new clauses:

- Spoil on roads, where spoil includes construction materials, soil, rock and debris.
- Occupation of roads

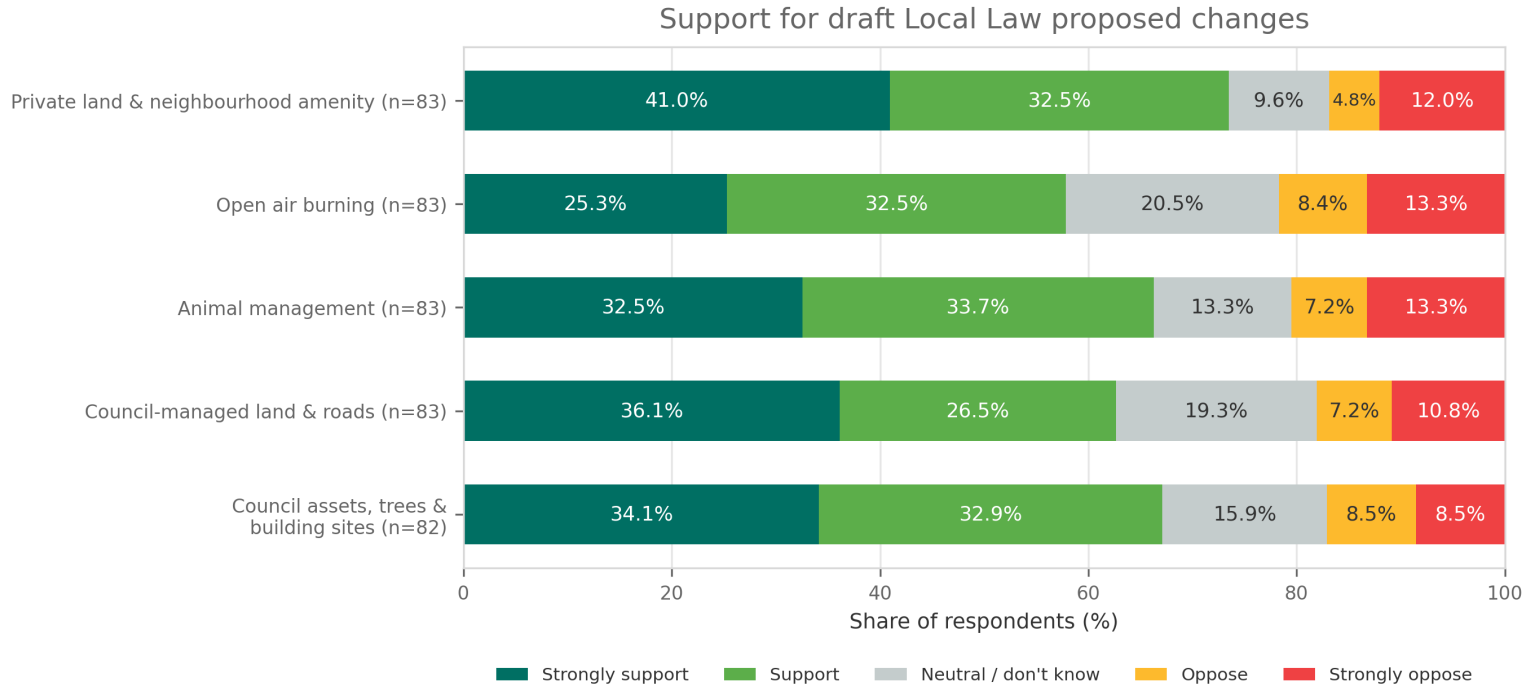
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Level of support for proposed amendments to the Local Law

Respondents were asked to consider the proposed Local Law amendments and indicate their level of support with each.



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Topic	Answered	Support/strongly support	Neutral/don't know	Oppose/strongly oppose	Mean score	Comment responses
Private land and neighbourhood amenity	83	61 (73.5%)	8 (9.6%)	14 (16.9%)	3.9	35
Open air burning	83	48 (57.8%)	17 (20.5%)	18 (21.7%)	3.5	26
Animal management	83	55 (66.3%)	11 (13.3%)	17 (20.5%)	3.7	23
Council-managed land and roads	83	52 (62.7%)	16 (19.3%)	15 (18.1%)	3.7	19
Council assets, trees and regulating building sites	82	55 (67.1%)	13 (15.9%)	14 (17.1%)	3.8	19

Mean score uses 5 = Strongly support, 4 = Support, 3 = Neutral/don't know, 2 = Oppose and 1 = Strongly oppose.

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Private land and neighbourhood amenity

This topic attracted the strongest quantitative support, with 34 respondents strongly supporting and 27 supporting the draft changes. Comments supported stronger action on unsightly, vacant and dilapidated properties, graffiti and nuisance lighting, while raising concerns about fairness, affordability and owner responsibility where graffiti or property condition issues are outside an owner's control.

Open air burning

Open air burning received the lowest mean support score and the highest neutral/don't know result. Some respondents supported more practical fuel-load management in BMO areas, particularly where green waste collection is difficult. Others opposed permit-free burn-offs due to smoke, fire safety, loss of permit oversight, topography, air quality and health concerns.

Animal management

Animal management provisions received majority support. Respondents supported safer containment and responsible ownership, particularly where roaming animals, dog attacks or animal waste are problems. Concerns focused on blanket animal limits, permits, fencing costs, renters, animal welfare and impacts on rescue or rehoming.

Council-managed land and roads

This topic received majority support, although comments highlighted implementation risks. Participants supported safe Council spaces and action on anti-social behaviour, but several raised concerns about subjective wording around offensive or aggressive behaviour and the potential to restrict questions, protest or democratic participation.

Council assets, trees and regulating building sites

Respondents supported stronger controls around building works, construction hours, spoil, drainage and asset protection. However, comments in this section and the further-comments question repeatedly raised concern about tree and vegetation penalty reductions, which were seen as inconsistent with community expectations for stronger environmental safeguards.

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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.

Full verbatim comments are available in the collated written submissions volume.

Private land and neighbourhood amenity

Comment themes	Count
Unsightly, dilapidated, vacant or poorly maintained properties need stronger action	17
Fairness, affordability, private property rights and potential over-regulation	12
Graffiti responsibility, clean-up, owner impacts and enforcement	8
Need stronger or more consistent enforcement and Council capacity	8
Hard rubbish, dumped rubbish, bins and charity-bin issues	7
Outdoor lighting controls supported or needing clearer thresholds	6
Specific clause queries, including camping, short-stay accommodation, caravans or vehicles	5
Tree and vegetation protection or penalty concerns raised in this section	3

n=35. Comments may contain multiple themes.

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Open air burning

Comment themes	Count
Fire safety, loss of permit oversight or inexperienced residents	9
Smoke, air quality and health impacts	6
Support for responsible BMO burning for fuel-load reduction with conditions or notification	5
Need evidence, clearer conditions, modelling or transparent assessment	3
Broader concerns about wood heaters, open fires or incinerators	3
Bundled waste or green waste alternatives	2

n=26. Comments may contain multiple themes.

Animal management

Comment themes	Count
Cats, wildlife, animal waste, registration or general enforcement issues	13
Support stronger containment, secure fencing or responsible ownership	9
Oppose blanket animal number limits or excess animal permit approach	6
Animal welfare, rescue, rehoming and pets as companions	5
Affordability, renters and concerns about fencing/enclosures or cages	5
Dog attacks, dangerous dogs, barking or animal noise	2
General support for animal management provisions	2

n=23. Comments may contain multiple themes.

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Council-managed land and roads

Comment themes	Count
Support clearer behaviour rules and safety on Council land	9
Concern that aggressive/offensive behaviour provisions are subjective or may limit public participation	8
Election signage, clutter, safety and democratic-expression concerns	3
Need clearer enforcement, safeguards or service consistency	3
Issues beyond Council land/roads, including roads, parking, caravans, e-bikes or e-scooters	2

n=19. Comments may contain multiple themes.

Council assets, trees and regulating building sites

Comment themes	Count
Council should maintain assets, roads, drains and clean-up obligations	8
Support construction hours, building site clean-up and control of spoil/debris	7
Tree/vegetation protection or penalty concerns raised in this section	6
Need stronger enforcement of building site, runoff and drainage controls	2
Concerns about over-regulation, responsibility or restrictions	2
Trip hazards, access or road-safety impacts	1

n=19. Comments may contain multiple themes.

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Other comments

Comment themes	Count
Clause 24 tree/vegetation penalty reduction and canopy protection	15
Consultation process, survey design and broader communication	13
Need stronger enforcement, resourcing, evidence or Council accountability	8
Roads, traffic, parking, footpaths, caravans or hooning	8
Unsightly properties, graffiti, rubbish or property amenity	7
Drones/model aircraft or Council land/behaviour provisions	4
Over-regulation or concern that laws shift responsibility to residents	3
Waste service, bundled waste or burn-offs	3

n=34. Comments may contain multiple themes.

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Written Community Submissions

Overview

33 written submissions were received and collated from individuals and organisations. Submissions varied in length from brief statements of support or objection to detailed clause-by-clause feedback. A summary of themes for each submission has been prepared below. Full verbatim submissions are available in the collated written submissions volume.

Written submission key themes

Theme	Number of submissions
Clause 24 tree and vegetation protection / proposed penalty reductions	24
Council land, roads, behaviour, traffic, model aircraft or footpath/access issues	5
Private land amenity, unsightly/dilapidated land or nuisance lighting	3
Open air burning, BMO burn-offs, smoke or pollution impacts	2
Animal management, animal number limits or fencing/enclosures	2
Process, evidence, enforcement or transparency concerns	5

The most prominent written submission theme was concern about proposed reductions to penalties for illegal removal or damage of significant trees and vegetation under Clause 24 and Schedule 1. This theme appeared in 24 of 33 written submissions. Many submissions argued that the proposed penalties would be insufficient as a deterrent, inconsistent with canopy and biodiversity objectives, and out of step with community expectations expressed during Round 1 engagement.

Other submissions raised concerns about open air burning and smoke impacts, unsightly land and lighting, animal number limits and fencing requirements, Council land behaviour provisions, model aircraft and drones, traffic and road safety, dilapidated buildings and footpath hazards.

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#	Summary themes
1	Objects to Clause 26 allowing BMO burn-offs without a permit and challenges the adequacy of the Community Impact Statement.; Says Council has provided no evidence, modelling, CFA endorsement or MFPO advice/denial data to justify safety or fuel-load claims.; Raises smoke nuisance and General Environmental Duty concerns, especially smoke pooling and PM2.5 impacts in Upper Ferntree Gully and The Basin.; Argues Council has understated risk and foreshadows escalation to the Victorian Ombudsman if Clause 26 proceeds without evidence.
2	Considers the term “unsightly” unclear and says it should only apply to visible items that are unpleasant or offensive to look at.; Argues unregistered vehicles or other items not in public view on private land should not be captured.; Says Clause 20 lighting provisions are too broad because “beam of light” is undefined and could capture ordinary internal lighting.; Requests clearer intensity, nuisance or offence thresholds to avoid neighbour disputes about any light.
3	Seeks the rationale for reducing Clause 24 tree and vegetation penalty units from the current 10/20 structure to 3/10.; Emphasises that significant trees and vegetation can represent centuries-old habitat and scarce ecological values.; Argues the proposed penalties are disproportionate because they match minor, easily remedied offences such as unsightly property or signs without a permit.
4	Strongly opposes the proposed Schedule 1 penalty reductions, particularly reduced penalties for corporations and natural persons.; Highlights Clause 24 as disproportionate because illegal removal of significant trees causes irreversible environmental damage.; Criticises the proposed Clause 36 penalty reductions for endangering others or offensive/abusive behaviour, comparing them to minor shopping trolley offences.; Calls for a thorough review and rework of Schedule 1.
5	Raises ongoing motorcycle and car racing noise in The Basin/Mountain Highway area.; Requests speed cameras and road design/speed-reduction measures to reduce noise and improve safety.; Seeks advice on process and notes the issue may require multiple agencies/Councils.
6	Opposes the proposed decrease in penalties for illegal removal of significant trees or vegetation.; Notes declining canopy cover and the health, heatwave, road-life and property-value benefits of trees.; Argues fines should increase because current and proposed amounts are not effective deterrents, especially for developers.; Requests harsher penalties, community/business education, mapping and tracking of significant vegetation, and stronger investigation and enforcement.

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#	Summary themes
7	Considers Clause 15 dilapidated building penalty too low, with related Clauses 11-14 also under-penalised.; Seeks stronger remedies, including demolition of long-term derelict buildings at owner expense after a set period.
8	Strongly objects to weakening Local Law 24 protections for significant trees and vegetation in Knox.; Calls on Council to reject any reduction in protections or penalties.
9	Objects to Clause 42 and requests removal of all model aircraft references from the draft Local Law.; Argues drones and model aircraft are already comprehensively regulated by CASA and that the clause risks duplicating Commonwealth aviation law.; Says terms such as “annoyance” and “reasonably likely” are vague, subjective and invite arbitrary enforcement.; Seeks independent legal advice on consistency with the Local Government Act 2020 and federal aviation regulation.
10	Supports strong canopy tree protection on private and public land, citing recent tree losses in Ferntree Gully/Koolunga area.; Highlights amenity, wildlife corridors, mature habitat and the 30% canopy target.; Requests tree audit, community/new resident education and penalties reflecting environmental and climate value.
11	Opposes weakening Local Law 24 penalties and calls for stronger deterrents.; Warns lower fines could make illegal tree/vegetation removal a cost of doing business.; Requests education, mapping/tracking of significant trees, investigation and enforcement resources.
12	Strongly opposes proposed penalty reductions for illegal removal of protected vegetation.; Argues the change undermines canopy cover maintenance/increase and biodiversity protection.
13	Questions Council's reliance on a 20 penalty unit maximum for Clause 24, noting Attorney-General guidelines refer to higher natural person and corporation maximums.; Asks Council to provide the exact source for the claim that 20 penalty units is the maximum the Magistrates' Court could impose.; Continues to test the proportionality and legal basis for reduced penalties for illegal removal of significant vegetation.
14	Expresses disappointment that Councillors disregarded community concerns about reducing penalties for removing significant trees on private property; Says the current penalty is not a deterrent and should increase, not decrease.
15	Opposes weakening penalties for illegal removal of significant trees/vegetation on private land.; Views private significant trees as

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#	Summary themes
	community assets important to canopy, indigenous vegetation and local character.; Requests education, mapping/tracking and investigation/enforcement resourcing.
16	Concerned lowering penalties contradicts Council greening and environmental initiatives.; Emphasises benefits of vegetation for animals, residents and a healthy environment.; Sees weakening protections as wasteful and contrary to community-wide benefit.
17	Opposes the 70% reduction and calls for stronger penalties, including for corporations.; Raises tree canopy loss, heat, ecology and development pressure; asks about a significant tree register/map.; Raises personal experience of delayed permit approval for a dangerous dead tree, suggesting process issues despite overlays.
18	Opposes reductions to individual and corporate penalties for illegal cutting, lopping or pruning of significant vegetation.; Says lower penalties remove deterrence and contradict Council canopy, biodiversity and green-space policies/community values.; Cites friends group experience with repeated destruction of reserve/creek plantings as evidence stronger deterrents are needed.
19	Strongly opposes weakening Clause 24 penalties; says current fines are already too weak and enforcement is under-resourced.; Compares Knox unfavourably with Boroondara/Monash and questions deterrence/proportionality rationale.; Argues private canopy loss blocks canopy targets and that remediation/permit landscaping enforcement is weak.; Raises planning/building implications and Knoxfield examples of low-canopy development.
20	Supports wildlife-sensitive nuisance lighting using low-intensity and automatic-switch-off lights.; Opposes animal number limits on large properties and mandatory animal fencing/enclosures, citing animal welfare, renters, affordability and social impacts.; Opposes proposed aggressive/offensive behaviour clause as a potential gag law restricting public questions, protest and democratic participation.
21	Opposes proposed animal number caps and excess animal permit requirements, especially for properties over 4,000m ² and bird/poultry owners.; Argues prior submissions and Phase 1 feedback were ignored, risking poorer animal welfare and increased non-compliance.; Criticises rooster/livestock restrictions and fees as revenue-raising; commends assistance animal exemption.; Suggests removing caps/permits and reducing registration costs to encourage voluntary compliance.
22	Thanks Council for open-air burning improvements but seeks a clause addressing environmental pollution/automotive spray painting.; Raises health and environmental risks from fine particulates, lead, isocyanates and airborne pollutants in residential

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#	Summary themes
	settings.; Suggests reinstating or adapting former 2010 mechanical vehicle painting permit controls.; Requests stronger officer powers and an in-person discussion about the proposed clause.
23	Opposes reduction in penalties for illegal removal or harm of significant trees and vegetation.; Says a \$610 fine is not a deterrent and may increase illegal removal.; Requests education, clear mapping/tracking, consistent investigation and enforcement.
24	Opposes lessening penalties and argues penalties should be increased to signal the value of trees, nature and wildlife.; Emphasises private land as part of Knox green corridors and long-term green-space protection.; Warns corporate penalties may be treated as a cost of doing damage; requests a significant tree list including naturestrip trees.
25	Opposes the 70% reduction and says it ignores Phase 1 community calls for stronger safeguards.; Links canopy/vegetation protection to climate, wildlife and Knox 2050 canopy/vegetation targets.; Seeks increased penalties, resourcing, education, mapping/tracking and enforcement.
26	Strongly opposes 70% weakening of penalties and compares Knox unfavourably with Boroondara.; Warns lower fines will escalate irreversible environmental, wildlife and climate/heat impacts.; Requests stronger/increased penalties, education, mapping/registers and enforcement resources.
27	Questions why Clause 24 penalties reduce more than related tree-protection clauses and requests higher penalties and clearer penalty tables.; Seeks tree significance criteria, canopy mapping and follow-up of replacement planting/retention.; Requests wildlife-sensitive lighting controls, European wasp specificity and Boxing Day building work restrictions.; Notes consultation documents were difficult to navigate.
28	Opposes reducing penalties for illegal vegetation removal and asks Council to maintain or increase current penalties.; Concerned by tree and green-space loss due to subdivision and development.; Values Knox greenery as a key part of local liveability.
29	Opposes reducing Clause 24 penalties and stresses long-standing canopy and biodiversity concerns.; Notes Knox canopy cover is below neighbouring councils and below the 30% target despite “green and leafy” messaging.; Argues private-property owners have a community responsibility to protect canopy trees as habitat, genetic diversity and heat-island mitigation.; Suggests a significant tree register or rating system with penalties linked to tree significance and criticises the Have Your Say survey’s usability.

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#	Summary themes
30	Provides a short supportive reply endorsing another respondent's submission on Clause 24 tree-penalty concerns.; Indicates the earlier submission prompted a further submission, but adds no substantive new policy detail.
31	Opposes the Clause 24 penalty reduction and says penalties should be stronger, not weaker.; Compares the reduced penalties with minor offences and says illegal removal causes irreversible habitat and biodiversity loss.; Criticises the lack of Council attention to significant trees that "no longer exist" on VPO schedules and maps.; Calls for education, accessible mapping, active monitoring, investigation, enforcement and leading-council models such as Boroondara.
32	Says the Have Your Say survey did not ask about the proposed reduction of tree-removal penalty units.; Supports tree canopy protection on public and private land and suggests tree valuation approaches such as the Burnley method.; Questions the deterrent effect of 2, 3 or 10 penalty units without effective enforcement, citing VPO removals and development examples.; Emphasises Council cannot meet canopy targets without resolving private-land tree protection, resourcing and enforcement.
33	Identifies a recurring slip hazard where dirt washes over the footpath at the end of Suffolk Street, Wantirna South, near the park and bike track.; Notes a previous ankle injury and a recent near-slip, indicating concern about public safety and lack of remedial action.; Reports additional maintenance issues: lifted and crumbling footpath outside 10 Suffolk Street and maintenance needed at the Knox skate ramp.



Review of Amenity Local Law

**Community Consultation Round 2 Summary Report
(consultation on draft Local Law)**

SUPPLEMENTARY VERBATIM COMMENTS VOLUME

June 2026

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Community Consultation Round 2 Summary Report – Supplementary Verbatim Comments Volume

Overview

The following is a collation of verbatim comments received through the Round 2 Draft Local Law review survey and collated written submissions.

This supplementary volume should be read in conjunction with Review of Amenity Local Law Community Consultation Round 2 Summary Report.

This volume contains 148 substantive open-ended survey comments. Blank or non-substantive responses have not been reproduced. Spelling, grammar and emphasis have generally been retained as submitted.

33 written community submissions have also been collated and provided verbatim in this volume.

Care has been taken to remove identifying information to maintain respondent anonymity.

Open-ended survey question list

- Is there anything you would like us to consider relating to this topic?
 - Private land and neighbourhood amenity.
 - Open air burning.
 - Animal management.
 - Council-managed land and roads.
 - Council assets, trees and regulating building sites.
- Is there anything else you would like to tell us about this project?

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Private land and neighbourhood amenity

Private land and neighbourhood amenity – verbatim comments

1.

this discriminates against those that cannot afford this type of upkeep of buildings and gardens

2.

I would like the annual/ biannual hard rubbish collections reinstated.

The amount of rubbish waiting to be picked up, or not even ordered 0makes our streets look untidy all of the time. Not very attractive for visitors, or anyone else for that matter

3.

Support clause against nuisance lighting.

Strongly oppose unsightly land and dilapidated buildings for council mandates to hurt residents already struggling.

4.

While the property is within Knox council, the council does not own the property. Council should not be allowed to dictate aesthetics requirements/values to the owner. Graffiti is awful and has been caused by others. Not the owner. If council wishes it to be cleaned up, perhaps they can pay for it.

5.

The addition of the new clause regulating lights /light emissions from private property is very welcome

6.

In Knox we need to have strong penalties against those who cut down significant trees on private properties, often without permission from council. Our area needs to retain the native vegetation for so many reasons, including shade, nesting sites for birds, scenic forest appearance, maintaining green belt around Melbourne.

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7.

I have lived in *identifying information removed* for 8 years and the houses and the one next to it on *identifying information removed* have been vacant and derelict as long as i have lived here. I have contacted the Council many times and they say its in hand but nothing is ever done to demolish them.

8.

Houses on *identifying information removed* have derelict for at least 10 years!!!!!!

9.

The correlation between unsightly, graffiti properties and higher crime rates is well-documented in urban planning and criminology. With crimes being a serious problem all across Melbourne, tougher local laws against unsightly properties and public graffiti should be implemented.

10.

I agree strongly about all issues , however the nuisance lighting is a hard one as I agree to a degree but there is also a line between freedom of use of own land and being a nuisance

11.

Just want to voice my opinion on Council's proposed changes to Local Law 24.

In particular the planned weakening of infringement penalties for an individual that illegally removes significant trees or vegetation on private land.

My concerns are that:

1. Residents want STRONGER, not WEAKER penalties for illegal removal of significant trees & vegetation on private land.
2. Residents WANT Council to have the RIGHT RESOURCES to support the local law. That is, education for community and businesses, mapping and tracking of significant trees & vegetation on private land, and following through on investigation and enforcement.

Please take note of my concerns when further considering the proposed changes to Local Law 24.

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12.

Graffiti on private property walls is increasing some of the areas . residents are paying up for clean- up and painting .

13.

Stronger enforcement regarding any infringements. At the moment, there appears to be no action taken when any of these things occur, as it continues.

14.

More pride in our gardens.

15.

I feel camping on private property should be allowed.

16.

Graffiti shouldn't be an owners obligation if the owner did not provide consent to having the graffiti on their property. Rather, proper CCTV footage should be funded to identify offenders and get them (or people undergoing community service charges, or a designated clean-up team) to clean up the graffiti promptly.

17.

Nature strips need to be kept maintained at a reasonable level so as not to become a trip hazard with overhanging weeds or grass.

18.

Trees overhanging foot paths and trimming them and the grass overhanging the footpath. I use a mobility scooter and some footpaths are a safety hazard

19.

unkept houses and gardens in *identifying information removed*.

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20.

Vacant buildings and plots should be reduced where possible so that housing and properties can be returned to use.

21.

we are very disappointed with the council's decision to impose further restrictions on outdoor lighting based on complaints from a small number of residents.

We are living in a time where concerns about theft, home invasions, and other criminal activities are increasing. Outdoor lighting is one of the simplest and most effective measures available to help improve safety and deter criminal behaviour.

Instead of supporting residents who are trying to protect their families and properties, the council appears to be introducing unnecessary restrictions without properly considering the broader community's safety concerns.

It often feels as though every aspect of daily life is being regulated, while the practical needs of residents are being overlooked. Community safety should be a higher priority than limiting responsible use of outdoor lighting.

I urge the council to reconsider this approach and consult more widely with residents before implementing restrictions that may reduce neighbourhood security and peace of mind.

22.

Unsightly rules need to be strengthened

23.

Would like to mention how bad the graffiti is in Ferntree Gully Village, especially around *identifying information removed*. More murals may prove a deterrent. The wall of *identifying information removed* is particularly bad.

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24.

My only question would be around Graffiti- as the property owners are victims of this, and realistically when Graffiti is cleaned, it is back the next day, how would this be imposed? Section 19 of the Graffiti Act also contradicts enforcement of this.

The other query I found interesting, yet how it could be enforced is around short stay accommodation. I assume this is for Air BnB but not sure how you could possibly hold a manager responsible for people behaviour? I dont mind the changes and does simplify it but a good law is an enforceable law, and I am not too sure how this would be enforced.

This could be used for owners and full-time renters as well but then what is domestic and disturbing the peace, and what are the lines between Police and Council intervention. If this occurs at normal residential accommodation but the "actual" occupiers residing there, surely this would be a more appropriate action.

I do like the changes, but just not sure how you are going to enforce some things and seems to be an assumption that "renters" are the bad ones- which may be the case, but the messaging may not be great.

25.

You shouldn't be dropping the penalty unit for clause 24. Significant trees and significant vegetation take hundreds of years to develop and the penalty for removing these needs to be commensurate for the damage caused. Ownership of private property is temporary – people move so they shouldn't get a free pass to destroy what little we have left just because it's inconvenient for their short time where they live.

Clause 20 nuisance lighting – please clarify if 'private' land includes commercial businesses. As a regular cyclist on bike paths at night a common problem is spotlights on commercial premises pointed beyond their boundary and it's often blinding. Same problem with security lights on houses so this law will be really helpful if enforced.

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26.

I'm concerned about caravans being stored long term on Council roads. Could "(d), in 40. Any other thing." Be interpreted as a caravan?

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. (caravan?)

27.

While I Support this Draft Local law dealing with " Private land and amenities" I believe and in my view that they should include in the definition of 'unsightly land' to provide clarity to the community: Not Only "Graffiti" but to include "Charity Bins". I'm uncertain as to whether Charity Bins are subject to a permit requirement, if not they should be. The Bins within my neighbourhood are an invitation for individuals to just dump their rubbish. They often become "Unsightly land" "Clause 12." and I believe need to be mentioned in the "Draft Local law" review.

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

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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.

28.

I have noticed an increase in unsightly properties within my neighbourhood. I reported my neighbours property which looks like a tip, back and front, to be told that it did not meet the criteria. The neighbourhood used to be clean and tidy and in the last 15 years, there has been a steady increase of overgrown nature strips, messy untidy gardens and dumped rubbish on the nature strips without a booking made for hard waste. Could we please do more around educating residents about these issues. Please.

29.

I'm skeptical about the dilapidated property change being abused by council. Please ensure clear guidelines are also released so the community is aware of expectations.

30.

I think there are significant issues with the proposed local laws or sections within the proposed laws.

31.

I would also like the owner (or his tenant or vacating tenant) to be responsible for ensuring any hard rubbish placed on nature strip for collection meets the current requirements for collection (neat pile, only placed out weekend before) but also should not cover the entire nature strip spilling out onto footpath or gutter/road. Otherwise rubbish should be removed by Council at a suitable charge and the relevant person fined.

32.

If Knox classes homes that need repair as "unsightly" it risks poorer residents and the elderly losing their homes. This divides and hurts community. Residences need to be exempt from punishing the poor and elderly.

33.

DO NOT AGREE WITH THIS WHY HAVE PERMIT FOR BELOW ON YOUR OWN LAND:

16. Heavy and long vehicles on private land

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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.

PLEASE EXPLAIN YOU CANNOT HAVE LIGHTS AT NIGHT ON YOUR OWN LAND?

SORRY WHAT DOES THAT MEAN DOES NOT MAKE SENSE IF YOU NEED TO GO OUT OR LET OUT PET/S TO DO THEIR THING? SO IS THERE TIME RESTRICTIONS WHEN LAND OWNERS CAN HAVE OUTSIDE NIGHT BARBEQUES OR PARTIES?

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.

Environmental weeds SORRY WHY SHOLD COUNCIL HAVE THE RIGHT TO PUNISH LAND OWNERS AS BELOW AS IT NOT THEIR FAULT IF IT COMES FROM BIRDS OR NEIGHBOURING LAND?

(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.

Vermin and pests on private land WHY ALLOW BEED HIVES ON PRIVATE PROETRY NOT BEING A FARM WHEN MANY PEOPLE ARE ALERGIC TO BEES? IN REGARDS TO WASPS OR OTHER VERMIN WHY HAS COUNCIL REMOVED THESE FREE SERVICE THEY USED TO HAVE AT KNOX COUNCIL

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INCLUDING WASP/BEE EXTERMINATOR OR WILDLIFE REMOVALIST? WHY ARE POSSUMS NOT A VERMIN NOW IN OUR BACK YARDS?

WHY ARE RATE PAYERS NOW MADE TO PAY FOR WASP OR BEE REMOVAL AT THEIR OWN COSTS OR OTHER VERMIN?

(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.

Part 4: Open Air Burning

WHY ALLOW WITHOUT A PERMIT BELOW:

(ii) a fire in a brazier, fire pit or chimenea while it is being used for heating;

(v) a fire lit for the purpose of enjoying culture or practising religion.

WOODEN FIRES MUST BE BANNED AS THERE IS NO COUNCIL MANDATED CHECKS TO THE MANDATED RULES BY E.P.A. WHEN EVEN COMPLAINING TO THE EPA THEY DO NOTHING TO THE EXCESSIVE SMOKE CREATED DURING WINTER MONTHS!! Rate payers can't enjoy their backyard while there is smoke and gardening is a hobby of mine. It feels like I have no right to clean air either inside or out. On health grounds alone, woodheaters in suburbia should be banned and removed but the industry would kick up such a political storm I fear this won't happen in my lifetime. The general public is largely ignorant about the health effects or are in denial because it is their right to burn wood and it is legal. It's time to stop burning stuff.

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Wood smoke is one of the more hazardous air pollutants: any level of exposure is harmful to human health. A recent parliamentary inquiry evaluated the health costs of wood heaters.

Despite making up only a tiny proportion of Melbourne's heaters, wood heaters contribute around 51% of Melbourne's fine particle (PM 2.5) air pollution.

These particles from wood smoke are absorbed through the lungs where they cause asthma and into the blood where they can cause heart attacks and strokes. And each wood heater in Australia is estimated to be responsible for \$3500 – \$11000 in health costs, far more than any savings from lower fuel bills.

To keep our community healthy, we must reduce exposure to wood smoke pollution.

The Greens' will push the government to reduce wood smoke pollution, including by:

Introducing a wood heater replacement and public education program (based on successful models in Launceston and New Zealand). Households will be eligible for grants to replace wood heaters with heat pumps under the Victorian Greens plan to get 1 million homes off gas. Further information [here](#).

Developing state-wide guidelines for local councils on managing and enforcing air pollution impacts caused by domestic wood smoke. Empowering Knox Council to issue a smoke abatement order to an occupier of a residence from which excessive wood heater smoke is emitted. Where the residence continues to emit visible smoke, the council MUST then issue an infringement penalty.

Phase out the sale of wood heaters

WHY BAN INCINERATOR AS THIS IS THE SAME AS WOODEN NON COUNCIL MANDATED CHECKS/LAWS TO THESE WOODEN FIRES OR OPEN FIRE PLACES

A JOKE!

33. Removal of animal waste SO WHO IS CHECKING FROM THE COUNCIL I HAVE NOT SEEN ANYONE FROM THE COUNCIL YET OUR STREETS ARE

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FULL OF ANIMAL WASTE WASHED INTO OUR DRAINAGE WHERE IS THE BAN ALSO FROM PROFESSIONAL/LANDOWNERS FROM SWEEING/PUSHING LAWN CUTTINGS INTO ROAD DRAINAGE WHICH CAUSES CLOGGING OF DRAINS

(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 BUT SORRY SOME PEOPLE WILL COMPLAIN OF ANY BARKING OF DOGS YET NOTHING IS DONE FROM THE NOISE COMING FROM DOG PARKS & THEIR EXCESIVE NOISE WHERE IS THE LOCAL LAWS OF THESE DOG PARKS?
WHERE IS LOCAL LAWS ON DOGS ON ROADS/FOOTPATHS/COUNCIL LAND OF UNLISHED DOGS?

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.

I HAVE SEEN ABANDONED CARS BUT NO COUNCIL AUTHORISED PERSON CHECKING OUR STREETS OR EVEN THE CLEANING OF STREETS OF RUBBINSH IN OUR KERBS ? WHAT IS COUNCIL DOING ABOUT THIS MANDATING ONCE MONTH CHECKS OR CLEANING OF ALL STREETS

Part 11: Council Assets, Trees and Regulating Building Sites

HOW MANY NEW BUILDING SITES OR REPAIR/PAINTING USING ROAD ASSETS ARE NEVER EVER PROTECTED ie DRIVEWAYS OR PITS WHERE ARE ANY REGUALR OF STREETS CHECKS FROM COUNCIL? THERE IS NO CHECKES OF OUR STREETS WHEN SEDIMENT MUD IS PRESENT IN KERBS FROM LAND OWNERS EVEN CAUSED FROM RFFESIONAL DRIVEWAY CLEANING ect.

3) Clause 54 (1) does not apply where minor building work is being undertaken.

WHAT IS CLASSSED AS MINOR WORKS?

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59. Drains WELL I HAVE SEEN RATE PAYER ILLIGALLY REMOVING FRONT OF HOUSE DOWN PIPE WATER DISCHARGE & RECONNECTING ILLIGALLY WHERE ARE ANY LACAL LAWS FOR THIS?

67. Fees and charges WHY TREAT DIFFERNTLY RATE PAYER? SHOULDN'T THERE BE EQUALITY FOR ALL NOT ACCORDING TO RACE/GENDER/RELIGION?

(3) Council may waive, reduce, alter or refund, in whole or in part, any fee, charge, bond or guarantee with or without conditions.

72. Exemptions WHAT ARE EXEMPTION BELOW? ANY PERSON OR CLASS? WHAT DOES THAT MEAN? PLEASE EXPLAIN?

(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.

WHERE IS THE BANNING OF E-SCOOTERS OR E-BIKES ON OUR FOOTPATHS/ROADS WHICH OVER 12 YEARS OLD ARE NOT LICENCED OR REGISTERED & PAY THEIR GOV. T.A.C. INSURANCE THE COUNCIL MUST LOBBY THE STATE GOVERNEMENT TO LICNECE OVER 12 YEARS OLD BICYCLE RIDERS, E-BIKE RIDERS TO BE LICENCED/PAY REGISRATION & THE T.A.C. INISRNC WHICH OFFENSIVLE HEY CAN CLAIM ON? E-SCOOTER/SCOOTERS TO OVER 12 YEARS OV AGE ON OUR ROADS/FOOTPATHS MUST BE BANNED NOW!

RATE PAYERS MUST BE GIVEN 3 FREE TIP VOUCHERS/FREE MULCH PICK UP AS WE USED TO HAVE!

34.

Laws to punish people who create graffiti should be tighter and fines should be higher. If you are making graffiti as part of the owner's obligations, then there needs to be bigger financial consequences for the perpetrator.

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35.

"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."

So – kids cannot have tent sleepovers camps in the backyard anymore? It will become illegal? Cannot pitch a tent in your own backyard? This kind of blanket rule does not appear to have been well thought out.

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Open air burning

Open air burning – verbatim comments

1.

unrestricted fires in bmo is highly problematic due to air pollution from smoke, fires possibly getting out of control with proximity to bmo and uneducated fire practioners.

2.

Do not agree at all to cultural burning

3.

You should be including people who use woodfire heaters in their home but burn toxic smelling woos where neighbours can't open their windows or go outside their home due to the smoke pouring out of the neighbour's chimney.

4.

Without enforcement, this change is meaningless.

I support the status quo.

5.

Burning restrictions should be applied to all rate payers in Knox.

6.

Is there a particular reason that a fire under this provision must only take place on a Thursday, Friday or Saturday?

7.

Laws should be applied equally to everyone, regardless of their race or cultural background. There should not be any exemptions for "cultural burning". That will be racist against other cultural group who do not appreciate "cultural burning".

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8.

There is a numbering error on your comparative list of changes clause 26 is numbered 25 in error.

It appears that you are not inviting or accepting comments on the environmental sections 23, 24 and 25. I would object strongly to the proposed relaxation of penalties for non-compliance with clause 23, 24 or 25.

9.

Create common burning sites away from foothills and safer areas . Announce these burn sites so that residents can dump their waste at low cost rather than creating a hazard. Also this will provide an accountability of how much waste id generated and accounted .

10.

Removal of loose green waste pick up service will only encourage more private burn off's. So this needs to be considered when changing any burn off regulations.

11.

With these changes to the rules, greater oversight and complaint responses must occur to preserve safety amongst the community.

Indigenous burning should have greater recognition and consultation done with aboriginal groups to create better rules that validate and support their cultural practices.

12.

I strongly oppose this change and have submitted a formal Section 223 objection outlining the procedural and safety failures of this proposal. Council must consider the following:

The "Smoke Nuisance" Double Standard: Council's own summary explicitly creates a two-tiered health system. Protecting residents outside the BMO from "smoke nuisance" while actively deregulating open-air fires inside the BMO is geographically discriminatory and conflicts with the EPA's General Environmental Duty.

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The Topographical Trap: Upper Ferntree Gully and The Basin act as enclosed geological amphitheatres. Deregulating burning without specific meteorological modelling of "katabatic drainage flows" ensures toxic PM2.5 smoke will pool and choke residents overnight.

Lack of Evidence and the "Zero Risk" Fallacy: The Community Impact Statement absurdly claims there is "zero risk" to this new law. Council has provided no empirical data, no CFA endorsement, and no comparative risk modelling to prove that untrained, unmonitored residents burning without expert MFPO oversight is actually safer.

The "Advice Gap" and Liability Shift: Removing the permit system blinds the Council to hazardous behavior and removes the opportunity for the MFPO to provide critical corrective advice prior to ignition. It also strips residents of government-issued proof of "reasonable care," shifting immense legal and insurance liability directly onto the ratepayer in the event of an escaped fire.

Council must retain the free permit system for the BMO as a vital educational, airshed-management, and hazard-control mechanism.

13.

Depends where the BMO is going to be.

14.

BMOs are there to protect people, following the 2009 fires.

They should be strengthened not weaken

15.

Smoke pollution is already bad during planned burns. Also people are not careful about what they put on their bonfires eg plastics, rubber etc are often burned.

16.

I don't like this at all and Permits are the most appropriate action. This takes away the onus on the occupier with the burning. I think it's a bit naive to suggest 165-170,000 residents read the website and separating them makes it too open to interpretation.

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Having permits allows for controls in place, which are enforceable by the Local Laws or MFPO and that way Council has control over this. I do feel this has been set up to reduce the workload of Council and onus on the occupier but I still feel a permit system for anything that is serious (fire management). Knox is not a rural Council and yes there is the Basin/Olinda/ Lysterfield but from growing up in the area, they still very residential.

Seems a very unnecessary change and I worry you placing too much faith and onus of individuals....What good is it when. I think it would be much better having a permit system and stating those in specific area will not be permitted a permit, and those that are viable to have one should be adjudicated case by case.

I vehemently disagree with this and I think is a recipe for disaster if not properly regulated.

17.

People that choose to live in areas with more vegetation need to manage it within modern practices and established systems (ie. FOGO) and stop impacting other residents with lower air quality. We don't live in the 1960s anymore so these types of practices need to stop.

18.

Make contact with those who don't keep their properties tidy. For example, untidy lawns and gardens, visible rubbish, old cars and furniture and the like. Also, keep median strips and surrounds mowed

19.

We need to be able to burn off without forking our money for a permit especially in this economy. I am happy to register the burn off verbally with the CFA so they are aware but do not agree to having to pay to burn off on my own property under BMO.

20.

I think it needs to be consider that land within both areas need a permit to burn

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21.

There needs to be clear distance between properties for this to happen and a maximum of amount of burns you can do. Otherwise an absolute nightmare in winter for air pollution with this and fireplaces going.

22.

The restrictions for burning within a BMO are too onerous for small properties and result in no burns being able to take place, thus no fuel reduction can take place, thus higher fuel loads and bushfire risk due to this proposed local law.

23.

Already being floated by Council is the complete removal of the bundled waste service, which we use regularly. Living in a BMO area on a steep block where all material must be carted uphill, we are very aware of hazard reduction requirements.

Removing this service would be a serious issue for the area. It would likely push people toward the path of least resistance, including unpermitted burning—often without adequate knowledge, supervision, or safety controls.

Allowing residents to carry out small, controlled, and supervised burn-offs without feeling like they are acting unlawfully would be a far better outcome. A simple notification process to both the CFA and Council outlining intended burns should be sufficient.

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Animal management

Animal management – verbatim comments

1.

Our neighbours have 3 dogs. 2 that try to eat through the fence and get to my young kids. The 3rd dog frequently gets into our yard. She's not a danger but it's a nuisance. She's constantly roaming the streets and her council ID tag is expired so I don't think they even register their pets. Location *identifying information removed*.

2.

Many people with cats and dogs cannot afford fencing and don't want to keep their pets in cage enclosures. This hurts renters and is cruel

3.

Larger properties can keep more animals healthy and well, otherwise council will be seizing more pets and probably killing more too. Do not mandate fencing, some small dogs live inside and we take for walks. Renters cannot have properties all fenced. These laws are heartless and to make pets only for those who can pay for expensive fencing. No, I am not so cruel to place my dog or cat in a cage enclosure.

4.

Prevention of neighbourhood cats coming onto property and fouling garden overnight.
Short off trapping the cat, consider more effective way of enforcing responsible ownership.

5.

Maintain the regulations regarding cats to be kept on their owners properties.

6.

Is there anyone monitoring cats not being kept on their own property?

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7.

I agree with responsible dog ownership and responsibility of keeping your dogs on your own property. however STRONGLY DISAGREE with idea about enclosures for dogs, I can see that going very badly . People could easily mistreat their animals or forget about them locked up etc

8.

Stray cats are creating havoc and native wildlife is getting affected badly.

9.

You will have more homeless animals which will bring your council more problems. And to the number of pets isnt it more important that they are cared for properly. Also in the financial stress that most Australian families are facing they will be unable to afford such unnecessary costs.

10.

Promote/prioritise more gardens and land allocated for natural plant use above animal use, as plant promotion can improve the biodiversity and health of our community more than animals.

The assistance exemption is a great idea, though

11.

This should also include cats.

12.

Ensure only apply to Dog and Cat's, must necessary – cat's are roaming Everywhere not for other animals like chicken's don't too many controls over residents

13.

Consideration of restrictions for people allowing their dogs to bark for hours on end.

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14.

This is aligned with other Councils and is very reasonable.

15.

Stronger policing of roaming cats. There are 4 cats in my street, none of which are kept inside.

16.

There are many people who foster animals including cats and dogs with kittens and puppies, the proposed limit of 2 cats/dogs per property will not work for foster carers considering most litters are upwards of 2. Making foster carers apply for or pay for permits will discourage people from fostering animals. Therefore I oppose this change. At minimum, wording needs to be included to exclude foster carers from the limit of 2 cats/dogs.

17.

Dogs can be prevented from escaping by keeping them indoors. On big properties / rural interface properties, fencing may not be enough to prevent dogs from 'escaping' the property.

18.

However, the land area for excess animal permits of 4000 sq mtrs should be amended to include more animals. I don't think the limit of 3 dogs should apply to a larger area of land.

19.

This is very unfair as larger properties can give more animals loving homes. Knox will be depriving animals of homes, and their lives, by making this inhumane "one size fits all" limit of animals on properties over 4000 sq. metres.

Mandating fencing also prohibits renters and poorer residents from companion cats and dogs, and deprives more animals of caring homes, and their lives. It does not make "safe" to enforce fencing on small dogs who might live inside, and for cat homes. This is divisive, unfair, and Knox is mandating that only residents who can afford fencing or who want caged cats or dogs can keep their companion animals.

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Assistance dogs are recognised here, but not the assistance cats which special-needs children have. Knox is biased towards recognising dogs, but not cats – which to many residents are essential helpers, and companions, and also reduce Knox costs on mental health, and in reducing suicide-risk, and loneliness.

20.

Looks like a cash-grab to me...why would this change be required?

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Council-managed land and roads

Council-managed land and roads – verbatim comments

1.

Offensive behaviour is subjective and council should not prevent rate payers from accessing council buildings and meetings

2.

And every where else!

3.

Now you want to ban us from public buildings. Residents are not listened to and not respected. Now Knox says our questions are insulting and offensive, because council does not want to answer, and does not care about residents. We pay rates. This is bullying to ban residents from public meetings, from public buildings, from being heard. Dictatorships make these rules. This is Knox City Council being irresponsible to residents and treating us like an ATM, taking our money and being aggressive, offensive, and insulting to residents.

4.

What safeguards are there to prevent vexatious complaints from someone who takes offence at everything.

5.

What is considered offensive or aggressive? If safety is involved, then yes. But offensive no as council then is given too much power

6.

Our friends' group has for a number of years been subject to abusive behaviour from a local resident whenever we do working bees or bird surveys on Council land. His continual threatening behaviour continues to this day. We would support any measures that might help to curb these sorts of behaviours.

7.

Nobody should be on the receiving end of aggression.

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8.

While violence and abuse have no place in civil public meetings or anywhere, people need to be freed to express themselves with passion and conviction. Where do you draw the line regarding "insulting and offensive" behaviour? Is public praying considered "insulting and offensive"?

9.

Increasing number of squatters specially during summers

10.

Not sure what this even means

11.

Would love if this applies to ebikes and escooters used by teens

12.

Hone in and enforce this rule as a priority!

13.

Don't use this to avoid residents questioning at council meetings
The current crs already hide behind the staff as their mouthpiece

14.

This is a significant overreach. The proposed penalty unit for 36 doesn't match the restrictions you're trying to address of 'extensively address aggressive, insulting and offensive behaviour'

15.

Again, re concern about caravans being stored on Council roads, 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.

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Consider including caravan

16.

Unnecessary and our state laws should cover this. Otherwise why just council buildings?

17.

The proposed law gives council officers unqualified / unrestricted / unconditional ability to direct people to leave council property / land. Conditions should apply and the community should decide the conditions.

18.

Unfortunately this does not prevent councillor bullying towards residents. This law prevents legitimate community concerns being asked and considered by Knox Council. Residents have been exposed to aggressive, insulting and offensive behaviour by councillors who do not follow the councillor code of conduct. This new law does not respect residents, as it is designed to prevent community questions and concerns, and to remove all service to residents. It allows council to declare any question or concern Knox does not want to consider as "insulting" "aggressive" or "offensive" without fairness.

19.

WHY SHOULD THERE BE NO DISCUSSION/DEBATES/QUESTIONS ALLOWED AT COUNCIL MEETINGS?

MANY TIME RTE PAYERS WANTED TO ASK OR DEBATE BUT WERE CUT OFF

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Council assets, trees and regulating building sites

Council assets, trees and regulating building sites – verbatim comments

1.

trees and remnant native vegetation should have stronger protection and not the proposed lessening of fines for removal of the above.

2.

when the garbage collection takes place, rubbish is often left behind and it shouldn't be the role of ratepayers to clean up council's mess.

3.

i think this contains a typo above. "building words"? i assume this is supposed to say "building works"

4.

Support developers cleaning up after themselves, and not making noise on weekends or early mornings and nights. Council needs to clean up roads and not expect residents to do council work.

5.

There's enough regulations in place as is

6.

new clauses 58 (hours of building works), 60 (spoil on roads) and 61 (occupation of roads) most welcome!

7.

Again, this change is meaningless without enforcement.

There are numerous examples of current building projects near me dropping large mud chunks (greater than fist size) on roads as truck depart as well as site runoff being directed into drains (that is – not meeting the permit conditions).

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8.

Why is the summary above not mentioning the reduction in fines for illegal tree removal?

The fine is severely inadequate and will not deter illegal tree removal. If Council was real about this and keeping Knox green then the fine would be \$1,000's. Protect the environment not the illegal destruction of trees.

9.

The point we are opposing here is the proposed to Local Law 24 and associated penalties. We are strongly opposed to the reduction in penalties for illegal damage/removal to significant vegetation.

10.

Do not weaken the infringement penalty for an individual that illegally removes significant trees or vegetation on private land. A lot of people do not care about or bother to learn about how this can cause long term negative effects to the ecological system & have zero respect for their environment

11.

In theory there is merit to it . I see this one going badly tho . I don't see why we have to have permits for everything !! I do agree noise should be kept to a minimum outside of reasonable hours. A permit won't fix that just raise revenue if they are fined for it. Needs better policing not permits

12.

This is welcome and long due

13.

I am glad that there is a lot more emphasis on this.

Knowing how other Councils regulate this, I feel Knox fall behind a lot. Sediment/ spoil/ mud is a real problem, with blocking off footpaths and working Sundays and Public Holidays.

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It is good having this in here, but enforcement of this with the high penalty amounts would definitely assist in this.

i dont think I have come across one building site that does not have waste, mud or starting time issues.

14.

These need further strengthening.

15.

There are plenty of sections and clauses that are problematic.

16.

I would like owners/tenants to need a permit for removal of all trees on their land not just natives and for the given permits to be a stricter process with only absolutely essential trees to be removed – let's keep a Greener Knox! I would also like to see a BAN on artificial grass (particularly as part of the required green space)!!! Artificial grass is unsightly and plays no part at all in helping look after our beautiful wildlife. Concrete also should be limited to driveways and paths.

17.

Residents should not have to clear roads themselves, when the Knox Council garbage trucks often leave broken-glass all over the road, smash large bins into gardens and kill residents' trees and shrubs, and spread bean-bag pellets across gardens – killing native birds and small animals. Whoever makes the mess should take responsibility and clean it up. Knox Council is not being responsible for ordering residents to clear roads that council has dropped debris and rubbish on, and damages residents' properties.

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Other comments

Other comments – verbatim comments

1.

I am very concerned about the apparent weakening of penalties for illegal removal of significant trees and vegetation on private land. As evidenced in the initial early consultation around this, the community wants STRONGER penalties and expects stronger environmental safeguards, with particular concern around tree removal not being sufficiently guarded against.

The proposed local law amendments reduce the penalties for illegal removal to similar or less than that for erecting a sign without a permit, which is absolutely ridiculous. These actions are in NO WAY comparable, and yet they are being treated as such. Other councils, for example Boroondara, have significantly higher penalties for these kinds of actions – Knox City Council should look to those as well as listening to the wishes of the community rather than watering-down penalties.

I also feel it is important for the council to educate the community and businesses on this aspect, including mapping and tracking of significant trees and vegetation that is on private land, and thorough investigation and enforcement of adequate penalties for those who commit infringements in this regard.

2.

Nuisance lighting needs to not beam into other peoples property and to be on automatic timers. And low lighting to maintain the character of the area

3.

Re: Local Law 24:

I have strong concerns about the lowering of penalties to individuals who illegally remove significant trees and vegetation from private land. Do the new penalties match the damage that will be caused by offenders? How can this possibly deter people from committing such offences? Likewise, what message is the council sending to corporations by not increasing the penalty for such damage?

You “may” be required to pay compensation for damage caused: you damaged the property so you need to pay for it to be ‘repaired’... Seriously? How can anyone possibly “repair” old and significant trees, let alone other vegetation? Please encourage individuals and

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corporations to seek permits and to preserve and protect our green spaces including significant trees and vegetation on private land by increasing penalties.

4.

Address woodfire smoke as a health issue to surrounding neighbours.

5.

The reduction in penalties set out in relation to Clause 24 for illegally removing a significant tree or vegetation is very disappointing and goes against the community feedback collected during the consultation for these updated Local Laws. The reduction does not support Knox to restore and conserve our already much diminished canopy tree cover.

6.

Knox council has been known in the past for its vegetation, especially with native trees, bushes etc. It's very important to retain this special aspect of our community for appearance, shade and local birdlife.

7.

The way this survey is constructed make it very difficult or impossible to respond to individual issues arising out of the draft Local Laws.

8.

I would like to address clause 24 regarding removal of vegetation and trees on private land. I support harsher penalties and appropriate resourcing in the Local Laws team to uphold harsher penalties on businesses and individuals who destroy trees and vegetation on private land. The punishment and proposed action in clause 24 is not strong enough. Saying that a penalty 'may' occur is in conflict with the work being done by Knox Council to protect and increase tree canopy. Boroondara is one Council, alongside many others that have more harsh penalties than Knox is proposing should you need another example.

9.

I would say to stop planting Gum trees on nature strips due to the damage they cause to gutters , footpaths and the need for trim under power lines.Look at alternative native trees to plant instead.

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10.

People living in a factory when they shouldn't. *identifying information removed*. Neighbours suspect illegal things are sold since vape sales were made illegal. -his car was stolen at 8:50am from the driveway. Police didn't investigate to realise he lives in the factory.

11.

Do not weaken the infringement penalty for an individual that illegally removes significant trees or vegetation on private land. A lot of people do not care about or bother to learn about how this can cause long term negative effects to the ecological system & have zero respect for their environment

12.

Our beautiful Knox City is undergoing significant changes, and some changes are not necessarily good for the residents/ratepayers. As an immigrant who came to live in Knox over 20 years, I really appreciate Knox Council's firm approach to tougher local laws in order to preserve our living standards and to help assimilate new immigrants who are yet to adapt to our ways of life and civic expectations. Such as maintaining clean properties and keep down noise level.

13.

I am concerned about the changes to Local Law 24 and the weakening of the infringement penalty as Knox is losing its canopy trees at an alarming rate. The penalty for removing a significant / canopy tree needs to be increased not decreased. Early consultation showed that our community wanted greater environmental protection and this should be supported by our council, especially in light of all the benefits trees bring.

14.

With reference to Schedule 1 – Penalties.

The penalties should remain as they are. By reducing these penalties by 50%, you are encouraging/supporting the view that the environment is not so important, when in fact it is becoming more important than ever, due to climate change and the continual removal of trees.

Currently, developers & builders factor in the costs of illegal tree removal as a cost of doing business – by halving the penalties you are

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encouraging this process when you should be doing the opposite. Trees in residential areas reduce ambient temperatures by up to 10 degrees C by creating shade, thereby making areas more liveable. As the planet gets hotter the trees become more necessary – I thought everyone was aware of this but clearly not Knox Council.

This comment applies to all the environmental clauses i.e. Clauses 23,24 & 25. A reduction in penalties is neither needed nor desired. If you proceed to reduce penalties, you are confirming that Knox City Council is making a significant 'U' turn with the view that the environment no longer matters. I have spoken to a number of new residents to Knox who have moved here from inner & Western suburbs of Melbourne because of the trees and the support being given by the Knox City Council to the natural environment.

Shame on you.

15.

My concern is with clause 24 (not covered in the previous survey questions). In particular, the draft proposes reduced penalties for tree removal on private land, where earlier consultation clearly asked for stronger support from council on this environmental issue, not weaker. The proposed penalty for individuals has been greatly reduced – it should be left unchanged or ideally, increased. And the penalty for corporations would be seen as simply the cost of doing business – for council to be taken seriously on this issue, a penalty ten times higher would be a good starting point.

16.

Rise in car racing and bike racing in residential streets during nights . This results in noise pollution and driving dangerously

17.

I am going to submit an email regarding the condition of *identifying information removed*. This Local Law survey doesn't appear to give the option to address any of the residents' concerns about the fact that we are currently surrounded by a rubbish dump and the Council appear to be doing nothing about it

18.

My understanding is that changes in this law will greatly weaken protection of trees and significant trees. This is especially true for developers and corporations who will simply add the small penalty cost of illegally removing trees into their expenses.

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I have lived in *identifying information removed* since 1953. I have seen enormous reduction of tree canopy cover. To continue to NOT PROTECT tree cover in the face of how our climate is changing is a travesty!! Please consider life for our children and grandchildren.

19.

Knox council needs to do more to ensure properties are up to scratch and not left abandoned and overgrown.

identifying information removed are prime examples – they've been abandoned and dilapidated since before we moved to the neighbourhood 6 years ago. Squatters uish drugs have lived there at times and there have been fires. They are extremely unsightly and overgrown with a completely collapsed fence at the entry to our estate.

20.

Make sure any damage of any kind, like fires and oil, does not come close to natural spaces such as parks, community gardens, playgrounds and waterways. Keep protecting those spaces a priority to ensure the sustainability and peace in our community.

21.

Stop having parking inspectors,. Who were parked in a no standing zone while taking photos off people parked in the no parking zone over the road it does not look good for the council. The parking inspectors should not be breaking the law too and how came the fines are \$200 do you know there is a cost off living crisis

22.

While I appreciate the effort undertaken to review the Amenity Local Law, the overarching methodology of this project appears disconnected from evidence-based policy-making. Throughout the proposed changes, there is a concerning lack of empirical data, localised risk modelling, or transparent hazard assessments provided to the public, particularly within the Community Impact Statement.

To maintain public trust, Council must approach regulatory changes with a higher standard of administrative rigour. Formulating policy based on generic assumptions or the practices of other municipalities—rather than hyper-local evidence—falls short of the professional standard the community expects, especially regarding matters of public safety and environmental health. Furthermore, relying on future

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"communications campaigns" to explain rules that should be explicitly detailed and stress-tested during this public exhibition period is an inadequate implementation strategy.

Ultimately, the legitimacy of this entire Local Law review hinges on how Council processes this current phase of feedback. If detailed, safety-oriented community submissions are ignored, and if the final law proceeds without rectifying the glaring omissions in the public data, it will render this statutory consultation a mere procedural tick-box exercise. Meaningful community engagement requires Council to genuinely reconsider and amend its proposals when presented with valid, unmitigated risks.

23.

The council should stop imposing unnecessary restrictions on residents. There are already enough regulations in place that impact our daily lives. Instead of introducing more restrictions, the focus should be on addressing the issues that matter most to the community, such as safety, security, and infrastructure.

Please give greater consideration to improving parking facilities, maintaining practical two-way traffic access, and providing safe pedestrian pathways in residential court and close streets. Poor planning decisions and development approvals, particularly in areas such as Lakewood Estate, have created ongoing challenges for residents.

We also require additional street lighting throughout residential areas. With increasing concerns about theft, home invasions, and community safety, adequate lighting is essential for protecting residents, improving visibility, and creating a safer environment for everyone.

The council should focus on practical improvements that enhance residents' quality of life, rather than introducing further restrictions that do little to address the real needs of the community.

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24.

Make the unsightly laws work

Council has been turning a blind eye for too long to the detriment of communities amenity

25.

I think this is one of the better Local Laws.

I like the fact it is ambitious with property managers but how enforceable this will be, I am not too sure. I know from working in the sector that a person is very rarely responsible for the actions of others- I think if this is used against property managers when they dont respond to NTC would potentially work.

Graffiti and Short Stay Accommodation is good in theory, but I have reservations how this will be applied.

"Camping" will also have issues as I think it is too defined. People sleeping Rough is going to be a continual problem, so will need to think how this is managed appropriately.

I think the animals is spot on and quite reasonable. Overall, one of the better Local Laws I have read, but I do have some question marks over a few items, but it will not affect me regardless. Good luck!

26.

Clause 14 needs strengthening. There's too many properties at intersections where overhanging vegetation blocks the view for road users and makes it unsafe. Reporting to council generally gets excuses about not being able to do anything.

I've also reported numerous vegetation that overhangs footpaths, only to be told by the Local Laws officers that 'a woman with a pram can get by, therefore it's ok'. This ignores taller people (still less than 2.5m) that have to duck, ignores blind people or people in our neighbourhood with severe mobility issues in motorised wheelchairs. Clarify and make it stronger or get your staff to actually enforce the rules.

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Stop watering down tree protections. If people don't like their trees then they should move house.

27.

I notice Council has removed reference to drones from the definition of model aircraft from the proposed new local laws, however the very definition of "model aircraft" includes drones unless explicitly excluded from the definition. The new proposed Clause 42 still does not comply with the Local Government Act 2020. CASA is the responsible federal body responsible for ALL MODEL AIRCRAFT. Clause 42 is very vague and open to interpretation in breach of the LGA 2020. Remote controlled aircraft should not be purported to be regulated at a local government level as it is CASA's responsibility with federal laws already in place, nor should model aircraft be included in the same category as "Toy Vehicles" such as skateboards. Using terms like "or similar" in a definition is not appropriate language for a Local Law. State and Federal Laws already exist for the protection of people in public spaces and accordingly Council should not be purporting to regulate in areas already covered by existing legislation. Accordingly "model aircraft" and its definition, together with Clause 42 should be removed from the new proposed Local Law.

28.

Just the caravan storage on Council roads

29.

I don't see anything regarding drones and the use of these on council land, public places etc. Is this something that has been considered or thought about?

30.

The proposed local laws need further re-drafting. I'm happy to attach the proposed laws with marked up comments to show concerns and objections.

31.

It appears many of these laws are not proposed to be clearer or to help residents, but only to remove Knox Council's responsibility. Any Council that served residents would not propose laws that would remove homes for dogs and cats, would stress and endanger struggling

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residents, would remove service, and refuse residents questions and concerns. It appears that Knox Council has no care for liveability, wellbeing, service, or accepting responsibility.

32.

MORE RATE PAYER CONSULTATION!

SENDING ACTUAL LETTERS TO ALL RATE PAYERS NOT JUST ONLINE WHEN MANY PEOPLE WOULD NOT KNOW IT EXISTS! AS THIS SURVEY!

HOW COME THE KNOX COUNCIL HAS NO PLANNING AUTHORITY OVER THIS PROJECT OR RATE PAYERS HAVE NO SAY AT THE *identifying information removed*?

WHY?

WHY HAS ONLY THE STATE GOVERNEMENT THE RIGHT TO TELL NEIGHBOURING RESIDENTS THEY CANNOT SAY OF THE GOVERNEMENT DENSITY, DESIGN OR STAGING OF THIS PROJECT?

WHAT A JOKE AS WAS THE REZONING OF THE *identifying information removed*. A SECRET KEPT FROM THE NEAR BY RESIDENTS?

33.

Please consider keeping the bundled waste service, and also allow responsible burns in BMO areas. You might find reliance on bundled waste reduces to manageable levels, whilst mitigating problematic burn offs.

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Written community submissions

33 community members provided written submissions, these have been collated in the table below.

#	Submission (Verbatim)	Themes
1	Dear Project Team and Councillors, I am writing to formally object to Clause 26 of the Draft Amenity Local Law 2026, which proposes allowing private land within the Bushfire Management Overlay (BMO) to burn without a permit. As a resident of a 1,467m2 block at <i>identifying information removed</i> (partially intersected by the BMO), I am also formally objecting to the Community Impact Statement (CIS), which fails to meet the statutory community engagement and transparency principles mandated by the Local Government Act 2020. During Phase 1 consultation (March 2, 2026), I submitted a formal request requiring Council to provide foundational safety metrics. Absolutely none of the queries raised in my initial submission have been addressed. Publishing a CIS that willfully ignores documented community safety risks renders this consultation process fundamentally flawed. My objection is based on the following administrative and procedural failures:	• Objects to Clause 26 allowing BMO burn-offs without a permit and challenges the adequacy of the Community Impact Statement. • Says Council has provided no evidence, modelling, CFA endorsement or MFPO advice/denial data to justify safety or fuel-load claims. • Raises smoke nuisance and General Environmental Duty concerns, especially smoke pooling and PM2.5 impacts in Upper Ferntree Gully and The Basin. • Argues Council has understated risk and foreshadows escalation to the Victorian Ombudsman if Clause 26 proceeds without evidence.

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#	Submission (Verbatim)	Themes
	1. The "Fire Risk Reduction" Fallacy (Lack of Evidence) The proposed clause asserts that removing permits will allow for the "reduction of vegetation fuel loads". However, Council has provided zero empirical evidence to support the assertion that allowing residents to burn without a Council inspection actually reduces community fire risk. There is no comparative risk modelling, no CFA endorsement, and no data proving that untrained, unmonitored residents operating a live fire is statistically safer than the current expert-reviewed permit system. 2. The Missing "Advice Gap" Data By removing the Municipal Fire Prevention Officer (MFPO) from the inspection process, Council is blinding itself to hazardous behavior. The CIS provides absolutely no historical data on how many "Permit to Burn" applications are currently denied, or how many times the MFPO provides critical corrective advice (e.g. inadequate clearances or poor water pressure) before a resident is allowed to burn. Without knowing how many unsafe fires the permit system currently prevents, Council cannot rationally claim that abolishing the system is safe. 3. The Two-Tiered "Smoke Nuisance" Abdication The Summary of Changes explicitly states that the permit system will be retained outside the BMO to "minimize smoke nuisance". However, for properties inside the BMO, the stated goal of deregulated burning is solely to "allow reduction of vegetation fuel loads". The document reads as if Council is formally conceding that BMO residents are permitted to create burns that cause discomfort and offensive smoke. Council cannot use a	

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#	Submission (Verbatim)	Themes
	Local Law to suspend the Environment Protection Act 2017 General Environmental Duty. It is mathematically and legally absurd to claim that smoke is a "nuisance" requiring a permit on a flat block, but is perfectly acceptable to deregulate in the steep, enclosed topographical bowls of the BMO. 4. Unanswered Topographical "Bowl" Modelling I am once again demanding the data Council failed to provide in Phase 1. Upper Ferntree Gully and The Basin act as enclosed geological amphitheatres. What specific meteorological modelling has Council undertaken regarding "smoke pooling" and "katabatic drainage flow" in these steep residential bowls? Deregulating open-air fire without modelling how these specific valleys trap PM2.5 smoke overnight is administrative negligence. 5. The "Zero Risk" Fallacy and Evasion of Hazard Assessment on page 6 of the CIS, Council states: "Council does not believe there are any risks associated with the proposed Amenity Local Law 2026". Council attempts to justify this by stating it only considered the risks of the "absence of such a local law". Evaluating the risk of having no law at all is a deliberate evasion. Council failed to evaluate the specific localised risks of enacting Clause 26. Transferring immense legal and insurance liability to untrained residents without expert MFPO oversight carries severe, documentable risks. Claiming this regulatory shift carries "zero risk" is demonstrably false.	

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#	Submission (Verbatim)	Themes
	Conclusion & Notice of Escalation Should Council proceed to adopt Clause 26 without rectifying these glaring omissions and providing the required evidence in the Community Impact Statement, I will be referring this consultation process to the Victorian Ombudsman for administrative failure.	
2	Hi Reviewing your proposed changes I have the following observations. The use of the word "Unsightly" generally means "Unsightly is an adjective that means unpleasant, unattractive, or offensive to look at. It is frequently used to describe objects, conditions, or features that spoil the visual appeal of an environment or person" From my (brief) reading of your clauses this isn't apparent that the items prohibited must be in view to be against the law. Is the intention to have removed visible items vs items not in public view on private land and if so, I think this is not clear. If the items are not in view it should not be classified as unsightly. I don't think for example that there should be a problem with unregistered vehicles that are not in view or are not unpleasant, unattractive, or offensive to look at on private land. So redefining unsightly away from its original meaning is poorly written.	• Considers the term "unsightly" unclear and says it should only apply to visible items that are unpleasant or offensive to look at. • Argues unregistered vehicles or other items not in public view on private land should not be captured. • Says Clause 20 lighting provisions are too broad because "beam of light" is undefined and could capture ordinary internal lighting. • Requests clearer intensity, nuisance or offence thresholds to avoid neighbour disputes about any light.

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#	Submission (Verbatim)	Themes
	Clause 20 is poorly written. An owner or occupier or property manager of private land must not cause or allow the beam of a security or decora ve light to penetrate beyond the property boundary. A beam of light is not defined and could be even internal lights falling across boundaries. It needs to be refined to either say at what intensity or add the additional clauses showing it is causing offence eg excessive, offensive or cause a nuisance to any other person This is a can of worms – neighbours could complain about any light. Thanks.	
3	Hi I'm reviewing proposed changes to the local laws and would like to understand more about Local Law 24, particularly the penalty units	• Seeks the rationale for reducing Clause 24 tree and vegetation penalty units from the current 10/20 structure to 3/10. • Emphasises that significant trees and vegetation can represent centuries-old habitat and scarce ecological

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#	Submission (Verbatim)	Themes																
	associated with breaches. This law covers the illegal removal of significant trees (ie. trees over 200 years old with scarce and critical habitat for wildlife that only breed in hollows) and significant vegetation (ie. groups of plant species that are at risk of extinction in Knox or provide critical habitat for migratory species). This is a summary of council's proposed changes to the penalty units (not including the 'net gain principle' compensation): <table><tr><th rowspan="2">Clause</th><th rowspan="2">Offence</th><th colspan="2">Old – Amenity Local Law 2020</th><th colspan="2">New – Draft Amenity Local Law 2026</th></tr><tr><th>Infringement Notice Penalty Units</th><th>Maximum Penalty Units</th><th>Infringement Notice Penalty Units for a natural person</th><th>Infringement Notice Penalty Units for a corporation</th></tr><tr><td>24</td><td>Tree and vegetation protection</td><td>10</td><td>20</td><td>3</td><td>10</td></tr></table> I note that the proposed penalty units are the same as an infringement for an unsightly property and erecting a sign without a permit which can be remedied in days, and don't permanently destroy a slowly occurring natural process taking 200 years. The summary of changes document has a generic statement covering all updates to penalty units. Could you please let me know the rationale as to why these penalty units	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	24	Tree and vegetation protection	10	20	3	10	values. Argues the proposed penalties are disproportionate because they match minor, easily remedied offences such as unsightly property or signs without a permit.
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													
24	Tree and vegetation protection	10	20	3	10													

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#	Submission (Verbatim)	Themes
	are decreasing? Thank you.	
4	Dear Community Laws team, I wanted to provide my feedback on an aspect of the new draft local law that I find unacceptable, which is the proposed change to Schedule 1 Penalties. For the most part, penalty units have been reduced, especially heavily for corporations. Where the current law sets minimum and maximum limits, the new law defines penalties separately for natural persons and corporations. This in itself can be a good distinction in some cases, but it's also not justified that natural persons get a smaller penalty than a corporation as a general rule (which is what's being proposed). With the new definition, maximum penalties for corporations will be significantly lower for every single clause that was previously defined. Also penalties for natural persons are lower for 18 clauses while they increased only for 2. I see no reasonable ground to justify these changes. As an example that is acutely important, Clause 24 Tree and vegetation protection. How is it reasonable to reduce the penalty for cutting down a declared significant	• Strongly opposes the proposed Schedule 1 penalty reductions, particularly reduced penalties for corporations and natural persons. • Highlights Clause 24 as disproportionate because illegal removal of significant trees causes irreversible environmental damage. • Criticises the proposed Clause 36 penalty reductions for endangering others or offensive/abusive behaviour, comparing them to minor shopping trolley offences. • Calls for a thorough review and rework of Schedule 1.

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#	Submission (Verbatim)	Themes
	tree by 70% for a natural person? How can causing such an irreversible environmental damage carry the same penalty as camping on private land, or not reporting the completion of building works within 7 days (to just take 2 examples carrying the same penalty)? Another example is Clause 36 Behaviour on Council land and roads. This clause states among others, that A person must not: (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; The penalty here is proposed to be lowered by 90% for a natural person, from 10 down to only 1 penalty unit, making it equal to leaving a shopping trolley on council land. How can endangering others, using abusive language or behave in a riotous manner carry the same penalty as leaving a shopping trolley in a park? I think these proposals are frankly outrageous and cannot be justified by any reasonable logic. I hope for a thorough review and rework of Schedule 1 as this current form does not pass the pub test.	

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#	Submission (Verbatim)	Themes
5	Dear Sir Monday 8th June 2026 My name is <i>identifying information removed</i> I live in the basin just off <i>identifying information removed</i>. We moved here in our retirement expecting to enjoy a quiet and peaceful environment. Unfortunately, it is a nightmare with motorcycles and cars racing around the hills at all hours of the day and night. I believe that strategically placed speed cameras and speed-reducing modifications to the roads would help to reduce the noise and make the area safer. Sunday 7th June, we had to endure screaming full throttle motorcycles racing up and down Mountain Highway until eventually Vic Police deployed a Helicopter. This was around 11.30pm, we endure this every week, and it needs to be stopped. I appreciate that the area crosses over into Yarra Council and that this issue would involve multiple agencies to get involved. I am looking for advice on process and procedure with regard to applying to have speed cameras and other road design features added to put an end to this behaviour. Your help would be greatly appreciated.	• Raises ongoing motorcycle and car racing noise in The Basin/Mountain Highway area. • Requests speed cameras and road design/speed-reduction measures to reduce noise and improve safety. • Seeks advice on process and notes the issue may require multiple agencies/Councils.
6	I am writing to express my disapproval at the proposed decrease in the penalties for illegal removal of significant trees or vegetation on private property. Trees are illegally being removed all the time in Knox and our tree	• Opposes the proposed decrease in penalties for illegal removal of significant trees or vegetation. • Notes declining canopy cover and the health, heatwave,

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#	Submission (Verbatim)	Themes
	canopy cover is decreasing. This is alarming when the benefits of trees are immense. Where there are more trees, benefits include: * better mental health * better physical health * reduced death rates during heatwaves * increased bitumen life of roads due to the shading * increased property values to name a few. The decrease in penalties for illegal tree removal is not in line with community expectations. On the contrary, fines should be increasing as they are clearly not a deterrent and for developers, with the current fines less than cost of compliance (let alone the proposed fines). The proposed fine is entirely out of step with other fines such as camping on council land without a permit that generally would not have any lasting impact. The value of trees is immense, and replacement can take many decades. It is very disappointing that the benefit of trees is so poorly regarded by council. On this basis we should * have harsher penalties for illegal removal of significant trees on private property * invest much more extensively in the protection of trees by educating community and businesses, mapping and tracking significant	road-life and property-value benefits of trees. • Argues fines should increase because current and proposed amounts are not effective deterrents, especially for developers. • Requests harsher penalties, community/business education, mapping and tracking of significant vegetation, and stronger investigation and enforcement.

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#	Submission (Verbatim)	Themes
	trees/vegetation, and investigating and enforcing council requirements.	
7	My main concern relates to Clause 15 – Dilapidated buildings. The penalty of 5 penalty units seems grossly under-penalised. We have such buildings in our neighbourhood for over 10 years, yet nothing has been done. Clauses 11 to 14 are also probably relevant and are also under penalised. There should also be remedy for such buildings to be demolished at the owner's expense after a set period of time.	• Considers Clause 15 dilapidated building penalty too low, with related Clauses 11-14 also under-penalised. • Seeks stronger remedies, including demolition of long-term derelict buildings at owner expense after a set period.
8	Customer service request note: Description of complaint I would like to object to the Local Law 24 and say NO TO WEAKENING PROTECTIONS FOR SIGNIFICANT TREES & VEGETATION IN KNOX. NO NO NO NO	• Strongly objects to weakening Local Law 24 protections for significant trees and vegetation in Knox. • Calls on Council to reject any reduction in protections or penalties.
9	9 June 2026 – Victorian Drone Flyers Group Community Laws Team Knox City Council To Whom It May Concern,	• Objects to Clause 42 and requests removal of all model aircraft references from the draft Local Law. • Argues drones and model aircraft are already comprehensively regulated by CASA and that the clause risks duplicating Commonwealth aviation law. • Says terms such as “annoyance” and “reasonably likely” are vague, subjective and invite arbitrary enforcement.

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#	Submission (Verbatim)	Themes
	SUBMISSION TO KNOX CITY COUNCIL Draft Knox Amenity Local Law 2026 – PHASE 2 REVIEW Objection to Clause 42 – Model Aircraft Provisions Further to our initial submission to Council dated 11 February 2026 during Phase 1 of the Knox Amenity Local Law 2026 Review, we note from Council's Comparative Analysis that Council has deleted the word "drone" from the definition of "model aircraft" as drones are regulated by CASA (state government). We make this further submission to strongly object to the inclusion of "model aircraft" in its entirety in the Draft Knox Amenity Local Law 2026 and request that Clause 42 be removed for all of the reasons raised in our first submission, as it still does not comply with the Local Government Act 2020, in particular Part 3, Division 3. The proposed Clause 42 is overly broad, highly subjective, legally questionable and creates unnecessary ambiguity in an area already comprehensively regulated by the Commonwealth through the Civil Aviation Safety Authority (CASA). Model Aircraft should not fall into the same category as "toy vehicles" as previously argued. Drones remain captured under the definition of "model aircraft" Although Council has removed the specific word "drone" from the draft definition of "model aircraft", this does not change the practical or legal effect of the definition of "model aircraft" or Clause 42.	• Seeks independent legal advice on consistency with the Local Government Act 2020 and federal aviation regulation.

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	Under CASA terminology and aviation regulation, drones are a form of model aircraft or remotely piloted aircraft. The ordinary and commonly accepted definition of a model aircraft includes a remotely controlled unmanned aircraft that cannot carry a person. Removing the word “drone” while retaining the broader term “model aircraft” does not exclude drones from the operation or interpretation of the definition of model aircraft or Clause 42. Accordingly, as currently drafted, the definition of model aircraft and Clause 42 could still arguably apply to drones. All model aircraft is regulated by CASA, not just drones. This creates uncertainty for residents and opens the door to inconsistent interpretation and enforcement. If Council’s intention is to exclude drones, then Clause 42 and the definition of model aircraft fails in its drafting. Again, if Council’s intention is to regulate model aircraft, then Council is effectively attempting to regulate an area already occupied by Commonwealth aviation law (CASA). CASA is the appropriate regulator CASA is the federal authority responsible for regulating air safety and unmanned aircraft operations in Australia. CASA already regulates: • where model aircraft may be flown; • operational safety requirements;	

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	• distances from people and infrastructure; • prohibited and restricted airspace; • commercial and recreational use; • registration and accreditation requirements; and • enforcement for unsafe operations. The operation of model aircraft is therefore already comprehensively addressed under federal aviation law. It is inappropriate for local government to purport to regulate aviation activities through broad and subjective local law provisions when those matters fall squarely within the jurisdiction of CASA. Council should not be creating or overlapping inconsistent or ambiguous restrictions concerning aircraft operations under the guise of a local law made pursuant to the Local Government Act. Clause 42 is vague, subjective and open to arbitrary interpretation. Clause 42 contains language that is extremely broad and subjective, including terms such as: • “cause annoyance”;	

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#	Submission (Verbatim)	Themes
	• “intimidate”; • “reasonably likely”; and • “unduly obstruct”. These concepts are not properly defined and are capable of widely differing interpretations depending on the individual Council officer or a complainant. A lawful recreational activity should not become prohibited merely because another person claims to be “annoyed” by its presence. The clause effectively grants Council broad discretionary powers to prohibit activities based on subjective perceptions rather than objective evidence of harm. Further, Clause 42(2) allows Council to prohibit the use of model aircraft in areas where use is merely “reasonably likely” to cause issues. This threshold is extraordinarily low and speculative. The clause does not require: • actual harm; • documented incidents; • evidence-based risk assessment; • consultation with affected users; or	

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	- any transparent criteria for prohibition. This creates significant uncertainty for residents and recreational users and invites arbitrary enforcement. Concerns regarding compliance with the Local Government Act 2020. We also question whether Clause 42, in its current form, is consistent with the intent and limitations of the Local Government Act 2020. Local laws are intended to address genuinely local municipal issues in a proportionate and certain manner. They should not duplicate or attempt to override existing state or Commonwealth regulatory schemes. The clause appears to extend far beyond what is reasonably necessary for municipal amenity management and instead ventures into regulating aviation-related conduct already controlled federally. The breadth, ambiguity and subjectivity of Clause 42 raise serious concerns as to whether adequate legal consideration has been given to the second draft. In accordance with Clause 74 of the Local Government Act 2020 Council must obtain independent legal advice specifically addressing: - Whether Clause 42 improperly duplicates or conflicts with Commonwealth aviation regulation; - Whether the clause is sufficiently certain and enforceable; - Whether terms such as “annoyance” and “reasonably likely” are	

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	appropriate and proportionate within a local law context; and 4. Whether the clause exceeds what is reasonably necessary under the Local Government Act. Request for removal of Clause 42: For the reasons above, we respectfully request that Clause 42 and any reference to model aircraft be removed entirely from the Draft Local Law. Unsafe or unlawful operation of model aircraft is already addressed through existing federal aviation regulation, and general laws relating to nuisance, property damage and public safety. The proposed clause is unnecessary, duplicative, ambiguous and overly subjective. It risks creating confusion for residents while granting Council excessively broad discretion over lawful recreational activities and does not comply with Clause 72(f) of the Local Government Act 2020. A properly drafted local law should provide clarity, certainty and proportionality. Clause 42 absolutely does not achieve those outcomes. Thank you for considering this submission.	
10	Dear Sir/Madam, The leafiness of <i>identifying information removed</i>, is one of my favourite aspects of my neighbourhood. There is nothing better than going to sleep with the call of the Boobook Owl in the neighbouring park. Many houses in our area, an 80's estate near Koolunga Reserve have tall canopy trees – trees which are part of the corridor linking Koolunga to Blind Creek and to	• Supports strong canopy tree protection on private and public land, citing recent tree losses in Ferntree Gully/Koolunga area. • Highlights amenity, wildlife corridors, mature habitat and the 30% canopy target. • Requests tree audit, community/new resident education

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	National Park – trees vital for wildlife. In the past few months, a number of these trees on private land have been felled – trees which had no apparent disease, infestation of white ant or rot in them. Whether a permit had been granted for this I am unaware. Similarly, a number of tall canopy trees along Olivebank Road were felled last year – trees that were on the road reserve. The loss of these trees affects the amenity of the neighbourhood, as well as the wildlife habitat. They cannot be readily replaced by replanting – as many years are required for trees to reach maturity. I understand that with a target of 30% canopy cover for the municipality, these trees are important towards achieving this target. For these reasons I think it is vital that Council maintain a strong policy position of protection of the trees in the municipality – both trees on private and public land. In doing so, I suggest a tree audit should be conducted to identify significant trees followed up with education of the community about the importance of the trees to the population of the area – a population which includes wildlife. New residents to the municipality would receive information outlining Council's policy of protection of canopy trees, outlining the many services they provide to the community. This education campaign should include information of penalties for the illegal removal of trees or damage. If the canopy cover is of significant value to Council in meeting its environmental obligations regarding responding to climate change, then this would also be reflected in penalties imposed on the illegal removal of trees. Thank you for the opportunity to contribute to the Local Law Review	and penalties reflecting environmental and climate value.

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11	Hello, My name is <i>identifying information removed</i>, I am a resident of Knox. I'm writing to express my concerns over the proposed changes to Local Law 24. In regards to the proposed changes by the Knox City Council, specifically the watering-down of infringement penalties for anyone who illegally removes significant trees or vegetation on private land, I would like to advise that residents want stronger penalties for this kind of behaviour, rather than weaker. Additionally, residents expect council to have the proper resources to support the local law, such as education for community and businesses, keeping tabs on significant trees and vegetation on private land, and properly following through on investigation and enforcement. If the new infringement amounts are made law, then the removal/destruction of vital trees/vegetation/flora will just become the cost of doing business. It hardly seems right that destruction of trees that can be half a century old or more are met with the same penalty a person would receive for putting up a sign without a permit. It is quite troubling that even after receiving community feedback that indicated strong concern about tree removal and the impact of this on the environment, the Councillors went and voted to weaken the infringement penalties anyway. Thank you for your time.	• Opposes weakening Local Law 24 penalties and calls for stronger deterrents. • Warns lower fines could make illegal tree/vegetation removal a cost of doing business. • Requests education, mapping/tracking of significant trees, investigation and enforcement resources.

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12	To Knox City Council Mayor and Councillors, I have read the proposed Local laws review. Penalty reductions for illegal removal of vegetation, where protected, I am disgusted by the proposition. How on earth, or in Knox is such an action going to result in increased or maintaining canopy trees cover or protecting Knox's biodiversity! Possibly one of the most foolish actions ever proposed by Knox City Council over the 30 years I've taken an interest in Local Government. Thank you for the opportunity to have my say.	• Strongly opposes proposed penalty reductions for illegal removal of protected vegetation. • Argues the change undermines canopy cover maintenance/increase and biodiversity protection.
13	Hi Thank you for providing further detail and context. I'm trying to better understand the framework to help with having accurate future discussions with <i>identifying information removed</i> but can't find the reference in the A-G guidelines for the "maximum penalty unit that can be imposed at court is 20 penalty units."	• Questions Council's reliance on a 20 penalty unit maximum for Clause 24, noting Attorney-General guidelines refer to higher natural person and corporation maximums. • Asks Council to provide the exact source for the claim that 20 penalty units is the maximum the Magistrates' Court could impose. • Continues to test the proportionality and legal basis for reduced penalties for illegal removal of significant vegetation.

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	On page 30 I was able to find under the 'Appropriate penalty' heading: "Is the infringement penalty: • Below the maximum amount (12 penalty units for natural persons, 60 penalty units for corporations)?" These are much higher than 25% of 20 penalty units for individuals, and 25%/50% of 20 penalty units for corporations. Personally I think these maximums are proportionate to the offence but need to find the exact source for '20 penalty units being the maximum the Magistrates' Court could impose'. It's not in the A-G document and I haven't had any luck on the Magistrates' Court & Sentencing Advisory Council websites so I need help finding this. Could you assist with sending the reference?	
14	So disappointed councillors disregarded community concerns about reducing penalties for removal of trees of significance on private property. The amount of the penalty is no deterrent, it needs to increase, not decrease! Sent from my iPad	• Expresses disappointment that Councillors disregarded community concerns about reducing penalties for removing significant trees on private property. • Says the current penalty is not a deterrent and should increase, not decrease.
15	Dear Sir/Madam,	• Opposes weakening penalties for illegal removal of

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	Regarding Council's proposed changes to Local Law 24, I am opposed to the planned weakening of infringement penalties for individuals that illegally remove significant trees or vegetation on private land. Knox cannot afford to lose any more tree canopy or indigenous vegetation. If these trees were on council land they would be seen as assets. Significant trees on private land should also be viewed as community assets. The removal of significant trees and vegetation will alter Knox's character for the worse. I would also expect the council to provide sufficient resources to support the current local law in particular: education for community and businesses, mapping and tracking of significant trees & vegetation on private land, following through on investigation and enforcement.	significant trees/vegetation on private land. • Views private significant trees as community assets important to canopy, indigenous vegetation and local character. • Requests education, mapping/tracking and investigation/enforcement resourcing.
16	I am a concerned resident & wish to express my deep concern that the Council has decided to greatly lessen the infringement penalty for individuals found illegally removing trees or vegetation on private land. This seems to be in contradiction to recent push by Council to green up Knox which was in keeping with a concern about the importance of vegetation for our animals. It is wasteful of rate payers money to begin projects to have them abandoned, in full or part, when they are for the benefit of all. Having a healthy environment has boundless benefits of all residents & should be encouraged rather than lessened.	• Concerned lowering penalties contradicts Council greening and environmental initiatives. • Emphasises benefits of vegetation for animals, residents and a healthy environment. • Sees weakening protections as wasteful and contrary to community-wide benefit.

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17	Dear Councillors, I strongly disagree with the section change to Local Law 24 – illegal removal of significant trees or vegetation on private land – which weakens the infringement penalty for an individual by 70% and proposes to leave the penalty for a corporation unchanged. WE NEED STRONGER, NOT WEAKER PENALTIES FOR ILLEGAL REMOVAL OF TREES. Since the change to the Bushfire Management Overlay many trees have been removed “legally”. In many areas of Knox it is evident in housing development, that there is little or no consideration for the need for greenery and tree canopy. Penalties for illegal removal are simply included in development costs. Residents cut trees illegally. I wonder how many penalties have actually been applied... Of course I’m sure you know it takes some years for healthy greenery to grow and establish an ecology. And for trees to provide canopy and wildlife support takes many years. And of course loss of canopy trees considerably increases heat.	• Opposes the 70% reduction and calls for stronger penalties, including for corporations. • Raises tree canopy loss, heat, ecology and development pressure; asks about a significant tree register/map. • Raises personal experience of delayed permit approval for a dangerous dead tree, suggesting process issues despite overlays.

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	For the future of the planet and the happy survival of our children and grandchildren, stronger, not weaker penalties for illegal removal of significant trees & vegetation on private land are essential. Does Knox still have the list of “Significant trees”? I live at <i>identifying information removed</i>. Ironically, last week I legally applied for a permit to remove a dead tree on property I own. A section of the arborist’s words are.... “The tree is exhibiting advanced decline and poor overall health, with multiple indicators of structural deterioration present throughout the lower trunk and root zone. Fungal fruiting bodies are evident around the base of the tree, root flare, and stump area, which is commonly associated with internal decay and root system dysfunction. Significant sections of loose and detaching bark are also present along the main trunk, exposing dead and decayed internal wood tissue beneath.” 2 metres down hill from the base of the dead tree, a “significant” tree – around 80 years old – fell on a section of my house last year. I am told it will be 6 weeks before a permit may be issued. 6 weeks in which strong winds come and go and the arborist is not legally	

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	permitted to remove this tree? I applaud that there is a strong application of requirement for the overlays – of which I am subject to 4, but something is going wrong here. draft changes to Local Law 24 – illegal removal of significant trees or vegetation on private property. the infringement penalty for an individual that illegally removes significant trees or vegetation on private land. This is a 70% reduction on the current penalty! a map of significant trees! Boroondara City Council I infringement penalties are over 6 times higher than Knox's proposal! want stronger, not weaker penalties for illegal removal of significant trees & vegetation on private land. NB. There's two consequences for illegally removing a significant tree or vegetation under Local Law 24: 1. The actual penalty for the committing the offence ie. you did something wrong so you receive a punishment that matches the act. Individuals /	

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	corporations are liable for penalty units with each penalty unit being approximately \$200. This email has focussed on the penalty units for the infringement. 2. You “may” be required to pay compensation for damage caused ie. you damaged property so you need to pay for it to be ‘repaired’. Compensation should not be seen as part of the punishment for committing the offence. The proposed penalty for a corporation remains unchanged. It’s not a sufficient deterrent and doesn’t match the offence. A penalty will end up being treated as the just another cost of doing business. “Environmental protection: strong concern about tree removal, wildlife impacts and lighting effects, with expectations for stronger environmental safeguards.” - Residents want stronger, not weaker penalties for illegal removal of significant trees & vegetation on private land. - Residents expect council to have the right resources to support the local law: education for community and businesses, mapping and tracking of significant trees & vegetation on private land, following through on investigation and enforcement.	
18	Friends of the Glenfern Green Wedge Inc.	Opposes reductions to individual and corporate penalties for illegal cutting, lopping or pruning of significant

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	Dear Councillors, I am writing to you on behalf of our friends' group, <i>identifying information removed</i>, in relation to proposed changes to Local Law 24 (Draft Amenity Local Law 2026). This current draft proposes to drastically reduce the penalties for illegal cutting/lopping/pruning etc. of significant vegetation on private land. This reduction in penalties applies to both individuals (reduced from 10 penalty units to 3) and corporations (reduced from 20 units to 10). As a result, someone who causes significant ecological damage will receive the same penalty as someone erecting a sign without a permit. This is unacceptable to the community. This reduction in penalties takes away an important deterrent for illegal destruction of significant vegetation. It directly contradicts Council's own policy in regard to increasing tree canopy in Knox, and it goes against the wishes of the majority of Knox residents. It undermines the overwhelming scientific evidence regarding decline in biodiversity (and associated impact on humans) as well as the importance of 'green' spaces for human mental health and general wellbeing. There is also considerable evidence to show that well maintained 'treespaces' are associated with increased house values. Our experience as a friends group working on local reserves is relevant to this proposal to reduce penalties. For over 10 years, our group has had to endure the destruction of years of community volunteer work and tens of	vegetation. • Says lower penalties remove deterrence and contradict Council canopy, biodiversity and green-space policies/community values. • Cites friends group experience with repeated destruction of reserve/creek plantings as evidence stronger deterrents are needed.

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	thousands of dollars of indigenous plants (including remnant significant) along Gilmour Park and Ferny Creek to Waters Avenue. This has been caused by a resident who has acted with impunity, systematically removing plantings, lopping and slashing middle storey and undergrowth both on his own property and along the creek. The reserve was the culmination of a project that started in 2010 with our friends' group working alongside Melbourne Water and Knox Council. The destruction caused by one individual has been monumental. (This case is known to Local Laws and to the Biodiversity team). People such as this individual represent a very small minority, yet enact enormous destruction. Such people need stronger deterrents, not lesser. We are shocked that Council is considering a reduction in penalties. If anything, it should be increased. It is a grave misjudgement to underestimate the value that most residents place on the 'green and leafy' character of Knox and the associated Council policies. Thank you for considering our input.	
19	Hello, I write to you, as Councillor for Scott ward, to protest the proposed weakening of penalties for unauthorised removal of trees and vegetation on private land, under the proposed new Local Laws. I wrote to you in 2023 about the increasing rate of canopy tree and native vegetation removal	• Strongly opposes weakening Clause 24 penalties; says current fines are already too weak and enforcement is under-resourced. • Compares Knox unfavourably with Boroondara/Monash and questions deterrence/proportionality rationale.

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	occurring in this ward, particularly in the area covered by the vegetation protection overlay. The situation has only worsened in the 3 years since then. One of the points I raised in my 2023 letter was that the penalties for illegal tree removal are far too weak, the fine amounts negligible and out-of-step with the way other councils and planning bodies in Victoria are valuing canopy trees. The current fines for individuals and for corporations were already too weak to be effective deterrents, especially given that Knox council consistently under-resources its planning/landscaping/vegetation enforcement team. Why is Council now favouring such a drastic reduction in the penalty for both individuals and corporations, when the general trend among municipal councils in metropolitan Melbourne is to implement stronger deterrents to tree removals? Colleagues at identifying information removed have highlighted Boroondara Council's local law 'Tree Protection Local Law 2024' (accessed via https://www.boroondara.vic.gov.au/services/environment-and-sustainability/trees/protected-and-significant-trees) which has this: 16. Infringement notices 1) Where an Authorised Officer reasonably believes that a person has committed an offence against this local law, the Authorised Officer may issue and serve on that person an infringement notice as an alternative to prosecution for the offence. 2) The penalty fixed for an infringement notice under this local law is: a. where an offence relates to a tree which is dead – 5 penalty units for each offence; b. for all other offences – 20 penalty units for each offence.	• Argues private canopy loss blocks canopy targets and that remediation/permit landscaping enforcement is weak. • Raises planning/building implications and Knoxfield examples of low-canopy development.

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	17. Offences 1) A person who: a. fails to comply with any provision of this local law; b. fails to comply with a condition of a permit; c. fails to comply with a Notice to Comply issued under this local law; or d. submits wrong, inaccurate or misleading information in an application for a permit made under this local law. is guilty of an offence. 2) If no penalty is specifically provided for in a provision of this local law, a person found guilty of an offence under this local law is liable to a penalty not exceeding 20 penalty units. Similarly, Monash Council appear ready to impose fines well in excess of the penalties now proposed by Knox according to this 2023 media release: Council warning over residential tree poisonings https://www.monash.vic.gov.au/About-Us/News/Council-warning-over-residential-treepoisonings penalties and actions for poisoning a tree include: • An official warning. • A Penalty Infringement Notice (Individual \$961.55), Company (\$1923.10).	

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	• Magistrates' Court proceedings with penalties of up to \$230,772, and \$11,538.60 for each day the offence continues. If convicted, an offender can end up with a criminal record. • Victorian Civil and Administrative Tribunal (VCAT) proceedings for an Enforcement Order. Council will seek costs in all cases that are presented to a magistrates' court or VCAT. See also 2025 Media release: A Glen Waverley resident has been fined \$9,000 for poisoning an established 18m lemon-scented gum tree on their property Why is this latest draft of the local laws going in the opposite direction and ignoring the clear Knox community feedback collected during the consultation? Concerns over tree removal was at the top of the summary list! When the Knox Council Environment Advisory Committee queried these latest penalty changes relating to tree removal on private property, the Acting Director of City Livability, Knox Council, responded noting in particular that 'there is some discretion in the penalty amount we can apply for any individual offence.' and that When setting the current penalty unit for this offence, the Attorney-General Guidelines to the Infringements Act 2006 – for Legislating Agencies states that infringement penalty amounts should be set at the minimum level required to achieve deterrence of the specific offending behaviour and at a level that is proportionate to the gravity of offending behaviour and represents a fair	

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	punishment to the offender. Infringement penalties should also be set by reference to the court-imposed maximum penalty. The Guidelines further states that an infringement fine should be no more than 25 per cent of the statutory maximum penalty for the offence. A higher proportion of the maximum penalty up to 50 per cent may be justified if there are public interest grounds for exceeding the 25 per cent limit.... Where an offence is considered to be significant (i.e. damage is caused to multiple trees as an example) officers would likely prosecute the matter at Court and seek the higher penalty. Even the penalty under the current Local Laws of a maximum 10 penalty units/individual (1 unit = approx. \$200; \$2000) has not managed to 'achieve deterrence of the specific offending behaviour' (anecdotal evidence indicates the actual fines for individuals are much less). Reducing the rate to 3 penalty units for individuals (~\$600) and 10 for corporations (~\$2000) seems absurd. How can such amounts be 'proportionate to the gravity of the offence', give the long term amenity, environmental and habitat loss? The fine for individuals is also considerably less than the cost of a replacement council street tree (approx. \$800 in planning permits; arguably also too low). How do such minimal fines represent respect for the 'public interest when it clearly disregards community feedback on this local law (and as expressed through many other council policy consultations) about ongoing canopy tree loss? Do Council officers prosecute the matter at court and seek the higher penalty even at the current rate of 10 or 20 units? I can't imagine Council would sanction the expense and effort of going to Court to 'seek the higher penalty' when that only amounts to a few hundred dollars under the proposed new Local Law. I note that higher penalty rates still apply under the new law for the	

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	protection of Council trees. Why are Council trees – many of them street trees constrained by size and species limitations – given, effectively, a higher value compared to significant trees or vegetation on private land, which are often larger, established trees, set back from roads and traffic, providing much better habitat and environmental benefits? The most recent available Knox Council Housing Monitoring Program Report (2024) once again notes that ‘Council has merely had an indirect power to control canopy loss on private property’ and quotes the Knox Biodiversity Resilience Strategy 2024 – 2034 as maintaining that ‘the loss of canopy trees on private land remains a fundamental barrier to increasing tree canopy coverage in Knox and that ‘there should be a review of how vegetation is protected on private land and/or property to reduce the possibility of canopy cover loss’ (p.41). Penalties for unauthorised removal of trees and vegetation are imposed to serve as deterrent to infringement and are a key part of Council’s ‘indirect power’ to control canopy tree loss across private land in the municipality; but how can such reduced fines do anything other than further weaken Council’s power to control canopy loss? Aside from the infringement penalty, the issue of remediation in the local law draft is also weak and ambiguous (‘Council may require a person to pay compensation ... based on the net gain principle’: no reference to vegetation so ‘net gain’ relates to what exactly?) and again relies too heavily on reactive enforcement. Certainly in terms of Knoxfield and the VP04 applying to this location, Council has not managed to ‘provide restitution of vegetation based on a net gain principle’ even for authorised tree and vegetation removal. In Knoxfield, monitoring and enforcing compensatory canopy tree planting/landscaping required under authorised tree removal or	

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	development permits has been reactive in approach and patchy at best (and no fault of the council enforcement officers who are doing what they can under difficult circumstances). There is clear evidence of many private land sites in the VP04 in Knoxfield which have failed to maintain landscaping prescribed by permit or replace removed trees (whether removed legally or otherwise). Revegetation or remediation as currently managed is not going to compensate for an even weaker infringement fine. Knox is on the public record for supporting the development of ‘urban forests’ (remember this initiative to which Knox Council is/was a partner? https://livingmelbourne.org.au/partners/) supposedly taking action to improve canopy tree coverage and support the state planning goals to increase overall canopy tree coverage across Melbourne. But the penalty reduction in the draft local law is exactly the kind of arbitrary change which undermines that ambition and, frankly, makes a mockery of Knox’s self-described ‘leafy green’ image. Council also needs to consider the implications of the penalties proposed under Clause 24 of the revised Local Laws from the perspective of planning and building. Below are 3 images of new Knoxfield residences in the NRZ5 and NRZ4, supposedly representing the following characteristics under Clause 15 of the Knox planning scheme: Knox neighbourhood objective to ensure development retains the valued characteristics of these areas, which include: • A sense of open space, fresh air, trees and large backyards. • Low-scale neighbourhoods. • The retention of front and back yards. • A garden setting that includes canopy trees. Knox neighbourhood strategies	

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	• Retain and enhance the streetscape through the planting of appropriate trees on private land. • Avoid the dominance of buildings from the street. • Avoid the loss of front and rear garden space. • Avoid the dominance of car storage facilities from the street. • Retain large backyards for landscaping and open space. • Design buildings to reflect the prevailing scale of buildings in the street. • Accommodate landscaping including canopy trees in front and rear gardens. • Locate carports and garages behind the line of the dwelling or in the rear yard. • Support pitched, hipped or gabled roof forms. • Retain understorey planting, wherever possible. Despite the pretensions of previous plannings scheme restrictions for this area, and despite the new canopy tree requirements under the current scheme, the private land use depicted in these images is rapidly becoming the norm for residential development in Knoxfield. Do you think the proposed reduction in penalty fines for tree and vegetation removal is going to deter people from similarly 'landscaping' their properties like this?	
20	Knox AdvoCats to Local Law Review Public submission	• Supports wildlife-sensitive nuisance lighting using low-intensity and automatic-switch-off lights.

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	13th of June, 2026 Our concerns remain: Outdoor nuisance lighting Strongly support. Requesting low-intensity and automatic-switch-off lights, to not disorient, disturb, and harm birds and wildlife. Animals – limiting pets to 2 dogs, 2 cats, etc. on properties 4,000m² and over strongly oppose. Limiting large properties to less animals, deprives more pets of homes. Leaving more animals without care, and at risk of death from euthanasia. Larger properties have more space for animals. Limiting to 2 dogs, 2 cats, 5 poultry, 25 small birds, 5 large birds, on large properties, overlooks that it is not the size that matters – it is the care and the welfare of the animals. This short-sighted limitation is cruel, and inhumane. Animal Fencing strongly oppose. This unfairly disadvantages renters, and struggling residents and families from keeping dogs and cats. Fencing is expensive. Containment enclosures are cages, and destroy shared spaces and gardens. Wildlife are deprived of gardens planted for wildlife, and also can get caught in the wire. Elderly neighbours can be deprived of social contact. Mandating fencing for all dogs and cats is a divisive law. Forcing fencing can marginalize, and disadvantage. Knox cat curfew has made visible felines a target for hate-speech, false blame, violent threats, and less liveability. Fencing to protect from dog-attacks needs to be considerate of circumstance, reasonable, and to not deprive renters, and poorer owners, or the homeless, from their companion animals. New 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. Strongly oppose. Will this	• Opposes animal number limits on large properties and mandatory animal fencing/enclosures, citing animal welfare, renters, affordability and social impacts. • Opposes proposed aggressive/offensive behaviour clause as a potential gag law restricting public questions, protest and democratic participation.

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	prevent Public Meeting questions and attendance, by Knox Council deciding what they will allow to be asked, and spoken? Will this prevent peaceful public protest near or in council buildings, by for example: wearing Christmas colours, a national symbol, or holding a sign, wearing a slogan t-shirt, or a badge? In 2026, some questioners have been prevented from speaking for animals. Prevented from speaking for those who cannot speak. Whole question facts, and context, have been removed from the Meeting Minutes. A resident was addressed by a false name, not her own, although she was present in the gallery, and prevented speaking. Respect is also not accorded to some residents who have their surnames deleted, addressed by first-name only. This new clause acts as a gag law, where Knox can judge as ‘insulting’ or ‘offensive’ – questions and issues that Council prefers silenced, or do not want the greater public to know. Here Council local law is to act as both judge and executioner. Removing respect, and removing residents’ democratic right to be heard. Double-standard rules are divisive, reduce to ‘us and them’ overlord and beggar, and demonstrate a lack of service. Is Knox Council determined to not listen, and to not consider impacts upon residents and animals? Knox AdvoCats – committed to saving animals, and to scientific solutions.	
21	Animal Care Australia “Animal welfare is animal care” 13th June 2026 Mayor, Re: Draft Local Law Animal Care Australia is a national incorporated association established to	• Opposes proposed animal number caps and excess animal permit requirements, especially for properties over 4,000m2 and bird/poultry owners. • Argues prior submissions and Phase 1 feedback were ignored, risking poorer animal welfare and increased non-compliance.

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	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. Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, companion animals, animals used for educational or entertainment purposes or kept for conservation. Animal Care Australia notes that correspondence has been consistently provided to Knox City Council calling out the extraordinary decisions by Council to reduce pet ownership numbers that place the animal welfare of the species at risk, particularly colony or social species. Animal Care Australia has provided correspondence on the following occasions: ➤ March 19th, 2026 – response to Local Law review – Phase 1. This correspondence directly questioned the 4000sqm rule change and the lack of animal welfare consideration for pets – particularly the proposed numbers for birds and small mammals. ➤ October 20th, 2020 – response to review of the Amenity Local Law: Our advice provided in this communication was ignored as well and the Local Law was passed introducing pet restrictions. The fact that all of the earlier submissions were also forwarded to the Mayor and Councillors (as listed on Council's website at each point in time), it is a clear statement that Council has chosen to ignore our correspondence. Not directly responding to our concerns about any of those submissions, further exacerbating the risk of poorer animal welfare outcomes in the future. What is the point of consulting if Council's	• Criticises rooster/livestock restrictions and fees as revenue-raising; commends assistance animal exemption. • Suggests removing caps/permits and reducing registration costs to encourage voluntary compliance.

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	Animal Management Team are going to ignore the responses received – especially from a national organisation. The clear response to that figurative question is so that Council can claim it met the requirement to consult. To be clear – AGAIN – Animal Care Australia DOES NOT SUPPORT the numbers listed in the proposed Table within Section 4.2 of the new Draft Amenity Local Law 2026. Furthermore, the actual documentation provided in the Round 1 consultation showed 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 alluding to a lack of substantial validity or reasoning as to WHY Council made the decision to further decrease animal number caps across ALL residence types. Of course, the most obvious is NOT about community amenity but rather income raising. This is especially significant for those residents who may currently be conforming to Local Law numbers, but once the new laws come into effect, they will now be required to pay for an excess animal permit or reduce their animal numbers some other way in order to comply. As already highlighted, bird owners will be unfairly disadvantaged under this new change. 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. It is vital that	

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	Councils support the keeping of all pets within their local government areas and that Councils consult with the appropriate stakeholders when looking to address the uneducated members of the public who utilise the amenity provisions as an excuse in relation to the keeping of some animals in order to achieve the many myths or phobias they have against animals, particularly rats, mice and reptiles. The other outcome will be more residents who choose to ignore the Local Laws and the levels of non-compliance will increase. Phase 2 specific feedback: Focusing only on the Animal Management component of this review, I see the following issue. It appears that the proposed Local Laws have not been altered in any meaningful way despite the finding that respondents to Phase 1 consultation had serious reservations about the proposed changes. See the following screenshots from the Phase 1 consultation review... Main messages from the community: • Animal welfare and management: support for responsible ownership and safety, alongside opposition to blanket animal limits and a preference for welfare-based approaches that consider care conditions and property context. Key themes and results: Animal management Mixed views on applying animal number limits to all properties, stronger housing and fencing rules, and dog attack measures. People supported responsible pet ownership and public safety, but many opposed blanket limits and raised concerns about animal welfare, larger properties, renters, vulnerable residents, affordability and practical enforcement.	

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	Written submissions feedback: liability, the need for expert oversight, and alternative ways to manage green waste. Two submissions focused on animal management, including opposition to blanket animal number limits, concerns about housing and fencing requirements, and support for education-led, welfare-based approaches. Somehow from the clear opposition in the feedback the Animal Management team has determined to go with the following summary of what changes are currently proposed: And a comparison of the current vs proposed number restriction tables... Current: Limits on number of animals kept 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: 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)	

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	Proposed: 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 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. So now every resident living on a 4000m2 block that currently has more than the prescribed number of animals as set out in the proposed changes must now apply (and pay) for an excess animals permit – current cost to do that is \$295 (\$188 non-refundable application fee, and \$107 permit fee and the permit fee is an annual cost thereafter). Animal Care Australia also notes the inclusion here of Roosters as a line item = 0. Perhaps Council doesn't understand how chickens reproduce? For eggs to be viable, they need to be fertilised. So why can't a resident living on land larger than 4000m2 have a rooster to service their hens? On that note, why can't that	

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	same resident have more than 5 hens? This is a clear attempt by Council to profit from its residents who want to breed chickens. There is NO other responsible, reasonable or logical purpose for requiring a permit for a rooster and more than 5 hens on a property greater than 4000m2. THIS DOES NOT PASS THE PUB TEST. The only aspect of the animal managements components of Phase 2 that Animal Care Australia does commend Council for is stipulating that registered assistance dogs/animals are exempt from being counted against the number caps set out in the tables. Animal Care Australia do not have any major concerns about the inclusion of containment methods (fencing/enclosures) for pets but do have reservations about how that is going to be monitored/enforced. Many councils across Victoria are bemoaning the fact that pet registrations are dropping every year, lost animals aren't being reclaimed from pounds, and most roaming animals picked up aren't microchipped or desexed. This is a direct result of Councils steadfastly sticking to pet number caps and excess animal permits in the misguided belief that the revenue from same will fund animal management functions. Animal Care Australia has seen a growing set of data highlighting every time a review is conducted the supposed revenue streams seem to be decreasing? It would be more effective to remove the caps and excess animal permits for a cycle of 4-5 years (the term of a Domestic Animal Plan and Local Law review period) to see if less restrictions result in higher voluntary compliance. This must include reducing registration costs. This would see a much higher voluntary take-up, as most people want to be doing the right thing, but when it's too financially restrictive to do so, they will find ways to avoid complying. 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. Kind regards,	

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	About Animal Care Australia. As a nationally recognised animal welfare organisation, Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, companion animals, animals used for educational or entertainment purposes or kept for conservation. Animal Care Australia was founded in early 2018 to establish an organisation run solely by volunteers to lobby for real animal welfare. With extreme animal rights and animal liberationist ideologies influencing government legislation, regulation, and policy at our expense and to the detriment of our animals and pets, it has become necessary to provide government with a balancing voice. By uniting the broad spectrum of animal groups, collectively we offer an experienced, sensible approach to animal welfare. By educating our members and the public about the importance of treating animals with kindness and respect for their needs and promoting the humane treatment of animals to improve animal welfare outcomes, Animal Care Australia is in the unique position of lobbying and advocating for all animals within our care. Animal Care Australia provides priority to the following: •advocating for stronger welfare outcomes •advocating to increase education of the public in animal welfare and best care techniques •educate the public on handling their animals with kindness & respect and	

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	the importance of their needs •educate the public in the differences between animal welfare and animal rights	
22	Local Laws Office Dear Local Law review team, I have perused the Knox City Council proposed Amenity Local Law 2026, and first of all, I would like to thank the Local Law review team for the amendments that significantly improve the section addressing open air burning. A deficiency I noticed in the draft is that it does not contain a clause that addresses the automotive spray painting process (unlike the Knox City Council General Provisions Local Law 2010 did) it would be unfortunate if the proposed local law is indorsed without the inclusion of such clause and therefore Environmental Health Officers are not able to take effective action when these hazardous activities are reported. Of concern are the consequential fine particles of lead among other fine particulate pollutants emitted during preparation work, and isocyanates emitted during the automotive spray painting process which are initially airborne pollution which settle on to the ground and other surfaces. Over time garden equipment and prevailing winds redisperse these particulates into the atmosphere. Although odour makes the activities noticeable, it is not odour pollution alone that is of concern, but rather the particulate pollution emitted during	• Thanks Council for open-air burning improvements but seeks a clause addressing environmental pollution/automotive spray painting. • Raises health and environmental risks from fine particulates, lead, isocyanates and airborne pollutants in residential settings. • Suggests reinstating or adapting former 2010 mechanical vehicle painting permit controls. • Requests stronger officer powers and an in-person discussion about the proposed clause.

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	these activities. The impact to health and the environment is well noted by WorkSafe, the EPA and DCCEEW and such requirements and regulations have been imposed in industrial settings there is a definite requirement for at a minimum the same protections in a residential setting. I would suggest one way to address the issue would be to add a clause into the proposed incoming local law possibly under part 3 of "Amenity Local Law 2026" headed "Environmental pollution" as "A person must not undertake an activity that pollutes, or might pollute, the environment". The use of automotive finishes in a residential setting without a properly equipped facility would definitely pollute the environment and thus be in violation of a clause such as the example above. Adding this clause is in line with and contributes to the objectives of Amenity Local Law 2026. In addition, the local law 2010 had a section headed "25.2 Painting a vehicle by mechanical means" (see below) which could be utilised as a basis for an additional clause that makes it a requirement to obtain a permit for such activities. 25.2 Painting a Vehicle by Mechanical Means The intent of this provision is to control the impact of airborne particles on neighbours from the mechanical painting of a vehicle. A vehicle under this provision has the	

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	broadest possible meaning and includes water vessels. Permit Application A permit application under this provision must be in writing. No formal permit application applies. No fee applies for a permit under this section. In making an application any consideration needs to be undertaken in conjunction with the Health Department. The following issues need to be considered: • How the airborne particles will be controlled. • Not permitted in the open air but must be in a structure that can control the release of the airborne particles and appropriately ventilated. • Times that the operation will occur. • Impact on visual amenity. In considering any permit, discussion needs to be undertaken with Planning to ensure that the Local Law permit is not contrary to the Planning provisions. A permit will only be issued for a specific vehicle or period of time and will not under normal circumstances be issued for multiple vehicles. If this is the case, discussion	

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	will need to be undertaken with Statutory Planning to ensure that any permit is not inconsistent with the Planning Scheme. Clearly not everyone has a neighbour who carries out these sorts of activities and in many instances, those who do, are not aware of the effect these substances have on them and their surroundings. Our homes are not equipped to keep these harmful gasses and fine airborne particulates out and we certainly don't want to be out in our gardens ingesting them. Given the proximity of homes it would be a reasonable assumption to think that the above activities don't belong in residential areas. It's not just smell and noise impact that is of concern, these activities also present a considerable risk to resident health and the surrounding environment. The impact on residential gardens, streams, playgrounds, natural flora, and fauna needs to be acknowledged, as such fine particulate matter is easily transported by prevailing winds. The frequency for these activities in a residential area should be zero, a 28 day log allows hazardous activities to continue, and residents should not have to prove it to a Magistrate. It is reasonably practicable for a person wishing to undertake these activities, whether for business or leisure, to do so by hiring appropriately located and equipped facilities which already exist. In conclusion, there is a clear necessity for the inclusion of a clause as suggested above to Knox City Council Amenity Local Law 2026, in order to provide the means for Council Officers to efficiently take effective actions	

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	and put a stop to these harmful activities when and where they do occur. I write from a position of experience and awareness, and I feel it is important that the above matter is well understood and not taken in the wrong context. As I have significant detailed information regarding the effects of the above mentioned hazards for the person/persons tasked with assessing the inclusion of such a clause as suggested in this submission, and I firmly believe this is a necessity in our local law, on Thursday, 11 June at approximately 4pm, during our phone conversation I requested an in person discussion. As we agreed during that phone conversation, once you review this email you will call to arrange a suitable time for our in person meeting for the more detailed discussion. I look forward to your phone call. Please do not hesitate to contact me on <i>identifying information removed</i> Regards <i>identifying information removed</i>	
23	Hi there I am emailing to oppose the proposed reduction in infringement penalties for the illegal removal or harm of significant trees and vegetation on	• Opposes reduction in penalties for illegal removal or harm of significant trees and vegetation. • Says a \$610 fine is not a deterrent and may increase illegal removal. • Requests education, clear mapping/tracking, consistent

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	private land. Residents expect stronger, not weaker, penalties for actions that cause permanent ecological damage. Illegal removal of significant trees and vegetation should not be treated in the same way as temporary or minor offences. A \$610 fine is not a deterrent for the removal of such significant trees. The reduction in penalties will almost certainly lead to an increase in illegal removal. I also urge Council to ensure this local law is properly supported through community and business education, clear mapping and tracking of significant trees and vegetation, and consistent investigation and enforcement.	investigation and enforcement.
24	To whom it may concern I was bewildered when I noticed in your draft, that you were considering significantly lessening the infringement penalty for an individual that illegally removes significant trees or vegetation on private land. How can this be allowed at a time when our green spaces are so needed and should be preserved for the future? If penalties are lowered so much, it will send a clear message that our trees, nature and wildlife don't carry a lot of value. Surely, we should be increasing the penalty rates!	• Opposes lessening penalties and argues penalties should be increased to signal the value of trees, nature and wildlife. • Emphasises private land as part of Knox green corridors and long-term green-space protection. • Warns corporate penalties may be treated as a cost of doing damage; requests a significant tree list including naturestrip trees.

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	I've lived in Knox for 43+ years. I love the way that you have worked to improve our green public spaces. I have seen some wonderful changes in local parks (big and small), road sides and the raising of creek beds, waterways etc. Surely, private land is a part of the green corridor that we have in Knox? Also, if the corporation penalty remains unchanged, damage to vegetation will just become a simple;" do the damage, pay the fine, get away with it" approach. Our council should be sending a very clear message that this probable destruction of trees and vegetation will not be tolerated. A list of significant trees should also be a priority, including naturestrip trees. I would like my concerns to be considered when you review Local Law 24.	
25	It is alarming to see that Councillors are to vote to weaken local law 24 by reducing penalties for illegal removal of significant trees and vegetation on private land, completely ignoring the fact that the community sent a clear message during early consultation that: "Environmental protection: strong concern about tree removal, wildlife impacts and lighting effects, with expectations for stronger environmental safeguards."	• Opposes the 70% reduction and says it ignores Phase 1 community calls for stronger safeguards. • Links canopy/vegetation protection to climate, wildlife and Knox 2050 canopy/vegetation targets. • Seeks increased penalties, resourcing, education, mapping/tracking and enforcement.

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	The proposal will be a 70% reduction on the current penalty at a time when we should be increasing penalties because not only is it wanton destruction of the local environment but it sends a message that Council (unrepresentative of community desires) does not place any real value on these irreplaceable assets, for greening, for wildlife and for warming – every bit counts. But besides the loss what sort of message does this reduction in penalties send to the community and the developers at a time when our own local government targets for Knox vegetation and tree coverage to mitigate the effects of climate change are 30% tree canopy cover and total of 50% vegetation coverage by 2050. How does reducing rather than increasing the penalties do anything to support these aspirations. Re Local Law 24: * Residents want stronger, not weaker penalties for illegal removal of significant trees & vegetation on private land. * Residents expect council to have the right resources to support the local law: education for community and businesses, mapping and tracking of significant trees & vegetation on private land, following through on investigation and enforcement. I ask the Councillors to vote representatively for the community who identified that they want more protection for our trees and vegetation in	

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	Council's own report and to vote to support not undermine Council's identified need to reach our tree and canopy targets by 2050. The penalties should be increased so that there is a significant deterrent to those that would remove this important asset for Knox.	
26	Your proposal to weaken the infringement penalty for illegal removal of significant trees, vegetation, and wildlife habitat on private land by 70% is reckless and negligent. Boroondara infringement penalties for the removal of significant trees and vegetation are more than six (6) times higher than that proposed by Knox. Increase fines to deter illegal, permanent, irreversible environmental damage. Weakening the law will escalate illegal activity, permanently damage the environment, have devastating consequences for dependent wildlife, and further contribute to extreme weather and temperatures associated with global warming/climate change. Our community expects stronger, not weaker, environmental safeguards and protection. Please: 1) Strengthen and increase penalties for illegal removal of significant trees and vegetation on private land; 2) Increase the financial penalty for illegal removal of significant trees, vegetation, and wildlife habitat; 3) Provide resources to support local laws that protect the environment;	• Strongly opposes 70% weakening of penalties and compares Knox unfavourably with Boroondara. • Warns lower fines will escalate irreversible environmental, wildlife and climate/heat impacts. • Requests stronger/increased penalties, education, mapping/registers and enforcement resources.

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	4) Provide education regarding the critical significance of trees and vegetation that need protection; 5) Map, track and create a register of significant trees and vegetation on private land; 6) Strengthen, follow through, and enforce local laws that are there to protect significant trees, vegetation, and dependent wildlife on private land.	
27	Dear Local Law Review team, I am writing to you about the current proposed changes to Local Law 2026. Based on community engagement feedback collected during Phase 1 of this review, your council report (document titled 'Community Impact Statement – Draft Local Law 2026') suggests that there is a strong interest in increased protections of trees. In the section titled 'Main messages from the community', the first point states: "Environmental protection: strong concern about tree removal, wildlife impacts and lighting effects, with expectations for stronger environmental safeguards." Having read through all the documentation provided for the proposed changes to the Local Law, I have some questions I would like you to address	• Questions why Clause 24 penalties reduce more than related tree-protection clauses and requests higher penalties and clearer penalty tables. • Seeks tree significance criteria, canopy mapping and follow-up of replacement planting/retention. • Requests wildlife-sensitive lighting controls, European wasp specificity and Boxing Day building work restrictions. • Notes consultation documents were difficult to navigate.

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	regarding tree protections. I also have some additional comments/questions about topics outside of tree protection. Here is a summary before I outline my questions in detail; * Schedule 1 – Penalties * Given community support for increased tree protection and tree canopy targets, I request clarification on the reason for reducing penalties relating to clause 24, and why variation is seen when compared to similar clauses that offer tree protection * Request for details on Council’s process used to determine significance of trees, and track success of replanting programs * Clarification on headers used in ‘Comparative analysis – current vs new draft Local Law 2026’, and whether a ‘Maximum Penalty Units’ column needs to be added to the new Draft Amenity Local Law 2026 * Clause 78 Penalties * Clarification on current penalty unit cost as per Local Law 2020 * Clause 20 Lights * Include requirements that aim to protect wildlife from artificial lighting	

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	* Clause 25 Vermin and pests on private land * Specification of European Wasp (aggressive pest species) to differentiate from locally native Australian Paper Wasp. * Clause 58 Hours of building work * Inclusion of Boxing Day as one of the listed Public Holidays Schedule 1 – Penalties: * Why have penalties for Clause 24. Tree and Vegetation Protection been reduced more than other clauses relating to protection of trees (Clause 54. Asset Protection, and Clause 64. Trees and Plants on Council land and roads)? See numbers highlighted red in table below. Details pulled from ‘Schedule 1 Penalties’ table in the document titled ‘Comparative analysis – current vs new draft Local Law 2026’.	

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	<i>Data pulled from Schedule 1 Penalties</i>	Existing	Existing	Proposed	Proposed
	Clause & Offence	Infringement Notice Penalty Units	Maximum Penalty Units	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
	Clause 24. Tree and Vegetation Protection	10	20	3	10
	Clause 54. Asset Protection	10	20	5	15
	Clause 64. Trees and Plants on Council Land	5	20	5	15
	* As the community engagement in Phase 1 has shown, the residents of Knox City Council are asking for stronger environmental protection. Given that 80% of tree canopy loss occurred on private property between 2014–2018 (as stated in the Knox Biodiversity Resilience Strategy 2023–2024) – is this not a vote for stronger enforcement? * Rather than maintaining the old Local Law 2020 penalty (accounting for the change in unit price), I would like to see the new Draft Local Law 2026 Infringement Notice Penalty increased to 10 and 15 units for a natural person and corporation, respectively, across all three relevant clauses (Clauses 24, 54 and 64). This would show Knox City Council's commitment to achieving the targets set by the Victorian Government, to reach a tree canopy target of 30% by 2050.				

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	* Is there supporting documentation that shows how Knox City Council determines the rate of penalty based on the significance of trees? How does Knox City Council currently determine the significance of existing trees? * When is Knox City Council planning to establish a tree canopy mapping tool, as stated in the Knox Biodiversity Resilience Strategy 2023–2024? This tool could be used to rate and map the location of significant trees, defined by characteristics such as species (locally native/indigenous, native or exotic), age, hollow existence and potential, and height/trunk width/canopy width (as outlined in the Victorian Government’s amendment to the planning law, ‘Clause 52.37 – Canopy Trees’). * What is Knox City Council’s process for monitoring the retention and appropriate maintenance of trees planted in order to meet permit requirements or penalties? For example, a site could be cleared of vegetation for development, including the removal of a canopy tree, and the developer is ordered to plant a number of replacement trees as a part of completing the build. When the new residents eventually move in, they may decide they do not like or want the young replacement canopy tree. So they simply remove it before it has grown to any significant size. * Does Knox City Council follow up in these instances, up to a number of years after planting was required, to ensure that if this removal occurs, a replacement is replanted straight away?	

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	1. Looking at the 'Schedule 1 Penalties' table (found in the document titled 'Comparative analysis – current vs new draft Local Law 2026'); from the titles of the four right-side columns (see column title text highlighted yellow in table above), it is difficult to do a like-for-like comparison without further clarity: * Does the new Draft Amenity Local Law 2026 seek to break up the old Amenity Local Law 2020 'Infringement Notice Penalty Units' into two separate penalties, to differentiate between individuals and corporations and subsequent differences in applicable penalties? Is this what is captured by having the two columns titled 'Infringement Notice Penalty Units for a natural person' and 'Infringement Notice Penalty Units for a corporation' in the new Draft Amenity Local Law 2026? * If the above point is correct, is there a reason no column for 'Maximum Penalty Units' is included for the new Draft Amenity Local Law 2026? Will it remain unchanged from the old Amenity Local Law 2020 column? Or is it going to be set to 20 across all Clauses? In either case, I believe it would be best to include a new Draft Amenity Local Law 2026 column for 'Maximum Penalty Units' to avoid confusion and misunderstanding when the comparative analysis is being reviewed. Clause 78 Penalties: * Based on the following note in the Key Change column, is it correct that Knox City Council is currently equating 1 penalty unit to \$100 in Local Law	

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	2020? “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. Penalties differentiate between a natural person and a corporation regarding penalties” Additionally, I have some further questions based on other sections of the proposed Local Law 2026. Clause 20 Lights: * Artificial light is known to adversely affect many species and ecological communities, resulting in changed behaviour and/or physiology, reduced survivorship or reproductive output. Could this section of draft Local Law 2026 be updated to include detail on lighting that also protects wildlife, as per the Department of Climate Change, Energy, the Environment, and Water document 'National Light Pollution Guidelines for Wildlife', released in 2023? This would be particularly important for areas of Knox City Council that are frequented by significant nocturnal species, such as the Powerful Owl and bats. * For reference, here is a link to the DCCEEW report titled 'National Light	

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	Pollution Guidelines for Wildlife: https://www.dcceew.gov.au/sites/default/files/documents/national-light-pollution-guidelines-wildlife.pdf * Important components of lighting to be considered: * Spectral characteristic (wavelength of light should not include blue range. Ideally a colour of around 2700K should be selected, but a light with this colour can still contain light emitted from blue range - need spectral content from light fixture specifications to determine that it does not emit within the blue range). In general, low-intensity light in the orange to red (590 nm to 740 nm) spectrum is likely to be less disruptive to terrestrial mammals. Suitable commercial lighting type include: low-pressure sodium vapour, amber LED and PC amber. * Shielding (direction and expanse of light path should be limited to only that which requires lighting) * Height (low-to-the ground light fixtures significantly reduce skyglow whilst maintaining safely lit areas) * Automated controls (to manage time, sensitivity and intensity so lights are as unobtrusive as possible) * Three of Australia's most damaging invasive vertebrates—Cane Toads (<i>Rhinella marina</i>), Feral Cats (<i>Felis catus</i>) and Red Foxes (<i>Vulpes vulpes</i>)—have been shown to prefer or benefit from artificially illuminated hunting grounds.	

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	Clause 25 (2) Vermin and pests on private land: * Should this clause specify the removal of “European wasps”; the invasive and aggressive species? There is a native variety of wasp called the Australian Paper Wasp that at first glance can look similar, but their behaviour and nesting sites are different to the European wasp. They are less aggressive. Please distinguish between the invasive pest that should be removed (and therefore highlighted in this new Local Law 2026), and a native species that should be protected. Clause 58 (1) (d) Hours of building work: * Can I propose that Boxing Day be included as one of the listed Public Holidays listed here, on which building work cannot be carried out without a permit? As is stated in the clause, “A person must not, without a permit, carry out or allow to be carried out, building work” “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.” By this wording, when Christmas Day falls on a Sunday in 2033, the Public Holiday in lieu will fall on the following Tuesday, with the Monday being Boxing Day. It seems odd to consider that someone may not conduct work on the Sunday or Tuesday, but can on the Monday. Thank-you for reading and considering my submission. I would like to add a final note with some feedback to say that it was quite challenging to	

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	navigate the different documents. If only reading the summary and comparison documents, it would be easy to miss some key changes. In particular, I was surprised to see there was no summary to give even a brief reason for changes to Penalties in the document titled 'Summary of changes – Draft Local Law 2026'. I look forward to your response. I am best contacted by email, but am happy to arrange a time to meet face-to-face to discuss any the points I have raised.	
28	As local residents we would like to voice our opinion on the proposal to reduce penalties for illegal vegetation removal. We would strongly suggest that you don't follow the new proposal and should at the very least maintain the status quo of how this is managed presently and even consider increasing penalties for removal of vegetation. Given the amount of trees and vegetation that have been removed from our municipality in recent years, and how hard it is to maintain any kind of green space in the locality due to the extra subdivision of land and building of new buildings that seem to leave no space for gardens. It is important to maintain some of the greenery that makes our city of Knox so desirable to live in.	• Opposes reducing penalties for illegal vegetation removal and asks Council to maintain or increase current penalties. • Concerned by tree and green-space loss due to subdivision and development. • Values Knox greenery as a key part of local liveability.

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	Many thanks for your consideration. <i>identifying information removed</i>	
29	Greetings Local Law Review team, I am writing to you on behalf of <i>identifying information removed</i>, in relation to proposed changes regarding Local Law 24. The <i>identifying information removed</i> has had a long-standing involvement with the Knox City Council over the last 40 or so years of our existence and throughout this time the society has championed the importance of canopy trees in our municipality and their loss over time from our environment. This loss places a growing strain on our local biodiversity and a gradual loss of associated plants and animals which rely on these trees for their existence. The Council itself is quick to champion its image of being 'green and leafy' and has included this statement at public presentations and in Council publications. However, analysis has shown that our canopy cover is below that of many surrounding councils and well below the current target of a minimum of 30%. It is therefore imperative that there is no reduction in the current penalties from 10 to 20 points to the suggested level of 3 to 10 points. When a piece of land is purchased the buyer is well aware that a canopy	• Opposes reducing Clause 24 penalties and stresses long-standing canopy and biodiversity concerns. • Notes Knox canopy cover is below neighbouring councils and below the 30% target despite “green and leafy” messaging. • Argues private-property owners have a community responsibility to protect canopy trees as habitat, genetic diversity and heat-island mitigation. • Suggests a significant tree register or rating system with penalties linked to tree significance and criticises the Have Your Say survey’s usability.

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#	Submission (Verbatim)	Themes
	tree(s) exist on that property and whilst they have an individual right to manage that property they also have a community responsibility to protect the community assets existing on that property. These trees, particularly indigenous ones provide genetic diversity, food, protection and habitat for our local fauna as well as a softening to our harsh urban landscape and help to mitigate the increasing problem of heat island effect. Sadly, we rarely put any value on our local indigenous species and the sad thing is that these trees are usually decades to centuries old and once they are gone they are rarely replaced. Perhaps in light of this maybe the Council should consider having a significant tree register or developing a way of rating the importance of trees on private property and then a commensurate penalty scheme so that people are aware that the more significant the tree the greater the penalty is to remove it. The importance of the protection of the local environment has often been highlighted by the local community as being important to them and a reason they choose to live within the municipality it is important that council recognise and take its protection seriously. The ability to make comment of these draft changes is also made difficult by the councils on line 'Have your say' survey and I have had a number of members complain about its confusing nature that makes this topic difficult to find and comment on.	

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#	Submission (Verbatim)	Themes
	Many Thanks for considering my views.	
30	Great job <i>identifying information removed</i>, Your letter inspired me to get off my backside and do one from the <i>identifying information removed</i>!! Thanks	• Provides a short supportive reply endorsing another respondent's submission s on Clause 24 tree-penalty concerns. • Indicates the earlier submission prompted a further submission, but adds no substantive new policy detail.
31	Dear Local Laws team Feedback on draft Local Law 2026 – clause 24 removal of significant trees or vegetation The proposed value of the infringement penalty (adjusted for the valuation change of penalty units) is lower and not providing a sufficient deterrent or adequate penalty for illegally removing significant trees or vegetation. This reduction is out of touch with what the vast majority of residents expect and want.	• Opposes the Clause 24 penalty reduction and says penalties should be stronger, not weaker. • Compares the reduced penalties with minor offences and says illegal removal causes irreversible habitat and biodiversity loss. • Criticises the lack of Council attention to significant trees that "no longer exist" on VPO schedules and maps. • Calls for education, accessible mapping, active monitoring, investigation, enforcement and leading-council models such as Boroondara.

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#	Submission (Verbatim)	Themes
	How can an individual deliberately and illegally removing or harming century old trees receive the same penalty as camping without a permit? These trees provide scarce and critical habitat for wildlife that only breed in hollows – removal leads to local extinction. How can a multi-million dollar for profit company deliberately and illegally remove or harm significant vegetation receive the same penalty as putting up a sign without a permit? Significant vegetation includes plant species that are at risk of extinction in Knox or it may provide critical habitat for migratory species that you can't just replace. Not all of Knox residents may appreciate the importance to biodiversity but they still want strong protections and enforcement for other reasons, like how significant trees create a pleasant aesthetic for the place we live and work in, or increasing property prices compared to areas that are barren and full of concrete. Councillors received a report at the 15 December 2025 meeting in agenda item 8.3, which described a number of significant trees on the Vegetation Protection Overlay Schedule and maps that “no longer exist”. Not one Councillor spoke about this issue or raised any concern, despite this being a red flag that Knox Council has not been adequately monitoring and enforcing protections. The lack of care was disappointing. The lack of action on lost trees made a mockery of Knox’s vegetation ‘protection’ framework.	

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#	Submission (Verbatim)	Themes
	I have two messages regarding the draft clause 24: 1. The penalty needs to be stronger, not weaker. 2. Provide the right level of resources to actually support and enforce this local law and the other protections for significant trees and vegetation on private land: i. education for community and businesses, ii. mapping significant trees & vegetation on private land – make this easily accessible iii. actively monitoring for changes – don't just rely on complaints by residents iv. investigating illegal removal and harm to significant trees and vegetation v. enforcing the rules with fines and prosecutions. Please follow the excellent examples being set by leading councils like the	

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#	Submission (Verbatim)	Themes
	City of Boroondara.	
32	Hi, I have completed the survey via the Have Your Say page. I would like to provide some additional feedback. 1. The Survey did not have any questions on the proposed reduction of penalty units for the removal of trees. I think this is a significant oversight. 2. On that item, I add this feedback that I posted as a comment on a Facebook post by <i>identifying information removed</i>. I am emailing this in as I would like the feedback to be appropriately registered. The Mayor's Facebook post. <i>identifying information removed</i> My comment:	• Says the Have Your Say survey did not ask about the proposed reduction of tree-removal penalty units. • Supports tree canopy protection on public and private land and suggests tree valuation approaches such as the Burnley method. • Questions the deterrent effect of 2, 3 or 10 penalty units without effective enforcement, citing VPO removals and development examples. • Emphasises Council cannot meet canopy targets without resolving private-land tree protection, resourcing and enforcement.

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#	Submission (Verbatim)	Themes
	<i>identifying information removed</i>, thanks for the explanation. I'll try to keep this comment brief so it may look a bit disjointed as it is a collection of related thoughts. (I have already responded to the Have Your Say survey.) You ask us a question "what is important, is what we want for Knox." Part of any response to that must acknowledge that not every Knox Councillor agrees with tree protection on private land. To be frank, I'm not even sure that any do. My personal view is that tree canopy should be protected both on public and private land. That doesn't mean trees cannot be removed, but if Knox Council truly believes in a "green and leafy Knox", this question to be sorted out. <i>identifying information removed</i> (previous comment) mentions the "Burnley method" (also known as the Standard Tree Evaluation Method for calculating the amenity and replacement value of urban trees). This method has been adopted by a number of Victorian Councils – most extensively by the City of Melbourne. I would love to see Knox Council adopt this as part of a wider Tree Valuation policy (like the City of Monash has) when trees are removed for development. But I acknowledge the noise that happens in the press when someone gets charged \$155,000 by a Council to remove a tree. https://www.abc.net.au/listen/programs/melbourne-afternoons/river-red-	

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#	Submission (Verbatim)	Themes
	gum-tree/104220358 Adding to the “Burnley” comment, when The State Government approved the removal of 1,700 mature trees at the former GlaxoSmithKline site, at least a cost would have been contributed to Knox Council to fund replacements or offset. <i>identifying information removed</i> Does deterrence do anything? The Knox Planning Scheme contains a Vegetation Protection Overlay. Some 150 sites are listed where trees of significance are specifically listed for protection. In December 2025, Council considered a report that recommended 24 sites be removed from the register in the Planning Scheme since the trees no longer existed. These are not your average backyard tree. These sites were specifically called out in the Knox Planning Scheme, yet these trees had been removed without permits or penalties. I was disappointed when this item got less than 40 seconds of discussion at the Council meeting. A penalty of 2 or 10 units (a unit being \$203.51)? Personally, I don't think either really makes a difference. I agree with <i>identifying information removed</i> (previous comment); the penalty that exists now does not appear to deter people removing trees.	

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#	Submission (Verbatim)	Themes
	Joining a few points together.... : https://dandenong.starcommunity.com.au/news/2023-12-15/cheers-and-jeers-as-tree-law-passed/ Greater Dandenong passed a local law to protect trees on private land. It expended the permit process and implemented a fine of \$3,698.40 for non-compliance. I quote the article - "At a council meeting on 11 December, councillors <i>identifying information removed</i> and <i>identifying information removed</i> rose to oppose the "selfish law" as they've done previously with <i>identifying information removed</i> stating this local law goes against his "core beliefs". "A core belief I have is a person's right to their property and right to enjoy it however they seem fit." Enforcement? What enforcement? Another example in addition to the VPO/Planning Scheme comment above. Houses are built with permits requiring a number of canopy trees. New owners move in and the young native canopy trees are removed in favour of small ornamental shrubs. I can walk to a dozen new developments near me to show this. Circling back:	

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#	Submission (Verbatim)	Themes
	You ask us a question “what is important, is what we want for Knox.” I genuinely want a green and leafy Knox and for Knox to meet its tree canopy target. Unless Knox Council sorts out the question of canopy trees on private land, it has zero chance of meeting its published tree canopy targets. Planting of street trees (mostly replacement planting) and planting by Friends groups is just not going to do it. Penalties of 3 units (\$610.53) or 10 units (\$2035.10) will do little to nothing when there is apparently no enforcement. Personally, I’m not fussed about the reduction in the penalty apart from the message it sends. Sorting out the question of tree protection on private land is important.	
33	To whom it may concern, The footpath at the <i>identifying information removed</i>, when looking to the park on the right hand side has dirt washed over it in the wet you cant see it and it becomes like ice. I sprained my ankle on it last year and nothing has been done about it. It's dangerous slip hazard on a very well used section of path due to the bike track and the availability of knox. I nearly slipped on it again last week. The foot path outside <i>identifying information removed</i> has also lifted and started to crumble on the edge.	• Identifies a recurring slip hazard where dirt washes over the footpath at the end of <i>identifying information removed</i>, near the park and bike track. • Notes a previous ankle injury and a recent near-slip, indicating concern about public safety and lack of remedial action. • Reports additional maintenance issues: lifted and crumbling footpath outside <i>identifying information removed</i> and maintenance needed at the Knox skate ramp.

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#	Submission (Verbatim)	Themes
	Also the knox skate ram is in need of some maintenance. Thanks for your time.	




WRITTEN SUBMISSIONS AND OFFICER COMMENTS

#	Summary themes	Comment	Changes made to draft Local Law
1	Objects to Clause 26 allowing BMO burn-offs without a permit and challenges the adequacy of the Community Impact Statement.; Says Council has provided no evidence, modelling, CFA endorsement or MFPO advice/denial data to justify safety or fuel-load claims.; Raises smoke nuisance and General Environmental Duty concerns, especially smoke pooling and PM2.5 impacts in Upper Ferntree Gully and The Basin.; Argues Council has understated risk and foreshadows escalation to the Victorian Ombudsman if Clause 26 proceeds without evidence.	Clause 26 of the draft Local Law has extensive restrictions in place regulating nuisance smoking. Furthermore, the Public Health and Wellbeing Act 2008 also deals extensively with nuisance and will be used as the primary compliance tool by Officers. 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. CFA was consulted and they have agreed with the proposed changes.	No

#	Summary themes	Comment	Changes made to draft Local Law
2	Considers the term “unsightly” unclear and says it should only apply to visible items that are unpleasant or offensive to look at.; Argues unregistered vehicles or other items not in public view on private land should not be captured.; Says Clause 20 lighting provisions are too broad because “beam of light” is undefined and could capture ordinary internal lighting.;; Requests clearer intensity, nuisance or offence thresholds to avoid neighbour disputes about any light.	Clause 12 of the draft Local Law deals with unsightly land and the term ‘Unsightly’ is defined in Clause 10 of the draft Local Law and applies only to items that is visible from a public place. Clause 13 of the draft Local Law deals with ‘Land which is detrimental to the general amenity of the neighbourhood’ and the term ‘Detrimental’ is defined in Clause 10 of the draft Local Law and will apply to those instances irrespective of whether it can be seen from a neighbouring property or a public place. Only unregistered vehicles which are either unroadworthy, disassembled, incomplete, deteriorated or derelict are covered under this clause. Clause 20 specifically deals with a security or decorative light that penetrates beyond the property boundary of that land. Officers will exercise their discretion to ensure compliance and enforcement.	NO
3	Seeks the rationale for reducing Clause 24 tree and vegetation penalty units from the current 10/20 structure to 3/10.; Emphasises that significant trees and vegetation can represent centuries-old habitat and scarce ecological values.; Argues the proposed penalties are disproportionate	The court-imposed penalty under the draft Amenity Local Law 2026 for all offences is the maximum allowed under legislation and is 20 penalty units (\$4,180.00). However, most of the municipality is covered under the Vegetation Protection Overlay (VPO2) of the Knox Planning Scheme, which regulates the protection of significant trees and vegetation. There are a huge number of trees identified under	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.

#	Summary themes	Comment	Changes made to draft Local Law
	because they match minor, easily remedied offences such as unsightly property or signs without a permit.	VPO2 of the Planning Scheme. Officers will normally deal with vegetation removal under the Planning and Environment Act 1987, and the Local Law will only apply to those areas not covered under the VPO2. The penalties under the Planning and Environment Act 1987 are significant and any breach of the Planning Scheme can either lead to a fine or prosecution or enforcement action at VCAT. A fine of 5 penalty units or 1200 penalty units at Court is applicable. There are a number of planning controls that allow significant trees to be protected in the Knox Planning Scheme. These include the Environmental Significance, Vegetation Protection and Significant Landscape overlays. Knox has all three overlays active within the scheme, protecting particular areas across the municipality. There is no single definition of a significant tree under these overlays. Instead significance is assessed against criteria within each overlay such as environmental, landscape or cultural value. Council has recently reviewed its existing Vegetation Protection Overlay and is progressing a correctional amendment of the control. No further work is currently programmed to broaden the controls but will be considered in the future.	

#	Summary themes	Comment	Changes made to draft Local Law
4	Strongly opposes the proposed Schedule 1 penalty reductions, particularly reduced penalties for corporations and natural persons.; Highlights Clause 24 as disproportionate because illegal removal of significant trees causes irreversible environmental damage.; Criticises the proposed Clause 36 penalty reductions for endangering others or offensive/abusive behaviour, comparing them to minor shopping trolley offences.; Calls for a thorough review and rework of Schedule 1.	The current Local Law 2020 was made under the Local Government Act 1989 and the fixed penalty amount is \$100.00, whilst the draft Amenity Local Law 2026 is made under the Local Government Act 2020 and penalties are governed under the Monetary Units Act 2004, and the penalty amount is fixed by the State Government every year from 1 July and will increase based on the Customer Price Index(CPI). The penalty amount of a penalty unit from 1 July 2026 will be \$209.10(rounded to \$209.00). Section 79(1) of the Local Government Act 2020 regulates that the maximum penalty unit for a breach under the Local Law is 20 penalty units (\$4,180.00 as from 1 July 2026). Therefore, in practice all penalty amounts will increase under the draft Local Law. See point 3 above. The fine penalty for this offence is 1 p/u, which will be \$209.00 from 1 July 2025. Officers have benchmarked this offence with other councils and we are on par. See above.	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme. See point 3 above. No See above.

#	Summary themes	Comment	Changes made to draft Local Law
5	Raises ongoing motorcycle and car racing noise in The Basin/Mountain Highway area.; Requests speed cameras and road design/speed-reduction measures to reduce noise and improve safety.; Seeks advice on process and notes the issue may require multiple agencies/Councils.	This is not a local law issue, but a VicPol matter.	No
6	Opposes the proposed decrease in penalties for illegal removal of significant trees or vegetation.; Notes declining canopy cover and the health, heatwave, road-life and property-value benefits of trees.; Argues fines should increase because current and proposed amounts are not effective deterrents, especially for developers.; Requests harsher penalties, community/business education, mapping and tracking of significant vegetation, and stronger investigation and enforcement.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
7	Considers Clause 15 dilapidated building penalty too low, with related Clauses 11-14 also under-penalised.; Seeks stronger remedies, including demolition of long-term derelict buildings at owner expense after a set period.	See Officer comments above at point 2 above. Council has the power to claim the cost of clean-up(works) from the owner	No

#	Summary themes	Comment	Changes made to draft Local Law
		under the Local Government Act 2020.	
8	Strongly objects to weakening Local Law 24 protections for significant trees and vegetation in Knox.; Calls on Council to reject any reduction in protections or penalties.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
9	Objects to Clause 42 and requests removal of all model aircraft references from the draft Local Law.; Argues drones and model aircraft are already comprehensively regulated by CASA and that the clause risks duplicating Commonwealth aviation law.; Says terms such as “annoyance” and “reasonably likely” are vague, subjective and invite arbitrary enforcement.; Seeks independent legal advice on consistency with the Local Government Act 2020 and federal aviation regulation.	Officers agree with the submissions.	Deleted all references of ‘model aircraft’ in the draft Local Law.
10	Supports strong canopy tree protection on private and public land, citing recent tree losses in Ferntree Gully/Koolunga area.; Highlights amenity, wildlife corridors, mature habitat and the 30% canopy target.; Requests tree audit, community/new resident education and penalties reflecting environmental	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.

#	Summary themes	Comment	Changes made to draft Local Law
	and climate value.		
11	Opposes weakening Local Law 24 penalties and calls for stronger deterrents.; Warns lower fines could make illegal tree/vegetation removal a cost of doing business.; Requests education, mapping/tracking of significant trees, investigation and enforcement resources.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
12	Strongly opposes proposed penalty reductions for illegal removal of protected vegetation.; Argues the change undermines canopy cover maintenance/increase and biodiversity protection.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
13	Questions Council's reliance on a 20 penalty unit maximum for Clause 24, noting Attorney-General guidelines refer to higher natural person and corporation maximums.; Asks Council to provide the exact source for the claim that 20 penalty units is the maximum the Magistrates' Court could impose.; Continues to test the proportionality and legal basis for reduced penalties for illegal removal of significant vegetation.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
14	Expresses disappointment that Councillors disregarded community concerns about reducing	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to

#	Summary themes	Comment	Changes made to draft Local Law
	penalties for removing significant trees on private property; Says the current penalty is not a deterrent and should increase, not decrease.		align with the fine penalty for a breach under the Planning Scheme.
15	Opposes weakening penalties for illegal removal of significant trees/vegetation on private land.; Views private significant trees as community assets important to canopy, indigenous vegetation and local character.; Requests education, mapping/tracking and investigation/enforcement resourcing.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
16	Concerned lowering penalties contradicts Council greening and environmental initiatives.; Emphasises benefits of vegetation for animals, residents and a healthy environment.; Sees weakening protections as wasteful and contrary to community-wide benefit.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
17	Opposes the 70% reduction and calls for stronger penalties, including for corporations.; Raises tree canopy loss, heat, ecology and development pressure; asks about a significant tree register/map.; Raises personal experience of delayed permit approval for a dangerous dead tree, suggesting	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.

#	Summary themes	Comment	Changes made to draft Local Law
	process issues despite overlays.		
18	Opposes reductions to individual and corporate penalties for illegal cutting, lopping or pruning of significant vegetation.; Says lower penalties remove deterrence and contradict Council canopy, biodiversity and green-space policies/community values.; Cites friends group experience with repeated destruction of reserve/creek plantings as evidence stronger deterrents are needed.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
19	Strongly opposes weakening Clause 24 penalties; says current fines are already too weak and enforcement is under-resourced.; Compares Knox unfavourably with Boroondara/Monash and questions deterrence/proportionality rationale.; Argues private canopy loss blocks canopy targets and that remediation/permit landscaping enforcement is weak.; Raises planning/building implications and Knoxfield examples of low-canopy development.	See Officer comments above at points 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
20	Supports wildlife-sensitive nuisance lighting using low-intensity and automatic-switch-off lights.; Opposes animal number limits on large properties and mandatory animal fencing/enclosures, citing	The main purpose of the Domestic Animals Act 1994 is responsible ownership and confinement of dogs is an integral part of an owner's obligations under the Act. Agriculture Victoria states on their webpage that cconfining dogs to the property would prevent 80% of	No

#	Summary themes	Comment	Changes made to draft Local Law
	animal welfare, renters, affordability and social impacts.; Opposes proposed aggressive/offensive behaviour clause as a potential gag law restricting public questions, protest and democratic participation.	dog attacks in public places. Confine your dog Legal requirements for dog owners Dogs Animal Welfare Victoria Livestock and animals Agriculture Victoria The change in the animal numbers makes it consistent throughout the municipality. An owner can still have more animals but need a permit to ensure compliance with the local law and the Act to ensure responsible ownership. Clause 36 of the draft Local Law regulates aggressive behaviour to ensure the safety of the community (including council staff and councillors). There is no impediment on any person's right under the Charter of Human Rights and Responsibilities Act 2006.	No
21	Opposes proposed animal number caps and excess animal permit requirements, especially for properties over 4,000m2 and bird/poultry owners.; Argues prior submissions and Phase 1 feedback were ignored, risking poorer animal welfare and increased non-compliance.; Criticises rooster/livestock restrictions and fees as revenue-raising; commends assistance animal exemption.; Suggests removing caps/permits and reducing registration costs to encourage voluntary compliance.	See Officer comment at point 20 above. Roosters are prohibited in residential areas due to their loud, unpredictable, and repetitive crowing, which causes nuisances and may lead to neighbour disputes. Fees and is not a local law issue.	No

#	Summary themes	Comment	Changes made to draft Local Law
22	Thanks Council for open-air burning improvements but seeks a clause addressing environmental pollution/automotive spray painting.; Raises health and environmental risks from fine particulates, lead, isocyanates and airborne pollutants in residential settings.; Suggests reinstating or adapting former 2010 mechanical vehicle painting permit controls.; Requests stronger officer powers and an in-person discussion about the proposed clause.	Not a local law issue, but a use land issue regulated under the Knox Planning Scheme. Furthermore, the Public Health and Wellbeing Act 2008 deals extensively with nuisance and can be used as a compliance tool by Officers.	No
23	Opposes reduction in penalties for illegal removal or harm of significant trees and vegetation.; Says a \$610 fine is not a deterrent and may increase illegal removal.; Requests education, clear mapping/tracking, consistent investigation and enforcement.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
24	Opposes lessening penalties and argues penalties should be increased to signal the value of trees, nature and wildlife.; Emphasises private land as part of Knox green corridors and long-term green-space protection.; Warns corporate penalties may be treated as a cost of doing damage; Requests a significant tree list including nature strip trees.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.

#	Summary themes	Comment	Changes made to draft Local Law
25	Opposes the 70% reduction and says it ignores Phase 1 community calls for stronger safeguards.; Links canopy/vegetation protection to climate, wildlife and Knox 2050 canopy/vegetation targets.; Seeks increased penalties, resourcing, education, mapping/tracking and enforcement.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
26	Strongly opposes 70% weakening of penalties and compares Knox unfavourably with Boroondara.; Warns lower fines will escalate irreversible environmental, wildlife and climate/heat impacts.; Requests stronger/increased penalties, education, mapping/registers and enforcement resources.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
27	Questions why Clause 24 penalties reduce more than related tree-protection clauses and requests higher penalties and clearer penalty tables.; Seeks tree significance criteria, canopy mapping and follow-up of replacement planting/retention.; Requests wildlife-sensitive lighting controls, European wasp specificity and Boxing Day building work restrictions.; Notes consultation documents were difficult to navigate.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.

#	Summary themes	Comment	Changes made to draft Local Law
28	Opposes reducing penalties for illegal vegetation removal and asks Council to maintain or increase current penalties.; Concerned by tree and green-space loss due to subdivision and development.; Values Knox greenery as a key part of local liveability.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
29	Opposes reducing Clause 24 penalties and stresses long-standing canopy and biodiversity concerns.; Notes Knox canopy cover is below neighbouring councils and below the 30% target despite “green and leafy” messaging.; Argues private-property owners have a community responsibility to protect canopy trees as habitat, genetic diversity and heat-island mitigation.; Suggests a significant tree register or rating system with penalties linked to tree significance and criticises the Have Your Say survey’s usability.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
30	Provides a short supportive reply endorsing another respondent’s submission on Clause 24 tree-penalty concerns.; Indicates the earlier submission prompted a further submission, but adds no substantive new policy detail.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.

#	Summary themes	Comment	Changes made to draft Local Law
31	Opposes the Clause 24 penalty reduction and says penalties should be stronger, not weaker.; Compares the reduced penalties with minor offences and says illegal removal causes irreversible habitat and biodiversity loss.; Criticises the lack of Council attention to significant trees that “no longer exist” on VPO schedules and maps.; Calls for education, accessible mapping, active monitoring, investigation, enforcement and leading-council models such as Boroondara.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.
32	Says the Have Your Say survey did not ask about the proposed reduction of tree-removal penalty units.; Supports tree canopy protection on public and private land and suggests tree valuation approaches such as the Burnley method.; Questions the deterrent effect of 2, 3 or 10 penalty units without effective enforcement, citing VPO removals and development examples.; Emphasises Council cannot meet canopy targets without resolving private-land tree protection, resourcing and enforcement.	See Officer comments above at point 3 & 4	YES, we propose to increase the fine penalty unit from 3 to 5 to align with the fine penalty for a breach under the Planning Scheme.

#	Summary themes	Comment	Changes made to draft Local Law
33	Identifies a recurring slip hazard where dirt washes over the footpath at the end of Suffolk Street, Wantirna South, near the park and bike track.; Notes a previous ankle injury and a recent near-slip, indicating concern about public safety and lack of remedial action.; Reports additional maintenance issues: lifted and crumbling footpath outside 10 Suffolk Street and maintenance needed at the Knox skate ramp.	Not a local law issue.	No, referred to Traffic and Transport Team.




SURVEY VERBATIM COMMENTS AND OFFICER COMMENTS

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
1	This discriminates against those that cannot afford this type of upkeep of buildings and gardens	The purpose of these clauses is to protect public health, prevent fire hazards, and preserve neighborhood amenity.	No changes necessary to be made to Part 2 of the Local Law as it has been redrafted to give clarity to the community and to avoid any vagueness in the clauses dealing with unsightly properties (e.g., excessiveness) and includes graffiti.
2	I would like the annual/ biannual hard rubbish collections reinstated. The amount of rubbish waiting to be picked up, or not even ordered makes our streets look untidy all of the time. Not very attractive for visitors, or anyone else for that matter	Not a local law issue.	No
3	Support clause against nuisance lighting. Strongly oppose unsightly land and dilapidated buildings for council mandates to hurt residents already struggling.	Agree, light emissions can potentially create nuisance conditions. See point 1 above.	No changes necessary to be made to clause 20 in the draft Local Law (new clause). See point 1 above.
4	While the property is within Knox council, the council does not own the property. Council should not be allowed to dictate aesthetics requirements/values to the owner. Graffiti is awful and has been caused by others. Not the owner. If council wishes it to be cleaned up, perhaps they can pay for it.	See point 1 above. Council has the power to claim the cost of clean-up(works) from the owner under the Local Government Act 2020.	See point 1 above.

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
5	The addition of the new clause regulating lights /light emissions from private property is very welcome	Agree	See point 3 above.
6	In Knox we need to have strong penalties against those who cut down significant trees on private properties, often without permission from council. Our area needs to retain the native vegetation for so many reasons, including shade, nesting sites for birds, scenic forest appearance, maintaining green belt around Melbourne	See point 2 in document above named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
7	I have lived in <i>identifying information removed</i> for 8 years and the houses and the one next to it on <i>identifying information removed</i> have been vacant and derelict as long as i have lived here. I have contacted the Council many times and they say its in hand but nothing is ever done to demolish them.	See point 1 above.	See point 1 above.
8	Houses on <i>identifying information removed</i> have derelict for at least 10 years!!!!!!	See point 1 above.	See point 1 above.
9	The correlation between unsightly, graffiti properties and higher crime rates is well-documented in urban planning and criminology. With crimes being a serious problem all across Melbourne, tougher local laws against unsightly properties and public graffiti should be implemented.	See point 1 above. Crime is not a local issue, but a Police matter.	See point 1 above.
10	I agree strongly about all issues , however the nuisance lighting is a hard one as I agree to a degree but there is also a line between freedom of use of own land and being a nuisance	See point 3 above.	No changes necessary to be made to clause 20 in the draft Local Law (new clause).

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
11	Just want to voice my opinion on Council's proposed changes to Local Law 24. In particular the planned weakening of infringement penalties for an individual that illegally removes significant trees or vegetation on private land. My concerns are that: 1. Residents want STRONGER, not WEAKER penalties for illegal removal of significant trees & vegetation on private land. 2. Residents WANT Council to have the RIGHT RESOURCES to support the local law. That is, education for community and businesses, mapping and tracking of significant trees & vegetation on private land, and following through on investigation and enforcement. Please take note of my concerns when further considering the proposed changes to Local Law 24.	See point 6 above.	No
12	Graffiti on private property walls is increasing some of the areas . residents are paying up for clean- up and painting .	See point 1 above. Council has the power to claim the cost of clean-up(works) under the Local Government Act 2020.	See point 1 above.
13	Stronger enforcement regarding any infringements. At the moment, there appears to be no action taken when any of these things occur, as it continues.	The current Local Law 2020 was made under the Local Government Act 1989, and the fixed penalty amount is \$100.00. The draft Amenity Local Law 2026 is made under the Local Government Act 2020 and penalties are governed under the Monetary Units Act 2004, and the penalty amount is fixed by the State Government every year from 1 July and will increase based on the Customer Price Index (CPI). The penalty amount of a penalty unit from 1 July 2026 will be \$209.10 (rounded	No changes necessary to be made to Schedule 1 – Penalties as the penalties have been reviewed and amended in the draft Local Law.

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
		to \$209.00). Section 79(1) of the LGA 2020 regulates that the maximum penalty (via prosecution at Court) for a breach under the Local Law is 20 penalty units (\$4,180.00 as from 1 July 2026). Council Officers have a discretion to ensure compliance and may in more serious instances enforce matters and prosecute offenders at court.	
14	More pride in our gardens.	Agree. See point 1 above.	See point 1 above.
15	I feel camping on private property should be allowed.	Clause 17 - Camping is allowed on private land, but with a permit.	No
16	Graffiti shouldn't be an owners obligation if the owner did not provide consent to having the graffiti on their property. Rather, proper CCTV footage should be funded to identify offenders and get them (or people undergoing community service charges, or a designated clean-up team) to clean up the graffiti promptly.	See point 1 above. It is not financially viable to have CCTV footage throughout the whole municipality. Council has the power to claim the cost of clean-up(works) under the Local Government Act 2020.	See point 1 above.
17	Nature strips need to be kept maintained at a reasonable level so as not to become a trip hazard with overhanging weeds or grass.	Nature strips are Council land and there is no legal obligation on the owner to maintain the nature strip.	No
18	Trees overhanging foot paths and trimming them and the grass overhanging the footpath. I use a mobility scooter and some footpaths are a safety hazard	Clause 14 of the draft Local Law has been redrafted and will ensure compliance to prevent safety hazards.	No
19	unkept houses and gardens in <i>identifying information removed</i> .	Not a local law issue, but a complaint.	No
20	Vacant buildings and plots should be reduced where	Not a local law issue.	No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	possible so that housing and properties can be returned to use.		
21	we are very disappointed with the council's decision to impose further restrictions on outdoor lighting based on complaints from a small number of residents. We are living in a time where concerns about theft, home invasions, and other criminal activities are increasing. Outdoor lighting is one of the simplest and most effective measures available to help improve safety and deter criminal behaviour. Instead of supporting residents who are trying to protect their families and properties, the council appears to be introducing unnecessary restrictions without properly considering the broader community's safety concerns. It often feels as though every aspect of daily life is being regulated, while the practical needs of residents are being overlooked. Community safety should be a higher priority than limiting responsible use of outdoor lighting. I urge the council to reconsider this approach and consult more widely with residents before implementing restrictions that may reduce neighbourhood security and peace of mind.	See point 3 above. The clause does not prohibit the use of a security light. The purpose is to prevent the beam of a security or decorative light penetrating beyond the property boundary of that land as it may cause a nuisance to neighbours.	See point 3 above.
22	Unsightly rules need to be strengthened	Agree, see point 1 above.	See point 1 above.

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
23	Would like to mention how bad the graffiti is in Ferntree Gully Village, especially around <i>identifying information removed</i> . More murals may prove a deterrent. The wall of <i>identifying information removed</i> is particularly bad.	Not a local law issue, but a complaint. See point 1 above.	See point 1 above.
24	My only question would be around Graffiti- as the property owners are victims of this, and realistically when Graffiti is cleaned, it is back the next day, how would this be imposed? Section 19 of the Graffiti Act also contradicts enforcement of this. The other query I found interesting, yet how it could be enforced is around short stay accommodation. I assume this is for Air BnB but not sure how you could possibly hold a manager responsible for people behaviour? I dont mind the changes and does simplify it but a good law is an enforceable law, and I am not too sure how this would be enforced. This could be used for owners and full-time renters as well but then what is domestic and disturbing the peace, and what are the lines between Police and Council intervention. If this occurs at normal residential accommodation but the "actual" occupiers residing there, surely this would be a more appropriate action.I do like the changes, but just not sure how you are going to enforce some things and seems to be an assumption that "renters" are the bad ones- which may be the case, but the messaging may not be great.	See point 1 above. The clause in the local law dealing with graffiti fills the gap which the Graffiti Prevention Act 2007 cannot enforce. Any clause under the local law is a strict liability offence, which means that any person involved in the management of a property, i.e. owner, occupier, tenant or property manager is legally liable to comply with the law. Short stay rental accommodation has been defined in the local law(clause 10) and specifically deal with such accommodation and not owner/tenant occupiers.	See point 1 above. No changes necessary to be made to clause 21 in the draft Local Law (new clause).

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
25	You shouldn't be dropping the penalty unit for clause 24. Significant trees and significant vegetation take hundreds of years to develop and the penalty for removing these needs to be commensurate for the damage caused. Ownership of private property is temporary - people move so they shouldn't get a free pass to destroy what little we have left just because it's inconvenient for their short time where they live. Clause 20 nuisance lighting - please clarify if 'private' land includes commercial businesses. As a regular cyclist on bike paths at night a common problem is spotlights on commercial premises pointed beyond their boundary and it's often blinding. Same problem with security lights on houses so this law will be really helpful if enforced.	See point 6 above. See point 3 above. Yes, private land is defined in the draft local law (clause 10) and includes commercial properties.	See point 6 above. See point 3 above.
26	I'm concerned about caravans being stored long term on Council roads. Could "(d), in 40. Any other thing." Be interpreted as a caravan? 40. Obstructions on roads and Council land 25 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. (caravan?)	Caravans are defined in clause 10 of the draft local law. Clause 17 of the draft local law deals with camping (including a caravan) on private land, which needs a permit to do so. Clause 17 and not clause 40 of the draft local law regulates caravans.	No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
27	While I Support this Draft Local law dealing with " Private land and amenities" I believe and in my view that they should include in the definition of 'unsightly land' to provide clarity to the community: Not Only "Graffiti" but to include "Charity Bins". I'm uncertain as to whether Charity Bins are subject to a permit requirement, if not they should be. The Bins within my neighbourhood are an invitation for individuals to just dump their rubbish. They often become "Unsightly land" "Clause 12." and I believe need to be mentioned in the "Draft Local law" review. 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.	See point 1 above. Charity bins are regulated under clause 40 of the draft local law.	No
28	I have noticed an increase in unsightly properties within my neighbourhood. I reported my neighbours property which looks like a tip, back and front, to be told that it did not meet the criteria. The neighbourhood used to be clean and tidy and in the last 15 years, there has been a steady increase of overgrown nature strips, messy untidy gardens and dumped rubbish on the nature strips without a booking made for hard waste. Could we please do more around educating residents about these issues. Please.	See point 1 above.	See point 1 above.

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
29	I'm skeptical about the dilapidated property change being abused by council. Please ensure clear guidelines are also released so the community is aware of expectations.	See point 1 above. Officers have a discretion to ensure compliance and education is part of the policy.	See point 1 above.
30	I think there are significant issues with the proposed local laws or sections within the proposed laws.	Vague – no comment.	No
31	I would also like the owner (or his tenant or vacating tenant) to be responsible for ensuring any hard rubbish placed on nature strip for collection meets the current requirements for collection (neat pile, only placed out weekend before) but also should not cover the entire nature strip spilling out onto footpath or gutter/road. Otherwise rubbish should be removed by Council at a suitable charge and the relevant person fined.	Part 5 of the draft local law and the Use of Waste Collection Services Policy deal extensively with this issue.	No
32	If Knox classes homes that need repair as "unsightly" it risks poorer residents and the elderly losing their homes. This divides and hurts community. Residences need to be exempt from punishing the poor and elderly.	See point 1 above.	See point 1 above.
33	DO NOT AGREE WITH THIS WHY HAVE PERMIT FOR BELOW ON YOUR OWN 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.	Heavy vehicles can cause a nuisance to neighbours.	No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY		
Survey verbatim comment	Officer comment	Changes made to the draft Local Law
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.	See point 15 above.	No
PLEASE EXPLAIN YOU CANNOT HAVE LIGHTS AT NIGHT ON YOUR OWN LAND? SORRY WHAT DOES THAT MEAN DOES NOT MAKE SENSE IF YOU NEED TO GO OUT OR LET OUT PET/S TO DO THEIR THING? SO IS THERE TIME RESTRICTIONS WHEN LAND OWNERS CAN HAVE OUTSIDE NIGHT BARBEQUES OR PARTIES?	See point 3 above.	No
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.		
Environmental weeds SORRY WHY SHOLD COUNCIL HAVE THE RIGHT TO PUNISH LAND OWNERS AS BELOW AS IT NOT THEIR FAULT IF IT COMES FROM BIRDS OR NEIGHBOURING LAND?	Local laws about environmental weeds exist to protect native ecosystems, prevent economic loss, and reduce community hazards. Local councils create these rules to stop invasive plants from damaging natural habitats.	No
(3) An owner or occupier or property manager of private land of two (2) hectares or less must		

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	not cause or allow any environmental weed under Clause 23(1) and (2) to be present on the private land. Vermin and pests on private land WHY ALLOW BEED HIVES ON PRIVATE PROETRY NOT BEING A FARM WHEN MANY PEOPLE ARE ALERGIC TO BEES? IN REGARDS TO WASPS OR OTHER VERMIN WHY HAS COUNCIL REMOVED THESE FREE SERVICE THEY USED TO HAVE AT KNOX COUNCIL INCLUDING WASP/BEE EXTERMINATOR OR WILDLIFE REMOVALIST? WHY ARE POSSUMS NOT A VERMIN NOW IN OUR BACK YARDS? WHY ARE RATE PAYERS NOW MADE TO PAY FOR WASP OR BEE REMOVAL AT THEIR OWN COSTS OR OTHER VERMIN? (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	Local laws about vermin and pests exist to protect public health, prevent property damage, and preserve the local environment. Key reasons include stopping disease spread, protecting native ecosystems, and maintaining community standards. Bees are needed, whilst wasps are a pest.	No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY		
Survey verbatim comment	Officer comment	Changes made to the draft Local Law
which are conducive to the harbouring, breeding or feeding of vermin. Part 4: Open Air Burning WHY ALLOW WITHOUT A PERMIT BELOW: (ii) a fire in a brazier, fire pit or chimenea while it is being used for heating; (v) a fire lit for the purpose of enjoying culture or practising religion. WOODEN FIRES MUST BE BANNED AS THERE IS NO COUNCIL MANDATED CHECKS TO THE MADATED RULES BY E.P.A. WHEN EVEN COMPLAING TO THE EPA THEY DO NOTHING TO THE EXCESSIVE SMOKE CREATED DURING WINTER MONTHS!! Rate payers can't enjoy their backyard while there is smoke and gardening is a hobby of mine. It feels like I have no right to clean air either inside or out. On health grounds alone, woodheaters in suburbia should be banned and removed but the industry would kick up such a political storm I fear this won't happen in my lifetime. The general public is largely ignorant about the health effects or are in denial because it is their right to burn wood and it is legal. It's time to stop burning stuff. Wood smoke is one of the more hazardous air pollutants: any level of exposure is harmful to human health. A recent parliamentary inquiry evaluated the health costs of wood heaters.Despite making up only a tiny proportion of Melbourne's heaters, wood heaters contribute around 51% of Melbourne's fine particle (PM 2.5) air pollution. These particles from wood smoke are absorbed through the lungs where they cause asthma and into the blood	See point 1 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY		
Survey verbatim comment	Officer comment	Changes made to the draft Local Law
where they can cause heart attacks and strokes. And each wood heater in Australia is estimated to be responsible for \$3500 - \$11000 in health costs, far more than any savings from lower fuel bills. To keep our community healthy, we must reduce exposure to wood smoke pollution. The Greens' will push the government to reduce wood smoke pollution, including by: Introducing a wood heater replacement and public education program (based on successful models in Launceston and New Zealand). Households will be eligible for grants to replace wood heaters with heat pumps under the Victorian Greens plan to get 1 million homes off gas. Further information here. Developing state-wide guidelines for local councils on managing and enforcing air pollution impacts caused by domestic wood smoke. Empowering Knox Council to issue a smoke abatement order to an occupier of a residence from which excessive wood heater smoke is emitted. Where the residence continues to emit visible smoke, the council MUST then issue an infringement penalty. Phase out the sale of wood heaters WHY BAN INCINERATOR AS THIS IS THE SAME AS WOODEN NON COUNCIL MANDATED CHECKS/LAWS TO THESE WOODEN FIRES OR OPEN FIRE PLACES A JOKE!		

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	33. Removal of animal waste SO WHO IS CHECKINF FROM THE COUNCIL I HAV NOT SEEN ANYONE FROM THE COUNCIL YET OUR STREETS ARE FULL OF ANIMAL WASTE WASHED INTO OUR DRAINAGE WHERE IS THE BAN ALSO FROM PROFESSIONAL/LANDOWNERS FROM SWEEING/PUSHING LAWN CUTTINGS INTO ROAD DRAINAGE WHICH CAUSES CLOGGING OF DRAINS (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.	Agree, clause 33 in draft local law deals with animal waste.	No
	34. Animal noise BUT SORRY SOME PEOPLE WILL COMPLAIN OF ANY BARKING OF DOGS YET NOTHING IS DONE FROM THE NOISE COMING FROM DOG PARKS & THEIR EXCESIVE NOISE WHERE IS THE LOCAL LAWS OF THESE DOG PARKS? WHERE IS LOCAL LAWS ON DOGS ON ROADS/FOOTPATHS/COUNCIL LAND OF UNLISHED DOGS?	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
	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. I HAVE SEEN ABANDONED CARS BUT NO COUNCIL	Officers enforce this issue.	No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY		
Survey verbatim comment	Officer comment	Changes made to the draft Local Law
AUTHORISED PERSON CHECKING OUR STREETS OR EVEN THE CLEANING OF STREETS OF RUBBINSH IN OUR KERBS ? WHAT IS COUNCIL DOING ABOUT THIS MANDATING ONCE MONTH CHECKS OR CLEANING OF ALL STREETS Part 11: Council Assets, Trees and Regulating Building Sites HOW MANY NEW BUILDING SITES OR REPAIR/PAINTING USING ROAD ASSETS ARE NEVER EVER PROTECTED ie DRIVEWAYS OR PITS WHERE ARE ANY REGUALR OF STREETS CHECKS FROM COUNCIL? THERE IS NO CHECKES OF OUR STREETS WHEN SEDIMENT MUD IS PRESENT IN KERBS FROM LAND OWNERS EVEN CAUSED FROM RFFESIONAL DRIVEWAY CLEANING ect. 3) Clause 54 (1) does not apply where minor building work is being undertaken. WHAT IS CLASSED AS MINOR WORKS? 59. Drains WELL I HAVE SEEN RATE PAYER ILLIGALLY REMOVING FRONT OF HOUSE DOWN PIPE WATER DISCHARGE & RECONNECTING ILLIGALLY WHERE ARE ANY LACAL LAWS FOR THIS? 67. Fees and charges WHY TREAT DIFFERNTLY RATE PAYER? SHOULDN'T THERE BE EQUALITY FOR ALL NOT ACCORDING TO RACE/GENDER/RELIGION? (3) Council may waive, reduce, alter or refund, in whole or in part, any fee, charge, bond or guarantee with or without conditions.	Part 11 has new clause dealing with these issues (clauses 59-61) Defined in clause 10 of the draft local law. New clause 59 inserted in draft local law. Council have to adhere to the Charter of Human Rights and Responsibilities Act 2006.	No No No No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY		
Survey verbatim comment	Officer comment	Changes made to the draft Local Law
72. Exemptions WHAT ARE EXEMPTION BELOW? ANY PERSON OR CLASS? WHAT DOES THAT MEAN? PLEASE EXPLAIN? (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.	Exemptions are based on case by case and adhere to the Charter.	No
WHERE IS THE BANNING OF E-SCOOTERS OR E-BIKES ON OUR FOOTPATHS/ROADS WHICH OVER 12 YEARS OLD ARE NOT LICENCED OR REGISTERED & PAY THEIR GOV. T.A.C. INSURANCE THE COUNCIL MUST LOBBY THE STATE GOVERNEMENT TO LICNECE OVER 12 YEARS OLD BICYCLE RIDERS, E-BIKE RIDERS TO BE LICENCED/PAY REGISRATION & THE T.A.C. INISRNC WHICH OFFENSIVLE HEY CAN CLAIM ON? E-SCOOTER/SCOOTERS TO OVER 12 YEARS OV AGE ON OUR ROADS/FOOTPATHS MUST BE BANNED NOW!	Clause 42 regulates toy vehicles, but mostly it is a Police matter.	No
RATE PAYERS MUST BE GIVEN 3 FREE TIP VOUCHERS/FREE MULCH PICK UP AS WE USED TO HAVE!	Not a local law issue.	No

PRIVATE LAND AND NEIGHBOURHOOD AMENITY			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
34	Laws to punish people who create graffiti should be tighter and fines should be higher. If you are making graffiti as part of the owner's obligations, then there needs to be bigger financial consequences for the perpetrator.	Schedule 1 – Penalties have been amended and there are increased penalties.	No
35	"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." So - kids cannot have tent sleepovers camps in the backyard anymore? It will become illegal? Cannot pitch a tent in your own backyard? This kind of blanket rule does not appear to have been well thought out.	See point 15 above.	No

OPEN AIR BURNING			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
1	unrestricted fires in bmo is highly problematic due to air pollution from smoke, fires possibly getting out of control with proximity to bmo and uneducated fire practioners.	See point 1 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
2	Do not agree at all to cultural burning	Council have to adhere to the Charter of Human Rights and Responsibilities Act 2006. It protects 20 fundamental civil, political, and cultural rights across four core principles: freedom, respect, equality, and dignity.	No
3	You should be including people who use woodfire heaters in their home but burn toxic smelling woos where neighbours can't open their windows or go outside their home due to the smoke pouring out of the neighbour's chimney.	See point 1 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
4	Without enforcement, this change is meaningless. I support the status quo.	See point 1 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
5	Burning restrictions should be applied to all rate payers in Knox.	See point 1 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
6	Is there a particular reason that a fire under this provision must only take place on a Thursday, Friday or Saturday?	There must be a balance to prevent nuisance.	No
7	Laws should be applied equally to everyone, regardless of their race or cultural background. There should not be any exemptions for "cultural burning". That will be racist against other cultural group who do not appreciate "cultural burning".	See point 2 above.	No

OPEN AIR BURNING			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
8	There is a numbering error on your comparative list of changes clause 26 is numbered 25 in error. It appears that you are not inviting or accepting comments on the environmental sections 23, 24 and 25. I would object strongly to the proposed relaxation of penalties for non-compliance with clause 23, 24 or 25.	See point 3 & 4 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
9	Create common burning sites away from foothills and safer areas . Announce these burn sites so that residents can dump their waste at low cost rather than creating a hazard. Also this will provide an accountability of how much waste is generated and accounted .	See point 8 above.	No
10	Removal of loose green waste pick up service will only encourage more private burn off's. So this needs to be considered when changing any burn off regulations.	See point 8 above	No
11	With these changes to the rules, greater oversight and complaint responses must occur to preserve safety amongst the community. Indigenous burning should have greater recognition and consultation done with aboriginal groups to create better rules that validate and support their cultural practices.	See point 2 above	No
12	I strongly oppose this change and have submitted a formal Section 223 objection outlining the procedural and safety failures of this proposal. Council must consider the following: The "Smoke Nuisance" Double Standard: Council's own summary explicitly creates a two-tiered health system. Protecting residents outside the BMO from "smoke	See point 8 above.	No

OPEN AIR BURNING		
Survey verbatim comment	Officer comment	Changes made to the draft Local Law
nuisance" while actively deregulating open-air fires inside the BMO is geographically discriminatory and conflicts with the EPA's General Environmental Duty. The Topographical Trap: Upper Ferntree Gully and The Basin act as enclosed geological amphitheatres. Deregulating burning without specific meteorological modelling of "katabatic drainage flows" ensures toxic PM2.5 smoke will pool and choke residents overnight. Lack of Evidence and the "Zero Risk" Fallacy: The Community Impact Statement absurdly claims there is "zero risk" to this new law. Council has provided no empirical data, no CFA endorsement, and no comparative risk modelling to prove that untrained, unmonitored residents burning without expert MFPO oversight is actually safer. The "Advice Gap" and Liability Shift: Removing the permit system blinds the Council to hazardous behavior and removes the opportunity for the MFPO to provide critical corrective advice prior to ignition. It also strips residents of government-issued proof of "reasonable care," shifting immense legal and insurance liability directly onto the ratepayer in the event of an escaped fire. Council must retain the free permit system for the BMO as a vital educational, airshed-management, and hazard-control mechanism.		

OPEN AIR BURNING			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
13	Depends where the BMO is going to be.	See point 8 above	No
14	BMOs are there to protect people, following the 2009 fires. They should be strengthened not weaken	See point 8 above	No
15	Smoke pollution is already bad during planned burns. Also people are not careful about what they put on their bonfires eg plastics, rubber etc are often burned.	See point 8 above	No
16	I don't like this at all and Permits are the most appropriate action. This takes away the onus on the occupier with the burning. I think it's a bit naive to suggest 165-170,000 residents read the website and separating them makes it too open to interpretation. Having permits allows for controls in place, which are enforceable by the Local Laws or MFPO and that way Council has control over this. I do feel this has been set up to reduce the workload of Council and onus on the occupier but I still feel a permit system for anything that is serious (fire management). Knox is not a rural Council and yes there is the Basin/Olinda/Lysterfield but from growing up in the area, they still very residential. Seems a very unnecessary change and I worry you placing too much faith and onus on individuals....What good is it when. I think it would be much better having a permit system and stating those in specific area will not be permitted a permit, and those that are viable to have one should be adjudicated case by case. I vehemently disagree with this and I think is a recipe for disaster if not properly regulated.	See point 8 above	No

OPEN AIR BURNING			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
17	People that choose to live in areas with more vegetation need to manage it within modern practices and established systems (ie. FOGO) and stop impacting other residents with lower air quality. We don't live in the 1960s anymore so these types of practices need to stop.	See point 8 above	No
18	Make contact with those who don't keep their properties tidy. For example, untidy lawns and gardens, visible rubbish, old cars and furniture and the like. Also, keep median strips and surrounds mowed	Redrafted clause 11-14 in the draft local law dealing with these issues.	No
19	We need to be able to burn off without forking our money for a permit especially in this economy. I am happy to register the burn off verbally with the CFA so they are aware but do not agree to having to pay to burn off on my own property under BMO.	See point 8 above	No
20	I think it needs to be consider that land within both areas need a permit to burn	See point 8 above	No
21	There needs to be clear distance between properties for this to happen and the maximum amount of burns you can do. Otherwise an absolute nightmare in winter for air pollution with this and fireplaces going.	See point 8 above	No
22	The restrictions for burning within a BMO are too onerous for small properties and result in no burns being able to take place, thus no fuel reduction can take place, thus higher fuel loads and bushfire risk due to this proposed local law.	See point 8 above	No

OPEN AIR BURNING			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
23	Already being floated by Council is the complete removal of the bundled waste service, which we use regularly. Living in a BMO area on a steep block where all material must be carted uphill, we are very aware of hazard reduction requirements. Removing this service would be a serious issue for the area. It would likely push people toward the path of least resistance, including unpermitted burning—often without adequate knowledge, supervision, or safety controls. Allowing residents to carry out small, controlled, and supervised burn-offs without feeling like they are acting unlawfully would be a far better outcome. A simple notification process to both the CFA and Council outlining intended burns should be sufficient.	See point 8 above	No

ANIMAL MANAGEMENT			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
1	Our neighbours have 3 dogs. 2 that try to eat through the fence and get to my young kids. The 3rd dog frequently gets into our yard. She's not a danger but it's a nuisance. She's constantly roaming the streets and her council ID tag is expired so I don't think they even register their pets. Location <i>identifying information removed</i> .	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
2	Many people with cats and dogs cannot afford fencing and don't want to keep their pets in cage enclosures. This hurts renters and is cruel	The main purpose of the Domestic Animals Act 1994 is responsible ownership and confinement of dogs is an integral part of an owner's obligations under the Act. Agriculture Victoria states on their webpage that confining dogs to the property would prevent 80% of dog attacks in public places. Confine your dog Legal requirements for dog owners Dogs Animal Welfare Victoria Livestock and animals Agriculture Victoria The change in the animal numbers makes it consistent throughout the municipality. An owner can still have more animals but need a permit to ensure compliance with the local law and the Act to ensure responsible ownership.	No
3	Larger properties can keep more animals healthy and well, otherwise council will be seizing more pets and probably killing more too. Do not mandate fencing, some small dogs live inside and we take for walks. Renters cannot have properties all fenced. These laws are heartless and to make pets only for those who can pay for expensive fencing. No, I am not so cruel to place my dog or cat in a cage enclosure.	See point 2 above.	No

ANIMAL MANAGEMENT			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
4	Prevention of neighbourhood cats coming onto property and fouling garden overnight. Short off trapping the cat, consider more effective way of enforcing responsible ownership.	See point 2 above.	No
5	Maintain the regulations regarding cats to be kept on their owners properties.	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
6	Is there anyone monitoring cats not being kept on their own property?	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
7	I agree with responsible dog ownership and responsibility of keeping your dogs on your own property. however STRONGLY DISAGREE with idea about enclosures for dogs, I can see that going very badly . People could easily mistreat their animals or forget about them locked up etc	See point 2 above.	No
8	Stray cats are creating havoc and native wildlife is getting affected badly.	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
9	You will have more homeless animals which will bring your council more problems. And to the number of pets isnt it more important that they are cared for properly. Also in the financial stress that most Australian families are facing they will be unable to afford such unnecessary costs.	See point 2 above.	No
10	Promote/prioritise more gardens and land allocated for natural plant use above animal use, as plant promotion can improve the biodiversity and health of our community more than animals. The assistance exemption is a great idea, though	Agree	No

ANIMAL MANAGEMENT			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
11	This should also include cats.	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
12	Ensure only apply to Dog and Cat's, must necessary - cat's are roaming Everywhere not for other animals like chicken's don't too many controls over residents	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
13	Consideration of restrictions for people allowing their dogs to bark for hours on end.	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
14	This is aligned with other Councils and is very reasonable.	Agree	No
15	Stronger policing of roaming cats. There are 4 cats in my street, none of which are kept inside.	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
16	There are many people who foster animals including cats and dogs with kittens and puppies, the proposed limit of 2 cats/dogs per property will not work for foster carers considering most litters are upwards of 2. Making foster carers apply for or pay for permits will discourage people from fostering animals. Therefore I oppose this change. At minimum, wording needs to be included to exclude foster carers from the limit of 2 cats/dogs.	Not a local law issue – regulated under the Domestic Animals Act 1994.	No
17	Dogs can be prevented from escaping by keeping them indoors. On big properties / rural interface properties, fencing may not be enough to prevent dogs from 'escaping' the property.	See point 2 above.	No
18	However, the land area for excess animal permits of 4000 sq mtrs should be amended to include more animals. I don't think the limit of 3 dogs should apply to a larger area of land.	A consistent approach is important to avoid discrimination.	No

ANIMAL MANAGEMENT			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
19	This is very unfair as larger properties can give more animals loving homes. Knox will be depriving animals of homes, and their lives, by making this inhumane "one size fits all" limit of animals on properties over 4000 sq. metres. Mandating fencing also prohibits renters and poorer residents from companion cats and dogs, and deprives more animals of caring homes, and their lives. It does not make "safe" to enforce fencing on small dogs who might live inside, and for cat homes. This is divisive, unfair, and Knox is mandating that only residents who can afford fencing or who want caged cats or dogs can keep their companion animals. Assistance dogs are recognised here, but not the assistance cats which special-needs children have. Knox is biased towards recognising dogs, but not cats - which to many residents are essential helpers, and companions, and also reduce Knox costs on mental health, and in reducing suicide-risk, and loneliness.	See point 2 & 18 above. Cats fall under the definition of assistance animal and are regulated under clause 30 of the draft local law.	No No
20	Looks like a cash-grab to me...why would this change be required?	Too broad- no comment	No

COUNCIL-MANAGED LAND AND ROADS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
1	Offensive behaviour is subjective and council should not prevent rate payers from accessing council buildings and meetings	Laws regulate offensive behaviour in public spaces to maintain public order, protect community standards, and ensure safety. Key reasons include preventing public distress, managing social nuisance, and deterring escalation into violence.	No
2	And every where else!	Too broad- no comment.	No
3	Now you want to ban us from public buildings. Residents are not listened to and not respected. Now Knox says our questions are insulting and offensive, because council does not want to answer, and does not care about residents. We pay rates. This is bullying to ban residents from public meetings, from public buildings, from being heard. Dictatorships make these rules. This is Knox City Council being irresponsible to residents and treating us like an ATM, taking our money and being aggressive, offensive, and insulting to residents.	See point 1 above.	No
4	What safeguards are there to prevent vexatious complaints from someone who takes offence at everything.	Council has a Policy dealing with vexatious complaints.	No
5	What is considered offensive or aggressive? If safety is involved, then yes. But offensive no as council then is given too much power	See point 1 above.	No
6	Our friends' group has for a number of years been subject to abusive behaviour from a local resident whenever we do working bees or bird surveys on Council land. His continual threatening behaviour continues to this day. We would support any measures that might help to curb these sorts of behaviours.	Agree, See point 1 above.	No

COUNCIL-MANAGED LAND AND ROADS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
7	Nobody should be on the receiving end of aggression.	Agree	No
8	While violence and abuse have no place in civil public meetings or anywhere, people need to be freed to express themselves with passion and conviction. Where do you draw the line regarding "insulting and offensive" behaviour? Is public praying considered "insulting and offensive"?	See point 1 above. Public praying is not offensive – Council have to adhere to the Charter of Human Rights and Responsibilities Act 2006. It protects 20 fundamental civil, political, and cultural rights across four core principles: freedom, respect, equality, and dignity	
9	Increasing number of squatters specially during summers	Not a local law issue.	No
10	Not sure what this even means	Too broad- no comment.	No
11	Would love if this applies to ebikes and escooters used by teens	Clause 42 regulates toy vehicles, but mostly it is a Police matter.	No
12	Hone in and enforce this rule as a priority!	Too broad- no comment.	No
13	Don't use this to avoid residents questioning at council meetings The current crs already hide behind the staff as their mouthpiece	See point 1 above.	No
14	This is a significant overreach. The proposed penalty unit for 36 doesn't match the restrictions you're trying to address of 'extensively address aggressive, insulting and offensive behaviour'	See point 1 above.	No
15	Again, re concern about caravans being stored on Council roads, 44. Vehicles on Council land and roads Without a permit, a person must not use, or allow to	Caravans are defined in clause 10 of the draft local law. Clause 17 of the draft local law deals with camping (including a caravan) on private land, which needs a	No

COUNCIL-MANAGED LAND AND ROADS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	remain, any vehicle on any Council land or road unless set aside for vehicle parking or it is a designated roadway. Consider including caravan	permit to do so.	
16	Unnecessary and our state laws should cover this. Otherwise why just council buildings?	Local law only deals with council land and roads.	No
17	The proposed law gives council officers unqualified / unrestricted / unconditional ability to direct people to leave council property / land. Conditions should apply and the community should decide the conditions.	See point 1 above – Officers will exercise their discretion to ensure compliance and education is part of it.	No
18	Unfortunately this does not prevent councillor bullying towards residents. This law prevents legitimate community concerns being asked and considered by Knox Council. Residents have been exposed to aggressive, insulting and offensive behaviour by councillors who do not follow the councillor code of conduct. This new law does not respect residents, as it is designed to prevent community questions and concerns, and to remove all service to residents. It allows council to declare any question or concern Knox does not want to consider as "insulting" "aggressive" or "offensive" without fairness.	The local law applies to all and see point 1 above.	No
19	WHY SHOULD THERE BE NO DISCUSSION/DEBATES/QUESTIONS ALLOWED AT COUNCIL MEETINGS? MANY TIME RTE PAYERS WANTED TO ASK OR DEBATE BUT WERE CUT OFF	Not a local law issue.	No

COUNCIL ASSETS, TREES AND REGULATING BUILDING SITES			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
1	trees and remnant native vegetation should have stronger protection and not the proposed lessening of fines for removal of the above.	See point 3 & 4 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
2	when the garbage collection takes place, rubbish is often left behind and it shouldn't be the role of ratepayers to clean up council's mess.	Part 5 of the draft local law and the Use of Waste Collection Services Policy deal extensively with this issue.	No
3	i think this contains a typo above. "building words"? i assume this is supposed to say "building works"	No comment	No
4	Support developers cleaning up after themselves, and not making noise on weekends or early mornings and nights. Council needs to clean up roads and not expect residents to do council work.	Part 11 of the draft local law deals extensively with this issue.	No
5	There's enough regulations in place as is	Too broad- no comment.	No
6	new clauses 58 (hours of building works), 60 (spoil on roads) and 61 (occupation of roads) most welcome!	Agree.	No
7	Again, this change is meaningless without enforcement. There are numerous examples of current building projects near me dropping large mud chunks (greater than fist size) on roads as truck depart as well as site runoff being directed into drains (that is - not meeting the permit conditions).	See point 4 above.	No

COUNCIL ASSETS, TREES AND REGULATING BUILDING SITES			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
8	Why is the summary above not mentioning the reduction in fines for illegal tree removal? The fine is severely inadequate and will not deter illegal tree removal. If Council was real about this and keeping Knox green then the fine would be \$1,000's. Protect the environment not the illegal destruction of trees.	See point 1 above.	No
9	The point we are opposing here is the proposed to Local Law 24 and associated penalties. We are strongly opposed to the reduction in penalties for illegal damage/removal to significant vegetation.	See point 1 above.	No
10	Do not weaken the infringement penalty for an individual that illegally removes significant trees or vegetation on private land. A lot of people do not care about or bother to learn about how this can cause long term negative effects to the ecological system & have zero respect for their environment	See point 1 above.	No
11	In theory there is merit to it . I see this one going badly tho . I don't see why we have to have permits for everything !! I do agree noise should be kept to a minimum outside of reasonable hours. A permit won't fix that just raise revenue if they are fined for it. Needs better policing not permits	Local councils have permit systems in local laws to manage community safety, protect public amenities, and regulate fair access to public spaces.	No
12	This is welcome and long due	Too broad- no comment.	No
13	I am glad that there is a lot more emphasis on this. Knowing how other Councils regulate this, I feel Knox fall behind a lot. Sediment/ spoil/ mud is a real problem, with	Agree, new clause 59 inserted in draft local law.	No

COUNCIL ASSETS, TREES AND REGULATING BUILDING SITES			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	blocking off footpaths and working Sundays and Public Holidays. It is good having this in here, but enforcement of this with the high penalty amounts would definitely assist in this. i dont think I have come across one building site that does not have waste, mud or starting time issues.		
14	These need further strengthening.	Too broad- no comment.	No
15	There are plenty of sections and clauses that are problematic.	Too broad- no comment.	No
16	I would like owners/tenants to need a permit for removal of all trees on their land not just natives and for the given permits to be a stricter process with only absolutely essential trees to be removed - let's keep a Greener Knox! I would also like to see a BAN on artificial grass (particularly as part of the required green space)!!! Artificial grass is unsightly and plays no part at all in helping look after our beautiful wildlife. Concrete also should be limited to driveways and paths.	See point 1 above.	No
17	Residents should not have to clear roads themselves, when the Knox Council garbage trucks often leave broken-glass all over the road, smash large bins into gardens and kill residents' trees and shrubs, and spread bean-bag pellets across gardens - killing native birds and small animals. Whoever makes the mess should take responsibility and clean it up. Knox Council is not being responsible for ordering residents to clear roads that council has dropped debris and rubbish on, and damages residents' properties.	Council has the power to claim the clean-up cost(works) from an offender under LGA 2020.	No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
1	I am very concerned about the apparent weakening of penalties for illegal removal of significant trees and vegetation on private land. As evidenced in the initial early consultation around this, the community wants STRONGER penalties and expects stronger environmental safeguards, with particular concern around tree removal not being sufficiently guarded against. The proposed local law amendments reduce the penalties for illegal removal to similar or less than that for erecting a sign without a permit, which is absolutely ridiculous. These actions are in NO WAY comparable, and yet they are being treated as such. Other councils, for example Boroondara, have significantly higher penalties for these kinds of actions - Knox City Council should look to those as well as listening to the wishes of the community rather than watering-down penalties. I also feel it is important for the council to educate the community and businesses on this aspect, including mapping and tracking of significant trees and vegetation that is on private land, and thorough investigation and enforcement of adequate penalties for those who commit infringements in this regard.	See point 3 & 4 on document named: WRITTEN SUBMISSIONS AND OFFICER COMMENTS.	No
2	Nuisance lighting needs to not beam into other peoples property and to be on automatic timers. And low lighting to maintain the character of the area	Agree, the clause deals with lights that can be a nuisance to neighbours.	No changes necessary to be made to clause 20 in the draft Local Law (new clause).

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
3	Re: Local Law 24: I have strong concerns about the lowering of penalties to individuals who illegally remove significant trees and vegetation from private land. Do the new penalties match the damage that will be caused by offenders? How can this possibly deter people from committing such offences? Likewise, what message is the council sending to corporations by not increasing the penalty for such damage? You “may” be required to pay compensation for damage caused: you damaged the property so you need to pay for it to be ‘repaired’... Seriously? How can anyone possibly “repair” old and significant trees, let alone other vegetation? Please encourage individuals and corporations to seek permits and to preserve and protect our green spaces including significant trees and vegetation on private land by increasing penalties.	See point 1 above.	No
4	Address woodfire smoke as a health issue to surrounding neighbours.	See point 1 above.	No
5	The reduction in penalties set out in relation to Clause 24 for illegally removing a significant tree or vegetation is very disappointing and goes against the community feedback collected during the consultation for these updated Local Laws. The reduction does not support Knox to restore and conserve our already much diminished canopy tree cover.	See point 1 above.	No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
6	Knox council has been known in the past for its vegetation, especially with native trees, bushes etc. It's very important to retain this special aspect of our community for appearance, shade and local birdlife.	See point 1 above.	No
7	The way this survey is constructed make it very difficult or impossible to respond to individual issues arising out of the draft Local Laws.		No
8	I would like to address clause 24 regarding removal of vegetation and trees on private land. I support harsher penalties and appropriate resourcing in the Local Laws team to uphold harsher penalties on businesses and individuals who destroy trees and vegetation on private land. The punishment and proposed action in clause 24 is not strong enough. Saying that a penalty 'may' occur is in conflict with the work being done by Knox Council to protect and increase tree canopy. Boroondara is one Council, alongside many others that have more harsh penalties than Knox is proposing should you need another example.	See point 1 above.	No
9	I would say to stop planting Gum trees on nature strips due to the damage they cause to gutters , footpaths and the need for trim under power lines.Look at alternative native trees to plant instead.	Not a local law issue.	No
10	People living in a factory when they shouldn't. <i>identifying information removed</i> . Neighbours suspect illegal things are sold since vape sales were made illegal. -his car was stolen at 8:50am from the driveway. Police didn't investigate to	Not a local law issue.	No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	realise he lives in the factory.		
11	Do not weaken the infringement penalty for an individual that illegally removes significant trees or vegetation on private land. A lot of people do not care about or bother to learn about how this can cause long term negative effects to the ecological system & have zero respect for their environment	See point 1 above.	No
12	Our beautiful Knox City is undergoing significant changes, and some changes are not necessarily good for the residents/ratepayers. As an immigrant who came to live in Knox over 20 years, I really appreciate Knox Council's firm approach to tougher local laws in order to preserve our living standards and to help assimilate new immigrants who are yet to adapt to our ways of life and civic expectations. Such as maintaining clean properties and keep down noise level.	Agree, part 2 of the draft local law deals extensively with these issues.	No
13	I am concerned about the changes to Local Law 24 and the weakening of the infringement penalty as Knox is losing its canopy trees at an alarming rate. The penalty for removing a significant / canopy tree needs to be increased not decreased. Early consultation showed that our community wanted greater environmental protection and this should be supported by our council, especially in light of all the benefits trees bring.	See point 1 above.	No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
14	With reference to Schedule 1 - Penalties. The penalties should remain as they are. By reducing these penalties by 50%, you are encouraging/supporting the view that the environment is not so important, when in fact it is becoming more important than ever, due to climate change and the continual removal of trees. Currently, developers & builders factor in the costs of illegal tree removal as a cost of doing business - by halving the penalties you are encouraging this process when you should be doing the opposite. Trees in residential areas reduce ambient temperatures by up to 10 degrees C by creating shade, thereby making areas more liveable. As the planet gets hotter the trees become more necessary - I thought everyone was aware of this but clearly not Knox Council. This comment applies to all the environmental clauses i.e. Clauses 23,24 & 25. A reduction in penalties is neither needed nor desired. If you proceed to reduce penalties, you are confirming that Knox City Council is making a significant 'U' turn with the view that the environment no longer matters. I have spoken to a number of new residents to Knox who have moved here from inner & Western suburbs of Melbourne because of the trees and the support being given by the Knox City Council to the natural environment. Shame on you.	See point 1 above.	No
15	My concern is with clause 24 (not covered in the previous survey questions). In particular, the draft proposes reduced penalties for tree removal on private land, where earlier consultation clearly asked for stronger support from council on this environmental issue, not weaker. The	See point 1 above.	No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	proposed penalty for individuals has been greatly reduced - it should be left unchanged or ideally, increased. And the penalty for corporations would be seen as simply the cost of doing business - for council to be taken seriously on this issue, a penalty ten times higher would be a good starting point.		
16	Rise in car racing and bike racing in residential streets during nights . This results in noise pollution and driving dangerously	Not a local law issue, but a Police matter.	No
17	I am going to submit an email regarding the condition of <i>identifying information removed</i> . This Local Law survey doesn't appear to give the option to address any of the residents' concerns about the fact that we are currently surrounded by a rubbish dump and the Council appear to be doing nothing about it	Part 2 of the draft local law deals extensively with these issues.	No
18	My understanding is that changes in this law will greatly weaken protection of trees and significant trees. This is especially true for developers and corporations who will simply add the small penalty cost of illegally removing trees into their expenses. I have lived in <i>identifying information removed</i> since 1953. I have seen enormous reduction of tree canopy cover. To continue to NOT PROTECT tree cover in the face of how our climate is changing is a travesty!! Please consider life for our children and grandchildren.	See point 1 above.	No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
19	Knox council needs to do more to ensure properties are up to scratch and not left abandoned and overgrown. <i>identifying information removed</i> are prime examples - they've been abandoned and dilapidated since before we moved to the neighbourhood 6 years ago. Squatters uish drugs have lived there at times and there have been fires. They are extremely unsightly and overgrown with a completely collapsed fence at the entry to our estate.	See point 17 above. Victoria Police is better suited to enforce this issue.	No
20	Make sure any damage of any kind, like fires and oil, does not come close to natural spaces such as parks, community gardens, playgrounds and waterways. Keep protecting those spaces a priority to ensure the sustainability and peace in our community.	Local law addresses all these concerns.	No
21	Stop having parking inspectors,. Who were parked in a no standing zone while taking photos off people parked in the no parking zone over the road it does not look good for the council. The parking inspectors should not be breaking the law too and how came the fines are \$200 do you know there is a cost off living crisis	Not a local law issue.	No
22	While I appreciate the effort undertaken to review the Amenity Local Law, the overarching methodology of this project appears disconnected from evidence-based policy-making. Throughout the proposed changes, there is a concerning lack of empirical data, localised risk modelling, or transparent hazard assessments provided to the public, particularly within the Community Impact Statement.	The local law is made under the new LGA 2020 that sets out the procedure. Officers are confident that we have adhered to the principles in the Act. Furthermore, the local law must be certified by an external experienced lawyer before Council can adopt it.	No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	To maintain public trust, Council must approach regulatory changes with a higher standard of administrative rigour. Formulating policy based on generic assumptions or the practices of other municipalities—rather than hyper-local evidence—falls short of the professional standard the community expects, especially regarding matters of public safety and environmental health. Furthermore, relying on future "communications campaigns" to explain rules that should be explicitly detailed and stress-tested during this public exhibition period is an inadequate implementation strategy. Ultimately, the legitimacy of this entire Local Law review hinges on how Council processes this current phase of feedback. If detailed, safety-oriented community submissions are ignored, and if the final law proceeds without rectifying the glaring omissions in the public data, it will render this statutory consultation a mere procedural tick-box exercise. Meaningful community engagement requires Council to genuinely reconsider and amend its proposals when presented with valid, unmitigated risks.		
23	The council should stop imposing unnecessary restrictions on residents. There are already enough regulations in place that impact our daily lives. Instead of introducing more restrictions, the focus should be on addressing the issues that matter most to the community, such as safety, security, and infrastructure. Please give greater consideration to improving parking facilities, maintaining practical two-way traffic access, and	Not a local law issue. Not a local law issue.	No No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	providing safe pedestrian pathways in residential court and close streets. Poor planning decisions and development approvals, particularly in areas such as Lakewood Estate, have created ongoing challenges for residents. We also require additional street lighting throughout residential areas. With increasing concerns about theft, home invasions, and community safety, adequate lighting is essential for protecting residents, improving visibility, and creating a safer environment for everyone. The council should focus on practical improvements that enhance residents' quality of life, rather than introducing further restrictions that do little to address the real needs of the community.	Council has a policy for responding to rough sleepers. The local law is not intended to treat vulnerable people differently; Council seeks to afford them the same dignity and respect as others. Too broad – no comment.	No
24	Make the unsightly laws work Council has been turning a blind eye for too long to the detriment of communities amenity	Part 2 of the draft local law deals extensively with these issues.	No
25	I think this is one of the better Local Laws. I like the fact it is ambitious with property managers but how enforceable this will be, I am not too sure. I know from working in the sector that a person is very rarely responsible for the actions of others- I think if this is used against property managers when they dont respond to NTC would potentially work. Graffiti and Short Stay Accommodation is good in theory, but I have reservations how this will be applied.	Any clause under the local law is a strict liability offence, which means that any person involved in the management of a property, i.e. owner, occupier, tenant or property manager is legally liable to comply with the law. Short stay rental accommodation has been defined in the local law(clause 10) and specifically deal with such accommodation and not owner/tenant occupiers.	No No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
	"Camping" will also have issues as I think it is too defined. People sleeping Rough is going to be a continual problem, so will need to think how this is managed appropriately. I think the animals is spot on and quite reasonable. Overall, one of the better Local Laws I have read, but I do have some question marks over a few items, but it will not affect me regardless. Good luck!	Council has a policy for responding to rough sleepers. The local law is not intended to treat vulnerable people differently; Council seeks to afford them the same dignity and respect as others. Agree.	No
26	Clause 14 needs strengthening. There's too many properties at intersections where overhanging vegetation blocks the view for road users and makes it unsafe. Reporting to council generally gets excuses about not being able to do anything. I've also reported numerous vegetation that overhangs footpaths, only to be told by the Local Laws officers that 'a woman with a pram can get by, therefore it's ok'. This ignores taller people (still less than 2.5m) that have to duck, ignores blind people or people in our neighbourhood with severe mobility issues in motorised wheelchairs. Clarify and make it stronger or get your staff to actually enforce the rules. Stop watering down tree protections. If people don't like their trees then they should move house.	Part 2 of the draft local law deals extensively with these issues. See point 1 above.	No No

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
27	I notice Council has removed reference to drones from the definition of model aircraft from the proposed new local laws, however the very definition of "model aircraft" includes drones unless explicitly excluded from the definition. The new proposed Clause 42 still does not comply with the Local Government Act 2020. CASA is the responsible federal body responsible for ALL MODEL AIRCRAFT. Clause 42 is very vague and open to interpretation in breach of the LGA 2020. Remote controlled aircraft should not be purported to be regulated at a local government level as it is CASA's responsibility with federal laws already in place, nor should model aircraft be included in the same category as "Toy Vehicles" such as skateboards. Using terms like "or similar" in a definition is not appropriate language for a Local Law. State and Federal Laws already exist for the protection of people in public spaces and accordingly Council should not be purporting to regulate in areas already covered by existing legislation. Accordingly "model aircraft" and its definition, together with Clause 42 should be removed from the new proposed Local Law.	Agree.	Removed all references to model aircraft in draft local law.
28	Just the caravan storage on Council roads	Caravans are defined in clause 10 of the draft local law. Clause 17 of the draft local law deals with camping (including a caravan) on private land, which needs a permit to do so.	No
29	I don't see anything regarding drones and the use of these on council land, public places etc. Is this something that has been considered or thought about?	See point 27 above.	See point 27 above.

OTHER COMMENTS			
	Survey verbatim comment	Officer comment	Changes made to the draft Local Law
30	The proposed local laws need further re-drafting. I'm happy to attach the proposed laws with marked up comments to show concerns and objections.	No comment.	No
31	It appears many of these laws are not proposed to be clearer or to help residents, but only to remove Knox Council's responsibility. Any Council that served residents would not propose laws that would remove homes for dogs and cats, would stress and endanger struggling residents, would remove service, and refuse residents questions and concerns. It appears that Knox Council has no care for liveability, wellbeing, service, or accepting responsibility.	Councils put local laws in place to protect community safety, public health, and local amenities.	No
32	MORE RATE PAYER CONSULTATION! SENDING ACTUAL LETTERS TO ALL RATE PAYERS NOT JUST ONLINE WHEN MANY PEOPLE WOULD NOT KNOW IT EXISTS! AS THIS SURVEY!HOW COME THE KNOX COUNCIL HAS NO PLANNING AUTHORITY OVER THIS PROJECT OR RATE PAYERS HAVE NO SAY AT THE <i>identifying information removed</i> ?WHY? WHY HAS ONLY THE STATE GOVERNEMENT THE RIGHT TO TELL NEIGHBOURING RESIDENTS THEY CANNOT SAY OF THE GOVERNEMENT DENSITY, DESIGN OR STAGING OF THIS PROJECT?WHAT A JOKE AS WAS THE REZONING OF THE <i>identifying information removed</i> . A SECRET KEPT FROM THE NEAR BY RESIDENTS?	Not a local law issue.	No
33	Please consider keeping the bundled waste service, and also allow responsible burns in BMO areas. You might find reliance on bundled waste reduces to manageable levels, whilst mitigating problematic burn offs.	See point 1 above.	No

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Draft

Knox Amenity Local Law 2026

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Section A: Preliminary

Part 1: Preliminary, Objectives and Definitions

1. Title

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

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 **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**.

2-3. 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*.

3-4. When does this Local Law commence?

This **Local Law** commences on TBD.

4-5. When does this Local Law end?

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

5-6. What does this Local Law replace?

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

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6.7. What does this Local Law apply to?

- (a) This **Local Law** applies throughout the whole of the **municipal district** of ~~Council, the Knox City Council.~~
- (b) This **Local Law** does not apply where any act or thing is authorised ~~or exclusively regulated~~ 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.~~

Commented [Maddocks1]: Clause 7(c) has been removed because it was unlikely to have any practical application. Were it to have remained there would need to have been a mechanism for advertising the change of status from private land to Council land.

7.8. 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 functions.

8.9. 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.

9.10. 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 ~~C~~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 activity.

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 ~~or~~, other theatrical or visual performances.

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**.

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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 *Corporations 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 or on behalf of Council, for the purposes of waste collection and disposal, ~~as charged within the annual rates notice~~.

Declared significant tree means a tree ~~determined by Council~~ as to be a significant tree.

Declared significant vegetation means vegetation that is ~~determined by Council~~ as to be significant vegetation.



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

Detrimental means, ~~the appearance of their relation to~~ private land and buildings, in a state ~~which is one~~ of neglect ~~or~~ 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 installed for the purpose or apparent purpose of the collection of donated items.

Environmental weed means any weed-vegetation that is **determined by Council** to be an environmental weed and includes any vegetation listed on the List of Environmental Weeds.

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 means any inscription, word, figure, marking, painting, drawing, symbol, etching, scratching or other defacement that is written, marked, scratched, sprayed, painted or otherwise applied to the exterior of any building or other structure without the consent of the owner or person in charge of the building or structure. 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;

Commented [Maddocks2]: The word 'graffiti' is not defined in the Graffiti Prevention Act 2007. Hence the definition appearing here.



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 and notified by Council or an Authorised Officer to the person in charge of a building site as being 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 **Council 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 ~~C~~ 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 **proprietor** ~~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 *Associations 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 **any** 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; and
- (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 (whichever is the longer) in a dwelling on **private land** for commercial gain, excluding other accommodation premises required to be registered as such under ~~alternate~~ legislation enacted by Parliament.

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 thereon 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 a 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**, or 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**, or developer or builder responsible for the **building site**.

Small bird means any budgerigar, canary, finch or other similar sized 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, and shown as such on Council's website.

Street furniture means tables and chairs, stools and benches, umbrellas, heaters, planter boxes, 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:

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- (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 other structure (including but not limited to an 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.

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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.*

~~10.11.~~ 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 ~~on that land~~ any matter, hazardous substance or thing which is dangerous or likely to cause danger to health, life or property ~~on that land~~.

~~11.12.~~ Unsightly land

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

~~12.13.~~ 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 ~~land~~ ~~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.

~~13.14.~~ 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.

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- (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**, ~~a person 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**.

14.15. Dilapidated buildings

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

- (1) not cause or allow a **building** located on that **private land** to:
 - (a) become **dilapidated**; or
 - (b) become further **dilapidated**;
- (2) not fail to maintain any **building** on that **private land** in a state of good repair;
- (3) take all reasonable steps to secure the ~~building and private land~~ (including any building on that private land) from unauthorised access by a **person**, including, if required by Council or an Authorised Officer, ~~to by~~ installing secure fencing, adequate locks and any other security options deemed necessary by Council or the Authorised Officer;
- (4) take reasonable steps to prevent or remedy the ~~building and private land~~ (including any building on that private land) from being a haven for regular anti-social or unlawful behaviour by a **person**; and
- (5) not allow any **graffiti** to remain on any **building**, exterior wall, ~~or exterior fence~~ or other structure on that private land; and
- (6) ~~remove any vermin inhabiting the building and private land.~~

Commented [Maddocks3]: Clause 15(6) has been removed because clause 25 now addresses vermin on private land.

15.16. Heavy and long vehicles on private land

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

Commented [Maddocks4]: The removal of the reference to 'repair' does not mean that repair of a heavy vehicle on private land will necessarily go unregulated. Council may regulate repair through a condition of a permit allowing the heavy vehicle to be parked or stored on land.

16.17. 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 that **private land**.

Note: Council will exempt a person from the need for a permit if they are allowing a family member or friend to camp on their land overnight or for a short period. So, no permit will be required if, for example, a parent allows their children to sleep in a tent in the backyard overnight or for a few nights.

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17.18. 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.

18.19. 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:

- (1) 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
- (2) the intruder alarm cannot re-activate until the device has been re-set.

19.20. 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 of that land.
- (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 or offensive or cause a **nuisance** to any other person.

20.21. 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:

- (1) during any period of twelve (12) months, Council receives 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 ~~has~~ demonstrated ~~ed~~ anti-social behaviour that has unduly interfered with the use and enjoyment of another residential premises; ~~and~~

(2) Council or an Authorised Officer concludes that each or at least three of the complaints is substantiated.

(3) Council must, where practicable, ensure that the relevant owner, occupier or property manager of the private land in respect of which the complaint has been made is given notice of the:

(a) substance of each complaint and an opportunity to make a submission on whether the complaint should be substantiated; and

~~(a)~~ (b) conclusion of Council or the Authorised Officer as to whether the complaint has been substantiated.

Commented [Maddocks5]: The amendments to clause 21 are designed to make it more certain when a complaint will be regarded as 'substantiated'.

21-22. 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 on that land 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.

22-23. Environmental weeds

(1) Council may determine any type of vegetation to be an environmental weed to which this Local Law applies.

~~(1)~~ (2) Any type of vegetation determined by Council to be an environmental weed under clause 23(1) must be listed on the List of Environmental Weeds.

~~(2)~~ (3) The List of Environmental Weeds is incorporated into and forms part of this Local Law.

~~(3)~~ (4) 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.

23-24. 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 Nothing in clause 24(1)4 affects any right of Council to recover compensation from a person who has breached clause 24(1), to pay with such compensation to be sought Council based on the basis of the net gain principle.~~

- ~~(3) A person must not fail to comply with the requirement under Clause 24(2).~~

Commented [Maddocks6]: The amendment reflects the fact that Council does not have an entitlement to be paid compensation. Rather, compensation could be ordered by a Court upon Council taking appropriate legal action.

24.25. 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 ~~land 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 ~~land private land~~, immediately destroy the nest.
- (3) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that ~~land 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 ~~land private land~~, immediately:
 - (a) destroy any **vermin** on that ~~land private land~~; or
 - (b) remove or rectify any conditions on the ~~land private land~~ which are conducive to the harbouring, breeding or feeding of **vermin**.
- (5) Clauses 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

25.26. Open air burning

- (1) Nothing in this ~~C~~clause 26 permits a person to light a fire during a declared Fire Danger Period (including a day of Total Fire Ban) 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*. With the exception of ~~C~~clause ~~26(4)(d)(iii)(iii)26 (4)(e)~~, ~~nothing nor does anything~~ in this ~~C~~clause permits a person to light a fire during the months of June & July.
- (2) In this ~~C~~clause 26, "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.
- (3) **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 ~~are~~ 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/>

(4) Regulation of Open Air Burning

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

- (i) 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**.

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

- (i) 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**.
- (ii) A **person** must comply with the conditions of the **permit**.

(c) Permit may be issued

Upon application by a **person**, **Council** or an **Authorised Officer** may issue a **permit** in accordance with ~~this Part 4~~ ~~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~~ ~~attract~~ any of the requirements of ~~Clause 26(4)(d)(i)(ii)(a)~~.

(d) General Provisions

- (i) 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:
 - (A) the **open air** burning is only for fuel reduction for the purpose of fire prevention;

Field Code Changed

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- (B) only one fire can be lit respectively on a Thursday, Friday or Saturday during daylight hours;
 - (C) the fire ~~must be is~~ completely extinguished by the end of that day's daylight hour;
 - (D) the fire ~~must does~~ not exceed one cubic metre in size;
 - (E) the distance from the outer extremity of the fire to any other fuel is at least three metres, including above the fire;
 - (F) the fire is ~~at all times~~, supervised by an adult ~~at all times~~ who has the capacity and means to extinguish the fire;
 - (G) sufficient fire protection equipment or an adequate water supply is readily available on site to control or extinguish the fire;
 - (H) at the site of the fire, the wind speed ~~must does~~ not exceed 10 kilometres per hour;
 - (I) 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
 - (J) the occupiers of immediate surrounding ~~neighbours land~~ are notified of the fire in the **open air** at least twenty four (24) hours before ~~it is lit and~~.
- (ii) 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:
- (A) completely extinguish the fire; or
 - (B) ensure that an adult person who has the capacity and means to extinguish the fire remains at all times in charge of the fire.
- (iii) 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:
- (A) a barbecue, pizza oven or other properly constructed appliance ~~while it is~~ being used for cooking food;
 - (B) a fire in a brazier, fire pit or chimenea ~~while it is~~ being used for heating;
 - (C) a tool of trade ~~while is~~ being used for the purpose for which it was designed;
 - (D) a fire is lit during the course of duty by a member of a fire and emergency services agency; or
 - (E) a fire is lit for the purpose of enjoying a recognised cultural practice or practising a religion.



(e) Restrictions on Open Air Burning on private land

- (i) 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:
 - (A) is offensive or a **nuisance** to another person in the vicinity, or which extends beyond the property boundary of that land;
 - (B) may cause a hazard to a **person's** health;
 - (C) has an adverse impact on visibility beyond the property boundary of the land, including reducing the visibility of motorists and other users of a **road;** or
 - (D) creates a hazard on or near a **road.**
- (ii) 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:
 - (A) green or wet vegetation;
 - (B) non timber based building materials;
 - (C) painted or treated timber;
 - (D) rubber or plastic, including plastic mulch, plant pots and packaging materials;
 - (E) furnishings or carpet;
 - (F) manufactured chemicals or pressurised cans;
 - (G) petroleum or oil products;
 - (H) paint or any container in which paint is or was kept;
 - (I) food waste;
 - (J) manure or straw;
 - (K) 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
 - (L) any other offensive, noxious, or toxic matter.

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

- (i) 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:

(A) a **road;**

(A)(B) **Council land;**

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~~(B)(C)~~ Crown land; or

~~(C)(D)~~ any public place

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

- (ii) The restrictions in ~~C~~clause 26~~(e)(5)~~ apply to any fire lit in accordance with ~~C~~clause 26(f)(i)(6).

(g) Direction to Extinguish Fires

A person who has lit or allowed a fire in the open air to be lit contrary to any of the provisions in this clause 26 or any condition contained in a permit, must **extinguish** the fire immediately on being directed to do so by:

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

(h) 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

26-27. 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**.

27-28. 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~~:

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

28-29. Commercial waste

- (1) Without a permit, a person must not place out for collection a commercial waste bin on Council land or a road.



- (2) Where an **owner** or **occupier** of **private land** has stored or stores **commercial waste** in a bin 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 from the bin, 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 used or designed to be used for the purpose of residential waste collection and disposal; or
 - (e) in a **Council supplied bin** that is used or designed to be used for commercial collection without the permission of the owner or occupier of the land for which that bin was issued, 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~~ allowed to remain 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 **commercial waste** bin from a commercial premises out for collection on a ~~nature strip or other part of a road~~ prior to 4.00pm on the day before the day of



~~collection, 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 any commercial waste bin they have placed on a road for the purpose of collection or allowed to be so placed ~~it~~ does not cause any obstruction or danger to any **person**; and
- (d) a **person** who has placed a commercial waste bin on a road for the purpose of collection 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~~ nature strip or any works in or on 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.*

29-30. 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 ~~land private land~~ any more in number for each animal than is set out in the following table:

Type of animal	Number of Animals ¹
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.

- (2) The limitations and restrictions in this Part do not prohibit the keeping of any animals ~~if for~~ **which** a planning permit is required **for the keeping of the animals** 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 ~~C~~clause 30(1).
- (4) Notwithstanding ~~C~~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 Organisation², 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**.

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.

² ~~These are~~ specific bodies accredited by ~~s~~State ~~g~~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.



- (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 ~~in area~~.

~~30.31.~~ 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 ~~animals~~ and welfare needs of ~~the each~~ animal;
 - (d) is maintained in good repair so as to not cause a **nuisance** to ~~occupiers of~~ neighbouring properties;
 - (e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an **Authorised Officer**; and
 - (f) is kept clear of materials which may harbour **vermin**.
- (2) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which ~~the an~~ animal is housed must ensure that animal food is stored to prevent access by **vermin**.

~~31.32.~~ Private land adequately fenced

- (1) ~~Unless clause 32(2) applies, the~~ **owner** of an animal and the **owner** or **occupier** of the **private land** on which ~~the an~~ 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 an~~ animal is kept ~~may, 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 Any~~ enclosure ~~installed and maintained for the purposes of clause 32(2)~~ must comply with ~~the any~~ 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 ~~C~~clause 32(1), (2) and (3) is an offence.

~~32.33.~~ 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 ~~on the road or~~ **Council land**.

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- (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 on the road or Council land.

33.34. Animal noise and odour

The **owner** of an animal and the **owner** or **occupier** of the **private land** on which ~~the~~an 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~~.

~~(1) Clause 34(1) does not apply to any class of animal where another Act or legislation applies.~~

34.35. 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~~.

Commented [Maddocks71]: Clause 34(2) has been removed because clause 7(b) makes it clear that if other legislation exclusively regulates something (in this case an animal) then that legislation applies to the exclusion of the Local Law.



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**.*

35-36. 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)(8)~~ (8) ~~without a permit,~~ erect, operate or cause to be erected or operated any amusement, ~~without a permit,~~ on **Council land** or a **road**;
- ~~(10)(9)~~ (9) obstruct, hinder, or interfere with a **Council** staff member in the performance of their duties on **Council land** or a **road**;
- ~~(11)(10)~~ (10) 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)(11)~~ (11) ~~without a permit,~~ make any wager for money or engage in any form of gambling, ~~without a permit,~~ on **Council land** or a **road**;

Commented [Maddocks8]: Delete clause 36(8) as compliance with signs is addressed in clause 48(4).



~~(13)~~(12) remain in a **municipal place** while under the influence of alcohol or any prohibited drug; or

~~(14)~~(13) remain on **Council land** or a **road** after being directed to leave by an **Authorised Officer** or a **Council** staff member.

36-37. 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 ~~during which~~ **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 **Council 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.

37-38. 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**.

38-39. 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**.

39-40. 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 like thing.

40-41. 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.

41-42. Use of toy vehicles ~~or aircraft~~

- (1) A **person** must not use or allow to be used a **wheeled toy, wheeled recreational device**, ~~or 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**, ~~or motorised toy vehicle or model aircraft~~ is used or can be used, to be Council land or a road on which the presence of a wheeled toy, wheeled recreational device or motorised toy vehicle is prohibited, if the use of these items is reasonably likely to endanger, intimidate or unduly obstruct any other **person** or **vehicle** lawfully using or

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intending to use the same area or damage property to **Council land** or a **road** or a **Council asset**.

- (3) Any Council land or road that is the subject of a prohibition in accordance with clause 42(2) must be listed on Council's website.
- (4) A person must not act contrary to any prohibition determined in accordance with clause 42(2).

42-43. 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.*

43-44. 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 **in any public place** ~~road~~ unless it is set aside for vehicle use or parking or it is a road or designated roadway.

Commented [Maddocks9]: The amendment is designed to prevent overreach, and avoid purporting to regulate the use of vehicles on roads (as distinct from Council land and most public places).

44-45. 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**.

45-46. 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.*



46-47. 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.

47-48. Signs

- (1) Without a **permit** or ~~an appropriate licence entered into with Council 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 who has entered into a licence with Council for the purposes of clause 48(1) must comply with any conditions in a permit or of the 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**.

48-49. 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-thing~~ for the purpose of selling or offering for sale any goods or services or conducting a raffle or lottery.

49-50. 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 ~~or~~ 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 ~~C~~clause 50.

50-51. Event and busking on Council land

Without a **permit** ~~or Council's consent~~, a **person** must not hold or allow to be held a function ~~or event, busking~~ or ~~engage in busking or other form of~~ 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.*

51-52. 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 ~~on or in their 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 ~~C~~clause ~~5252(1)(4)~~, 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 ~~C~~clause ~~5252(2)(2)~~ must comply with that direction.
- (4) ~~If Council makes a determination in accordance with clause 5252(1)(4) the details must appear on Council's website.~~

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52-53. 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 ~~C~~clause ~~5353(1)(4)~~, 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 ~~C~~clause ~~5353(2)(2)~~ must comply with that direction.
- (4) In addition to the **smoke-free areas** identified in ~~Schedule 2~~~~Schedule 2~~ of this Local Law, ~~the~~ **Council** may **determine**, by resolution, any other area within the **municipality** to be a **smoke free area**.

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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** ~~permits~~, as a means of regulating **building work** which has potential to damage **Council land** or **assets**.*

~~53-54.~~ 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) requiring ~~ing~~ 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 a~~ relevant ~~and specified~~ legislative framework;
 - (d) requiring ~~ing~~ entry to and exit from the **building site** only at ~~or from~~ designated locations; and
 - (e) addressing ~~ing~~ any other matter referred to in this Part.
- (3) Clause 54(1) does not apply where **minor building work** is being undertaken.

~~54-55.~~ 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-regulated~~ 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**.

~~55-56.~~ 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**.

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- (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) **any** 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**.

56-57. 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) **the presence of** an onsite and functioning toilet facility;
- (2) access **within and to and from the building site** for the emptying and collection of **temporary waste from the** 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 **on the building site**;
- (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) ~~the presence of~~ a litter container ~~on the building site~~ with a lid of sufficient size;
 - (6) emergency contact details ~~being~~ clearly displayed ~~on the building site~~;
 - (7) a temporary or permanent fence to a minimum height of 1.8 metres that is fully contained within the ~~building site~~ ~~private land~~, that secures the ~~building site~~ ~~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** ~~is confined to on~~ the **building site** unless otherwise directed by an **Authorised Officer**;
 - (10) ~~store~~ all building related material ~~is stored~~ on the **building site**;
 - (11) ~~place~~ all litter capable of being blown from the **building site** ~~is placed~~ in a suitable litter container ~~kept on the building site~~;
 - (12) ~~prevent~~ any sediment, mud, erosion, potential stormwater pollutants or other site run off ~~is prevented~~ 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** ~~are managed~~ 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** ~~is not permitted~~ 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 ~~unsafe any~~ pedestrian or vehicular traffic in the immediate area ~~unsafe~~.

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57-58. 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.

58-59. Drains

- (1) The **owner** or **occupier of private land** or **property manager of private land** 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 be damaged~~, obstructed, or interfere ~~dace~~ with any 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**.

59-60. 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 from a vehicle being cleaned.



- (3) If the person driving or in charge of a **vehicle** that is used in the commission of an offence under ~~C~~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 ~~C~~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**.

60-61. 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 a **utility**.

61-62. 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~~ **has** a properly constructed and maintained **vehicle crossing** approved by an **Authorised Officer**.
- (3) An **Authorised Officer** may direct ~~the an owner or occupier or property manager of private land to do any of the following:~~
 - (a) ~~the construction~~ **ion of** ~~of a~~ a **temporary vehicle crossing** or **vehicle crossing**;
 - (b) ~~the repair or reconstruction~~ **ion of** ~~of a~~ a **temporary vehicle crossing** or **vehicle crossing**;
 - (c) ~~the removal~~ **al of** ~~of a~~ a redundant **temporary vehicle crossing** or **vehicle crossing**; or

Commented [Maddocks10]: This provision has been rewritten to make clearer the connection with adjacent land. There is no substantive change from what was previously drafted and exhibited as part of Council's community engagement process.



(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~~
by the owner, occupier or property manager of adjacent land at the cost of such owner, occupier or property manager at their own cost.

- (4) An **owner** or **occupier** or **property manager** of **private land** to whom a direction is given under ~~C~~clause 62(3) must comply with that direction.

62-63. 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 a **road**;
 - (b) any **building**, structure, ~~or~~ infrastructure or any other thing on **Council land** or a **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 ~~C~~clause 63(1).

63-64. 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 a **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**.*

64-65. 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.

65-66. 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 held in connection with the business** will cease and an application for a new **permit** will be required **by the person operating that business**.

66-67. Fees and charges

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



67-68. 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.

68-69. 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 ~~C~~clause 69(1).

69-70. 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 ~~application permit~~ might affect the activities or enjoyment of another **person** or group;
 - (e) the need to protect assets or infrastructure of **Council** or a ~~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 a ~~Utility~~;
 - (h) any relevant **Council** policies and guidelines;



~~(i)~~ any policies, codes of practice, standards or guidelines used as reference by Council;

~~(ii)~~ any submission or comments that may be received in respect of the application; and

~~(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 then 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 ~~or amended in the manner proposed~~.
- (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.

~~70-71.~~ Cancellation of a permit

- (1) Council or an Authorised Officer may cancel a permit if ~~they~~ considers that:
 - (a) there has been a serious or ongoing breach of any of the conditions of the permit;
 - (b) a Notice to Comply has been issued ~~in connection with the permit~~, but not complied with ~~after~~ within the time specified in the Notice to Comply;
 - (c) there was a significant error or misrepresentation in the application for the permit; or
 - (d) 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 then 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.

~~71-72.~~ 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**.

72-73. Security Bonds

- (1) In deciding to ~~grant~~^{issue} 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 ~~C~~lause 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.

73-74. 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.*

74-75. 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.

75-76. 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 ~~C~~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 ~~C~~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.

76-77. 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.

77-78. 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.

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78-79. 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**.

79-80. 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/contravention 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, ~~or 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

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- (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 ~~C~~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.

80-81. 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 must~~ 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**.

81-82. 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**;

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- (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.

82-83. 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 ~~C~~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

~~83-84.~~ ~~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.

~~84-85.~~ 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	10	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,	3	5

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Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
	charge, hire agreement or authorised instruction in relation to a Council land and municipal place		
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
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

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Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
70(5) & (6)	Fail to comply with a permit, <u>or engage in misleading conduct</u>	5	15
80(6)	Failing to comply with a direction or Notice to Comply	5	15

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Schedule 2 – Smoke Free Areas

Part A – Smoke Free Areas

The following areas are **smoke free areas** for the purposes of ~~C~~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**.

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Amenity Local Law 2026



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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 1 January 2027.

5. When does this Local Law end?

This **Local Law** ceases to operate on 1 January 2037, 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 **Council**.
- (b) This **Local Law** does not apply where any act or thing is authorised or exclusively regulated by or under any Act, Rule, Regulation or the **Planning Scheme**.

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 functions.

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.

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 activity.

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**.

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 or other theatrical or visual performances.

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 *Corporations 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 or on behalf of **Council** for the purposes of waste collection and disposal.

Declared significant tree means a tree **determined** to be a significant tree.

Declared significant vegetation means vegetation that is **determined** to be significant vegetation.

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

Detrimental means, in relation to **private land** and **buildings**, in a state of neglect or 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 installed for the purpose or apparent purpose of the collection of donated items.

Environmental weed means any vegetation that is **determined** to be an environmental weed and includes any vegetation listed on the **List of Environmental Weeds**.

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 means any inscription, word, figure, marking, painting, drawing, symbol, etching, scratching or other defacement that is written, marked, scratched, sprayed, painted or otherwise applied to the exterior of any **building** or other structure without the consent of the owner or person in charge of the **building** or structure. :

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 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

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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** and notified by **Council** or an **Authorised Officer** to the person in charge of a **building site** as being low risk, established upon assessing the risk of the **building work** causing damage to **Council land** and **Council assets**.

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).

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 proprietor 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 *Associations 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 any 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**.

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; and
- (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 (whichever is the longer) in a dwelling on **private land** for commercial gain, excluding



other accommodation premises required to be registered as such under legislation enacted by Parliament.

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 thereon 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 a Commonwealth, State or local government election.

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** or developer of 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** or developer of or builder responsible for the **building site**.

Small bird means any budgerigar, canary, finch or other similar sized 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) and shown as such on **Council's** website.

Street furniture means tables and chairs, stools and benches, umbrellas, heaters, planter boxes, 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**.

Unsightly 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 other structure (including but not limited to an exterior fence).



Use of Waste Collection Services Policy means the Use of Waste Collection Services Policy adopted by **Council** on 20 May 2020 as 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) | <i>a bicycle;</i> |
| (iii) | <i>an electric scooter (whether or not the electric scooter is a motor vehicle);</i> |
| (iv) | <i>an electric personal transporter;</i> |
| (v) | <i>a wheelchair or wheeled toy;</i> |
| (vi) | <i>a scooter that is a motor vehicle;</i> |

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 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 on that land any matter, hazardous substance or thing which is dangerous or likely to cause danger to health, life or property.

12. Unsightly land

An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that 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 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

- (1) Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not cause or allow any vegetation on that 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 interfere 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 land to encroach on or over any **Council land** or **road**.
- (3) Without a **permit**, a **person** 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:

- (1) not cause or allow a **building** located on that **private land** to:
 - (a) become **dilapidated**; or
 - (b) become further **dilapidated**;
- (2) not fail to maintain any **building** on that **private land** in a state of good repair;
- (3) take all reasonable steps to secure the **private land** (including any **building** on that **private land**) from unauthorised access by a **person**, including, if required by **Council** or an **Authorised Officer**, by installing secure fencing, adequate locks and any other security options deemed necessary by **Council** or the **Authorised Officer**;
- (4) take reasonable steps to prevent or remedy the **private land** (including any **building** on that **private land**) from being a haven for regular anti-social or unlawful behaviour by a **person**; and
- (5) not allow any **graffiti** to remain on any **building**, exterior wall, exterior fence or other structure on that **private land**.

16. Heavy and long vehicles on private land

Without a **permit**, a **person** must not, on **private land**, park or store or allow another **person** to park or store 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 that **private land**.

Note: **Council** will exempt a **person** from the need for a **permit** if they are allowing a family member or friend to **camp** on their land overnight or for a short period. So, no **permit** will be required if, for example, a parent allows their children to sleep in a tent in the backyard overnight or for a few nights.



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:

- (1) 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
- (2) 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 of that land.
- (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 or 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:

- (1) during any period of twelve (12) months **Council** receives three (3) or more complaints to the effect that:
 - (a) a **person** on the **private land** has caused a **nuisance**; or
 - (b) a **person** on the **private land** has demonstrated anti-social behaviour that has unduly interfered with the use and enjoyment of another residential premises; and



- (2) **Council** or an **Authorised Officer** concludes that each or at least three of the complaints is substantiated.
- (3) **Council** must, where practicable, ensure that the relevant **owner, occupier or property manager** of the **private land** in respect of which the complaint has been made is given notice of the:
 - (a) substance of each complaint and an opportunity to make a submission on whether the complaint should be substantiated; and
 - (b) conclusion of **Council** or the **Authorised Officer** as to whether the complaint has been substantiated.

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 on that land 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) Any type of vegetation **determined** by **Council** to be an **environmental weed** under clause 23(1) must be listed on the **List of Environmental Weeds**.
- (3) The **List of Environmental Weeds** is incorporated into and forms part of this **Local Law**.
- (4) An **owner** or **occupier** or **property manager** of **private land** of two (2) hectares or less must not cause or allow any **environmental weed** 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) Nothing in clause 24(1) affects any right of **Council** to recover compensation from a **person** who has breached clause 24(1), with such compensation to be sought on the basis of the **net gain** principle.



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 land, immediately remove the 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 land, immediately destroy the nest.
- (3) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that 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 land, immediately:
 - (a) destroy any **vermin** on that land; or
 - (b) remove or rectify any conditions on the land which are conducive to the harbouring, breeding or feeding of **vermin**.
- (5) Clauses 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

- (1) Nothing in this clause 26 permits a person to light a fire during a declared Fire Danger Period (including a day of Total Fire Ban) 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*. With the exception of clause 26, nor does anything in this clause permit a person to light a fire during the months of June & July.
- (2) In this clause 26, "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.
- (3) **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**

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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 are 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/>

(4) Regulation of Open Air Burning

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

- (i) 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**.

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

- (i) 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**.
- (ii) A **person** must comply with the conditions of the **permit**.

(c) Permit may be issued

Upon application by a **person**, **Council** or an **Authorised Officer** may issue a **permit** in accordance with this Part 4 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 attract any of the requirements of clause 26.

(d) General Provisions

- (i) 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:
 - (A) the **open air** burning is only for fuel reduction for the purpose of fire prevention;
 - (B) only one fire can be lit respectively on a Thursday, Friday or Saturday during daylight hours;
 - (C) the fire is completely extinguished by the end of that day's daylight hour;
 - (D) the fire does not exceed one cubic metre in size;



- (E) the distance from the outer extremity of the fire to any other fuel is at least three metres, including above the fire;
 - (F) the fire is, at all times, supervised by an adult who has the capacity and means to extinguish the fire;
 - (G) sufficient fire protection equipment or an adequate water supply is readily available on site to control or extinguish the fire;
 - (H) at the site of the fire, the wind speed does not exceed 10 kilometres per hour;
 - (I) 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
 - (J) the **occupiers** of immediate surrounding land are notified of the fire in the **open air** at least twenty four (24) hours before it is lit.
- (ii) 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:
- (A) completely extinguish the fire; or
 - (B) ensure that an adult person who has the capacity and means to extinguish the fire remains at all times in charge of the fire.
- (iii) 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:
- (A) a barbecue, pizza oven or other properly constructed appliance is being used for cooking food;
 - (B) a fire in a brazier, fire pit or chimenea is being used for heating;
 - (C) a tool of trade is being used for the purpose for which it was designed;
 - (D) a fire is lit during the course of duty by a member of a fire and emergency services agency; or
 - (E) a fire is lit for the purpose of enjoying a recognised cultural practice or practising a religion.

(e) Restrictions on Open Air Burning on private land

- (i) 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:
 - (A) is offensive or a **nuisance** to another person in the vicinity, or which extends beyond the property boundary of that land;
 - (B) may cause a hazard to a **person's** health;



- (C) has an adverse impact on visibility beyond the property boundary of the land, including reducing the visibility of motorists and other users of a **road**; or
- (D) creates a hazard on or near a **road**.
- (ii) 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:
 - (A) green or wet vegetation;
 - (B) non timber based building materials;
 - (C) painted or treated timber;
 - (D) rubber or plastic, including plastic mulch, plant pots and packaging materials;
 - (E) furnishings or carpet;
 - (F) manufactured chemicals or pressurised cans;
 - (G) petroleum or oil products;
 - (H) paint or any container in which paint is or was kept;
 - (I) food waste;
 - (J) manure or straw;
 - (K) 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
 - (L) any other offensive, noxious, or toxic matter.

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

- (i) 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:
 - (A) a **road**;
 - (B) **Council land**;
 - (C) Crown land; or
 - (D) any **public place**

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

- (ii) The restrictions in clause 26(e) apply to any fire lit in accordance with clause 26(f)(i).



(g) Direction to Extinguish Fires

A **person** who has lit or allowed a fire in the **open air** to be lit contrary to any of the provisions in this clause 26 or any condition contained in a **permit**, must **extinguish** the fire immediately on being directed to do so by:

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

(h) 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:

- (1) the service provided is at a standard and frequency equivalent to or greater that provided by **Council**;
- (2) any bin used in connection with the service is kept in a clean and sanitary condition; and
- (3) any bin used in connection with the service 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** or a **road**.
- (2) Where an **owner** or **occupier** of **private land** has stored or stores **commercial waste** in a bin 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 from the bin, 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 used or designed to be used for the purpose of residential waste collection and disposal; or
 - (e) in a **Council supplied bin** that is used or designed to be used for commercial collection without the permission of the **owner** or **occupier** of the land for which that bin was issued.
- (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** 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 allowed to remain on a nature strip or other part of a **road** for the purpose of emptying for longer than 48 hours;
 - (b) a **person** or the **owner** or **occupier** must not place a **commercial waste** bin from commercial premises out for collection on a **road** prior to 4.00pm on the day before the day of 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** must ensure that any **commercial waste** bin they have placed on a **road** for the purpose of collection or allowed to be so placed does not cause any obstruction or danger to any **person**; and
 - (d) a **person** who has placed a **commercial waste** bin on a **road** for the purpose of collection or the **owner** or **occupier** must repair any damage to the **road** or any works



in or on the **road**, including a **vehicle crossing**, that results from placing the **commercial waste** bin on the **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 land any more in number for each animal than is set out in the following table:

Type of animal	Number of Animals ¹
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.

- (2) The limitations and restrictions in this Part do not prohibit the keeping of any animals if a planning permit is required for the keeping of the animals 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 Organisation², if required under legislation.
- (5) Unless specifically permitted under a **Planning Scheme** or any Act, a **person** must not keep a **rooster** on any **private land**.

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.

² These are specific bodies accredited by State Government (such as the Minister for Agriculture under the *Domestic Animals Act 1994*) that are authorised to train and accredit assistance animals, e.g., Dogs Victoria.



- (6) Unless specifically permitted under a **Planning Scheme** or any Act, a **person** must not keep **livestock** on any **private land** which is less than 4,000 square metres in area.

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 animals and welfare needs of each animal;
 - (d) is maintained in good repair so as to not cause a **nuisance** to **occupiers** of neighbouring properties;
 - (e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an **Authorised Officer**; and
 - (f) is kept clear of materials which may harbour **vermin**.
- (2) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which an animal is housed must ensure that animal food is stored to prevent access by **vermin**.

32. Private land adequately fenced

- (1) Unless clause 32(2) applies, the **owner** of an animal and the **owner** or **occupier** of the **private land** on which an 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**.
- (2) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which an animal is kept may install and maintain an enclosure for the animal to be kept on the **private land** to prevent the animal from escaping.
- (3) Any enclosure installed and maintained for the purposes of clause 32(2) must comply with any 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 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 on the **road** or **Council land**.



- (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 on the **road** or **Council land**.

34. **Animal noise and odour**

The **owner** of an animal and the **owner** or **occupier** of the **private land** on which an 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**.

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, cause damage to any land or cause a **nuisance**.



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 **Council land** or a **road** by other persons;
- (3) act in a manner which endangers any other person on **Council land** or a **road**;
- (4) use indecent, insulting, offensive or abusive language on **Council land** or a **road**;
- (5) behave in an indecent, offensive, insulting, or riotous manner on **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) without a **permit**, erect, operate or cause to be erected or operated any amusement on **Council land** or a **road**;
- (9) obstruct, hinder, or interfere with a **Council** staff member in the performance of their duties on **Council land** or a **road**;
- (10) 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;
- (11) without a **permit**, make any wager for money or engage in any form of gambling on **Council land** or a **road**;
- (12) remain in a **municipal place** while under the influence of alcohol or any prohibited drug; or



- (13) 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**, **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 during which **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 **Council 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**, **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 like 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

- (1) A **person** must not use or allow to be used a **wheeled toy**, **wheeled recreational device** or **motorised toy vehicle** 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** or **motorised toy vehicle** is used or can be used, to be **Council land** or a **road** on which the presence of a **wheeled toy**, **wheeled recreational device** or **motorised toy vehicle** is 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**.



- (3) Any **Council land** or **road** that is the subject of a prohibition in accordance with clause 42(2) must be listed on **Council's** website.
- (4) A **person** must not act contrary to any prohibition **determined** in accordance with clause 42(2).

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 in any **public place** unless it is set aside for **vehicle** use or parking or it is a **road** or 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 a licence entered into with **Council**, 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) A **person** who has entered into a licence with **Council** for the purposes of clause 48(1) must comply with any conditions of the licence.
- (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 thing 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 or 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** or **Council's** consent, a **person** must not hold or allow to be held a function or **event** or engage in **busking** or other form of 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 on or in the **Council land**, **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.
- (4) If **Council** makes a **determination** in accordance with clause 52(1) the details must appear on **Council's** website.

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 to this Local Law, **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 permits**, 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**.
- (2) An **asset protection permit** may be subject to such conditions as **Council** or an **Authorised Officer** determines, including:
 - (a) requiring the payment of an **asset protection permit** fee;
 - (b) requiring the payment of a security bond;
 - (c) requiring 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 a relevant and specified legislative framework;
 - (d) requiring entry to and exit from the **building site** only at or from designated locations; and
 - (e) addressing 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** regulated 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 **building work**, 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) any 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 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 work undertaken by **Council** 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) the presence of an onsite and functioning toilet facility;
- (2) access within and to and from the **building site** for the emptying and collection of waste from the toilet facility;
- (3) a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility on the **building site**;
- (4) 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) the presence of a litter container on the **building site** with a lid of sufficient size;
 - (6) emergency contact details being clearly displayed on the **building site**;
 - (7) a temporary or permanent fence to a minimum height of 1.8 metres that is fully contained within the **building site**, that secures the **building site** and is to the satisfaction of an **Authorised Officer**;
 - (8) the **building site** is provided with clearly legible and clear **site identification**;
 - (9) all approved **building work** is confined to the **building site** unless otherwise directed by an **Authorised Officer**;
 - (10) all building related material is stored on the **building site**;
 - (11) all litter capable of being blown from the **building site** is placed in a suitable litter container kept on the **building site**;
 - (12) any sediment, mud, erosion, potential stormwater pollutants or other site run off is prevented from leaving the **building site**;
 - (13) 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) 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) any dust or air pollutants from the **building site** are managed to minimise **nuisance**;
 - (16) **vehicle** access to the **building site** is via a **vehicle crossing** or a **temporary vehicle crossing**;
 - (17) 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) any **vehicle** is not permitted to deposit any mud, sediment, slurry or similar material from the **building site** in any **public place**; and
 - (19) **building work** does not render unsafe any pedestrian or vehicular traffic in the immediate area.



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** or **property manager** of **private land** 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 be damaged, obstructed, or interfered with any 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 to be deposited onto a **road** or into a drain from a **vehicle** being cleaned.
- (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 a **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** has a properly constructed and maintained **vehicle crossing** approved by an **Authorised Officer**.
- (3) An **Authorised Officer** may direct the:
 - (a) construction of a **temporary vehicle crossing** or **vehicle crossing**;
 - (b) repair or reconstruction of a **temporary vehicle crossing** or **vehicle crossing**;
 - (c) removal of a redundant **temporary vehicle crossing** or **vehicle crossing**; or
 - (d) reinstatement of any kerb, channel, footpath or other area to the satisfaction of an **Authorised Officer**



by the **owner, occupier or property manager** of adjacent land at the cost of such **owner, occupier or property manager**.

- (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 a **road**;
 - (b) any **building**, structure, infrastructure or any other thing on **Council land** or a **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 a **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** held in connection with the business will cease and an application for a new **permit** will be required by the **person** operating that business.

67. Fees and charges

- (1) **Council** may **determine**:
 - (a) the quantum of any **permit** fee, **asset protection permit** 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 application might affect the activities or enjoyment of another **person** or group;
 - (e) the need to protect assets or infrastructure of **Council** or a **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 a **utility**;
 - (h) any relevant **Council** policies and guidelines;



- (i) any policies, codes of practice, standards or guidelines used as reference by **Council**;
 - (j) any submission or comments that may be received in respect of the application; and
 - (k) any other matter.
- (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 then 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 or amended in the manner proposed.
- (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 they consider that:
- (a) there has been a serious or ongoing breach of any of the conditions of the **permit**;
 - (b) a **Notice to Comply** has been issued in connection with the **permit**, but not complied with within the time specified in the **Notice to Comply**;
 - (c) there was a significant error or misrepresentation in the application for the **permit**; or
 - (d) 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 then 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 issue 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 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 contravention 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**;
 - (d) direct the **person** to remove or cause to be removed any item, goods, equipment or other thing; or
 - (e) direct the **person** to leave an area within the time specified in the notice or direction.
- (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 must 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 **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. **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 **Council**;
 - (b) a person acting in that capacity; or
 - (c) if that position at **Council** ceases to exist, any **person** exercising any power, duty or function which was previously a power, duty or function of the previous position.



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	Unsightly 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	10	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,	3	5



Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
	charge, hire agreement or authorised instruction in relation to a Council land and municipal place		
38	Access to a municipal place	3	5
39	Camping on Council land or road or public place	3	N/A
40	Obstructions	3	10
41(1)	Leaving a shopping trolley	1	N/A
41(2) & (3)	Shopping trolleys	3	5
42	Use of toy vehicles	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



Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
70(5) & (6)	Fail to comply with a permit, or engage in misleading conduct	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 **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**, **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 **Council determining** the proposed **smoke free area**; and
6. any detriments to the community which would be caused by **Council determining** the proposed **smoke free area**.

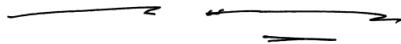
CERTIFICATE UNDER SECTION 74 OF THE *LOCAL GOVERNMENT ACT 2020*

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

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

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

Dated: 28 July 2026



.....
Mark Richard Hayes
Maddocks

knox

"MRH-1"



Draft

Knox Amenity Local Law 2026

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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.

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7. What does this Local Law apply to?

- (a) This **Local Law** applies throughout the whole of the **municipal district** of **Council**.
- (b) This **Local Law** does not apply where any act or thing is authorised or exclusively regulated by or under any Act, Rule, Regulation or the **Planning Scheme**.

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 functions.

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.

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 activity.

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**.

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 or other theatrical or visual performances.

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 *Corporations 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 or on behalf of **Council** for the purposes of waste collection and disposal.

Declared significant tree means a tree **determined** to be a significant tree.

Declared significant vegetation means vegetation that is **determined** to be significant vegetation.

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

Detrimental means, in relation to **private land** and **buildings**, in a state of neglect or 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 installed for the purpose or apparent purpose of the collection of donated items.

Environmental weed means any vegetation that is **determined** to be an environmental weed and includes any vegetation listed on the **List of Environmental Weeds**.

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 means any inscription, word, figure, marking, painting, drawing, symbol, etching, scratching or other defacement that is written, marked, scratched, sprayed, painted or otherwise applied to the exterior of any **building** or other structure without the consent of the owner or person in charge of the **building** or structure. :

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 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

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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** and notified by **Council** or an **Authorised Officer** to the person in charge of a **building site** as being low risk, established upon assessing the risk of the **building work** causing damage to **Council land** and **Council assets**.

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).

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 proprietor 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 *Associations 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 any 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**.

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; and
- (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 (whichever is the longer) in a dwelling on **private land** for commercial gain, excluding



other accommodation premises required to be registered as such under legislation enacted by Parliament.

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 thereon 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 a Commonwealth, State or local government election.

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** or developer of 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** or developer of or builder responsible for the **building site**.

Small bird means any budgerigar, canary, finch or other similar sized 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) and shown as such on **Council's** website.

Street furniture means tables and chairs, stools and benches, umbrellas, heaters, planter boxes, 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 other structure (including but not limited to an exterior fence).



Use of Waste Collection Services Policy means the Use of Waste Collection Services Policy adopted by **Council** on 20 May 2020 as 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)*

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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) | <i>a bicycle;</i> |
| (iii) | <i>an electric scooter (whether or not the electric scooter is a motor vehicle);</i> |
| (iv) | <i>an electric personal transporter;</i> |
| (v) | <i>a wheelchair or wheeled toy;</i> |
| (vi) | <i>a scooter that is a motor vehicle;</i> |

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;

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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 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 on that land any matter, hazardous substance or thing which is dangerous or likely to cause danger to health, life or property.

12. Unsightly land

An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that 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 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

- (1) Without a **permit**, an **owner** or **occupier** or **property manager** of **private land** must not cause or allow any vegetation on that 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 interfere 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 land to encroach on or over any **Council land** or **road**.
- (3) Without a **permit**, a **person** 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:

- (1) not cause or allow a **building** located on that **private land** to:
 - (a) become **dilapidated**; or
 - (b) become further **dilapidated**;
- (2) not fail to maintain any **building** on that **private land** in a state of good repair;
- (3) take all reasonable steps to secure the **private land** (including any **building** on that **private land**) from unauthorised access by a **person**, including, if required by **Council** or an **Authorised Officer**, by installing secure fencing, adequate locks and any other security options deemed necessary by **Council** or the **Authorised Officer**;
- (4) take reasonable steps to prevent or remedy the **private land** (including any **building** on that **private land**) from being a haven for regular anti-social or unlawful behaviour by a **person**; and
- (5) not allow any **graffiti** to remain on any **building**, exterior wall, exterior fence or other structure on that **private land**.

16. Heavy and long vehicles on private land

Without a **permit**, a **person** must not, on **private land**, park or store or allow another **person** to park or store 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 that **private land**.

Note: **Council** will exempt a **person** from the need for a **permit** if they are allowing a family member or friend to **camp** on their land overnight or for a short period. So, no **permit** will be required if, for example, a parent allows their children to sleep in a tent in the backyard overnight or for a few nights.



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:

- (1) 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
- (2) 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 of that land.
- (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 or 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:

- (1) during any period of twelve (12) months **Council** receives three (3) or more complaints to the effect that:
 - (a) a **person** on the **private land** has caused a **nuisance**; or
 - (b) a **person** on the **private land** has demonstrated anti-social behaviour that has unduly interfered with the use and enjoyment of another residential premises; and

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- (2) **Council** or an **Authorised Officer** concludes that each or at least three of the complaints is substantiated.
- (3) **Council** must, where practicable, ensure that the relevant **owner, occupier or property manager** of the **private land** in respect of which the complaint has been made is given notice of the:
 - (a) substance of each complaint and an opportunity to make a submission on whether the complaint should be substantiated; and
 - (b) conclusion of **Council** or the **Authorised Officer** as to whether the complaint has been substantiated.

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 on that land 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) Any type of vegetation **determined** by **Council** to be an **environmental weed** under clause 23(1) must be listed on the **List of Environmental Weeds**.
- (3) The **List of Environmental Weeds** is incorporated into and forms part of this **Local Law**.
- (4) An **owner** or **occupier** or **property manager** of **private land** of two (2) hectares or less must not cause or allow any **environmental weed** 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) Nothing in clause 24(1) affects any right of **Council** to recover compensation from a **person** who has breached clause 24(1), with such compensation to be sought on the basis of the **net gain** principle.



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 land, immediately remove the 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 land, immediately destroy the nest.
- (3) An **owner** or **occupier** or **property manager** of **private land** must not cause or allow that 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 land, immediately:
 - (a) destroy any **vermin** on that land; or
 - (b) remove or rectify any conditions on the land which are conducive to the harbouring, breeding or feeding of **vermin**.
- (5) Clauses 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

- (1) Nothing in this clause 26 permits a person to light a fire during a declared Fire Danger Period (including a day of Total Fire Ban) 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*. With the exception of clause 26, nor does anything in this clause permit a person to light a fire during the months of June & July.
- (2) In this clause 26, "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.
- (3) **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**

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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 are 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/>

(4) Regulation of Open Air Burning

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

- (i) 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**.

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

- (i) 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**.
- (ii) A **person** must comply with the conditions of the **permit**.

(c) Permit may be issued

Upon application by a **person**, **Council** or an **Authorised Officer** may issue a **permit** in accordance with this Part 4 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 attract any of the requirements of clause 26.

(d) General Provisions

- (i) 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:
 - (A) the **open air** burning is only for fuel reduction for the purpose of fire prevention;
 - (B) only one fire can be lit respectively on a Thursday, Friday or Saturday during daylight hours;
 - (C) the fire is completely extinguished by the end of that day's daylight hour;
 - (D) the fire does not exceed one cubic metre in size;



- (E) the distance from the outer extremity of the fire to any other fuel is at least three metres, including above the fire;
 - (F) the fire is, at all times, supervised by an adult who has the capacity and means to extinguish the fire;
 - (G) sufficient fire protection equipment or an adequate water supply is readily available on site to control or extinguish the fire;
 - (H) at the site of the fire, the wind speed does not exceed 10 kilometres per hour;
 - (I) 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
 - (J) the **occupiers** of immediate surrounding land are notified of the fire in the **open air** at least twenty four (24) hours before it is lit.
- (ii) 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:
- (A) completely extinguish the fire; or
 - (B) ensure that an adult person who has the capacity and means to extinguish the fire remains at all times in charge of the fire.
- (iii) 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:
- (A) a barbecue, pizza oven or other properly constructed appliance is being used for cooking food;
 - (B) a fire in a brazier, fire pit or chimenea is being used for heating;
 - (C) a tool of trade is being used for the purpose for which it was designed;
 - (D) a fire is lit during the course of duty by a member of a fire and emergency services agency; or
 - (E) a fire is lit for the purpose of enjoying a recognised cultural practice or practising a religion.

(e) Restrictions on Open Air Burning on private land

- (i) 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:
 - (A) is offensive or a **nuisance** to another person in the vicinity, or which extends beyond the property boundary of that land;
 - (B) may cause a hazard to a **person's** health;



- (C) has an adverse impact on visibility beyond the property boundary of the land, including reducing the visibility of motorists and other users of a **road**; or
- (D) creates a hazard on or near a **road**.
- (ii) 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:
 - (A) green or wet vegetation;
 - (B) non timber based building materials;
 - (C) painted or treated timber;
 - (D) rubber or plastic, including plastic mulch, plant pots and packaging materials;
 - (E) furnishings or carpet;
 - (F) manufactured chemicals or pressurised cans;
 - (G) petroleum or oil products;
 - (H) paint or any container in which paint is or was kept;
 - (I) food waste;
 - (J) manure or straw;
 - (K) 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
 - (L) any other offensive, noxious, or toxic matter.

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

- (i) 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:
 - (A) a **road**;
 - (B) **Council land**;
 - (C) Crown land; or
 - (D) any **public place**

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

- (ii) The restrictions in clause 26(e) apply to any fire lit in accordance with clause 26(f)(i).



(g) Direction to Extinguish Fires

A **person** who has lit or allowed a fire in the **open air** to be lit contrary to any of the provisions in this clause 26 or any condition contained in a **permit**, must **extinguish** the fire immediately on being directed to do so by:

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

(h) 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:

- (1) the service provided is at a standard and frequency equivalent to or greater that provided by **Council**;
- (2) any bin used in connection with the service is kept in a clean and sanitary condition; and
- (3) any bin used in connection with the service 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** or a **road**.
- (2) Where an **owner** or **occupier** of **private land** has stored or stores **commercial waste** in a bin 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 from the bin, 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 used or designed to be used for the purpose of residential waste collection and disposal; or
 - (e) in a **Council supplied bin** that is used or designed to be used for commercial collection without the permission of the **owner** or **occupier** of the land for which that bin was issued.
- (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** 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 allowed to remain on a nature strip or other part of a **road** for the purpose of emptying for longer than 48 hours;
 - (b) a **person** or the **owner** or **occupier** must not place a **commercial waste** bin from commercial premises out for collection on a **road** prior to 4.00pm on the day before the day of 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** must ensure that any **commercial waste** bin they have placed on a **road** for the purpose of collection or allowed to be so placed does not cause any obstruction or danger to any **person**; and
 - (d) a **person** who has placed a **commercial waste** bin on a **road** for the purpose of collection or the **owner** or **occupier** must repair any damage to the **road** or any works



in or on the **road**, including a **vehicle crossing**, that results from placing the **commercial waste** bin on the **road** or emptying it.

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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 land any more in number for each animal than is set out in the following table:

Type of animal	Number of Animals ¹
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.

- (2) The limitations and restrictions in this Part do not prohibit the keeping of any animals if a planning permit is required for the keeping of the animals 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 Organisation², if required under legislation.
- (5) Unless specifically permitted under a **Planning Scheme** or any Act, a **person** must not keep a **rooster** on any **private land**.

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.

² These are specific bodies accredited by State Government (such as the Minister for Agriculture under the *Domestic Animals Act 1994*) that are authorised to train and accredit assistance animals, e.g., Dogs Victoria.



- (6) Unless specifically permitted under a **Planning Scheme** or any Act, a **person** must not keep **livestock** on any **private land** which is less than 4,000 square metres in area.

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 animals and welfare needs of each animal;
 - (d) is maintained in good repair so as to not cause a **nuisance** to **occupiers** of neighbouring properties;
 - (e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an **Authorised Officer**; and
 - (f) is kept clear of materials which may harbour **vermin**.
- (2) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which an animal is housed must ensure that animal food is stored to prevent access by **vermin**.

32. Private land adequately fenced

- (1) Unless clause 32(2) applies, the **owner** of an animal and the **owner** or **occupier** of the **private land** on which an 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**.
- (2) The **owner** of an animal and the **owner** or **occupier** of the **private land** on which an animal is kept may install and maintain an enclosure for the animal to be kept on the **private land** to prevent the animal from escaping.
- (3) Any enclosure installed and maintained for the purposes of clause 32(2) must comply with any 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 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 on the **road** or **Council land**.



- (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 on the **road** or **Council land**.

34. **Animal noise and odour**

The **owner** of an animal and the **owner** or **occupier** of the **private land** on which an 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**.

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, cause damage to any land or cause a **nuisance**.

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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 **Council land** or a **road** by other persons;
- (3) act in a manner which endangers any other person on **Council land** or a **road**;
- (4) use indecent, insulting, offensive or abusive language on **Council land** or a **road**;
- (5) behave in an indecent, offensive, insulting, or riotous manner on **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) without a **permit**, erect, operate or cause to be erected or operated any amusement on **Council land** or a **road**;
- (9) obstruct, hinder, or interfere with a **Council** staff member in the performance of their duties on **Council land** or a **road**;
- (10) 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;
- (11) without a **permit**, make any wager for money or engage in any form of gambling on **Council land** or a **road**;
- (12) remain in a **municipal place** while under the influence of alcohol or any prohibited drug; or



- (13) 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**, **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 during which **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 **Council 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, 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 like 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

- (1) A **person** must not use or allow to be used a **wheeled toy, wheeled recreational device** or **motorised toy vehicle** 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** or **motorised toy vehicle** is used or can be used, to be **Council land** or a **road** on which the presence of a **wheeled toy, wheeled recreational device** or **motorised toy vehicle** is 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**.



- (3) Any **Council land** or **road** that is the subject of a prohibition in accordance with clause 42(2) must be listed on **Council's** website.
- (4) A **person** must not act contrary to any prohibition **determined** in accordance with clause 42(2).

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 in any **public place** unless it is set aside for **vehicle** use or parking or it is a **road** or 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:

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- (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 a licence entered into with **Council**, 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) A **person** who has entered into a licence with **Council** for the purposes of clause 48(1) must comply with any conditions of the licence.
- (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 thing 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 or 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** or **Council's** consent, a **person** must not hold or allow to be held a function or **event** or engage in **busking** or other form of 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 on or in the **Council land**, **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.
- (4) If **Council** makes a **determination** in accordance with clause 52(1) the details must appear on **Council's** website.

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 to this Local Law, **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 permits**, 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**.
- (2) An **asset protection permit** may be subject to such conditions as **Council** or an **Authorised Officer** determines, including:
 - (a) requiring the payment of an **asset protection permit** fee;
 - (b) requiring the payment of a security bond;
 - (c) requiring 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 a relevant and specified legislative framework;
 - (d) requiring entry to and exit from the **building site** only at or from designated locations; and
 - (e) addressing 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** regulated 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 **building work**, the subject of the **asset protection permit**.

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- (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) any 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 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 work undertaken by **Council** 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) the presence of an onsite and functioning toilet facility;
- (2) access within and to and from the **building site** for the emptying and collection of waste from the toilet facility;
- (3) a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility on the **building site**;
- (4) 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) the presence of a litter container on the **building site** with a lid of sufficient size;
 - (6) emergency contact details being clearly displayed on the **building site**;
 - (7) a temporary or permanent fence to a minimum height of 1.8 metres that is fully contained within the **building site**, that secures the **building site** and is to the satisfaction of an **Authorised Officer**;
 - (8) the **building site** is provided with clearly legible and clear **site identification**;
 - (9) all approved **building work** is confined to the **building site** unless otherwise directed by an **Authorised Officer**;
 - (10) all building related material is stored on the **building site**;
 - (11) all litter capable of being blown from the **building site** is placed in a suitable litter container kept on the **building site**;
 - (12) any sediment, mud, erosion, potential stormwater pollutants or other site run off is prevented from leaving the **building site**;
 - (13) 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) 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) any dust or air pollutants from the **building site** are managed to minimise **nuisance**;
 - (16) **vehicle** access to the **building site** is via a **vehicle crossing** or a **temporary vehicle crossing**;
 - (17) 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) any **vehicle** is not permitted to deposit any mud, sediment, slurry or similar material from the **building site** in any **public place**; and
 - (19) **building work** does not render unsafe any pedestrian or vehicular traffic in the immediate area.



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** or **property manager** of **private land** 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 be damaged, obstructed, or interfered with any 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 to be deposited onto a **road** or into a drain from a **vehicle** being cleaned.
- (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**

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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 a **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** has a properly constructed and maintained **vehicle crossing** approved by an **Authorised Officer**.
- (3) An **Authorised Officer** may direct the:
- (a) construction of a **temporary vehicle crossing** or **vehicle crossing**;
 - (b) repair or reconstruction of a **temporary vehicle crossing** or **vehicle crossing**;
 - (c) removal of a redundant **temporary vehicle crossing** or **vehicle crossing**; or
 - (d) reinstatement of any kerb, channel, footpath or other area to the satisfaction of an **Authorised Officer**



by the **owner, occupier or property manager** of adjacent land at the cost of such **owner, occupier or property manager**.

- (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 a **road**;
 - (b) any **building**, structure, infrastructure or any other thing on **Council land** or a **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 a **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** held in connection with the business will cease and an application for a new **permit** will be required by the **person** operating that business.

67. Fees and charges

- (1) **Council** may **determine**:
 - (a) the quantum of any **permit** fee, **asset protection permit** 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 application might affect the activities or enjoyment of another **person** or group;
 - (e) the need to protect assets or infrastructure of **Council** or a **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 a **utility**;
 - (h) any relevant **Council** policies and guidelines;



- (i) any policies, codes of practice, standards or guidelines used as reference by **Council**;
 - (j) any submission or comments that may be received in respect of the application; and
 - (k) any other matter.
- (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 then 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 or amended in the manner proposed.
 - (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 they consider that:
 - (a) there has been a serious or ongoing breach of any of the conditions of the **permit**;
 - (b) a **Notice to Comply** has been issued in connection with the **permit**, but not complied with within the time specified in the **Notice to Comply**;
 - (c) there was a significant error or misrepresentation in the application for the **permit**; or
 - (d) 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 then 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**.

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73. Security Bonds

- (1) In deciding to issue 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 two (2) **penalty units** for each day after the finding of guilt or conviction for the offence during which the contravention continues.

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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 contravention 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**;
 - (d) direct the **person** to remove or cause to be removed any item, goods, equipment or other thing; or
 - (e) direct the **person** to leave an area within the time specified in the notice or direction.
- (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

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- (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 must 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 **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. **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 **Council**;
 - (b) a person acting in that capacity; or
 - (c) if that position at **Council** ceases to exist, any **person** exercising any power, duty or function which was previously a power, duty or function of the previous position.



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	10	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,	3	5



Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
	charge, hire agreement or authorised instruction in relation to a Council land and municipal place		
38	Access to a municipal place	3	5
39	Camping on Council land or road or public place	3	N/A
40	Obstructions	3	10
41(1)	Leaving a shopping trolley	1	N/A
41(2) & (3)	Shopping trolleys	3	5
42	Use of toy vehicles	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

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Clause	Offence	Infringement Notice Penalty Units for a natural person	Infringement Notice Penalty Units for a corporation
70(5) & (6)	Fail to comply with a permit, or engage in misleading conduct	5	15
80(6)	Failing to comply with a direction or Notice to Comply	5	15

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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 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**, **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 **Council determining** the proposed **smoke free area**; and
6. any detriments to the community which would be caused by **Council determining** the proposed **smoke free area**.

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	
			Section A: Preliminary	
			Part 1: Introductory	
1.1	Title This local law 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 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; and (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 and to achieve these objectives by: (d) 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; (e) 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	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 municipal district .			
1.3	What authorises this Local Law? This Local Law is made under section 111(1) of the Local Government Act 1989 and section 43 of the Domestic Animals Act 1994.	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.	Reference to Local Government Act 2020.
1.4	When does this local law commence? This Local Law commences on 1 July 2020.	4	When does this local law commence? This Local Law commences on TBD.	New Local Law operation date.
1.5	When does this Local Law end? Unless sooner revoked, in accordance with section 122 of the Local Government Act 1989, this Local Law is revoked on 1 July 2030.	5	When does this Local Law end? This Local Law ceases to operate on TBD, unless revoked sooner by Council.	New Local Law revocation date.
1.6	What does this local law replace? On the commencement of this Local Law, the Knox City Council General Provisions Local Law 2010 is revoked.	6	What does this local law replace? On the commencement of this Local Law, the Amenity Local Law 2020 is revoked.	Repeal existing Local Law.
1.7 to 1.10	What does this local law apply to? This Local Law applies throughout the whole of the municipal district of the Knox City Council. This Local Law does not apply where any act or thing is authorised by or under any Act, Rule, Regulation or the Planning Scheme. Council may declare, by resolution, private land that is being used for public purposes as Council land. Any private land declared under clause 1.9 must be:	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.	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 municipality ; 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.	Are there any exemptions from this local law? Council may, by resolution, 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.	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.	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 Local Law , other parts of speech and grammatical forms of that word or phrase have, unless the contrary intention appears, corresponding meanings.	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.	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	Definitions The Words identified in bold throughout this Local Law have the following meaning: Detailed definitions list available in Amenity Local Law 2020.	10	Definitions 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.	All definitions have been reviewed, updated and cross-referenced against other legislation. Deleted any references to model aircraft.
	Unsightly means a state or condition of a property characterised by the opinion of an Authorised Officer as having the presence of one or more of the following features or similar features: (a) excessive waste; and/or (b) discarded, rejected, surplus or abandoned solid or liquid materials; and/or (c) an accumulation of building waste and materials; and/or (d) unregistered vehicles; and/or (e) disassembled or incomplete vehicles, excessive machinery, machinery parts or similar; and/or (f) excessive dead, diseased or dying vegetation; and/or (g) excessively long grass and/or weeds; and/or (h) a disused excavation; and/or (i) anything being built which is left incomplete or any other thing which is a detriment to the appearance of the surrounding area.		Unsightly 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 other structure (including but not limited to an exterior fence).	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	
			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.		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.	
2.1 to 2.3 2.1 2.2 2.3	Condition of private land 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. An owner or occupier of private land must not cause or allow that private land to be kept in a manner which is unsightly or detrimental to the general amenity of the neighbourhood in which it is located. An owner or occupier of private land must not cause or allow that private land to be used in a manner so as to be detrimental to the amenity of the immediate area.	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 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 on that land any matter, hazardous substance or thing which is dangerous or likely to cause danger to health, life or property.	Expand provisions associated with condition of private land to also 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	
	No Clause	12	Unsightly Land An owner or occupier or property manager of private land must not cause or allow that land to be kept or used in a manner which is unsightly.	Expand provisions associated with condition of private land to include a property manager to include liability for rental properties. Unsightly land redefined to improve clarity and remove vagueness (see definitions)
	No Clause	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 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.	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.
2.4 to 2.5 2.4	Obstructions from private land Without a permit, an owner or occupier of private land must not allow any vegetation, sign, fence, structure or other thing on that private land to: (a) encroach over any Council land or road to a height less than 2.5 metres; (b) encroach 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.	14	Obstructions (1) Without a permit, an owner or occupier or property manager of private land must not cause or allow any vegetation on that 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	Combined clauses 2.4 & 2.5 and expanded to include a property manager to include liability for rental properties & include a sign, fence, structure or other thing on private land encroaching on or over Council 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	
2.5	Without a permit , an owner or occupier of private land must not encroach, place or allow to be placed any obstruction or other thing on Council land or road .		adjacent road or substantially interfere 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, a person must not place or allow to be placed, store or leave any obstruction or other thing on Council land or road.	
2.6 to 2.8	Dilapidated Buildings An owner or occupier of private land: (a) must not allow a building located on that private land to: (i) become dilapidated; or (ii) become dilapidated further; and (b) must not fail to maintain any building on that private land in a state of good repair. 2.7 The owner or occupier of private land on which there is a vacant dilapidated building must take all reasonable steps to secure the private land from unauthorised access. 2.8 For the purposes of sub-clause 2.6(a), a building is dilapidated if it is in a state of disrepair or has	15	Dilapidated Buildings An owner or occupier or property manager of private land must: (1) not cause or allow a building located on that private land to: (a) become dilapidated; or (b) become further dilapidated; (2) not fail to maintain any building on that private land in a state of good repair; (3) take all reasonable steps to secure the private land (including any building on that private land) from unauthorised access by a person, including, if required by Council or an Authorised Officer, by installing secure fencing, adequate locks and any other security options deemed necessary by Council or the Authorised Officer; (4) take reasonable steps to prevent or remedy the private land (including any building on that private land) from being	Expanded to include a property manager to include liability for rental properties. Included: • Vermin • Graffiti 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	
	deteriorated or fallen into a state of partial ruin as a result of age, neglect, poor maintenance or misuse.		a haven for regular anti-social or unlawful behaviour by a person ; and (5) not allow any graffiti to remain on any building , exterior wall, exterior fence or other structure on that private land .	
2.9	Heavy and long vehicles on Private Land Without a permit , a person must not, on private land keep or do any work on a vehicle which is 7.5 metres or more in length or 4.5 tonne or more in gross vehicle mass.	16	Heavy and long vehicles on Private Land Without a permit , a person must not, on private land , park or store or allow another person to park or store a vehicle which is 7.5 metres or more in length or 4.5 tonne or more in gross vehicle mass.	Cosmetic change
2.10	Temporary accommodation/camping on Private Land Without a permit , an owner or occupier of private land must not occupy or allow another person to occupy a caravan , vehicle , shed, tent or any other temporary, makeshift or like structure on private land .	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 that private land . Note: Council will exempt a person from the need for a permit if they are allowing a family member or friend to camp on their land overnight or for a short period. So, no permit will be required if, for example, a parent allows their children to sleep in a tent in the backyard overnight or for a few nights.	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	Property Numbers Council may allocate a property address to each property in the municipal district and, from time to time, may make changes to property addresses . 2.11 For each property that has been allocated a property address under clause 2.11, the owner or occupier must mark the private land 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	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	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	
2.13	repair as to be clearly readable from the road which the private land fronts, under all normal lighting conditions. An owner or occupier must not use an address other than the property address for the private land.		(c) kept in such a state of repair as to be clearly readable during daylight hours from the road which the property fronts.	
2.14	Intruder Alarms An owner or occupier of private land must not install or permit 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.	19	Intruder Alarms An owner or occupier or property manager of private land must not install or permit 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.	No change, except to include a property manager expand liability for rental properties.
	No Clause	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 of that land. (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 or offensive or cause a nuisance to any other person.	New clause to address nuisance lighting from private properties, 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	
	No Clause	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: (1) during any period of twelve (12) months Council receives three (3) or more complaints to the effect that: (a) a person on the private land has caused a nuisance; or (b) a person on the private land has demonstrated anti-social behaviour that has unduly interfered with the use and enjoyment of another residential premises; and (2) Council or an Authorised Officer concludes that each or at least three of the complaints is substantiated. (3) Council must, where practicable, ensure that the relevant owner, occupier or property manager of the private land in respect of which the complaint has been made is given notice of the: (a) substance of each complaint and an opportunity to make a submission on whether the complaint should be substantiated; and (b) conclusion of Council or the Authorised Officer as to whether the complaint has been substantiated.	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	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 on that land unless the Planning Scheme requires a planning permit for such use	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

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	
			and a planning permit under the Planning Scheme has been issued.	rental properties.
			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.		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.	
3.1 to 3.2 3.1 3.2	Environmental Weeds The Council may determine any type of vegetation to be an environmental weed to which this Local Law applies. An owner or occupier of private land of 2 hectares or less must not allow the private land to support the growth of any environmental weed as determined under clause 3.1.	23	Environmental Weeds (1) Council may determine any type of vegetation to be an environmental weed to which this Local Law applies. (2) Any type of vegetation determined by Council to be an environmental weed under clause 23(1) must be listed on the List of Environmental Weeds. (3) The List of Environmental Weeds is incorporated into and forms part of this Local Law. (4) An owner or occupier or property manager of private land of two (2) hectares or less must not cause or allow any environmental weed to be present on the private land.	Cosmetic change and expand a property manager liability for rental properties. Incorporate the List of Environmental Weeds in the Local Law.
3.3 to 3.5 3.3 3.4	Tree and Vegetation Protection Without a permit, a person must not cut, trim, lop, prune or allow to be cut, trimmed, lopped or pruned on any private land a declared significant tree or declared significant vegetation. Any person found guilty of an offence under clause 3.3 may be required by Council to provide restitution of vegetation based on a net gain principle.	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) Nothing in clause 24(1) affects any right of Council to recover compensation from a person who has breached clause 24(1), with such compensation to be sought on the basis of the net gain principle.	Cosmetic change

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
3.5	Any person subject to a requirement under clause 3.4 must satisfy that requirement.			
3.11 to 3.14	Pests on Private Land An owner or occupier of private land must, upon becoming aware of the existence of an unmanaged honey bee swarm on that private land , take immediate steps to cause the hive or swarm to be removed. An owner or occupier of private land must, upon becoming aware of the existence of a wasp nest on that private land , take immediate steps to cause the nest to be destroyed. An owner or occupier of private land 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.	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 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 land, immediately destroy the nest. (3) An owner or occupier or property manager of private land must not cause or allow that 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 land, immediately: (a) destroy any vermin on that land; or (b) remove or rectify any conditions on the land which are conducive to the harbouring, breeding or feeding of vermin . (5) Clauses 25 (3) and (4) do not apply to: (a) rats or mice bred or kept exclusively for research, scientific or educational purposes; or	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	
			(b) rats or mice bred or kept exclusively as domestic pets.	
			Part 6: Open Air Burning	
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 permit , a person must not light a fire or allow a fire to remain alight in the open air .		(1) Nothing in this clause 26 permits a person to light a fire during a declared Fire Danger Period (including a day of Total Fire Ban) 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. With the exception of clause 26(4)(d)(iii), nor does anything in this clause permit a person to light a fire during the months of June & July.	
3.7	Clause 3.6 does not apply to: (a) a tool of trade; (b) a barbeque 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 person authorised to engage in an activity for or on behalf of a public authority, (e) providing that no nuisance is caused by the emission of smoke, soot, ash or odours.		(2) In this clause 26, "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.	Add in cultural burning to comply with the Charter of Human Rights and Responsibilities Act 2006 (Vic).
3.8	A person who has lit or allowed a fire to remain alight contrary to clause 3.6 or any conditions in a permit , must extinguish the fire immediately on being directed to do so by an Authorised Officer .		(3) 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.	Add in extensive clauses with restrictions to provide clarity to the community.
3.9	No permit to burn will be issued during a declared fire danger period.		(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	
3.10				

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	An owner or occupier of private land must not construct, erect, install, allow to remain, use or permit to be used an incinerator on any private land .		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/ (4) Regulation of Open Air Burning (a) Open Air Burning – Private land falling within the BMO (i) 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. (b) Open Air Burning – Private land falling outside the BMO (i) 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.	

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(ii) A person must comply with the conditions of the permit. (c) Permit may be issued Upon application by a person, Council or an Authorised Officer may issue a permit in accordance with this Part 4 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 attract any of the requirements of clause 26(4)(d)(i). (d) General Provisions (i) 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: (A) the open air burning is only for fuel reduction for the purpose of fire prevention; (B) only one fire can be lit respectively on a Thursday, Friday or Saturday during daylight hours; (C) the fire is completely extinguished by the end of that day's daylight hour; (D) the fire does not exceed one cubic metre in size; (E) the distance from the outer extremity of the fire to any other fuel is at least three metres, including above the fire; (F) the fire is, at all times, supervised by an adult who has the capacity and means to extinguish the fire; (G) sufficient fire protection equipment or an adequate water supply is readily available on site to control or extinguish the fire; (H) at the site of the fire, the wind speed does not exceed 10 kilometres per hour; (I) 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	

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(J) the occupiers of immediate surrounding land are notified of the fire in the open air at least twenty four (24) hours before it is lit. (ii) 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: (A) completely extinguish the fire; or (B) ensure that an adult person who has the capacity and means to extinguish the fire remains at all times in charge of the fire. (iii) 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: (A) a barbecue, pizza oven or other properly constructed appliance is being used for cooking food; (B) a fire in a brazier, fire pit or chimenea is being used for heating; (C) a tool of trade is being used for the purpose for which it was designed; (D) a fire is lit during the course of duty by a member of a fire and emergency services agency; or (E) a fire is lit for the purpose of enjoying a recognised cultural practice or practising a religion. (e) Restrictions on Open Air Burning on private land (i) 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: (A) is offensive or a nuisance to another person in the vicinity, or which extends beyond the property boundary of that land; (B) may cause a hazard to a person's health;	

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(C) has an adverse impact on visibility beyond the property boundary of the land, including reducing the visibility of motorists and other users of a road; or (D) creates a hazard on or near a road. (ii) 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: (A) green or wet vegetation; (B) non timber based building materials; (C) painted or treated timber; (D) rubber or plastic, including plastic mulch, plant pots and packaging materials; (E) furnishings or carpet; (F) manufactured chemicals or pressurised cans; (G) petroleum or oil products; (H) paint or any container in which paint is or was kept; (I) food waste; (J) manure or straw; (K) 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 (L) any other offensive, noxious, or toxic matter. (f) Restrictions on Open Air Burning in Public Places and on Council Land (i) 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: (A) a road; (B) Council land; (C) Crown land; or (D) any public place	

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	
			or unless the fire is authorised by a sign erected in or on the land by Council. (ii) The restrictions in clause 26(e) apply to any fire lit in accordance with clause 26(f)(i). (g) Direction to Extinguish Fires A person who has lit or allowed a fire in the open air to be lit contrary to any of the provisions in this clause 26 or any condition contained in a permit, must extinguish the fire immediately on being directed to do so by: (i) an Authorised Officer; or (ii) a member of Victoria Police or the Country Fire Authority or Fire Rescue Victoria. (h) 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	
3.15 to 3.16	Council Waste Service	27	Council Waste Service	Cosmetic change
3.15	The Use of Waste Collection Services Policy is incorporated into and forms part of this Local Law .		(1) The Use of Waste Collection Services Policy is incorporated into and forms part of this Local Law .	
3.16	A person who contravenes the Use of Waste Collection Services Policy is guilty of an offence.		(2) A person must comply with the Use of Waste Collection Services Policy .	

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	Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026	Key Change
Clause	Wording	Clause	Wording	
3.17	Non-Council Waste Service Where an owner or occupier of private land uses a non-Council managed waste collection service in respect to that private land, the owner or occupier of that private land must ensure that the: (a) service provided be at a standard and frequency equivalent to that provided by Council; and (b) bin/receptacle be kept in a clean and sanitary condition; and (c) bin/receptacle not be stored or used in any manner so as to cause a nuisance or become detrimental to the amenity of the immediate area.	28	Non—Council Waste Service 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: (1) the service provided is at a standard and frequency equivalent to or greater that provided by Council; (2) any bin used in connection with the service is kept in a clean and sanitary condition; and (3) any bin used in connection with the service is not stored or used in any manner so as to cause a nuisance or become detrimental to the amenity of the immediate area.	Cosmetic change
	Commercial or Trade Waste Without a permit, a person must not place out for collection a commercial or trade waste bin/container on a road or Council land. Where an owner or occupier of private land has or stores commercial or trade waste on that private land, the owner or occupier of that private land must ensure that the: (a) bin/container and the surrounding area be kept in a clean and sanitary condition; and	29	Commercial Waste (1) Without a permit, a person must not place out for collection a commercial waste bin on Council land or a road. (2) Where an owner or occupier of private land has stored or stores commercial waste in a bin 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 from the bin, at the frequency required to ensure that the bin is not overflowing;	Combine clauses. Minor amendments to provide clarity around commercial waste bins - keeping, emptying and placement & align words and definitions with those in the Policy.

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	(b) commercial waste be regularly removed, at the frequency required to ensure that the bin/container is not overflowing; and (c) bin/container be labelled with the address of the property, in accordance with any direction by an Authorised Officer; and (d) label on the bin/container be maintained and be clearly readable from the road, which the private land fronts, under all normal lighting conditions. A person must not place commercial or trade waste: (a) in a public litter bin; (b) in a public recycle bin; (c) on a hard-waste collection pile; (d) in a Council supplied bin that is for the purpose of residential collection; (e) in a Council supplied bin that is for commercial collection, for a property they do not own or occupy.	29	(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 used or designed to be used for the purpose of residential waste collection and disposal; or (e) in a Council supplied bin that is used or designed to be used for commercial collection without the permission of the owner or occupier of the land for which that bin was issued. (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 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 allowed to remain on a nature strip or other part of a road for the purpose of emptying for longer than 48 hours; (b) a person or the owner or occupier must not place a commercial waste bin from commercial premises out for	

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	
			collection on a road prior to 4.00pm on the day before the day of 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 must ensure that any commercial waste bin they have placed on a road for the purpose of collection or allowed to be so placed does not cause any obstruction or danger to any person ; and (d) a person who has placed a commercial waste bin on a road for the purpose of collection or the owner or occupier must repair any damage to the road or any works in or on the road , including a vehicle crossing , that results from placing the commercial waste bin on the 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 adverse impact on the amenity of the area.		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.	
4.1 to 4.3 4.1	Limits on number of animals kept Limits on number of animals kept	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:	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. Add a new provision that a person may have an

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															
4.2	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:		<table><tr><th>Type of animal</th><th>Number¹</th></tr><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></table>	Type of animal	Number ¹	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)	assistance dog or assistance animal on land to comply with the Disability Discrimination Act 1992 (Cth) & Equal Opportunity Act 2010.
	Type of animal	Number ¹																
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)																	
4.3	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. 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.	(2) The limitations and restrictions in this Part do not prohibit the keeping of any animals if a planning permit is required for the keeping of the animals 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, 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.																

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	
			(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 in an area. 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. ² These are 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.	
4.4 to 4.5 4.4.	Animal Housing The owner of an animal and the owner or occupier of the private land on which the animal is kept, must ensure that the animal housing: (a) is constructed or altered to the satisfaction of an Authorised Officer with adequate roofing, flooring and drainage; (b) is maintained in a clean and sanitary condition; (c) provides adequate shelter for the number of and welfare needs of the animal; (d) is maintained in good repair so as to not cause nuisance to neighbouring properties; (e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an Authorised Officer;	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 animals and welfare needs of each animal; (d) is maintained in good repair so as to not cause a nuisance to occupiers of neighbouring properties; (e) is located at a distance from neighbouring properties and dwellings that is to the satisfaction of an Authorised Officer; and (f) is kept clear of materials which may harbour vermin.	Cosmetic change

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
4.5	(f) is kept clear of materials which may harbour vermin. 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 as to prevent access by vermin or insects, to the satisfaction of an Authorised Officer.		(2) The owner of an animal and the owner or occupier of the private land on which an animal is housed must ensure that animal food is stored to prevent access by vermin.	
	No Clause	32	Private land adequately fenced (1) Unless clause 32(2) applies, the owner of an animal and the owner or occupier of the private land on which an 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. (2) The owner of an animal and the owner or occupier of the private land on which an animal is kept may install and maintain an enclosure for the animal to be kept on the private land to prevent the animal from escaping. (3) Any enclosure installed and maintained for the purposes of clause 32(2) must comply with any 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 legislation. (4) A failure to comply with Clause 32(1), (2) and (3) is an offence.	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. 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.

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
4.6 to 4.7	Removal of Animal Waste	33	Removal of Animal Waste	No change
4.6	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.		(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 on the road or Council land .	
4.7	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.		(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 on the road or Council land .	
4.8 to 4.9	Animal Noise and Odour	34	Animal Noise and Odour	Cosmetic change
4.8	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.		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 .	
4.9	Clause 4.8 does not apply to any class of animal where another Act or legislation applies.			
4.10 to 4.11	Feeding of Animals and Birds	35	Feeding of Animals and Birds	Cosmetic change
4.10	If the feeding of an uncaged bird and/or animal by a person interferes with the amenity of the immediate area or causes damage to property, an Authorised Officer may direct the person to cease feeding the bird and/or animal.		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 .	
4.11				

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	Any person who is given a direction under clause 4.10 must comply with that direction.			
			Section D: Use of Council Land and Roads	
			Part 7: Use of Council Land and Road	
	Introduction 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.		Introduction 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.	
5.1 to 5.3	Behaviour on Council Land and Roads	36	Behaviour on Council Land (including municipal place) and Roads	Revoke old clause and replace with an expanded extensive clause dealing with behavioural issues to ensure the safety of the community and Council staff.
5.1	A person must not behave, on Council land or on a road in such a manner as to interfere with another person's reasonable use of that Council land or road .		A person must not:	
5.2	A person must not behave, on Council land or on a road in such a manner as to endanger or be likely to endanger a person's health or life, property, or an animal.		(1) create a nuisance on Council land or a road ;	
5.3	A person must comply with any sign erected on Council land or road by Council .		(2) act in a manner that is likely to interfere with the reasonable use and enjoyment of Council land or a road by other persons;	
			(3) act in a manner which endangers any other person on Council land or a road ;	
			(4) use indecent, insulting, offensive or abusive language on Council land or a road ;	
			(5) behave in an indecent, offensive, insulting, or riotous manner on 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.	

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(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) without a permit, erect, operate or cause to be erected or operated any amusement on Council land or a road; (9) obstruct, hinder, or interfere with a Council staff member in the performance of their duties on Council land or a road; (10) 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; (11) without a permit, make any wager for money or engage in any form of gambling on Council land or a road; (12) remain in a municipal place while under the influence of alcohol or any prohibited drug; (13) remain on Council land or a road after being directed to leave by an Authorised Officer or a Council staff member.	
	No Clause	37	Council's power on Council Land (including municipal places) (1) Under this Local Law, 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 during which 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;	New provisions to better regulate behaviour on council land and access to council buildings and land.

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(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 Council 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.	
	No Clause	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.	New provisions to better regulate access to council buildings and land.

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			(2) A person must not act contrary to any reasonable direction of an Authorised Officer or Council staff member given in a municipal place .	
5.4	Camping on Council Land Without a permit , a person must not camp in or on any Council land or road .	39	Camping on Council Land or road or public place Without a permit , a person must not camp in or on any Council land , road or public place .	Add in a public place.
5.5	Obstructions on Roads and Council Land Without a permit , a person must not place or permit to be placed or allow to remain on a road or Council land : (a) a bulk rubbish container; or (b) a shipping container; or (c) a donation bin; or (d) any other thing.	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 like thing.	Cosmetic change
5.6 to 5.8	Shopping Trolleys A person must not leave a shopping trolley on a road or Council land , except in an area designated for the leaving of shopping trolleys. The owner of a shopping trolley must ensure that their name and trading name are clearly marked on the shopping trolley. The owner of a shopping trolley must not allow the shopping trolley to be left on a road or Council land ,	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 to be left a shopping trolley on Council land or a road ,	No change

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
	except in an area designated for the leaving of shopping trolleys.		except in an area designated for the leaving of shopping trolleys.	
5.9 to 5.10	Use of Toy Vehicles or Aircraft A person must not use or allow to be used a wheeled toy, wheeled recreational device, motorised toy vehicle or model aircraft on a road or Council land so as to endanger, intimidate or unduly obstruct any other person or vehicle lawfully using or intending to use the same area, or damage property. 5.9 5.10 The Council may determine a road or Council land in which the use of a wheeled toy, wheeled recreational device, motorised toy vehicle or model aircraft 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 road or Council land, or damage property, or Council assets.	42	Use of Toy Vehicles (1) A person must not use or allow to be used a wheeled toy, wheeled recreational device or motorised toy vehicle 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 or motorised toy vehicle is used or can be used, to be Council land or a road on which the presence of a wheeled toy, wheeled recreational device or motorised toy vehicle is 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. (3) Any Council land or road that is the subject of a prohibition in accordance with clause 42(2) must be listed on Council's website. (4) A person must not act contrary to any prohibition determined in accordance with clause 42(2).	Cosmetic change, however deleted the word "model aircraft " from the definition as they are regulated by CASA (state government). Change heading and delete reference to aircraft.
5.11	Fireworks on Council Land and Roads Without a permit, a person must not discharge or cause or allow to be discharged any fireworks on a road or Council land.	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	No change

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			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.		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.	
6.1	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 is a designated roadway.	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 in any public place unless it is set aside for vehicle use or parking or it is a road or designated roadway.	Cosmetic change
6.2 to 6.3	Repairing Vehicles Subject to clause 6.3, a person must not paint, service, carry out maintenance on, dismantle or repair a vehicle on a road or Council land. 6.2 6.3 Clause 6.2 does not apply to a minor repair being undertaken by a motoring assistance organisation to enable the immediate removal of the vehicle.	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.	Redrafted clause and streamlined. Delete definition of “motoring assistance organisation” and replaced with broad exemption for an emergency.
	No Clause	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.	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.

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Old – Amenity Local Law 2020		New – DRAFT Amenity Local Law 2026		Key Change
Clause	Wording	Clause	Wording	
			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.		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.	
7.1	Activities on Council Land or Roads Without a permit, a person must not, or cause or authorise another person to, on or above a road or Council land: (a) display or sell any goods or services; (b) place out, or affix to anything, any sign; (c) place any street furniture or associated items; (d) place any structure for the purpose of selling, promoting or offering to sell any goods or services;	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 for the purpose of selling, promoting or offering to sell any goods or services.	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	
	(e) sell or trade, or offer for sale or trade, or display to give away, any: (i) vehicle; or (ii) goods or services carried about or placed on the person or any other movable thing.			
	Election signage 7.2 Without a permit, a person must not place a sign promoting a candidate or political party associated with a local, state or federal election on a road or Council land. Maximum Penalty: 15 Penalty Units 7.3 Election signs subject to clause 7.2 will be considered in accordance with the following criteria: (a) signs are placed in accordance with the conditions and at pre-approved locations determined by Council; (b) signs are not to be placed at prohibited locations as determined by Council; and (c) signs at other locations not included in clause 7.3(a) are subject to site-specific review and approval by an Authorised Officer. 7.4 The placement of election signage must not: (a) create a danger to any person or property or damage Council land or road; or	48	Signs (1) Without a permit or a licence entered into with Council, 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) A person who has entered into a licence with Council for the purposes of clause 48(1) must comply with any conditions of the licence. (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.	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.

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) interfere with a person's reasonable use or obstruct Council land or road. Maximum Penalty: 15 Penalty Units 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 Authorised Officer under section 11 of this Local Law. Election signage may include information about a candidate for an election.			
7.5 to 7.7	Appeals and Collections Without a permit, a person must not or authorise another person to solicit or collect on any road or Council land any money, items or subscriptions for any purpose. Without a permit, a person must not or authorise another person to hand out or distribute any handbill, placard, notice, pamphlet, book, paper, advertising material or similar thing, on any road or Council land. Without a permit, a person must not or authorise another person to erect or place on any road or Council land 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.	49	Appeals and Collections (1) Without a permit, 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 thing for the purpose of selling or offering for sale any goods or services or conducting a raffle or lottery.	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	
7.8	Commercial and 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: The Council will take into account the <i>Filming Approval Act 2014</i> in considering an application for a permit under clause 7.8.	50	Commercial and 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 tripod or other equipment or items or vehicles on any Council land or a road. Note: Council will take into account the <i>Filming Approval Act 2014</i> in considering an application for a permit under clause 52.	No change.
7.9	Event on Council Land Without a permit, a person must not conduct a function, event, busking or entertainment on any road or Council land that: (a) substantially occupies the road or Council land; or (b) encroaches or impacts or is likely to encroach or impacts, on another person's use and enjoyment of the road or Council land.	51	Event and Busking on Council Land Without a permit or Council's consent, a person must not hold or allow to be held a function or event or engage in busking or other form of entertainment on Council land or a road.	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	
			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.		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.	
8.1 to 8.3 8.1 8.2 8.3	Alcohol 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, except at the times and in the places determined by Council. Where an Authorised Officer or Victoria Police Officer reasonably believes that a person has contravened or is contravening clause 8.1, 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. Clause 8.1 does not apply to a person who consumes alcohol 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>.	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 on or in the Council land, 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. (4) If Council makes a determination in accordance with clause 52(1) the details must appear on Council's website.	Cosmetic change and add in a public place to expand and ensure compliance with a sign.

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	
8.4 to 8.7	Smoking in a smoke free area A person must not smoke a tobacco product in a smoke free area. Note: Smoke in relation to clause 8.4 has the same meaning as in the <i>Tobacco Act 1987</i>. Where an Authorised Officer believes on reasonable grounds that a person is contravening or has contravened clause 8.4, the Authorised Officer may direct the person to extinguish and then dispose of the tobacco product. Any person who is given a direction under clause 8.5 must comply with that direction. 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.	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 to this Local Law, Council may determine, by resolution, any other area within the municipality to be a smoke free area.	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	
			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.		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.	
9.1 to 9.2 9.1 9.2	Building Management Asset Protection approval Prior to commencing or causing or allowing building work on private land, the owner or occupier of private land must not commence or cause or allow building work on that private land without obtaining an asset protection approval. An asset protection approval will require the payment of an asset protection fee and may, if required by Council, contain conditions that: (a) 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; and/or (b) require entry to and exit from the building site only at designated locations; and/or (c) address any other matter referred to in this Part.	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. (2) An asset protection permit may be subject to such conditions as Council or an Authorised Officer determines, including: (a) requiring the payment of an asset protection permit fee; (b) requiring the payment of a security bond; (c) requiring 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 a relevant and specified legislative framework; (d) requiring entry to and exit from the building site only at or from designated locations; and (e) addressing any other matter referred to in this Part. (3) Clause 54(1) does not apply where minor building work is being undertaken.	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	
9.3	Notification upon completion of building work The owner or occupier or person in charge of building work must advise Council within 7 days of completion of all building work covered by the asset protection approval 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 that has occurred while the asset protection approval is in place.	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 regulated 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.	Cosmetic change.
9.4 to 9.7 9.4 9.5	Inspection of Council Assets As soon as practicable after receiving notice of completion of the building work, Council will undertake an inspection of Council assets to determine any damage to Council assets that has been caused as a result of the execution of the building works the subject of the asset protection approval If, as a result of any inspection under Clause 9.3 and 9.4 damage has been caused to any Council asset as a result of the execution of the building work the subject of the asset protection approval, Council may: (a) direct the owner or occupier or person in charge of building work of the building site to repair the damage at the owner or occupier's cost, to the satisfaction of Council and within a period of not more than twenty eight (28) days; and/or	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 building work, 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) any 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	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	
9.6	(b) if repair of any damaged Council asset is required under Clause 9.5(a), the owner must carry out the repairs to the satisfaction of, and within the timeframe specified by Council. A person in charge of building work must ensure and provide the following: (a) an onsite and functioning toilet facility; (b) access for the emptying and collection of temporary toilet facilities; (c) a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility; (d) waste produced as a result of building work on the building site is: (i) contained entirely within the building site; 19 (ii) stored in a manner that does not attract the depositing of waste from sources other than the site; (iii) stored in a manner that does not cause detriment to the visual amenity of the area in which the building site is located; and (iv) disposed of regularly, and, where that waste is in the form of stormwater, to a legal point of discharge.		(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 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 work undertaken by Council 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.	

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	(e) a litter container with lid of sufficient size; (f) emergency contact details clearly displayed; (g) 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 Council; and (h) a temporary or permanent fence where gates or access points in the fence open onto the private land; and (i) the building site is provided with clearly legible and clean site identification. A person in charge of building work must also: (a) undertake all approved building work on the building site unless otherwise directed by Council; (b) store all building related material on the building site; (c) place all litter capable of being blown from the building site in a suitable litter container; (d) prevent any sediment, mud, erosion, potential stormwater pollutants or other site run off from leaving the building site;			

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	
	(e) manage any dust or air pollutants from the building site to minimise nuisance; (f) ensure vehicle access to the building site is via a vehicle crossing or a temporary vehicle crossing; (g) 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; (h) not allow any vehicle to deposit any mud, sediment, slurry or similar material from the building site in any public place; and (i) ensure that building work on the building site does not render pedestrian or vehicular traffic in the immediate area unsafe.			
9.8	Soil Stockpiles The owner or occupier of a building site or the person in charge of building work must 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.	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) the presence of an onsite and functioning toilet facility; (2) access within and to and from the building site for the emptying and collection of waste from the toilet facility; (3) a maintenance program so that there are no offensive odours or any adverse visual impact on neighbouring properties from the toilet facility on the building site; (4) waste produced as a result of building work on the building site is: (a) contained entirely within the building site;	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	Amenity Controls The owner or occupier or person in charge of building work must ensure that activities on the building site			
9.9				

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	
9.10	(including building work) do not damage or cause detriment to the natural or built environment in which the building site is located. An owner or occupier or person in charge of building work must manage any dust or air pollutants from the building site to minimise detriment to the amenity of the area.		(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) the presence of a litter container on the building site with a lid of sufficient size; (6) emergency contact details being clearly displayed on the building site; (7) a temporary or permanent fence to a minimum height of 1.8 metres that is fully contained within the building site, that secures the building site and is to the satisfaction of an Authorised Officer; (8) the building site is provided with clearly legible and clear site identification; (9) all approved building work is confined to the building site unless otherwise directed by an Authorised Officer; (10) all building related material is stored on the building site; (11) all litter capable of being blown from the building site is placed in a suitable litter container kept on the building site; (12) any sediment, mud, erosion, potential stormwater pollutants or other site run off is prevented from leaving the building site; (13) 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) 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) any dust or air pollutants from the building site are managed to minimise nuisance;	

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	
			(16) vehicle access to the building site is via a vehicle crossing or a temporary vehicle crossing; (17) 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) any vehicle is not permitted to deposit any mud, sediment, slurry or similar material from the building site in any public place; and (19) building work does not render unsafe any pedestrian or vehicular traffic in the immediate area.	
	No Clause	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.	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 important to note that minor building works are excluded.

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	
9.11 to 9.13	Drains The owner or occupier or person in charge of building work must ensure that building work on the building site does not cause detriment to any Council asset. For the purposes of Clause 9.11 detriment to a Council asset occurs if: (a) material, equipment, litter, waste, mud, silt, sand or another product emanating from building work enters or interferes with the Council asset; or (b) there is any alteration to or interference with a Council asset for which a permit has not been issued. The owner or occupier or person in charge of building work must ensure that the building site is provided with 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.	59	Drains (1) The owner or occupier or property manager of private land 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 be damaged, obstructed, or interfered with any 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.	Strengthened provisions to provide Council assets protection (e.g. protection from damage caused by building works).
	No clause	60	Spoil on Road (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 to be deposited onto a road or into a drain from a vehicle being cleaned.	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	
			(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.	
	No clause	61	Occupation of Roads (1) Without a permit or written consent under the <i>Road Management Act 2004</i>, 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 a utility. Clause 63(1) does not apply to the works or activities of an utility.	New clause to provide Council assets protection.

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	
9.14 to 9.18	Vehicle Crossings	62	Vehicle Crossings	Redrafted clause – combined and streamlined -Strengthened provisions to provide Council assets protection (e.g. protection from damage caused by building works).
9.14	Without a permit , an owner or occupier of private land must not install, construct, alter or reconstruct a vehicle crossing , whether permanent or temporary, or authorise another person to do so.		(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.	
9.15	Each point of vehicle access from any private land to a road must have a properly constructed and maintained vehicle crossing approved by Council .		(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 has a properly constructed and maintained vehicle crossing approved by an Authorised Officer .	
9.16	Without a permit , an owner or occupier of private land must not allow any vehicle to enter or leave any private land except in accordance with clause 9.15.		(3) An Authorised Officer may direct the: (a) construction of a temporary vehicle crossing or vehicle crossing ;	
9.17	Council or an Authorised Officer may direct: (a) the construction of a temporary vehicle crossing or vehicle crossing ; or (b) the repair or reconstruction of a temporary vehicle crossing or vehicle crossing ; or (c) the removal of a redundant temporary vehicle crossing or vehicle crossing , and the reinstatement of any kerb, channel, footpath or other area to the satisfaction of Council by the owner or occupier of any adjacent land at his or her own cost. An owner or occupier of private land to whom a direction is given under clause 9.17 must comply with that direction.		(b) repair or reconstruction of a temporary vehicle crossing or vehicle crossing ; (c) removal of a redundant temporary vehicle crossing or vehicle crossing ; or (d) reinstatement of any kerb, channel, footpath or other area to the satisfaction of an Authorised Officer by the owner , occupier or property manager of adjacent land at the cost of such owner , occupier or property manager . (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.	

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	
9.18				
9.19 to 9.20	Defacing/Damaging Council Land and Assets 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; (c) anything belonging to Council on Council land or road or in a public place unless allowed by Council, whether under this Local Law or otherwise; and (d) any Council property or Council assets located on or in any Council land or private land. 9.20 A person must not authorise or engage any other person to undertake any of the activities in clause 9.19.	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).	Streamlined wording to provide clarity.
9.21	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 a Council land or road, or authorise another person to do so.	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 a Council land or a road or authorise or allow another person 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	
			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.		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.	
10.1	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 under this Part, is guilty of an offence.	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.	Permit clauses redrafted and streamlined to provide improved guidance as to how permits may be applied for, granted, refused, amended or cancelled. Includes provision for appeal and exemptions.
10.2 to 10.5	Permit Application and fees An application for a permit or renewal of a permit under this Local Law must be in a form approved by Council and accompanied by any fee fixed by Council in accordance with clause 10.6. The Council may require the applicant to give notice of the application for a permit or renewal of a permit, in the manner determined by the Council. The Council may require an applicant to provide it with more information before it deals with the application for a permit or renewal of a permit.	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	Combined clauses. Permit clauses redrafted and streamlined to provide improved guidance as to how permits may be applied for, granted, refused, amended or cancelled. Includes provision for appeal and 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	
10.5	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.		changes ownership, the permit held in connection with the business will cease and an application for a new permit will be required by the person operating that business.	
10.6 to 10.8	Fees and Charges Council may, from time to time, by resolution, determine : 10.6 (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 . 10.7 In determining a fee or charge, Council 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 Council may waive, reduce, alter or refund, in whole or in part, any fee, charge, bond or guarantee with or without conditions.	67	Fees and Charges (1) Council may determine : (a) the quantum of any permit fee, asset protection permit 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.	Combined clauses. Updated to provide clarity.
10.9	Duration of Permit Except where expressly stated in this Local Law or in a permit , a permit operates from the date it is issued and expires one year after the date of issue.	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.	Clause redrafted 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	
			(2) A permit holder has no automatic right to have a new permit issued once the original permit has expired or has been cancelled.	
10.10 to 10.11	Correction of Permits The Council may correct a permit if that permit contains: (a) an unintentional error or an omission; or (b) a material miscalculation or a material mistake in the description of a person, thing or property. The Council must notify a permit holder in writing of any correction under clause 10.10.	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).	Clauses combined and redrafted and streamlined to provide improved guidance as to how permits may be corrected.
10.12 to 10.16	Granting and refusal of a permit Council may decide to: (a) issue a permit; or (b) issue a permit subject to conditions; or (c) refuse to issue a permit.	70	Granting and refusal of a permit (1) Council or an Authorised Officer may decide to: (a) issue a permit; or (b) issue a permit subject to conditions; or	Permit clauses combined, redrafted and streamlined to provide improved guidance as to how permits may be applied for, granted, refused, amended or cancelled. Includes provision for appeal.

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	
10.13	Where a permit has been issued subject to conditions under clause 10.12(b), a person who does not comply with the conditions of the permit is guilty of an offence.		(c) refuse to issue a permit .	
10.14	In determining whether to issue a permit and, if a permit is to be issued, the scope and conditions that will apply to it, Council may take into account any of the following where relevant:		(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:	
10.15	(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 Council or Service Authority assets or infrastructure 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 a Service Authority; (h) any relevant Council policies and guidelines;		(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 application might affect the activities or enjoyment of another person or group; (e) the need to protect assets or infrastructure of Council or a 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 submission or comments that may be received in respect of the application; and (k) any other matter. (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 then has fourteen (14) days from the date of Council's notice of intention to amend the permit to provide	

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	(i) any policies, codes of practice, standards or guidelines used as reference by Council; and (j) any submission or comments that may be received in respect of the application. Where Council has refused to issue a permit under clause 10.12(c) of this Local Law, the person seeking the permit has twenty-eight (28) days from the date of Council's notice of refusal of permit under clause 10.12(c), to provide written reasons to Council as to why the permit should not be refused. If a written submission is received by Council under clause 10.15 within the twenty-eight (28) days, the information provided shall be considered, and if applicable the person seeking the permit will be given an opportunity to be heard by Council or Council's delegate and any such verbal submissions have also been considered.		written submissions to Council or an Authorised Officer as to why the permit should not be amended or amended in the manner proposed. (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.	
10.17 to 10.19	Cancellation of a Permit Council may cancel a permit if it considers that: (a) there has been a serious or ongoing breach of any of the conditions of the permit; or (b) a Notice to Comply has been issued, but not complied with after the time specified in the Notice to Comply; or	71	Cancellation of a Permit (1) Council or an Authorised Officer may cancel a permit if they consider that: (a) there has been a serious or ongoing breach of any of the conditions of the permit; (b) a Notice to Comply has been issued in connection with the permit, but not complied with within the time specified in the Notice to Comply; (c) there was a significant error or misrepresentation in the application for the permit; or	Permit clauses combined, redrafted, and streamlined to provide improved guidance as to how permits may be cancelled. Includes provision for appeals.

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	(c) there was a significant error or misrepresentation in the application for the permit; or (d) in the circumstances, the permit should be cancelled. Where Council has cancelled a permit under clause 10.17 of this Local Law, the permit holder has twenty eight (28) days from the date of Council's notice of cancellation of permit under clause 10.17, to provide written reasons to Council as to why the permit should not be cancelled.		(d) 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 then 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.	
10.19	If a written submission is received by Council under clause 10.18 within the twenty-eight (28) days, the information provided shall be considered, and if applicable the person seeking the permit will be given an opportunity to be heard by Council or Council's delegate and any such verbal submissions shall also be considered.			
	No clause	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.	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	
10.20 to 10.23 10.20 10.21 10.22 10.23	Security Bonds In deciding to grant a permit, Council may require the applicant to lodge with Council a security bond in such amount and in such a manner as Council determines. In the event of a breach of any permit condition in respect of which a security bond is paid under this Local Law, Council may retain an amount of the security bond as is necessary to remedy that breach and/or repair any damage caused by that breach. Upon expiry of a permit, Council must release any remaining security bond to the person who paid it. If after 12 months from the date that the security bond would be released under clause 10.20, Council cannot locate a 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.	73	Security Bonds (1) In deciding to issue 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.	Combined clauses and redrafted and streamlined.
	No Clause	74	Register of Permits 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.	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	
			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.		Introduction This Part provides a means for enforcing this Local Law and powers to impound and serve Notices to Comply to seek compliance.	
11.1	Offences A person who: (a) fails to comply with this Local Law; or (b) fails to comply with a condition of a permit; or (c) fails to do anything directed to be done under this Local Law; or (d) fails to comply with a Notice to Comply; (e) knowingly provides erroneous, inaccurate or misleading information in an application for a permit; or	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.	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	
	(f) refuses or fails to obey directions of an Authorised Officer to leave the Council land or road where in the opinion of that Authorised Officer the person has failed to comply or is failing to comply with this Local Law; or (g) fails to comply with a sign erected by the Council, is guilty of an offence.			
11.2 to 11.3	Offences by Corporations 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. If the corporation is convicted of an offence against this Local Law, a person 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 person proves that the Act or omission constituting the offence took place without his or her knowledge or consent.	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.	Revised wording to provide clarity and use correct legal terminology.

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	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.	New clause to address operator onus offence in relation to motor vehicles.
11.4	Penalties A person guilty of an offence against this Local Law is liable to a penalty: (a) not exceeding 20 penalty units; and (b) in the case of a contravention which continues after a finding of guilt or conviction the penalty is 2 penalty units for each day after the finding of guilt or conviction for the offence during which the contravention continues.	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 two (2) penalty units for each day after the finding of guilt or conviction for the offence during which the contravention continues.	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. Penalties differentiate between a natural person and a corporation regarding penalties
11.5 to 11.6	Infringement Notices Where an Authorised Officer reasonably believes that a person has committed an offence under this Local	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	Revised to provide clarity. Penalties differentiate between a natural person and a corporation regarding penalties

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	
	Law, the Authorised Officer may serve on that person an infringement notice. The fixed penalty in respect of an infringement notice is the amount set out in Schedule 1 to this Local Law. For offences not specified in Schedule 1, the infringement penalty for that offence will be 20% of the maximum penalty for that offence.		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.	
11.7 to 11.13	Notice to Comply and Directions A person who fails to comply with any direction given by an Authorised Officer in connection with any matter under this Local Law is guilty of an offence. 11.7 An Authorised Officer may serve a Notice to Comply under this clause on a person who the Authorised Officer reasonably suspects to be in breach of this Local Law. 11.8 A Notice to Comply under clause 11.8 must be in writing and in a form approved by the Council. 11.9 A Notice to Comply under clause 11.8 may do one or more of the following things: 11.10 (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;	80	Notice to Comply and Directions (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 contravention 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; (d) direct the person to remove or cause to be removed any item, goods, equipment or other thing; or (e) direct the person to leave an area within the time specified in the notice or direction. (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	Combined and redrafted clauses to includes provision for an Authorised Officer to provide verbal direction. Includes provision for an appeal.

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	(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 that constitutes a breach of this Local Law. A Notice to Comply under clause 11.8 must specify the date by which the person specified in the Notice to Comply is required to comply with the directions stipulated in the Notice to Comply.		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.	
11.12	The period of time required by a Notice to Comply under clause 11.11 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			

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	(e) the degree of risk or potential risk; and (f) any other relevant factor. Any person to whom a Notice to Comply is directed under this Local Law, who fails or refuses to comply with it is guilty of an offence.			
11.14 to 11.15	Power of Authorised Officer to Act in Urgent Circumstances Any Authorised Officer may, in urgent circumstances arising as a result of a failure to comply with this Local Law, take action to remove, remedy or rectify a situation provided: (a) he or she considered the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a Notice to Comply, may place a person, animal, property or thing at risk or in danger; and (b) details of the circumstances and remedying action are forwarded as soon as practicable to the person on whose behalf the action was taken; The action taken by an Authorised Officer under clause must not extend beyond what is necessary to cause the immediate abatement of or to minimise the risk or danger present.	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 must 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.	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).
11.15				

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	
11.16 to 11.20 11.16	Power of Authorised Officer to confiscate and impound Where a person who owns or is responsible for any item including goods, equipment, a bicycle, or other property or thing has: (a) failed to obtain a permit where a permit in respect of the item is required under this Local Law; or (b) placed the item at or on any place in breach of this Local Law or in breach of a permit condition; or (c) ignored a direction from an Authorised Officer to remove the item; or (d) the item is in breach of this Local Law, the item may be confiscated and impounded by an Authorised Officer.	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.	Redrafted to simplify and strengthen provisions and provide clarity around how Council will impound an item.
11.17	If an Authorised Officer has confiscated anything in accordance with this Local Law, the Council may refuse to release it until the appropriate fee or charge determined by the Council for its release has been paid to the Council.			
11.18	If the owner or the person responsible for a confiscated item can be identified, as soon as it is reasonably practicable to do so, the Authorised Officer must serve a written notice in a form that is determined by the Council from time to time on the owner or person responsible for the confiscated item setting out the fees			

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	
11.19	and charges payable and time by which the item must be retrieved. If the owner or person responsible for a confiscated item is unknown, the Authorised Officer must take reasonable steps to ascertain the identity of the owner or person responsible for the item prior to exercising the powers in clause 11.20.			
11.20	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 Authorised Officer may take action to dispose of the confiscated item according to the following principles: (a) where the item has no saleable value, it may be disposed of in the most economical way; and (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); (c) where the owner has advised the Council in writing that the Council may dispose of the item because he or she does not intend to retrieve it, the Council.			

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	
		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 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.	Redrafted to clarify provisions / steps in disposal.
12.1 to 12.2	Delegations 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.	84	Delegations 84. Council may by instrument of delegation delegate any of its powers, functions and duties under this Local Law to a member of its staff.	Cosmetic change.
12.1	A reference in an instrument of delegation to a delegate by way of the delegate's position with the Council includes:	85	85. A reference in an instrument of delegation to a delegate by way of the delegate's position with the Council includes:	
12.2	(a) a person authorised to carry out the powers, duties and functions of that position at the Council ;			

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) 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.			

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	Unightly 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	10	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	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

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 **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**, **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 **Council determining** the proposed **smoke free area**; and
6. any detriments to the community which would be caused by **Council determining** the proposed **smoke free area**.



Policy



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

knox



LIST OF 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>Sol/ya 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

8.3 Council Property - 68 Mclver Street Ferntree Gully

Final Report Destination:	Council
Paper Type:	For Decision
Author:	Coordinator Property Management, Flora Westcott
Manager:	Manager Strategic Property & Procurement, Tim Lawson
Executive:	Chief Financial Officer, Navec Lorkin

SUMMARY

Council-owned land at 68 Mclver Street, Ferntree Gully (Volume 8351 Folio 546, being Lot 167 on Plan of Subdivision LP024992) is a vacant site within a Neighbourhood Residential Zone. The land contains no council infrastructure and is largely open grassed area. There are 24 trees on the site, predominantly located around the perimeter. Of these, two have been assessed as having medium retention value, with the remaining 22 assessed as having low retention value. Assessment against Council's Sale of Land and Building Policy has identified no current or future Council service need for the site.

The site is located within the Neighbourhood Residential Zone, and does not have an Open Space designation, making it one of the relatively few Council-owned properties that may be disposed of without triggering open space replacement requirements or incurring Windfall Gains Tax. The sale proceeds are intended to contribute to the funding of Council's adopted capital works program, which for the 2026-27 year includes works such as pavilion upgrades at Carrington Park; improved facilities at community buildings including Coonara Community House and Ferntree Gully Community Centre and road renewals.

Following completion of all statutory requirements, a further report will be presented to Council outlining the outcomes of the process, including the results of community engagement, and seeking a decision on whether to proceed with the sale.

RECOMMENDATION

That Council:

1. Having considered the findings of the assessment undertaken in accordance with Council's Sale of Land and Buildings Policy, declare the land at 68 Mclver Street, Ferntree Gully to be surplus to Council's requirements.
2. Approve commencing the statutory requirements under Section 114 of the Local Government Act 2020 to sell the site for no less than market value, including
 - a. Public notice of the proposed sale on Council's internet site;
 - b. Undertaking a community engagement process in line with Council's Community Engagement Policy.
3. Note a further report will be presented to Council to enable considerations of all community feedback prior to making a final determination on the matter.

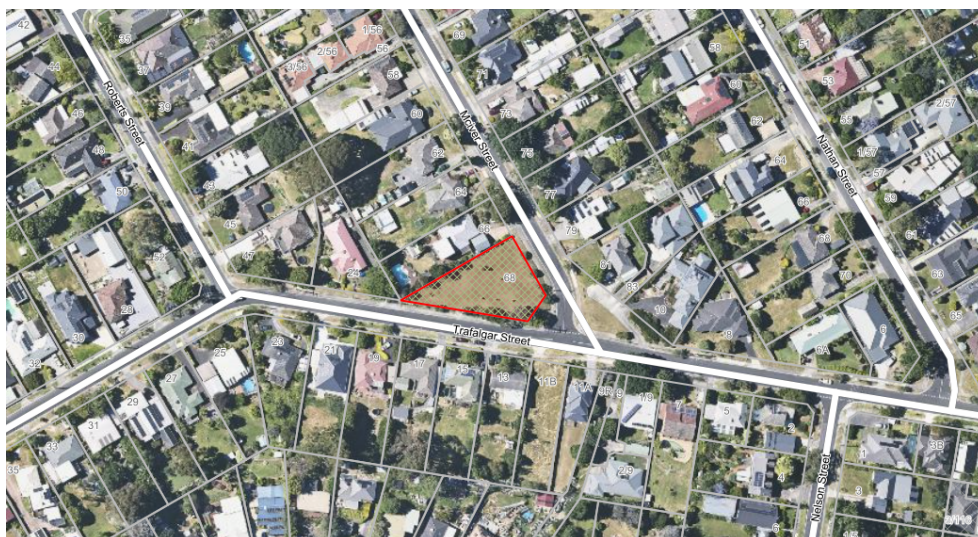
1. DISCUSSION

1.1 The Property

The Council-owned property at 68 McIver Street, Ferntree Gully is a corner allotment of approximately 1,065 sqm with dual frontage to McIver Street and Trafalgar Street, Ferntree Gully. The land was created as Lot 167 on Plan of Subdivision LP024992 (a residential subdivision) in 1961 and is held under a standard freehold title. Historical title investigations indicate that the property was transferred to the former City of Knox on 6 July 1972 and has remained in public ownership for over five decades. The current title records Knox City Council as the sole registered proprietor.

Situated in a predominantly residential area, it is zoned Neighbourhood Residential Zone (NRZ1) and is affected by planning overlays including Design and Development and Significant Landscape controls (see Section 1.3 for more details on the impact of these overlays). The land is not subject to any restrictive covenants or other title restrictions that would affect its sale; there is a small easement (for drainage purposes) in the south-western corner of the site.

Figure 1: Overhead image of the site from Council's GIS system



The site is elevated from street level and undulates throughout. There are no Council-built assets onsite, including playgrounds, seats or walking paths. There is also no physical evidence of regular informal use; for example, no informal walking paths or well-trodden areas. Officers speculate that the steep topography of the site, especially on the lower east, south east and south boundaries of the site makes it too steep for easy access via foot, deterring this sort of informal use often seen in other, similar passive open areas (refer figures 2 – 5 for images of the topography).

Figures 2 and 3: the site from Mclver Street



Figures 4 and 5 – View of the site from Trafalgar Street





1.2 Trees and Vegetation

An arboricultural assessment was undertaken in May 2026 to assess vegetation on the site ([Attachment 1](#)). A total of 24 trees were assessed, comprising a mix of Victorian native, Australian native and exotic species. The larger and more established trees are generally located around the sites northern, eastern and southern boundaries, with the central areas containing fewer, largely smaller juvenile and semi-mature specimens.

The assessment found no trees of exceptional or high retention value. Two trees (*Eucalyptus polyanthemos* (Red Box)), on the southern border, were assessed as having a medium retention value. The remaining 22 trees were assessed as having a low retention value due to factors such as size, condition, structure, weed species status and limited contribution to the landscape. The arborist concluded that the trees are generally in fair health and structure, with no significant pest or disease issues identified.

The assessment identified that three trees (numbers 8, 9 and 11) would require a permit for removal under the Significant Landscape Overlay (SLO3) and Clause 52.37 of the Knox Planning Scheme, which provide for planning controls over vegetation removal (see section 1.3 for further details on the zoning and overlays of this site). These trees are all located around the site's perimeter rather than within the central area. Trees 8 and 9 (Red Box, both medium retention value) are positioned along the southern boundary, with Tree 8 toward the north-western corner and Tree 9 centrally located along the northern edge. Tree 11 (Blackwood, low retention value) is located along the eastern side of the site. Together, these trees form the principal canopy vegetation on the property and are the most prominent elements of the site's existing treescape. Images of these trees are provided in Attachment 1, and are shown on the map below at Figure 6.

Any future development proposal would remain subject to the applicable planning controls and statutory assessment processes relating to vegetation protection and removal (see Section 1.3 for more information on the planning context). Should development proceed, a detailed Arboricultural Impact Assessment and Tree Protection Plan would be required to inform design and construction outcomes.

Figure 6 – Tree Location on 68 Mclver Street, Ferntree Gully**Table 1: Individual Tree Details from Preliminary Arboricultural Assessment**

Tree No.	Species	Condition (Health / Structure)	Retention Value
1	Acacia pravissima (Ovens Wattle)	Fair / Fair	Low
2	Acacia pravissima (Ovens Wattle)	Good / Fair	Low
3	Acacia pravissima (Ovens Wattle)	Poor / Fair	Low
4	Acacia melanoxylon (Blackwood)	Fair / Poor	Low
5	Pittosporum undulatum (Sweet Pittosporum)	Good / Fair	Low
6	Mixed Species	Good / Fair	Low
7	Acacia sp. (Wattle)	Dead / Poor	Low
8	Eucalyptus polyanthemos (Red Box)	Fair / Fair	Medium
9	Eucalyptus polyanthemos (Red Box)	Fair / Fair	Medium
10	Acacia melanoxylon (Blackwood)	Fair / Poor	Low
11	Acacia melanoxylon (Blackwood)	Poor / Poor	Low
12	Mixed Species	Fair / Poor	Low
13	Acacia melanoxylon (Blackwood)	Fair / Poor	Low
14	Acacia pendula (Weeping Myall)	Poor / Poor	Low
15	Callistemon sp. (Bottle Brush)	Fair / Fair	Low
16	Banksia marginata (Silver Banksia)	Fair / Poor	Low
17	Callistemon sp. (Bottle Brush)	Fair / Fair	Low
18	Callistemon sp. (Bottle Brush)	Fair / Fair	Low

Tree No.	Species	Condition (Health / Structure)	Retention Value
19	Ceratonia siliqua (Carob)	Fair / Fair	Low
20	Banksia integrifolia (Coast Banksia)	Good / Fair	Low
21	Podocarpus elatus (Illawarra Pine)	Fair / Poor	Low
22	Podocarpus elatus (Illawarra Pine)	Fair / Fair	Low
23	Podocarpus elatus (Illawarra Pine)	Fair / Fair	Low
24	Syzygium sp. (Lilly Pilly)	Fair / Fair	Low

1.3 The Planning Context

The site is located within the Neighbourhood Residential Zone (Schedule 1) and is subject to both a Design and Development Overlay (Schedule 2) and a Significant Landscape Overlay (Schedule 3). Together, these planning controls ensure that any future development must be compatible with the surrounding neighbourhood and protect the area's landscape character. Key controls include:

- Development must respond to the existing residential character of the area.
- Any proposal for two or more dwellings requires a planning permit and assessment by Council.
- Buildings are limited in size through maximum site coverage and impervious surface requirements.
- Lots cannot generally be subdivided below 500 square metres.
- Significant vegetation and established canopy trees are protected, with permits required for the removal of larger trees.
- Development must be designed to minimise its visual impact, retain landscaping opportunities and respect the environmental and landscape values of the Dandenong Foothills.

In addition to these controls, any multi-dwelling development would be assessed against the residential development standards (Clause 55) of the Knox Planning Scheme. The Design and Development Overlay and Significant Landscape Overlay impose additional requirements that further limit the scale and extent of development where necessary to protect neighbourhood character and landscape values.

As a result, while the site is capable of residential development, the planning controls applying to the land provide Council with a comprehensive framework to ensure any future development is appropriate for the site and surrounding area.

1.4 Current strategic and service need

Internal consultation has confirmed the site is not required for current or planned service delivery and does not fulfil an operational role. The land is vacant, contains no formal improvements and is maintained only through routine maintenance activities (largely mowing). On-site inspections have not revealed any worn pathways through the site, with officers speculating that the topography of the site (especially the steep sides) deters use as an easy cut-through or recreational area. While this assessment will be further tested through community engagement, no existing Council service has identified an operational need for the site.

While the site is identified within Council's Open Space Strategy (2012-2022), inclusion within the Strategy does not, of itself, indicate the land is required to be retained as public open space, nor

change the legal status of the land. The Strategy undertook high-level functional assessments of land across the municipality that contributed to open space provision, and includes land not owned by Council (for examples, it recognised open space owned by Parks Victoria, Melbourne Water and VicRoads, as well as school sites that can provide open space opportunities). There is no approved project, funding allocation, implementation program or adopted service requirement for the land at 68 Mclver Street, Ferntree Gully, to be developed, improved or maintained for public open space purposes.

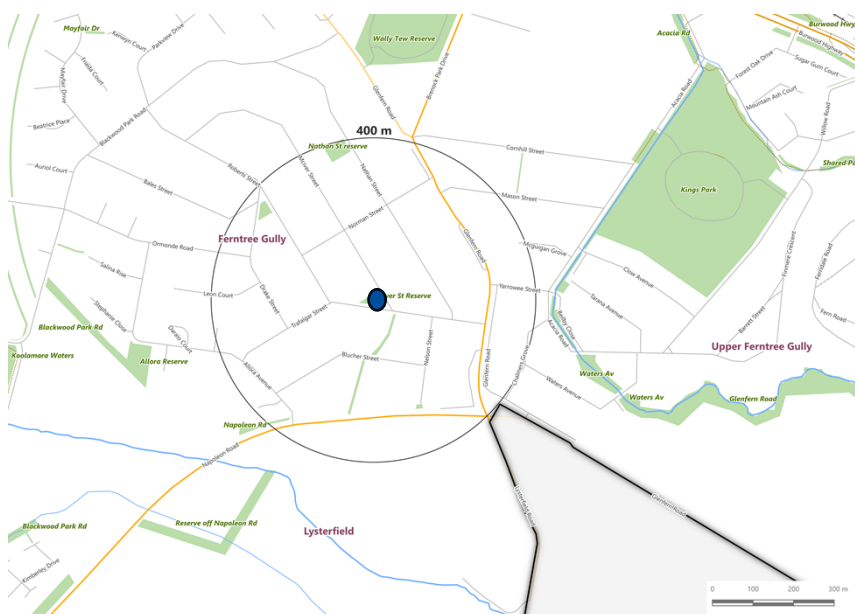
The surrounding neighbourhood is well serviced by a range of existing open space opportunities. As shown in Figure 7, nearby formal parks include:

- Drake Street Reserve (approximately 200 metres north-west)
- Allora Avenue Playground (approximately 500 metres west)
- Nathan Street Reserve (approximately 300 metres north)
- Kings Park (approximately 600 metres east), a major district park.

In addition, several recognised open space reserves provide passive open space and pedestrian connections within the area, including the drainage reserves south of the site linking Mclver Street to Blucher Street and Napoleon Road, tree reserves along Napoleon Road, and the reserve providing access to Monbulk Creek. Many of these areas provide similar passive open space opportunities to those currently offered by the subject land.

While disposal of the site would reduce the number of properties located within a 400-metre walking catchment of formal reserves, the surrounding neighbourhood would continue to have access to a range of passive open space within 400 meters as well as formalised reserves within typical walking distance. The 400-metre catchment is a commonly used planning benchmark rather than being a statutory requirement.

Figure 7: 68 Mclver Street with other local open space options shown in green, and a 400-meter radius (68 Mclver Street is at the blue circle)



1.5 Analysis against the Sale of Land and Building Policy

Council's Sale of Land and Building Policy establishes a set of principles that define and guide the process for identifying and proceeding with the sale of any Council owned land. Any potential sale must be assessed against the principles below, which provide the rational for any sale.

Under the Policy, Council must consider a report addressing these principles before resolving to proceed with public consultation.

1. Economic: Council evaluation of surplus property will consider the value of the land as well as the cost of retaining the land; utilities and any foregone revenue; as well as any potential return available from sale for alternative purposes.

The subject land incurs ongoing costs, including annual mowing costs for the site are approximately \$600 per annum.

Retaining the land ties up capital in an underutilised asset while continuing to incur ongoing maintenance, inspection and risk management costs. Disposal would realise the value of the asset and allow funds to be reinvested in Council's capital works program, which for the 2026-27 year includes works such as pavilion upgrades at Carrington Park; improved facilities at community buildings including Coonara Community House and Ferntree Gully Community Centre and road renewals.

There are no facilities on the site and no identified opportunity to lease or licence the land.

The site does not meet the legislative definition of open space. Accordingly, disposal would not require Council to provide replacement open space.

The site's existing Neighbourhood Residential Zone further supports its disposal potential. Unlike many Council-owned properties, the land does not require rezoning prior to sale, avoiding the Windfall Gains Tax (which applies where land values increase as a result of rezoning).

2. Change in Service(s) Delivery Needs: Does not or will not support, facilitate or contribute to current or future service delivery outcomes as identified in the Council Plan.

The property is a vacant site that does not currently support the delivery of any Council service and is not required for an operational purpose. Consultation with relevant service areas confirmed there is no current or planned service delivery requirement for the land. While the Council and Health and Wellbeing Plan (2025-2029) identifies a range of objectives relating to community services, open space, environmental outcomes and future city planning, no specific service, project or strategic initiative has been identified that requires the retention of this site to achieve those outcomes. Officers therefore consider the property does not contribute to current or future service delivery outcomes and may be considered surplus in this context.

3. Building Condition: Council will consider the current building asset condition, maintenance, renewal and upgrade considerations.

The criterion is not applicable, as the site contains no buildings or improvements.

4. Environment: Council will consider the sale of surplus land where retention will not enhance or protect its environmental value.

While the land is vegetated and affected by the Significant Landscape Overlay, it has not been identified as requiring retention for environmental protection or enhancement purposes. The accompanying tree assessment ([Attachment 1](#)) identified 24 trees on the site, comprising two

trees of medium retention value and 22 trees of low retention value. The higher-value trees are located around the site's perimeter, predominantly along the southern boundary, while the central portion of the site is characterised by smaller juvenile and semi-mature trees with generally low retention value.

Any future development would remain subject to the applicable planning controls, including the Significant Landscape Overlay, which may require permits for vegetation removal and provide for assessment of environmental impacts on a case-by-case basis. In addition, the Design and Development Overlay limits building coverage to 40 per cent of the site and total building and impervious surface coverage to 60 per cent, ensuring a substantial proportion of the site remains available for landscaping, permeable surfaces and vegetation retention.

On balance, retention of the land in Council ownership is not considered necessary to enhance or protect its environmental value.

5. Physical Works: Council will consider the sale of surplus land where it has not been identified in the Council Plan for the development of new assets or the improvements of existing assets.

The land has not been identified for the development of new Council assets or the improvement of existing assets. No approved capital works project, infrastructure program, asset renewal initiative or funded proposal require retention of the site.

6. Recreation: Council will consider the sale of surplus land where it is not required by the Council Plan for recreational purposes.

The site does not contain any recreational facilities or infrastructure. There is no evidence of established pedestrian pathways through the site, with the topography of the site likely deterring pedestrian use. While the site is identified within Council's Open Space Strategy (2012-2022), inclusion within the Strategy does not, of itself, indicate the land is required to be retained as public open space, nor change the legal status of the land. The Strategy undertook high-level functional assessments of land across the municipality that contributed to open space provision, and includes land not owned by Council (for examples, it recognised open space owned by Parks Victoria, Melbourne Water and VicRoads, as well as school sites that can provide open space opportunities). There is no approved project, funding allocation, implementation program or adopted service requirement for the land at 68 McIver Street, Ferntree Gully, to be developed, improved or maintained for public open space purposes. The site likely provides an incidental passive open space function for residents located within close vicinity of the site.

The surrounding area is serviced by a range of parks, reserves and passive open space opportunities, including Drake Street Reserve (approximately 200 metres north-west of the site), Allora Avenue Playground (approximately 500 metres west), Nathan Street Reserve (approximately 300 metres north) and Kings Park (approximately 600 metres east) (refer to Figure 7). In addition, several legally recognised open space reserves provide passive recreation opportunities and pedestrian connections within the area, including the drainage reserve immediately south of the site linking McIver Street to Blucher Street and Napoleon Road, the tree reserves along Napoleon Road, and the reserve providing access to Monbulk Creek. Collectively, these reserves provide a range of recreational, passive open space and connectivity functions that are comparable to those currently offered by the subject land.

Retention of the land is not considered necessary to meet recreational needs identified by the Council Plan.

7. Land Use Planning: Council will consider the sale of surplus land where there are no compelling land use planning grounds for retention.
The site is zoned Neighbourhood Residential Zone (NRZ1) and is affected by the Design and Development Overlay (DDO2) and Significant Landscape Overlay (SLO3). These controls seek to maintain the established neighbourhood character, protect vegetation, and preserve the landscape qualities of the Dandenong Foothills area. Any future development would be required to respond to these planning controls and be assessed through the statutory planning process. The applicable planning controls regulate the form and scale of future development irrespective of land ownership. Consequently, Council ownership is not required to achieve the desired neighbourhood character, environmental or landscape outcomes sought by the Knox Planning Scheme.
8. Social: Council will consider the sale of surplus land where alternative social uses have not been identified.
The land does not currently accommodate a community facility, provide a programmed community service or support an identified social infrastructure need. Consultation across Council did not identify any future community use or service proposal requiring the site. While the site provides an incidental visual benefit to the surrounding neighbourhood, this alone does not constitute an identified social purpose requiring Council ownership.
9. Intergenerational needs (future needs): Council will consider social, environmental and economic future needs of the asset (10-year and 20-year impacts) by considering how the land sale today benefits current and future generations in the municipality.
Retaining land without a defined strategic purpose limits Council's ability to direct resources towards assets and services that deliver greater community benefit. Disposal supports intergenerational equity by enabling investment in infrastructure and services that have an identified need while avoiding ongoing expenditure on an underutilised asset.
10. Heritage and Cultural Value: Council will consider the assets heritage and cultural values to the community.
The property is not identified as having heritage or cultural significance. It is not affected by a Heritage Overlay and no existing heritage values have been identified through officer consultation or strategic planning documents. It is not identified in the cultural heritage mapping maintained by Council. Council's Open Space team have advised that in recent engagement with local traditional owners and elders suggests there may be a potential for this site to contribute to recognition of the historic cultural values of the area, specifically for first nations and traditional owner groups. Given the topography of this area, hilltops and stony rises are an important feature; while this site is neither a hilltop or stony rise, it does provide some views to these. The recently-redrawn boundary between the Wurundjeri and Bunurong RAP areas is also visible from parts of the site at 68 McIver Street, Ferntree Gully. Discussions around this heritage and what might be done to recognise it are ongoing, with no set plan or program of work. This cultural significance applies to the whole of the hillside with these views, rather than specifically at 68 McIver Street, Ferntree Gully. While the site provides some view of cultural significant areas, there are other open space areas within the vicinity that can allow for the same view and connection to the importance of hilltops and stony rises.

11. Risk: Identify and assess risks associated with holding or disposing of the asset.

Retention exposes Council to ongoing financial, operational and public liability risks associated with ownership, including vegetation management, inspections, maintenance, public safety and compliance obligations. These obligations are not offset by any identified strategic, operational or service benefit.

Disposal removes the opportunity for future council use of the land and there may be adverse community views on this. This risk will be managed through the statutory community engagement process under the Local Government Act 2020, supported by a comprehensive communications approach. The engagement process will clearly explain the rationale for considering the land surplus, its planning status and the proposed process, while providing the community with the opportunity to make submissions. All feedback received will be considered and reported to Council before any decision is made on whether to proceed with the sale.

The assessment supports the property being declared surplus to Council's requirements in accordance with Council's Sale of Land and Buildings Policy. While a range of considerations have been identified and assessed, these do not provide a sufficient strategic, service delivery, environmental, social or land use planning basis to warrant retaining the property in Council ownership.

There is no adopted strategy, approved project, funded initiative or identified service requirement that relies on its retention. Internal consultation across relevant service areas has similarly confirmed that there is no current or planned operational need for the site.

Retaining the property would continue to expose Council to ongoing maintenance, risk management and holding costs without delivering a corresponding community or strategic benefit. In contrast, declaring the land surplus would enable Council to realise the value of an underutilised asset, with sale proceeds available to support the delivery of Council's capital works program. On balance, the evidence supports the conclusion that the property is surplus to Council's current and foreseeable requirements and should proceed to the statutory consultation process required before Council considers whether to dispose of the land.

2. ENGAGEMENT

No public consultation has been undertaken at this stage. Should Council declare the property surplus, community engagement will be undertaken in accordance with Council's Engagement Policy prior to any final decision, as required under the Local Government Act 2020.

A draft engagement and communications plan has been prepared, with an indicative commencement date of late August. In line with Council's Engagement Policy and previous consultations, engagement will run for three weeks and include on-site signage, a Have Your Say page, a dedicated webpage and a letter drop to surrounding residents. This will include the houses within a 400 meter radius in all directions.

The engagement process will provide information regarding the site's planning status, current strategic and service assessment, detail that proceeds from the sale of the property are budgeted to contribute towards the capital program, supporting the renewal and upgrade of existing assets, and the statutory requirements associated with any proposed disposal, while providing the community with an opportunity to express views on the proposal.

Outcomes of the engagement process will be reported back to Council, including an analysis of key themes raised by participants and officers' considerations of those matters. All submissions received will be provided to Council as an appendix to the subsequent Council report and will be considered alongside information relating to service need, strategic planning, open space provision, environmental considerations, financial implications and Council's broader property portfolio objectives before any final decision is made.

3. SOCIAL IMPLICATIONS

The site does not currently provide a community facility, service or formal recreational function. Officer investigations did not identify any evidence of regular informal usage, such as worn walking paths.

A range of alternative parks, reserves and passive open space opportunities would remain available within the surrounding area. The surrounding neighbourhood is well serviced by existing open space assets, including Drake Street Reserve (approximately 200 metres north-west), Allora Avenue Playground (approximately 500 metres west), Nathan Street Reserve (approximately 300 metres north) and Kings Park (approximately 600 metres east). In addition, several designated open space reserves provide passive recreation opportunities and pedestrian connections in the immediate area, including the drainage reserve linking McIver Street and Blucher Street and Napoleon Road, the tree reserves along Napoleon Road, and the reserve providing access to Monbulk Creek (refer Figure 7).

Community consultation will provide an opportunity to further understand any social impacts, perceived community value or local use of the land that may not otherwise be evident.

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

The site contains 24 trees and is affected by the Significant Landscape Overlay (SLO3), which provides planning controls relating to vegetation protection and removal. An arboricultural assessment identified two trees of medium retention value and 22 trees of low retention value, with no trees assessed as having high or exceptional retention value.

Any future development would remain subject to the Knox Planning Scheme, including the requirements of the Significant Landscape Overlay and Clause 52.37 where applicable. The arboricultural assessment identified that three trees would require a planning permit for removal. Appropriate vegetation protection and assessment processes would continue to apply irrespective of land ownership.

As the site has not been identified for environmental protection or conservation purposes, officers have not identified any significant environmental impacts arising from the proposed commencement of the statutory land disposal process.

6. FINANCIAL AND RESOURCE IMPLICATIONS

The 2026–27 Budget includes anticipated land sale proceeds. The budgeted proceeds form part of the budgeted proceeds anticipated to fund a portion of the capital program in the 2026/27 Adopted Budget. Should the proceeds not be substantially realised, this will require consideration of additional borrowings, a reduction in the capital program or a combination.

7. RISKS

Risk	Assessment	Treatment
Community concern regarding potential disposal of Council-owned property	Medium	Manage – Undertake community engagement as required under the Local Government Act 2020, provide clear information explaining why the land is considered surplus, its planning status and ensure all submissions are considered and reported to Council before any decision is made.
Identification of previously unknown community, social or strategic value through the engagement process.	Low	Manage – Consultation findings will be assessed and reported back to Council before any final decision regarding sale.
Environmental concerns relating to vegetation removal and future development.	Low	Manage – Existing planning controls, including the Significant Landscape Overlay (SLO3) and permit requirements, will continue to apply irrespective of land ownership.
Market conditions impacting the eventual sale value of the land.	Medium	Manage – Obtain an updated valuation prior to any future market campaign and determine the timing of any sale accordingly.

8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029

Leading, listening and governing responsibly

Strategy 4.5 - Council is financially sustainable through long-term strategic, financial and asset planning, and the responsible prioritisation, allocation and use of resources.

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

- Attachment 1 - Tree report 68 Mc Iver Street Ferntree Gully [8.3.1 - 26 pages]

Preliminary Arboricultural Assessment

Site Address:

68 McIver Street, Ferntree Gully

Prepared for:

Knox City Council

Prepared by:

Lachlan J Egan

DipArb

Submitted: 29/05/2026

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Document Control

Table 1. Document Control

Version	Author	Date	Amendment
1	Lachlan J Egan	29/05/2026	Null

Introduction

Melbourne Tree Care was contracted by Knox City Council to undertake a preliminary arboricultural assessment for trees located within subject site that may be impacted by future development.

Aim of report

The intention of this report is to:

- Assess trees that may be impacted by future development.
- State the permit requirements for tree removal.
- State the retention value for each tree assessed.
- State the notional root zone (NRZ) and structural root zone (SRZ) of all trees assessed.

Methodology

- Lachlan J Egan of Melbourne Tree Care attended site on the 27th of May 2026.
- Data acquired is based on a Visual Tree Inspection (VTA) from the ground (Mattheck and Breloer, 1994).
- All trees within the subject site with a mature height greater than five metres were assessed.
- Trees were grouped where they are densely planted and are of the same species and/or are of similar size.
- Data collected for each tree was their current size (DSH, DaB, crown spread, height), condition (health and structure), ULE (useful life expectancy), retention value, NRZ, and SRZ.
- DSH (Diameter at Standard Height) was measured at 1.4 metres using a diameter tape.
- DaB (Diameter at Base) was measure above the root flare using a diameter tape.
- Tree height and canopy spread were estimated.
- Tree locations are estimates based on aerial imagery.
- Data was recorded using Tree Plotter.
- NRZs and SRZs were calculated in accordance with Australian Standard 4970-2025 Protection of trees on development sites.



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Planning Controls

The subject site is located in Knox City Council Neighbourhood Residential Zone – (NRZ1). Two planning overlays are present:

- Significant Landscape Overlay – Schedule 3 (SLO3)
- Design and Development Overlay – Schedule 2 (DDO2)

Vegetation Controls

SLO3

As stated in the SLO a permit is required to remove, destroy or lop a tree if it has a height of 5 metres or more or a trunk girth greater than 0.5 metre when measured at a height of 0.5 metres above adjacent ground level (on sloping ground to be taken on the uphill side of the tree base) or immediately above the ground for multi-stemmed trees. This does not apply to a tree that is:

- Listed in Table 1 of this schedule.
 - *Pittosporum undulatum*
- Dead. This exemption does not apply to standing dead tree with a trunk girth of 0.4 metre or more at a height of 1.3 metres above ground level.

Clause 52.37

As stated in clause 52.37 a permit is required for the removal of any canopy tree within 4.5 meters from the rear setback and 6 meters from the front setback on a site in a Neighbourhood Residential Zone with an existing dwelling. A canopy tree means a tree that has a height of more than five metres above ground level, a trunk circumference of more than 0.5 metres, measured at 1.4 metres above ground level, and a canopy diameter of at least four metres.

See **Table 2** below for individual tree permit requirements.

Trees may be protected through additional mechanisms beyond the controls listed above and, before the removal of any vegetation, it is best practice to contact and confirm works with the relevant authority.



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Table 2. Individual Tree Permit Requirements

Location	Tree Id	Botanical Name	Origin	Circumference (cm)	Height (m)	Spread (m)	Permit Required SLO3	Permit Required Clause 52.37
Onsite	1	<i>Acacia pravissima</i>	Vic. Native	22	2	2	No	No
Onsite	2	<i>Acacia pravissima</i>	Vic. Native	22	2	3	No	No
Onsite	3	<i>Acacia pravissima</i>	Vic. Native	9	2	1	No	No
Onsite	4	<i>Acacia melanoxylon</i>	Vic. Native	44	3	5	No	No
Onsite	5	<i>Pittosporum undulatum</i>	Vic. Native	25	4	2	No	No
Onsite	6	N/A	Aus. Native	47	4	2	No	No
Onsite	7	<i>Acacia sp.</i>	Aus. Native	41	4	1	No	No
Onsite	8	<i>Eucalyptus polyanthemos</i>	Vic. Native	66	7	4	Yes	Yes
Onsite	9	<i>Eucalyptus polyanthemos</i>	Vic. Native	101	10	5	Yes	Yes
Onsite	10	<i>Acacia melanoxylon</i>	Vic. Native	19	3	1	No	No
Onsite	11	<i>Acacia melanoxylon</i>	Vic. Native	65	5	4	Yes	Yes
Onsite	12	N/A	Mixed	47	6	4	No	No
Onsite	13	<i>Acacia melanoxylon</i>	Vic. Native	44	4	2	No	No
Onsite	14	<i>Acacia pendula</i>	Vic. Native	16	2	2	No	No
Onsite	15	<i>Callistemon sp.</i>	Aus. Native	9	2	1	No	No
Onsite	16	<i>Banksia marginata</i>	Vic. Native	44	3	3	No	No
Onsite	17	<i>Callistemon sp.</i>	Aus. Native	9	2	1	No	No
Onsite	18	<i>Callistemon sp.</i>	Aus. Native	9	2	1	No	No
Onsite	19	<i>Ceratonia siliqua</i>	Exotic	6	2	1	No	No
Onsite	20	<i>Banksia integrifolia</i>	Vic. Native	25	4	1	No	No
Onsite	21	<i>Podocarpus elatus</i>	Aus. Native	9	2	1	No	No
Onsite	22	<i>Podocarpus elatus</i>	Aus. Native	9	2	1	No	No
Onsite	23	<i>Podocarpus elatus</i>	Aus. Native	6	2	1	No	No
Onsite	24	<i>Syzygium sp.</i>	Aus. Native	13	3	1	No	No



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Observations

A total of 24 individual trees or groups of trees were assessed for this report. (Figure 1). See **Appendix A** for tree locations. Detailed observations for individual trees are listed in **Appendix B** and see **Appendix C** for glossary of terms.

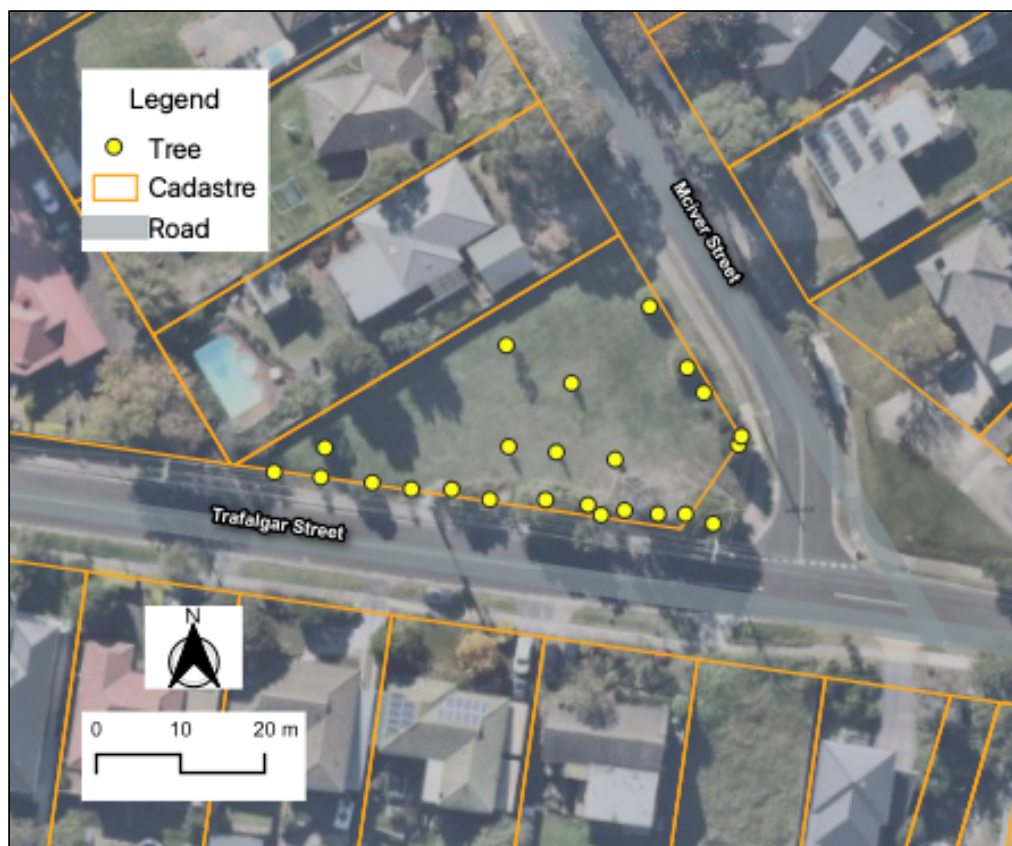


Figure 1. Site overview and tree locations

Tree Population Overview

The trees assessed are semi mature (58%) and juvenile (42%) in age. The trees are a mix of Victorian native (57%), Australian native (39%), and exotic (4%) species. The population is comprised of over ten different species with *Acacia melanoxylon* (Blackwood) the most common planted species assessed. A number of trees could only be identified to a genus level due to a lack of identifiable features (leaves, flowers, fruit).



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Health

The health of the trees is assessed as fair (67%), good (17%), poor (12%), and dead (4%). Most trees are presenting with good leaf size and colour, crown density, and branch elongation; all of which are indicators of good vigour and vitality.

Structure

The structure of the trees is assessed as fair (63%) and poor (37%). Most trees present with strong and open branch attachments and are generally free of above ground defects.

Tree Retention Value

No trees have been assessed as having an exceptional or high retention value, two trees have a medium retention value, and 22 trees have a low retention value. See **Table 3** below for individual tree retention values.

Table 3. Individual Tree Retention Values

Retention Value	Tree Id
Medium	8, 9
Low	1-7, 10-24

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Notional Root Zones

A Notional Root Zone (NRZ), as stated by the Australian Standard AS4970-2025, Protection of trees on development sites, is the principal means of protection of trees on development site. The NRZ is a combination of the root area and crown area requiring protection. It is an area isolated from construction disturbance, so that the tree remains viable.

The Australian Standard AS4970-2025 is being used in assessing the protection areas for each tree as it describes the best practices for the planning and protection of trees on development sites.

Table 4. Individual NRZs and SRZs

Location	Tree Id	Botanical Name	NRZ Radius (m)	SRZ Radius (m)
Onsite	1	<i>Acacia pravissima</i>	2	1.5
Onsite	2	<i>Acacia pravissima</i>	2	1.5
Onsite	3	<i>Acacia pravissima</i>	2	1.5
Onsite	4	<i>Acacia melanoxylon</i>	2	1.72
Onsite	5	<i>Pittosporum undulatum</i>	2	1.5
Onsite	6	N/A	2	1.68
Onsite	7	<i>Acacia sp.</i>	2	1.65
Onsite	8	<i>Eucalyptus polyanthemos</i>	2.52	1.85
Onsite	9	<i>Eucalyptus polyanthemos</i>	3.84	2.15
Onsite	10	<i>Acacia melanoxylon</i>	2	1.5
Onsite	11	<i>Acacia melanoxylon</i>	2.47	1.94
Onsite	12	N/A	2	1.68
Onsite	13	<i>Acacia melanoxylon</i>	2	1.72
Onsite	14	<i>Acacia pendula</i>	2	1.5
Onsite	15	<i>Callistemon sp.</i>	2	1.5
Onsite	16	<i>Banksia marginata</i>	2	1.72
Onsite	17	<i>Callistemon sp.</i>	2	1.5
Onsite	18	<i>Callistemon sp.</i>	2	1.5
Onsite	19	<i>Ceratonia siliqua</i>	2	1.5
Onsite	20	<i>Banksia integrifolia</i>	2	1.5
Onsite	21	<i>Podocarpus elatus</i>	2	1.5
Onsite	22	<i>Podocarpus elatus</i>	2	1.5
Onsite	23	<i>Podocarpus elatus</i>	2	1.5
Onsite	24	<i>Syzygium sp.</i>	2	1.5

m – metres;

In calculating the radius for the Notional Root (NRZ), the DSH, measured at 1.4m from the ground, is multiplied by 12. The NRZ requirements are as follows:

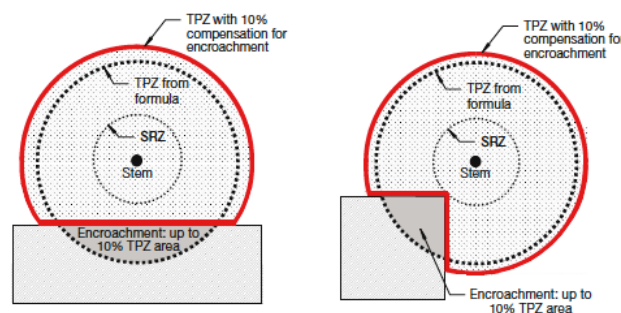


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- If the NRZ is encroached by less than 10%, the Australian Standard AS4970-2025 states this unlikely that there will be a significant impact to tree health or longevity.
- If the NRZ is encroached by 10-20%, the Australian Standard AS4970-20025 states the project Arborist is to demonstrate that the tree(s) would remain viable.
- If the NRZ is encroached by greater than 20% the Australian Standard AS4970-20025 states a more detailed investigation is to be undertaken.



The Structural Root Zone (SRZ) is the area around the base of the tree required for stability in the ground. These roots are fundamental for the trees structure and health. The standard states:

"The area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed by its radius in metres. This zone considers a tree's structural stability only, not the root zone required for a tree's vigour and long-term viability, which will usually be a much larger area." (AS4970)

To calculate the SRZ, the equation is $(D \times 50)^{0.42} \times 0.64$, where D is the Diameter at Base (DAB).

The effects of root loss or damage by any means could include:

- Loss of stability if structural woody roots or even lower order woody roots are cut
- Reduction in water and nutrient uptake
- An eventual loss of leaves, reduced photosynthesis and thus sugar production
- Decay as a result of wounding



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Conclusion

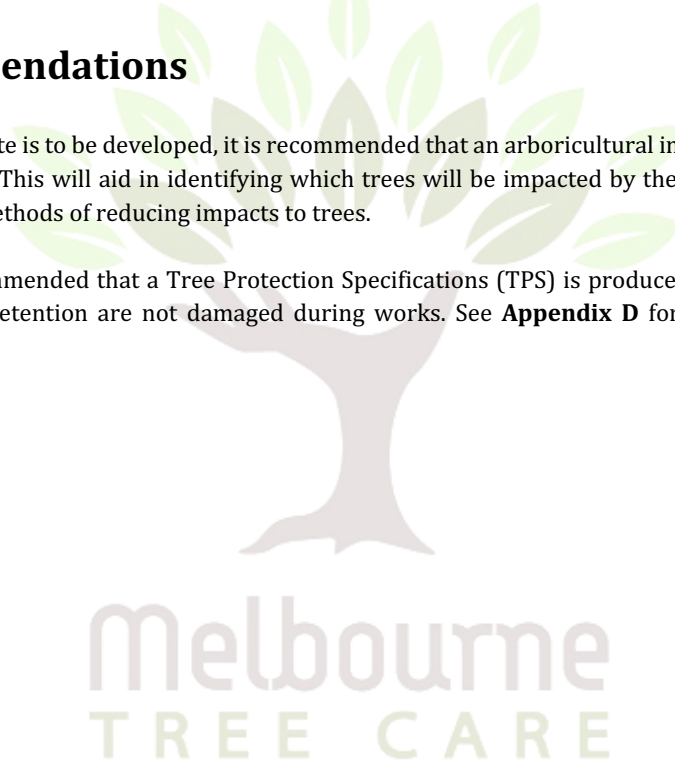
A total of 24 individual trees or groups of trees were assessed for this report. The main findings of the assessment were:

- Three trees within the subject site require a permit under SLO3 and Clause 52.37.
- The trees are generally in fair health, with no significant pest or disease observed.
- The structure of the trees is generally fair, with most trees presenting with strong and open branch and stem attachments.
- Two trees were found to have a medium retention value.
- Twenty-two trees were found to have a low retention value.

Recommendations

If the subject site is to be developed, it is recommended that an arboricultural impact assessment is undertaken. This will aid in identifying which trees will be impacted by the proposed works and provide methods of reducing impacts to trees.

It is also recommended that a Tree Protection Specifications (TPS) is produced to ensure trees proposed for retention are not damaged during works. See **Appendix D** for Tree Protection Measures.







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Appendix B: Individual Tree Data

Tree Id: 1 **Location:** Onsite

Botanical Name: *Acacia pravissima* **DSH (cm):** 7

Common Name: Ovens Wattle **DaB (cm):** 11

Tree Height (m): 2 **Canopy Spread (m):** 2

Health: Fair **Structure:** Fair

Origin: Vic. Native **Age:** Semi mature **ULE:** Medium

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations:



Tree Id: 2 **Location:** Onsite

Botanical Name: *Acacia pravissima* **DSH (cm):** 7

Common Name: Ovens Wattle **DaB (cm):** 11

Tree Height (m): 2 **Canopy Spread (m):** 3

Health: Good **Structure:** Fair

Origin: Vic. Native **Age:** Semi mature **ULE:** Medium

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations:



Tree Id: 3 **Location:** Onsite

Botanical Name: *Acacia pravissima* **DSH (cm):** 3

Common Name: Ovens Wattle **DaB (cm):** 7

Tree Height (m): 2 **Canopy Spread (m):** 1

Health: Poor **Structure:** Fair

Origin: Vic. Native **Age:** Juvenile **ULE:** Medium

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations:





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Tree Id: 4 **Location:** Onsite
Botanical Name: *Acacia melanoxylon* **DSH (cm):** 14
Common Name: Blackwood **DaB (cm):** 21
Tree Height (m): 3 **Canopy Spread (m):** 5
Health: Fair **Structure:** Poor
Origin: Vic. Native **Age:** Semi mature **ULE:** 0 years
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.72
Observations: Wounds. Previously failed at base



Tree Id: 5 **Location:** Onsite
Botanical Name: *Pittosporum undulatum* **DSH (cm):** 8
Common Name: Sweet Pittosporum **DaB (cm):** 12
Tree Height (m): 4 **Canopy Spread (m):** 2
Health: Good **Structure:** Fair
Origin: Vic. Native **Age:** Semi mature **ULE:** Short
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5
Observations: Weed species



Tree Id: 6 **Location:** Onsite
Botanical Name: N/A **DSH (cm):** 15
Common Name: Mixed Species **DaB (cm):** 20
Tree Height (m): 4 **Canopy Spread (m):** 2
Health: Good **Structure:** Fair
Origin: Aus. Native **Age:** Semi mature **ULE:** Short
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.68
Observations: Group of weed species





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Tree Id: 7 **Location:** Onsite
Botanical Name: *Acacia sp.* **DSH (cm):** 13
Common Name: Wattle **DaB (cm):** 19
Tree Height (m): 4 **Canopy Spread (m):** 1
Health: Dead **Structure:** Poor
Origin: Aus. Native **Age:** Semi mature **ULE:** 0 years
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.65
Observations:



Tree Id: 8 **Location:** Onsite
Botanical Name: *Eucalyptus polyanthemos* **DSH (cm):** 21
Common Name: Red Box **DaB (cm):** 25
Tree Height (m): 7 **Canopy Spread (m):** 4
Health: Fair **Structure:** Fair
Origin: Vic. Native **Age:** Semi mature **ULE:** Medium
Retention Value: Medium **NRZ (m):** 2.52 **SRZ (m):** 1.85
Observations: Previously pruned for powerline clearance



Tree Id: 9 **Location:** Onsite
Botanical Name: *Eucalyptus polyanthemos* **DSH (cm):** 32
Common Name: Red Box **DaB (cm):** 36
Tree Height (m): 10 **Canopy Spread (m):** 5
Health: Fair **Structure:** Fair
Origin: Vic. Native **Age:** Semi mature **ULE:** Medium
Retention Value: Medium **NRZ (m):** 3.84 **SRZ (m):** 2.15
Observations: Previously pruned for powerline clearance. Previous failures





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Tree Id: 10 **Location:** Onsite

Botanical Name: *Acacia melanoxylon* **DSH (cm):** 6

Common Name: Blackwood **DaB (cm):** 11

Tree Height (m): 3 **Canopy Spread (m):** 1

Health: Fair **Structure:** Poor

Origin: Vic. Native **Age:** Semi mature **ULE:** Short

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations: Included codominant stems. Previous failures



Tree Id: 11 **Location:** Onsite

Botanical Name: *Acacia melanoxylon* **DSH (cm):** 20.62

Common Name: Blackwood **DaB (cm):** 28

Tree Height (m): 5 **Canopy Spread (m):** 4

Health: Poor **Structure:** Poor

Origin: Vic. Native **Age:** Semi mature **ULE:** Short

Retention Value: Low **NRZ (m):** 2.47 **SRZ (m):** 1.94

Observations: Included codominant stems. Wounds.



Tree Id: 12 **Location:** Onsite

Botanical Name: N/A **DSH (cm):** 15

Common Name: Mixed Species **DaB (cm):** 20

Tree Height (m): 6 **Canopy Spread (m):** 4

Health: Fair **Structure:** Poor

Origin: Mixed **Age:** Semi mature **ULE:** Short

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.68

Observations: Group of weed species.





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Tree Id: 13 **Location:** Onsite
Botanical Name: *Acacia melanoxylon* **DSH (cm):** 14
Common Name: Blackwood **DaB (cm):** 21
Tree Height (m): 4 **Canopy Spread (m):** 2
Health: Fair **Structure:** Poor
Origin: Vic. Native **Age:** Semi mature **ULE:** Short
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.72
Observations: Previous failures. Included codominant stems



Tree Id: 14 **Location:** Onsite
Botanical Name: *Acacia pendula* **DSH (cm):** 5
Common Name: Weeping Myall **DaB (cm):** 11
Tree Height (m): 2 **Canopy Spread (m):** 2
Health: Poor **Structure:** Poor
Origin: Vic. Native **Age:** Juvenile **ULE:** Short
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5
Observations: Included codominant stems. Dieback



Tree Id: 15 **Location:** Onsite
Botanical Name: *Callistemon sp.* **DSH (cm):** 3
Common Name: Bottle Brush **DaB (cm):** 4
Tree Height (m): 2 **Canopy Spread (m):** 1
Health: Fair **Structure:** Fair
Origin: Aus. Native **Age:** Juvenile **ULE:** Medium
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5
Observations:





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Tree Id: 16 **Location:** Onsite

Botanical Name: *Banksia marginata* **DSH (cm):** 14

Common Name: Silver Banksia **DaB (cm):** 21

Tree Height (m): 3 **Canopy Spread (m):** 3

Health: Fair **Structure:** Poor

Origin: Vic. Native **Age:** Semi mature **ULE:** Short

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.72

Observations: Included codominant stems.



Tree Id: 17 **Location:** Onsite

Botanical Name: *Callistemon sp.* **DSH (cm):** 3

Common Name: Bottle Brush **DaB (cm):** 4

Tree Height (m): 2 **Canopy Spread (m):** 1

Health: Fair **Structure:** Fair

Origin: Aus. Native **Age:** Juvenile **ULE:** Medium

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations:



Tree Id: 18 **Location:** Onsite

Botanical Name: *Callistemon sp.* **DSH (cm):** 3

Common Name: Bottle Brush **DaB (cm):** 4

Tree Height (m): 2 **Canopy Spread (m):** 1

Health: Fair **Structure:** Fair

Origin: Aus. Native **Age:** Juvenile **ULE:** Medium

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations: Wound





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Tree Id: 19 **Location:** Onsite
Botanical Name: *Ceratonia siliqua* **DSH (cm):** 2
Common Name: Carob **DaB (cm):** 4
Tree Height (m): 2 **Canopy Spread (m):** 1
Health: Fair **Structure:** Fair
Origin: Exotic **Age:** Juvenile **ULE:** Medium
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5
Observations: Wound



Tree Id: 20 **Location:** Onsite
Botanical Name: *Banksia integrifolia* **DSH (cm):** 8
Common Name: Coast Banksia **DaB (cm):** 14
Tree Height (m): 4 **Canopy Spread (m):** 1
Health: Good **Structure:** Fair
Origin: Vic. Native **Age:** Semi mature **ULE:** Medium
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5
Observations:



Tree Id: 21 **Location:** Onsite
Botanical Name: *Podocarpus elatus* **DSH (cm):** 3
Common Name: Illawarra Pine **DaB (cm):** 4
Tree Height (m): 2 **Canopy Spread (m):** 1
Health: Fair **Structure:** Poor
Origin: Aus. Native **Age:** Juvenile **ULE:** Short
Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5
Observations: Wounds. Loose in ground





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Tree Id: 22 **Location:** Onsite

Botanical Name: *Podocarpus elatus* **DSH (cm):** 3

Common Name: Illawarra Pine **DaB (cm):** 4

Tree Height (m): 2 **Canopy Spread (m):** 1

Health: Fair **Structure:** Fair

Origin: Aus. Native **Age:** Juvenile **ULE:** Medium

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations:



Tree Id: 23 **Location:** Onsite

Botanical Name: *Podocarpus elatus* **DSH (cm):** 2

Common Name: Illawarra Pine **DaB (cm):** 4

Tree Height (m): 2 **Canopy Spread (m):** 1

Health: Fair **Structure:** Fair

Origin: Aus. Native **Age:** Juvenile **ULE:** Medium

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations:



Tree Id: 24 **Location:** Onsite

Botanical Name: *Syzygium sp.* **DSH (cm):** 4

Common Name: Lilly Pilly **DaB (cm):** 6

Tree Height (m): 3 **Canopy Spread (m):** 1

Health: Fair **Structure:** Fair

Origin: Aus. Native **Age:** Juvenile **ULE:** Short

Retention Value: Low **NRZ (m):** 2 **SRZ (m):** 1.5

Observations: In decline





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Appendix C: Glossary of Terms

Age

Juvenile	Juvenile or recently planted approximately 1-7 years.
Semi Mature	Tree actively growing.
Mature	Tree has reached expected size in situation.
Senescent	Tree is over mature and has started to decline.

Origin

Indigenous	Trees that are naturally occurring within a subject site or within the municipality of the subject area
Victorian native	Trees that are naturally occurring within Victoria
Australian native	Trees that are naturally occurring within Australia
Exotic	Trees that are not naturally occurring to any part of Australia

USEFUL LIFE EXPECTANCY – ULE

The useful life of a tree is an estimate of how long a tree is likely to remain in the landscape based on health, amenity and risk.

Long ULE Trees that appear to be retainable with an acceptable level of risk for more than 40 years.

1. Structurally sound trees located in positions that can accommodate future growth.
2. Storm damaged or defective trees that could be made suitable for retention in the long term by remedial tree surgery.
3. Trees of special significance for historical, commemorative or rarity reasons that would warrant extraordinary efforts to secure their long-term retention.

Medium ULE Trees that appear to be retainable with an acceptable level of risk for 15 to 40 years.

1. Trees that may only live between 15 and 40 years.
2. Trees that may live for more than 40 years but would be removed to allow the safe development of more suitable individuals.
3. Trees that may live for more than 40 years but would be removed during the course of normal management for safety and nuisance reasons.
4. Storm damage or defective trees that can be made suitable for retention in the medium term by remedial work.

Short ULE Trees that appear to be retainable with an acceptable level of risk for 5 to 15 years.



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1. Trees that may live for 5 to 15 years.
2. Trees that may live for more than 15 years but would be removed to allow the safe development of more suitable individuals.
3. Trees that may live for more than 15 years but would be removed during the course of normal management for safety and nuisance reasons.
4. Storm damaged or defective trees that require substantial remedial work to make safe and are only suitable for retention in the short term.

0-5 Years Trees with a high level of risk that would need removal within the next 5 years.

1. Dead trees.
2. Dying or suppressed and declining trees through disease or inhospitable conditions.
3. Dangerous trees through instability or recent loss of adjacent trees.
4. Dangerous trees through structural defects including cavities, decay, included bark, wounds or poor form.
5. Damaged trees that are considered unsafe to retain.
6. Trees that will become dangerous after removal of other trees for the above reasons.

Condition

This is a combined indicator of 'health' and 'structure' based on the following descriptors:

Health

Good	Foliage of tree is entire, with good colour, very little sign of pathogens and of good density. Growth indicators are good ie. Extension growth of twigs and wound wood development. Minimal or no canopy die back (deadwood).
Fair	Tree is showing one or more of the following symptoms; < 25% dead wood, minor canopy die back, foliage generally with good colour though some imperfections may be present. Minor pathogen damage present, with growth indicators such as leaf size, canopy density and twig extension growth typical for the species in this location.
Poor	Tree is showing one or more of the following symptoms of tree decline; > 25% deadwood, canopy die back is observable, discoloured or distorted leaves. Pathogens present, stress



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symptoms are observable as reduced leaf size, extension growth and canopy density.

Dead Structure

No vascular function.

Good

Trunk and scaffold branches show good taper and attachment with minor or no structural defects. Tree is a good example of the species with a well-developed form showing no obvious root problems or pests and diseases.

Fair

Tree shows some minor structural defects or minor damage to trunk eg. bark missing, there could be cavities present. Minimal damage to structural roots. Tree could be seen as typical for this species.

Poor

There are major structural defects, damage to trunk or bark missing. Co-dominant stems could be present or poor structure with likely points of failure. Girdling or damaged roots obvious. Tree is structurally problematic.

Retention Value

- **Exceptional** - trees must be retained at all costs
 - A tree has horticultural, social, historical or cultural value.
 - A tree that has outstanding habitat value.
 - A tree that is an outstanding size for the species.
 - A tree that is remnant.
 - A tree species that is endangered.
- **High** - trees should be considered for retention wherever possible
 - A tree that is in good-fair health and structure with a long ULE.
 - A tree that is in good health, with good structure, is semi mature or mature, and with a medium ULE.
 - A tree that has cultural, botanical, or landscape significance.
- **Medium** - trees should be considered for retention wherever possible but should not pose a material constraint to site development
 - A tree that is in fair health and structure, is semi mature, and with a medium ULE.
 - A tree that is in poor health or poor structure, is mature, and with a medium or short ULE.



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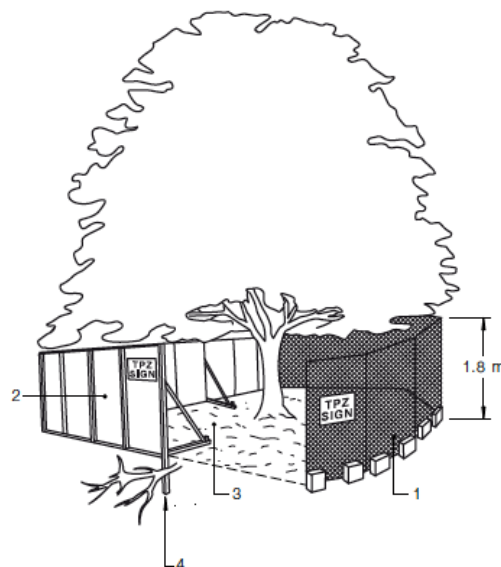
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- **Low** - trees should be removed
 - A tree that is in poor health and structure with a short ULE.
 - Weed species.
- **Third Party** – trees are third party assets and must be retained at all costs.
 - A tree that is located on adjoining properties.

Appendix D: Tree Protection Measures

- Signs identifying the TPZ should be placed around the edge of the TPZ and be visible from within the development site.
- Fencing should be erected before any machinery or materials are brought onto the site and before the commencement of works including demolition. Once erected, protective fencing must not be removed or altered without approval by the project arborist. The TPZ should be secured to restrict access.



LEGEND:

- 1 Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
- 2 Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
- 3 Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
- 4 Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

Example of fencing (AS4970: 2025)

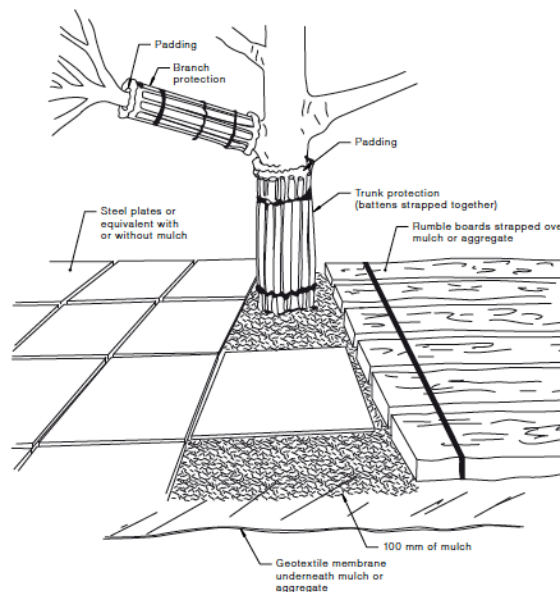


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- If the TPZ is to be encroached by construction, manual excavation of the roots is to be carried out under the supervision of the project arborist to identify roots critical to tree stability.
- No roots greater than 25mm are to be cut unless supervised by the project arborist.
- Roots should be pruned with sharp tools such as secateurs, handsaws or chainsaws.
- No roots within the TPZ are to be cut with machinery such as backhoes or excavators.
- Where roots are exposed, temporary root protection should be installed to prevent them drying out. Hessian sheeting as multiple layers on exposed roots would reduce the loss of moisture.
- All services should be routed outside the TPZ. If underground services are to be routed through the TPZ, they should be installed by directional drilling or manually excavated trenches. Directional boring should be at least 600mm deep.
- If temporary access for machinery is required within the TPZ ground protection measures will be required. The purpose of ground protection is to prevent root damage and soil compaction within the TPZ. Measures may include a permeable membrane such as geotextile fabric beneath a layer of mulch or crushed rock below rumble board.



Ground Protection (AS4970: 2025)

- Activities generally excluded from the TPZ include but are not limited to:
 - Machine excavation including trenching
 - Excavation for silt fencing



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- Storage
- Preparation of chemicals, including preparation of cement products
- Parking of vehicles and plant
- Refueling
- Dumping of waste
- Wash down and cleaning of equipment
- Placement of fill

Appendix E: References

- Mattheck, C. and Breleor, H., (1994), *The body language of trees*, The Stationery Office, London, UK.
- Standards Australia 2025 SAI Global - *AS4970 Protection of Trees on Development Sites*

Appendix F: Qualifications and Experience

Lachlan J Egan has the following qualifications and experience:

Diploma of Arboriculture

QTRA (Quantified Risk Assessment) registered user

10+ Years industry experience

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Appendix G: Report Limitations and Constraints

- The report is limited to the time of inspection.
- The report reflects the trees as found on the days of inspection. Any changes to site conditions or surroundings, such as construction works or landscape works may alter the findings of the report subject to conditions and recommendations as set out within the report.
- The report is based on the inspection and the material available at the time of inspection or that information further to the inspection found within the report.
- No soil samples were taken for laboratory analysis.
- Tree roots were not inspected below ground except where previously exposed and/or where otherwise stated within the report.
- Measurements may be approximates only and generally not to scale.
- All images supplied are interpretations only and should not be taken as true at time of inspection or indicative of tree condition or status at time of inspection or time of report release, inclusive of Google images if applicable

Appendix H: Disclaimer

Although MELBOURNRE TREE CARE P.L. uses all due care and skill in providing you the information made available in this report, to the extent permitted by law MELBOURNE TREE CARE P.L. otherwise excludes all warranties of any kind, either expressed or implied. To the extent permitted by law, you agree that MELBOURNE TREE CARE P.L. is not liable to you or any other person or entity for any loss or damage caused or alleged to have been caused (including loss or damage resulting from negligence), either directly or indirectly, by your use of the information (including by way of example, Arboricultural advice) made available to you in this report. Without limiting this disclaimer, in no event will MELBOURNE TREE CARE P.L. be liable to you for any lost revenue or profits, or for special, indirect, consequential or incidental damage (however caused and regardless of the theory of liability) arising out of or related to your use of that information, even if MELBOURNE TREE CARE P.L. has been advised of the possibility of such loss or damage.

8.4 Council Resolutions Progress Report - April to June 2026

Final Report Destination:	Council
Paper Type:	For Noting
Author:	Governance Officer, Damian Watson
Manager:	Manager Governance and Risk, Andrew Dowling
Executive:	Director Customer and Performance, Matt Kelleher

SUMMARY

This report provides Council with an update on the implementation of all Council resolutions from April to June 2026, along with resolutions with a status of in-progress from the balance of the current Council term; offering a clear overview of the progress made on decisions made by Council. By providing this information, the report supports transparency and accountability, enabling both Council and the community to monitor the effective implementation of Council decisions.

RECOMMENDATION

That Council note the Council Resolutions Progress Report as set out in Attachment 1 to the officers' report.

1. DISCUSSION

In accordance with the Local Government Act, the Chief Executive Officer is responsible for ensuring that Council resolutions are implemented in a timely manner. This report outlines the progress of the implementation of Council decisions and is intended to support ongoing transparency and accountability to Council and the community. The information contained in this Report is current as at 6 August 2026.

1.1 Overview of Status of Council Resolutions

The first table in Attachment 1 of this report includes all matters considered by Council in the period, April-June 2026 – 33 in total including items for noting. Of the decisions made over the three-month period, 30 have been completed or implemented, and 3 are in progress.

A second table is included in Attachment 1 detailing matters considered in the current Council term that were still in progress at the end of the prior reporting period - one of which has since been completed and 7 remain in progress.

2. ENGAGEMENT

No community engagement was necessary for the preparation of this report.

3. SOCIAL IMPLICATIONS

This report provides transparency on the status of the implementation of Council decisions and supports community confidence in the accountability and responsiveness of Council. Ongoing reporting in this manner ensures that decisions affecting the community are monitored and actioned, reinforcing Council's commitment to good governance and timely delivery of outcomes.

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

There are no environmental implications associated with this report.

6. FINANCIAL AND RESOURCE IMPLICATIONS

There are no direct financial implications associated with this report. However, it is noted that maintaining the register of Council decisions requires officers to update implementation progress and closure commentary. While this represents a modest resource impact, it is incidental and forms part of normal business processes that should already be occurring.

7. RISKS

Failure to action Council resolutions in a timely manner carries reputational and governance risks, including reduced community trust, perceptions of inaction or poor accountability, and potential non-compliance with legislative and policy obligations. Delays may also impact service delivery, stakeholder relationships, and Council's ability to demonstrate effective decision-making.

8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029

Leading, listening and governing responsibly

Strategy 4.1 - Council demonstrates its accountability through transparent and responsible decision-making and working together productively.

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 - Council Resolutions April to June 2026 [**8.4.1** - 10 pages]

Table 1 – All Council Resolutions - April to June 2026

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
13-04-2026	4.1	Minor Grants Program 2025-2026 Monthly Report and Individual Excellence Grants Update (Quarter 3)	That Council resolve to: 1. Approve five applications under the Minor Grants Program for a total of \$9,793.56 (excluding GST) as detailed below: 2. Defer four applications under the Minor Grants Program requesting a total of \$9,000.00 as detailed below: 3. Refuse one application under the Minor Grants Program requesting a total of \$2,150.00 as detailed below: 4. Withdraw one application under the Minor Grants Program requesting a total of \$765.00 as detailed below: 5. Note that should the recommended Minor Grants be approved by Council, the remaining budget for 2025-26 will be \$74,435.62 after GST adjustments. 6. Note the Excellence Grants for Individuals awarded in Quarter 3 of the 2025-2026 financial year as set out in Attachment 2, with a total value of \$1,650.00. See Minutes for Full Resolution.	Applicants were notified of their application outcome.	Completed
13-04-2026	4.2	Transformation Governance Committee Revised Terms of Reference and Recruitment of External Independent Members	That Council: 1. Endorse continuation of the Transformation Governance Committee for a further two year period to 30 June 2028. 2. Adopt the revised Transformation Governance Committee Terms of Reference as per Attachment 1. 3. Authorise the recruitment for up to three Independent External Members for a two-year term. 4. Nominate one Councillor (Mayor Paige Kennett) to participate in the Selection Panel for the Independent External Members for the Transformation Governance Committee.	Final Terms of Reference has been put on KX, on the website and the intranet. The recruitment for the independent members has progressed and Mayor Kennett has been contacted regarding the recruitment selection panel.	Completed
27-04-2026	6.1	Report of Planning Applications Decided Under Delegation 1 March 2026 to 31 March 2026	That Council note the planning applications decided under delegation 1 March 2026 to 31 March 2026 as set out in the officers' report.	This item was for noting only.	Completed
27-04-2026	6.2	2 Loretto Avenue, Ferntree Gully	That Council issue a Notice of Decision to Grant a Planning Permit for the use and development of a child care centre and display of business identification signage at 2 Loretto Avenue, Ferntree Gully, subject to the following conditions: See Minutes for full resolution.	Notice of Decision has been issued.	Completed
27-04-2026	6.3	50 Murray Crescent, Rowville	That Council issue a Planning Permit for the construction of nine (9) double storey dwellings at 50 Murray Crescent, Rowville, subject to the following conditions: See Minutes for full resolution.	Planning permit has been issued.	Completed
27-04-2026	8.1	Draft 2026-2027 Annual Budget and Action Plan	That Council resolve to include the following items in the Draft 2026-2027 Annual Budget and Action Plan: 1. The Fees and Charges for the use of Carrington Park Leisure And Multipurpose Facility as set out in the Officers' report (Appendix: Schedule of Fees and Charges); and 2. An allocation of \$11,000 for "Coonara Community House, Upper Ferntree Gully – Kitchen Refurbishment Design" as set out in the Officers' report (Section 5.2, 2026-27 Capital Budget).	The Draft Budget and Financial Plan have been available for questions from the public.	Completed
27-04-2026	8.2	Potential Municipal Wide	That Council note: 1. The 3 options officers have identified to support outdoor dining parklets in Knox.	Report presented at Council for noting no further action required.	Completed

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
		Outdoor Dining Policy	2. That if supported, Option 3 - preparation of an Outdoor Dining Parklet Policy (including the recommended pre-Policy engagement) can commence in the second half of 2026/27 subject to budget allocation. An estimated budget allocation of \$48,000 (approximately) would be required as well internal staff resources from a number of Council departments.		
27-04-2026	8.3	Knox Sport and Leisure Awards 2026 Recipients	That Council resolve to: 1. Approve the Knox Sport and Leisure Awards Report 2026 and the recommendations as presented. 2. Approve the organisations and individuals set out in Confidential Attachment 1 as the 2026 Knox Sport and Leisure Award winners in the following categories: a. Club of the Year; b. Best Club Initiated Program; c. Club Person of the Year (Adult); d. Club Person of the Year (Junior); and e. Women in Sport Leadership. 3. Note the individuals also set out in Confidential Attachment 1 for their Years of Service. 4. Note that the approved award winners will be announced and made public at the Knox Sport and Leisure Awards event that will occur on 17 June 2026.	Recipients awarded on the Sport Awards ceremony in June 2026.	Completed
27-04-2026	8.4	Updated Knox Community Grants Framework and Guidelines	That Council resolve to: 1. Note the updated draft Knox Community Grants Guidelines (Attachment 1). 2. Approve the updated draft Knox Community Grants Assessment Panel Terms of Reference (Attachment 4). 3. Approve the updated draft Knox Community Grants Framework Policy (Attachment 5). 4. Note the Comparison Tables summarising key amendments for the Knox Community Grants Guidelines (Attachment 2) and the Community Grants Framework Policy (Attachment 6). 5. Note the draft example Service Agreement template for the Community Partnership Fund (Attachment 7) and its implementation within SmartyGrants. 6. Note the Community Partnerships Fund Feedback report for the 2022-2026 funding round (Attachment 8).	The updated Framework and Guidelines have been published on Council's website. The SmartyGrants forms have been updated to reflect revised requirements. FAQs and supporting materials have been published and promoted. A communication and engagement campaign has commenced to promote the updated Framework, Guidelines and new timelines. The campaign promoted the 2026-27 CDF and 2027-30 CPF rounds and highlight key changes. Officers have progressed the implementation of the updated community grants program by incorporating the revised Community Grants Guidelines, Assessment Panel Terms of Reference, and Community Grants Framework Policy into grant administration processes. Officers have also reviewed and applied the endorsed policy amendments, prepared the Community Partnership Fund Service Agreement template for use through SmartyGrants, and considered feedback from the 2022–2026 Community Partnerships Fund funding round to inform ongoing improvements to program delivery, governance, and stakeholder experience.	Completed
27-04-2026	8.5	Contract Award - 3693 - Managed Service Program (MSP) Provider for Contingent Labour	That Council: 1. Awards Contract No. 3693 - Managed Service Program (MSP) Provider for Contingent Labour to Comensura Pty Ltd with an estimated annual contract value of \$1,204,727 (excluding GST), \$1,325,199.7 (including GST) and an estimated total contract value of \$5,523,954 (excluding GST) inclusive of all available extension options 2. Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to execute contract documentation of Contract No. 3693 - Managed Service Program (MSP) Provider for Contingent Labour to give effect to Council's decision.	The contract has been reviewed and renewed. Council continues to use Comensura for its contingent labour.	Completed

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
			3. Note that the contract will commence on 1 May 2026, with an initial term of one year and the contract has three extension options of one year each and authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to approve extension options subject to satisfactory performance.		
27-04-2026	8.6	Mayor's visit to Canberra with GSEM	The Council receive and note the report from Mayor Paige Kennett as presented in Attachment 1.	This report was received and noted. No further action required.	Completed
27-04-2026	10.1	Notice of Motion No. 193 - Advocacy for Medicare Rebates for Registered Counsellors and Psychotherapists	That Council resolve: A. To recognise a growing and demonstrated community need for accessible and affordable mental health support, and; 1. Note the increasing demand for accessible and affordable mental health services locally and across Australia. 2. Recognise the important role of qualified counsellors and psychotherapists in supporting individuals experiencing mental health challenges, trauma, grief, relationship difficulties and other psychosocial issues. 3. Note that registration with recognised national peak bodies the Psychotherapy and Counselling Federation of Australia (PACFA) and the Australian Counselling Association (ACA) as fully qualified counsellors and psychotherapists requires practitioners to hold undergraduate or postgraduate qualifications, meet ongoing professional development requirements, have clinical supervision of their practice, and meet national professional standards. 4. Note that under the current Medicare system and Mental Health Treatment Plan framework, Medicare rebates are available for services provided by certain allied health professionals including psychologists, social workers and occupational therapists, but generally do not extend to counsellors and psychotherapists who are registered members of PACFA or ACA. 5. Recognise that excluding qualified counsellors and psychotherapists from Medicare rebates limits community access to timely and affordable mental health support and places additional pressure on the existing mental health workforce. B. Having regard to Resolution A above, to: 1. Write to the Hon. Mark Butler MP, Minister for Health and Aged Care and relevant Federal Members for Knox: i. Requesting the Commonwealth Government address mental health workforce shortages, and improve access and affordability by: • Including Registered Counsellors and Psychotherapists as eligible Medicare Benefits Scheme (MBS) providers. • Creating counselling/Psychotherapist provider numbers. • Mandating their inclusion in Public Health Network (PHN) multidisciplinary teams. • Updating PHN workforce strategies to ensure Registered Counsellors and Psychotherapists are included as mental health providers. • Allowing PHNs to refer clients directly to counsellors and psychotherapists. • Providing PHNs with funding to deliver services via an expanded workforce including Registered Counsellors and Psychotherapists. ii. Advocating for the inclusion of appropriately qualified counsellors and psychotherapists who are registered members of PACFA or ACA as eligible providers under Medicare-supported Mental Health Treatment Plans; and iii. Requesting that the Commonwealth Government consider establishing appropriate qualification, registration and supervision standards to enable these practitioners to deliver Medicare-rebated counselling services.	Letter has been prepared and sent to the Mayor for signing and distribution.	Completed

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
			2. Provide a copy of this resolution to the Prime Minister, the local Federal Member of Parliament, the Australian Local Government Association, the Psychotherapy and Counselling Federation of Australia (PACFA), and the Australian Counselling Association (ACA). 3. Receive a report to a future Council meeting (to be determined in consultation with the Mayor) outlining any response received from the Hon. Mark Butler MP, Minister for Health and Aged Care, and detailing any actions undertaken as a result of this resolution.		
11-05-2026	4.1	Local Law Review	That Council resolve to: 1. Endorse the proposed Amenity Local Law 2026 as set out in Attachment 2 of the Officers report, subject to an amendment to the first paragraph of Clause 26 of the draft Amenity Local Law 2026 (Attachment 2), replacing it with the following wording: 'Nothing in this Clause permits a person to light a fire during a declared Fire Danger Period (including a day of Total Fire Ban) 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. With the exception of Clause 26(4)(c), nothing in this Clause permits a person to light a fire during the months of June & July.' 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; and 3. Make a copy of the proposed Amenity Local Law 2026 and Attachments 1 – 4 available at Council's Civic Centre and on Council's website.	Council made an amendment to the Council resolution and adopted the amended version.	Completed
11-05-2026	4.2	Minor Grants Program 2025-2026 Monthly Report	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: 2. Refuse one application under the Minor Grants Program requesting a total of \$2,500.00 as detailed below: 3. Withdraw one application under the Minor Grants Program requesting a total of \$2,500.00 as detailed below: 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. See Minutes for Full Resolution.	Applicants notified of Council meeting outcome.	Completed
25-05-2026	6.1	Report of Planning Applications Decided Under Delegation 1 April 2026 to 30 April 2026	That Council note the planning applications decided under delegation 1 April 2026 to 30 April 2026 as set out in the officers' report.	This item was for noting only.	Completed
25-05-2026	6.2	79 Grayson Drive, Scoresby	That Council issue a Notice of Refusal to Grant a Planning Permit for the use and development of a Rooming House at 79 Grayson Drive, Scoresby, subject to the following refusal grounds: 1. The proposal is contrary to the directions, objectives and strategies of the Municipal Planning Strategy and the Planning Policy Framework, particularly Clause 02.03-4 (Built environment and heritage), Clause 02.03-5 (Housing), Clause 11.01-1L (Settlement), Clause 15.01-4L (Healthy neighbourhoods), Clause 15.01-5L (Neighbourhood character) and Clause 16.01-1L (Housing supply) of the Knox Planning Scheme; 2. The proposal is inconsistent with the purpose of Clause 32.09 (Neighbourhood Residential – Schedule 4) of the Knox Planning Scheme; 3. The proposal will result in unreasonable impacts on the amenity of the area; and 4. The proposal fails to comply with the objective and Standard B3-7 at Clause 55.03-7 (Functional Layout) and objective and Standard B5-4 at Clause 55.05-4 (Solar protection to new north-facing windows) of the Knox Planning Scheme.	Notice of Refusal issued.	Completed

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
25-05-2026	6.3	466 Burwood Highway, Wantirna South	That Council issue a Notice of Decision to Grant a Planning Permit to construct buildings and carry out works associated with a Section 2 Use (Retirement Village) and removal of vegetation at 466 Burwood Highway, Wantirna South, subject to the following conditions: See Minutes for Full Resolution.	Notice of Decision issued to applicant.	Completed
25-05-2026	6.4	Kingston Links (Bankside) Revised Section 173 Agreement	That Council resolve to: 1. Note the report and the current status of the revised Section 173 Agreement, as provided at Confidential Attachment 2. Authorise the Chief Executive Officer to finalise negotiations with Pask Group and execute a Section 173 Agreement generally in accordance with this report and Confidential Attachment 2 and within the following negotiating conditions: a. The arrangements for the sale of Council Land are to be consistent with Council's most recent decision, namely November 2025. b. The values of Development Contributions are not reduced. c. The triggers for payment, transfer, handover or completion of works continue to be via a specified date or specified lot release, whichever is earlier.	Final negotiations on sale conditions and contracts are underway. Updated documents provided to purchaser in July 2026	In Progress
25-05-2026	8.1	Sustainable Building and Infrastructure Policy	That Council adopt the Sustainable Buildings and Infrastructure Policy 2026 (Attachment 1).	Updated in KX and in Policy Register. Policy is in place. Relevant teams will be notified.	Completed
25-05-2026	8.2	Quarterly Performance Report for the Period Ended 31 March 2026	That Council resolve to note the: 1. Council and Health and Wellbeing Plan Progress Report for the quarter ended 31 March 2026 (Attachment 1). 2 2. Financial Performance Report for the quarter ended 31 March 2026 (Attachment 2). 3. Capital Program Progress Report for the quarter ended 31 March 2026 (Attachment 3). 4. Transformation Report for the month ending 31 March 2026 (Attachment 4).	The Quarterly Performance Report for the Period Ended 31 March 2026 has now been published on the external Knox website.	Completed
25-05-2026	8.3	Dementia Friendly Community Statement of Commitment	That Council: 1. Endorse the progression of the annual Dementia Friendly Organisation recognition process with Dementia Australia. 2. Authorise the Chief Executive Officer and the Mayor to sign the Dementia Friendly Community Statement of Commitment annually. 3. Offer all other Councillors the opportunity to sign the Dementia Friendly Community Statement of Commitment annually.	The Chief Executive Officer, Mayor, and all Councillors have signed the Dementia Friendly Community Statement of Commitment, dated 1 June 2026. - Officer officially submitted a request to Dementia Australia for re-recognition as a dementia friendly organisation, on 10 June 2026.	Completed
25-05-2026	8.4	Commonwealth Home Support Program Services Bi-Annual Report	That Council receive and note; 1. This report providing an update on the Aged Care Reforms, including specific information for Councillors as "Responsible Persons", requirements of registered providers and 2. impacts on the future delivery of CHSP services. The first bi-annual overview of the performance of the Commonwealth Home Care Program (CHSP) as set out in Confidential Attachment 4.	Minutes from Council meeting confirm report accepted	Completed
25-05-2026	8.5	Council Resolutions Progress Report - January to March 2026	That Council note the Council Resolutions Progress Report: January to March 2026 as set out in Attachment 1 to the Officers' report.	Report is completed and will updated in the next quarter.	Completed
25-05-2026	8.6	Policy Reviews - Advocacy Statements and Events and Councillor	That Council resolve to rescind: 1.The Advocacy Statements and Events Policy; and 2. The Councillor Representation on External Bodies Policy.	The rescinded policies were removed from the Policy register and moved from the 'In Force' folder in Council's document management system.	Completed

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
		Representation on External Bodies			
25-05-2026	8.7	CEO Employment and Remuneration Committee - Appointment of Independent Advisor	That Council resolve: 1. To appoint the preferred candidate as set out in Confidential Attachment 2 as the independent advisor to the Chief Executive Officer Performance and Remuneration Committee until 30 June 2029, with an optional extension of an additional two-years (subject to Council approval). 2. To authorise the Chief People Officer to execute contract documentation with the preferred candidate to give effect to Council's decision. 3. Pursuant to Section 125 of the Local Government Act 2020, to authorise the confidential information in Confidential Attachment 2 to be publicly available for the limited purpose of communicating the effect of this Resolution to the extent necessary to give effect to it. 4. To authorise the Mayor and Chief Executive Officer (or such person the Chief Executive Officer nominates) to communicate the effect of these resolutions to the extent necessary at their discretion, including for the purpose of informing the community about Council's decision. 5. Acknowledge and thank Mr Phil Shanahan for his contribution to Knox over the past 5 years as Independent Advisor to the Chief Executive Officer Performance and Remuneration Committee.	The preferred candidate as set out in Confidential Attachment 2 as the independent advisor to the Chief Executive Officer Performance and Remuneration Committee until 30 June 2029, with an optional extension of an additional two-years (subject to Council approval) has been appointed and applicable documentation has been completed.	Completed
25-05-2026	10.1	Notice of Motion No. 194 - Proposed Outdoor Dining Parklet Policy	That Council resolve: 1. Note that the attached Report 8.2, Potential Municipal Wide Outdoor Dining Policy (Attachment 1 to this Notice of Motion) was tabled at the 27 April 2026 Council Meeting, presenting options for a potential municipal wide outdoor dining policy in response to Council's resolution of 27 October 2025. 2. Note Council's decision at the Council Meeting on 27 April 2026 was: That Council note: 1. The 3 options officers have identified to support outdoor dining parklets in Knox. 2. That if supported, Option 3 - preparation of an Outdoor Dining Parklet Policy (including the recommended pre-Policy engagement) can commence in the second half of 2026/27 subject to budget allocation. An estimated budget allocation of \$48,000 (approximately) would be required as well internal staff resources from a number of Council departments. 3. Note that Option 2 in the above report presented to the Council Meeting on 27 April 2026 was (in summary): Prepare a standalone Outdoor Dining Parklet Policy that refers to the existing policies and process in Option 1 but adds policy guidance based on recent learnings from the extension of existing parklets. 4. Request officers present a report at a future Council Meeting prior to November 2026 with a proposed Outdoor Dining Parklet Policy developed in line with Option 2 as presented to the 27 April 2026 Council Meeting.	Update - It is currently anticipated the requested report will be presented to Council in October 2026	In Progress
25-05-2026	13.1	CEO Employment and Remuneration Report	Confidential.	This report is confidential.	Completed
9-06-2026	5.1	Transfer of lease - 92 Station Street Ferntree Gully	That Council resolve to: 1. Agree to the transfer of the lease for 92 Station Street, Ferntree Gully from Baodun Chen (current tenant) to An Li (proposed tenant) in accordance with the terms and conditions of the lease (Confidential Attachment 1). 2. Authorise the Chief Executive Officer (or such person as the Chief Executive Officer selects) to execute all documentation required to transfer the lease.	Transfer signed and executed.	Completed
22-06-2026	6.1	Report of Planning Applications Decided Under Delegation 1 May	That Council note the planning applications decided under delegation 1 May 2026 to 31 May 2026 as set out in the officers' report.	This item was for noting only.	Completed

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
		2026 to 31 May 2026			
22-06-2026	8.1	Annual Budget 2026-27	That Council resolve to include an allocation of \$11,000 for Coonara Community House, Upper Ferntree Gully - Kitchen Refurbishment Design” as set out in the Officers’ report (Section 5.2, 2026-27 Capital Budget) in the Annual Budget 2026-27. That Council resolve to include the Fees and Charges for use of Carrington Park Leisure And Multipurpose Facility, as set out in the Officers’ report (Appendix: Schedule of Fees and Charges), in the Annual Budget 2026-27. That Council resolve to: 1. Adopt the Annual Budget 2026-27 as set out in Attachment 1 in accordance with Section 94 of the Local Government Act 2020 and as defined by the Local Government (Planning and Reporting) Regulations 2020; 2. Declare the Rates, Levies and Annual Service Charges for the 2026-27 financial year provided in Attachment 2; 3. Grant rate rebates for the 2026-27 financial year as per Attachment 2, paragraphs 12 – 15. 4. Adopt the Financial Plan 2026-27 to 2035-36 as set out in Attachment 3; 5. Authorise the Chief Executive Officer to procure up to \$11.500 million of loan borrowings from Treasury Corporation of Victoria, up to 30 June 2027, within the following criteria: a. All loan parcels drawn down will be greater than \$1 million; and b. All loan parcels will be fixed rate and over a period of 10-years; and c. All loan parcels will be drawn down progressively based on cash flow requirements. 6. Authorise the Chief Executive Officer to sign and seal all relevant documents necessary to give effect to the above resolution.	The Adopted Budget 2026-27 and Financial Plan 2026-27 to 2035-36 are available to view on Council's website.	Completed
22-06-2026	8.2	Housing Monitoring Program Annual Report - 2025	That Council: 1. Adopt the Knox Housing Monitoring Program – Annual Report for 2025 (Attachment 1). 2. Note the outcomes of this report will inform the ongoing review of the Knox Housing Strategy 2015.	No action required.	Completed
22-06-2026	8.3	Early Years Advisory Committee (EYAC) Recruitment	That Council: 1. Thank the outgoing Committee Members for their contribution over the past two or four years. Appoint the following candidates to the Early Years Advisory Committee for the period from 1 July 2026 to 30 June 2028 as presented in Confidential Attachment 1.	All Candidates have been notified of appointment, subject to Volunteers checks being completed.	In Progress
22-06-2026	10.1	Notice of Motion No. 195 - Burwood Highway / Dorset Road Intersection, Ferntree Gully — Advocacy for U-Turn Safety Review	That the Council: 1. Writes to the Minister for Roads and Road Safety, Ros Spence MP, the State Member for Monbulk, Daniela De Martino MP, and the State Member for Bayswater, Jackson Taylor MP requesting an urgent review of the safety and operational performance of the Burwood Highway and Dorset Road intersection in Ferntree Gully. 2. Requests that the review specifically examine: - o The practice of vehicles travelling towards Ferntree Gully undertaking U-turns from the U-turn lane returning toward the city; - o The absence of dedicated U-turn signal phases or controls, despite increasing use of the manoeuvre; - o The potential for sight lines of vehicles performing U-turn movements to be obstructed by vehicles queued in the two right-turn lanes turning from Burwood Highway into Dorset Road, creating an elevated risk of collision; and - o The adequacy of line marking, signage, and driver notification relating to U-turn movements at this intersection.	Letter signed by the Mayor and sent by Eleonore Smith on 30 June 2026	Completed

Meeting Date	Item No.	Item	Council Resolutions	Action Taken	Status
			3. Requests that the Department of Transport and Planning investigate and consider where appropriate: - o Installation of dedicated U-turn facilities and/or signal phases; - o Improvement to traffic signal sequencing and lane management; - o Enhanced signage and road markings to better alert motorists; and - o Any other engineering or safety measures appropriate to reduce the incidence of near misses and collisions. 4. Notes that the Burwood Highway / Dorset Road intersection is under State Government jurisdiction and that Council advocacy is required in the interests of community safety to ensure timely investigation and implementation of appropriate improvements. 5. Requests that the Minister for Roads and Road Safety provides a written response to Council no later than 30 September 2026, outlining the steps to be taken in response to this advocacy, including any investigations commenced, findings made, or works proposed.		

Table 2 - Council Resolutions previously reported as in progress - November 2024 to March 2026

Meeting Date	Item No.	Item	Council Resolution	Action Taken	Status
26-05-2025	8.9	Response to Notice of Motion 156 - Proposed Street Tree Replacement in Kavanagh Court, Hicks Court, Buckingham Drive, Trisha Drive and in Front of Taupo Court, Rowville	That Council: 1. Note the information contained in this report 2. Note the removal of one tree at 7 Hicks Court within the next twelve months 3. Note the investigation, over the next twelve months of tree root issues with one tree at 7 Hicks Court and one in 28 Woodside Drive, fronting Kavanagh Court. 4. Continue to manage the street trees in Kavanagh Court, Hicks Court, Taupo Court, Buckingham Drive and Trisha Drive in accordance with the Green Streets Policy. 5. Note the Green Streets Policy and broader tree management framework will be reviewed over the next eighteen months.	Tree at 7 Hicks Court removed August 2025. Investigation on tree root issues ongoing. Review of Green Streets Policy and Tree Management Framework has commenced, aiming for completion by November 2026. Review of Tree Management Framework and Green Streets Policy progressing, with initial discussions with Councillors for feedback, being held at the Issues Briefing Session held on 4 May 2026.	In Progress
26-05-2025	8.10	Response to Notice of Motion 179 - Street Trees Bristol Place	That Council resolve to: 1. Note the information contained in this report. 2. Note that the street tree in front of 13 Bristol Place Rowville is scheduled to be removed by August 2025. 3. Continue to manage the street trees in Bristol Place in accordance with the Green Streets Policy. 4. Note the Green Streets Policy and broader tree management framework will be reviewed over the next eighteen months.	Tree at 13 Bristol Place removed August 2025. Review of Green Streets Policy and Tree Management Framework has commenced, aiming for completion by November 2026. Review of Tree Management Framework and Green Streets Policy progressing, with initial discussions with Councillors for feedback, being held at the Issues Briefing Session held on 4 May 2026.	In Progress
25-08-2025	8.6	Proposed footpath Mountain Highway, Wicks Road to Claremont Avenue, The Basin	That Council: 1. Notes this report which highlights the opportunities and benefits along with challenges and complexities in delivering the next stage(s) of the new footpath along Mountain Highway, which connects with The Basin shops; and 2. Continue the design work and in line with Option 2 as set out in the officers’ report, receive a further Report to be presented to a Council Meeting in Financial Year 2025-26 (to be determined in consultation with the Mayor) to provide a detailed design proposal; information regarding construction feasibility; outcomes of landowner engagement; and estimated project cost; to enable Council to consider referring the project to the Capital Works Program.	A tender for consulting services for the investigation and design of the footpath on Mountain Hwy was advertised on 1 November 2025 and closed on 25 November 2025. Following completion of this work, a report will be presented to Council.	In Progress

Meeting Date	Item No.	Item	Council Resolution	Action Taken	Status
24-11-2025	6.2	Proposed Sale of Kingston Links / Bankside Land Sale - post-engagement	That Council: - Note the feedback received during the community consultation undertaken between 28 October and 11 November 2025 for the proposed sale of 14A Corporate Avenue, Rowville via private treaty to Pask Group at Attachment 1. - Having complied with the requirements of Section 114 of the Local Government Act 2020, resolve to sell 14A Corporate Avenue, Rowville. - Authorises the Chief Executive Officer (or such person that the Chief Executive Officer appoints for the purpose of giving effect to this resolution) to proceed with the sale of the property at 14A Corporate Avenue, Rowville; Lot A on Plan of Subdivision 830610S and contained in Certificate of Title Volume 12546 Folio 383 by private treaty to Pask Group (or related nominated entities) at the price set out in Confidential Attachment 2. - Authorises the Chief Executive Officer (or other such person that the Chief Executive Officer appoints for the purpose of giving effect to the resolution) to finalise negotiations for, and subsequently sign, the Contract of Sale and all other necessary documents associated with the sale. - Pursuant to Section 125 of the Local Government Act 2020, to authorise the confidential information in the confidential attachments to be publicly available for the limited purpose of communicating the effect of these resolutions to the extent necessary to give effect to them. - To authorise the Chief Executive Officer (or such person the Chief Executive Officer appoints for the purpose of giving effect to the resolutions) to communicate the content of the confidential attachments to the extent necessary at their discretion, including for the purpose of informing the community about the content of the report or Council's decision.	Final negotiations on sale conditions and contracts are underway. Updated documents provided to purchaser in July 2026.	In Progress
24-11-2025	8.2	Review and Update of the Knox Parking Policy	That Council: - Endorse the draft Knox Parking Policy (attachment 1) for community consultation subject to an amendment to the following paragraph as indicated below: 4.2.3.2 Endorsement On an annual basis, new or revised Parking Management Plans will be presented to Council for consideration and endorsement as required. - Note that following the community consultation the feedback will be assessed and the Knox Parking Policy modified, where appropriate, with the updated draft Knox Parking Policy to be presented to at a future Council meeting for approval.	A community engagement plan has been approved which will inform the approach taken when engaging with the community. Engagement is currently scheduled for April 2026.	In Progress
27-01-2026	8.1	Community Partnership Fund Program Review	That Council resolve to: - Retain the four-year funding cycle for the Community Partnership Fund (CPF). - Make all CPF grant funding streams contested and streamline the CPF funding streams from six to three: - Specialist Community Support Services; - Community Development; and - Volunteer Resourcing and Support. - Re-align CPF timelines with the CDF by commencing funding in January rather than July. - Note the proposal to rename the "CDF Assessment Panel" the "Community Grants Assessment Panel" and that revised draft terms of references, incorporating the changes outlined in resolution 1 to 3 above, will be presented to a Council Meeting in April 2026 (unless deferred in consultation with the Mayor). - Note a revised Community Grant Framework and Guidelines will be presented to a Council Meeting in April 2026 (unless deferred in consultation with the Mayor) incorporating the changes outlined in resolution 1 to 3 above. - Introduce four-year service agreements for the following essential service organisations and provide direct funding for these organisations outside CPF grant program: - Knox Infolink - Neighbourhood Houses (Knox Learning Alliance): - Coonara Community House; - Orana Neighbourhood House; - Rowville Community Learning Centre; - Mountain District Learning Centre;	Action has been undertaken to implement the changes to the Community Partnership Fund (CPF), including retaining the four-year funding cycle and streamlining the funding streams to three contested streams. Officers have also progressed work to introduce four-year service agreements for identified essential service organisations. Draft updates to the Community Grants Framework and Guidelines, revised Terms of Reference for the Community Grants Assessment Panel, and a draft service agreement template have been prepared. Additionally, a report on consultation undertaken in relation to the CPF program has been prepared. These matters will be presented to Council in April 2026 for consideration. Report was endorsed by Council in April 2026	Completed

Meeting Date	Item No.	Item	Council Resolution	Action Taken	Status
			- The Basin Community House. • Knox Toy Library • Knox Historical Society • Knox specific CFA Brigades • Knox SES Branches 7. Note for the purposes of the service agreements with the Essential Service organisations set out in resolution 6 above, that: Requests for funding from additional essential service organisations would be considered on a case-by-case basis as part of the annual budget cycle and/or a separate report to Council. a) A report regarding the draft service agreements for the essential service organisations will be presented to Council in April 2026 (unless deferred in consultation with the Mayor) 14 of 23 2026-01-27 - Meeting Of Council including: b) A template for the Draft Service agreements, including: – Provisions that specify that where Council funds are provided for the purchase of goods, the goods purchased must be retained for the benefit of the Knox community, but may be made available for loan outside Knox in emergency situations; – Details of the acquittal process to be followed to ensure funds are being used for their intended purpose. 8. The result of consultation with each of the essential service organisations regarding the outcomes of the last Community Partnership Funding Program. 9. Note the previous CPF grant funding of \$831,255 is proposed to be allocated for 2026-2027 as follows: • Contested CPF grant funding of \$444,887 • Funding for essential service organisations of \$386,368		
23-02-2026	13.1	Property Matter (Confidential)	Property Matter (Confidential)	(Confidential)	In Progress
10-03-2026	5.3	Talaskia Childcare Centre - Future Options	That Council resolve to: 1. Note that 1A Edwards Street, Upper Ferntree Gully has been declared surplus to Council's requirements. 2. Note the complexities and estimated costs associated with the potential sale, or leasing out, of 1A Edwards Street, Upper Ferntree Gully. 3. Subject to the allocation of funding through the 2026/27 Budget Process: a. Demolish the Talaskia Family and Children's Centre located at 1A Edwards Street; b. Remove the fencing surrounding the currently enclosed rear yard associated with the Talaskia Family and Children's Centre at 1A Edwards Street, and return that area to open space; and c. Note that should the Budget be approved, it is anticipated that the demolition will occur by December 2026. 4. Approve officers to progress investigations into the installation of car parking within the remaining footprint of the Talaskia Family and Children's Centre at 1A Edwards Street, with a further report to be presented to Council by 21 December 2026 (unless deferred in consultation with the Mayor) outlining any feedback from clubs who use the facilities within Talaskia Reserve, the investigation findings, the proposed way forward and indicative timeframes for delivery.	Engagement with clubs to commence shortly ahead of presenting report to Council in December 2026.	In Progress

9 Supplementary Items
Nil

10 Notices Of Motion

11 Urgent Business

12 Questions Through the Chair

13 Confidential Items