



Community Local Law No 9 2023 WEST WIMMERA SHIRE COUNCIL



COMMUNITY LOCAL LAW NO 9

Adopted by Council on 17 May 2023



TABLE OF CONTENTS

1.	Title	1
2.	Objectives	1
3.	Authorising Provision	1
4.	Commencement, Revocation and Area of Operation	1
5.	Definitions	2
6.	Activities and Uses Requiring a Permit	7
7.	Storage of Vehicles and Machinery	7
8.	Keeping Excess Animals and Reptiles	7
9.	Camping on Private Land	8
10.	Behaviour on Council Land and Reserves and in Municipal Places	9
11.	Uses and Activities	14
12.	Contravention of This Part	16
13.	Consumption and Possession of Alcohol on Roads or in Car Parks	16
14.	Consumption and Possession of Alcohol on Council Land	16
15.	Dilapidated, Unsightly, Untidy and Dangerous Premises	16
16.	Real Estate Boards and Community Advertising Signs	18
17.	Overhanging and Encroaching Vegetation	18
18.	Bees and Wasps	19
19.	Recreational Vehicles	20
20.	Noise	20
21.	Noxious and Environmental Weeds	21
22.	Pest and Stray Animals	21
23.	Vehicles	21
24.	Scareguns	22
25.	Use of Receptacles	23
26.	Nature Strips – Alternative Treatment	24
27.	Permits and Fees	25
28.	Enforcement	29
29.	Power of Authorised Officers	31



COMMUNITY LOCAL LAW NO. 9 2023

PART ONE - PRELIMINARY PROVISIONS

1. TITLE

- 1.1 This is the Community Local Law No. 9 of 2023.

2. OBJECTIVES

- 2.1 The objectives of this Local Law are to provide for the peace, order, and good government of the *municipal district* of the West Wimmera Shire Council by:
- 2.1.1 managing, regulating, and controlling activities and uses on any land which:
 - (a) may be dangerous, cause a *nuisance* or be detrimental to the amenity of the area or the environment; and
 - (b) are directed at maintaining a healthy and safe environment for residents and visitors;
 - 2.1.2 promoting an environment in which residents and visitors to the *municipal district* can enjoy a lifestyle that is expected of the area;
 - 2.1.3 protecting against behaviour which causes detriment to the amenity and environment of the *municipal district*;
 - 2.1.4 identifying activities and uses that are not permitted; and
 - 2.1.5 providing for the administration of *Council's* powers and functions.

3. AUTHORISING PROVISION

- 3.1 This Local Law is made under section 71 of the *Local Government Act 2020*.

4. COMMENCEMENT, REVOCATION AND AREA OF OPERATION

- 4.1 This Local Law:
- 4.1.1 commences on 18 May 2023;
 - 4.1.2 unless it is revoked sooner, ceases to operate on 17 May 2033; and
 - 4.1.3 operates throughout the whole of the *municipal district*.



5. DEFINITIONS

In this Local Law, the following words have the meaning given to them unless stated otherwise:

- *the Act* means the *Local Government Act 2020*;
- *advertising sign* means any placard, board, poster, banner, sign, “A frame” sign, card, or other device, whether portable or not, used for the purpose of soliciting custom for goods or services or for displaying information but excludes electoral signage, a real estate board, a community advertising sign and an open for inspection sign;
- *alcohol* means a beverage intended for human consumption with an alcohol content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius;
- *animal* includes every species of quadruped and every species of bird;
- *applicant* means the applicant for a *permit*;
- *appropriate fee* means a fee determined by *Council* in accordance with this Local Law;
- *authorised officer* means a person appointed as an authorised officer under section 224 of the *Local Government Act 1989*;
- *barbecue* means a device used for the cooking of food outdoors, whether constructed or manufactured and whether powered by gas, electricity, liquid or solid fuel, or any combination of them, and includes a device for spit roasting;
- *bulk rubbish container* means a bin, skip or other receptacle used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance but excludes a receptacle used in connection with *Council’s* regular household rubbish collection;
- *camp* means using a tent, caravan, mobile home, or any other movable temporary form of accommodation, including sleeping bags or swags;
- *charity* has the same meaning as in the *Charities Act 2013 (Cth)*;
- *Chief Executive Officer* means the person appointed as the Chief Executive Officer of *Council*;
- *Council* means West Wimmera Shire Council;
- *Council land* means land, reserves, buildings and facilities which are owned, occupied or vested in *Council* or in respect of which *Council* has the care and management and to which the public has access whether an entry fee is paid or not;
- *delegate* means a member of *Council* staff given delegated powers pursuant to section 47 of *the Act*;



- *domestic animal business* has the same meaning as in the *Domestic Animals Act* 1994;
 - *domestic bird* includes but is not limited to budgerigars, canaries, finches, pigeons, cockatoos, parrots, galahs and cockatiels, which can be kept in a portable cage or in captivity but does not include *poultry*;
 - *e-waste* means:
 - any waste item that uses a plug, battery or power cord and includes televisions, mobile phones, and computers;
 - batteries;
 - light bulbs;
 - cables;
 - smoke detectors;
 - power drills;
 - remote controls;
 - printer cartridges;
 - thermostats;
 - automatic dispensers;
 - *environmental weed* means any weed that *Council* has, in a public notice, declared to be an environmental weed;
 - *event* means any organised activity held in a *public place* or on *Council land* where an open area, facility, venue, road or temporary structure is to be used by more people than are usually found in that location
- ;

Note – the term “event” does not, therefore, apply to small gatherings associated with families, organisations, clubs and the like.

- *farm land* means any rateable land which is not less than two (2) hectares in area and is used primarily for carrying on one or more of the following businesses or industries:
 - a) grazing;
 - b) agistment;
 - c) dairying;



- d) pig farming;
- e) *poultry* farming;
- f) fish farming;
- g) tree farming;
- h) bee keeping;
- i) viticulture;
- j) horticulture;
- k) fruit growing;
- l) the growing of crops of any kind;
- *incinerator* includes any structure or device which is:
 - a) not enclosed in a building;
 - b) used, intended, adapted or designed to be used or capable of being used for the purpose of burning any matter, material or substance; and
 - c) not licensed or otherwise subject to control under the *Environment Protection Act 2017*;but does not include a *barbecue*
- *incorporated document* has the meaning ascribed by section 76 of the *Act*;
- *livestock* means an animal (including a bird) of any species used in connection with primary production other than a dog or cat;
- *manufactured fireplace* means a brazier, chimenea, fire pit, or other self-contained, manufactured item for outdoor burning designed exclusively for cooking, heating, or comfort;
- *municipal district* means the *municipal district* of *Council*;
- *noxious weed* has the same meaning as in the *Catchment and Land Protection Act 1994*;
- *nuisance* means any condition which is liable to be noxious, offensive, dangerous or injurious to health or personal comfort, and includes any noise created by an *animal* or any other thing which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises or on any other land;



- *offence* means an offence under this Local Law;
- *official warning* has the same meaning as in the *Infringements Act 2006*;
- *penalty unit* has the same meaning as in the *Sentencing Act 1991*;
- *permit*, in relation to a use or activity, means a permit issued under this Local Law which authorises that use or activity;
- *permit holder* means a person to whom a *permit* has been issued pursuant to this Local Law;
- *Planning Scheme* means the Planning Scheme operating in the *municipal district* under the *Planning and Environment Act 1987*;
- *poultry* means birds kept for the production of eggs or meat for human consumption but does not include roosters
- *public place* has the same meaning as in the *Summary Offences Act 1966*;
- *receptacle* means a *Council* supplied mobile garbage or recycling bin or similar container fitted with a secure lid which is both fly proof and vermin proof, which lid has an overlapping flange and a secure handle constructed of heavy-duty moulded plastic;
- *recreational vehicle* means a *vehicle* used for recreational purposes, including a motorcycle, trail bike or mini-bike, a motor scooter, a go-cart and any other *vehicle* which is propelled by internal combustion, steam, gas, electricity or other power but does not include a motor car or *vehicle*, motor tractor or other *vehicle* used solely for or in connection with primary production, cultivation, construction or maintenance or for the conveyance of a person who is physically disabled;
- *reptile* means any snake, lizard, turtle or tortoise;
- *road* has the same meaning as in the *Local Government Act 1989* and applies to roads for which *Council* is the responsible authority under the *Road Management Act 2004* but does not include a State road under the *Road Management Act 2004* unless a provision in this Local Law is expressly applied to a State road;
- *road related area* means an area on which infrastructure has been installed or constructed on behalf of a road authority, the State, or a relevant State body for road related purposes to:
 - facilitate the operation or use of the roadway or pathway; or
 - support or protect the roadway or pathway
- *scaregun* means a gas or similar gun designed to scare birds but excludes a firearm;
- *shopping precinct* means within the areas outlined in *Council's* Township Maps which



Community Local Law 2023

WEST WIMMERA SHIRE COUNCIL

are incorporated documents and which are published on *Council's* website;

- *storage container* means a removable enclosed container capable of holding goods for storage which is not designed to be lifted without mechanical assistance and includes a shipping container;
- *township* means the areas defined as such on *Council's* Township Maps and which are incorporated documents which are published on *Council's* website;
- *vehicle* means any form of conveyance intended to be used on a *road* or *road related area*, including but not limited to a motor car, a caravan, a motor bike, a trailer, a tractor, a *recreational vehicle* or a bicycle.



PART TWO – PERMIT REQUIREMENTS

6. ACTIVITIES AND USES REQUIRING A PERMIT

6.1 A person who does not comply with the requirements of this Part is guilty of an offence.

6.2 A *permit holder* must comply with any conditions of a *permit*.

Penalty: 10 penalty units

7. STORAGE OF VEHICLES AND MACHINERY

7.1 A person must not, without a *permit*, keep or store any:

7.1.1 abandoned, unregistered or derelict *vehicle*; or

7.1.2 item of derelict machinery,

at a residential property in a *township* if such a *vehicle* or machinery is visible from a *public place*.

Penalty: 10 penalty units

8. KEEPING EXCESS ANIMALS AND REPTILES

8.1 A person must not, without a *permit*, keep *animals* or *reptiles* at a property in a *township* where the number of *animals* or *reptiles* exceeds the number in *Table 1*.

Penalty: 15 penalty units

8.2 For the purposes of calculating the maximum limit of numbers of *animals* or *reptiles* kept, the progeny of any *animals* or *reptiles* lawfully kept will be exempt for a period of three months after their birth.

Type of animal/reptiles	Land up to 0.4ha	Land greater than 0.4ha and up to 2.1ha	Land greater than 2.1ha and up to 8.2ha in a township area
Dogs	2	2	4
Cats	2	2	4
Reptiles	5	5	5



Type of animal/reptiles	Land up to 0.4ha	Land greater than 0.4ha and up to 2.1ha	Land greater than 2.1ha and up to 8.2ha in a township area
Ferrets, guinea pigs, rabbits or rodents	5	5	5
Poultry	10	10	10
Roosters	1	1	1
Domestic birds	2	4	4
Maximum combined total of <i>animals</i> allowed for the <i>animal</i> types shown in the shaded area below			
Sheep, alpacas and goats	2 (*)	5	10
Horses, ponies, donkeys and mules	1	4	8
Cows	0	2	4
Pigs	0	0	0
Deer	0	0	0

(*) That is, for example, one sheep and one alpaca.

Table 1

8.3 The requirement for a *permit* under this clause does not apply where a planning permit or a *domestic animal business* registration has been obtained.

9. CAMPING ON PRIVATE LAND

9.1 A person must not, without a *permit*, *camp* or allow any other person to *camp* on any private land for a period in excess of 28 days in any 12-month period.

Penalty: 3 penalty units

9.2 In addition to any other conditions proposed or on a *permit* issued pursuant to this clause, the *applicant* and the *permit holder* must satisfy an *authorised officer* that



proper sanitary facilities are available and maintained so as not to be a *nuisance* to other occupiers of land in the vicinity.

- 9.3 Notwithstanding sub-clauses 9.1 and 9.2, a *permit* is not required to *camp* in a registered caravan park or camping ground.

10. BEHAVIOUR ON COUNCIL LAND AND RESERVES AND IN MUNICIPAL PLACES

10.1 General

10.1.1 A person must not, on any *Council land*:

- (a) park a *vehicle* other than in a place set aside for that purpose; or
- (b) remain on *Council land* after being directed to leave by an *authorised officer*; or
- (c) enter *Council land* after having been directed by an *authorised officer* to leave it until granted written permission to do so by *Council* or an *authorised officer*.

Penalty: 10 penalty units

10.1.2 A person must not, on any *Council land*, without a *permit* or other form of permission to do so:

- (a) act contrary to any conditions of entry applicable to the *Council land*; or
- (b) enter the *Council land*, without paying any fee or charge applicable to it or the hire or use of it; or
- (c) hire or use any *Council* property in connection with the *Council land* without first paying any fee or charge which is applicable; or
- (d) destroy, damage, interfere with or deface the *Council land*; or
- (e) remove any object which is owned by *Council* from the *Council land*; or
- (f) collect and remove firewood from the *Council land*; or
- (g) sell or offer for sale any goods, services, food or beverages; or
- (h) erect, affix, place or leave any sign, including any A Frame; or
- (i) erect, operate or cause to be erected or operated any amusement; or



- (j) organise or participate in any function, *event*, rally, procession, demonstration or similar activity; or
- (k) bring onto the *Council land* any substance, liquid, object, *animal* or powder which may:
 - (i) be dangerous or injurious to health; or
 - (ii) have the potential to foul, pollute or soil any part of *Council land*; or
 - (iii) cause discomfort to any person; or
- (l) ride or drive a *vehicle* or *animal* in a manner or in a place which is likely to damage or ruin any grassed area or turf surface or otherwise interfere with the use of the *Council land* by another person; or
- (m) light a fire or permit any fire to remain alight except in:
 - (i) a *barbecue*;
 - (ii) a permanent designated fireplace; or
 - (iii) a *manufactured fireplace*.

Penalty: 10 penalty units

- 10.1.3 A person must not light a fire, whether in an *incinerator* or not, or allow a fire to be lit or remain alight in the open air on any private land under 8.2 hectares in area so as to cause a *nuisance*.

Penalty: 10 penalty units

- 10.1.4 Unless permitted to do so by an Act, Regulations or a *permit*, a person must not burn, or cause or allow to be burned on any land or *road* and in the open air, any rubber or plastic substance, petroleum oil or material containing petroleum oil paint or receptacle which contains or has contained paint, manufactured chemicals, pressurised cans, textile fabrics or food waste.

Penalty: 10 penalty units

- 10.1.5 Nothing in this clause restricts or otherwise affects the right of a person to light or use a *barbeque*, provided that the day is not a day declared under the *Country Fire Authority Act 1958* to be a day of “total fire ban” in any part of Victoria that includes the *municipal district*.

10.2 Protection of Council Land and Assets

10.2.1 Damaging Council Land or Roads



- (a) A person must not, without prior written permission from an *authorised officer*:
 - (i) place or allow to be placed anything on *Council land* or any *road* so as to endanger any other person or any property; or
 - (ii) remove any thing from *Council land*, or from any *road* (including firewood).

Penalty: 20 penalty units

- (b) Sub-clause 10.2.1(a) does not apply to a person employed or engaged by *Council* while acting in the course of the person's duties.

10.2.2 Bulk Rubbish Containers and Storage Containers

A person must not, without a *permit* or other form of permission, place, or authorise to be placed, a *bulk rubbish container* or *storage container* on any *road* or *Council land* or in any *public place*.

Penalty: 10 penalty units

10.2.3 Clothing Bins

A person must not, without a *permit*, place a *charity* clothing bin on any *road* or *Council land*.

Penalty: 10 penalty units

10.2.4 Processions, Street Festivals and Street Parties

A person must not, without a *permit*, on any *road* or *Council land* or in any *public place* hold or allow to be held or participate in a:

- (a) street party;
- (b) street festival;
- (c) street market;
- (d) *event*; or
- (e) procession.

Penalty: 20 penalty units

10.2.5 Using Footpaths for Activities

- (a) A person must not, without a *permit*, use a footpath for:
 - (i) outdoor dining; or



- (ii) displaying goods for sale; or
- (iii) moveable *advertising signs* that are not of a size or type where a permit is required under the *Planning Scheme*; or
- (iv) the installation or maintenance of street furniture.

Penalty: 20 penalty units

- (b) In considering whether to grant a *permit* pursuant to sub-clause 10.2.5(a), *Council* or an *authorised officer* must take into account:
 - (i) whether or not the equipment makes a positive contribution to the amenity of the street on which the footpath is constructed;
 - (ii) whether or not the equipment is stable and safe to pedestrians and diners; and
 - (iii) whether or not A-frames have other notices, signs or objects attached.

10.2.6 Trading, Collections, and Subscriptions

- (a) A person must not, without a *permit*, solicit collections, gifts of money or subscriptions from any footpath or from house to house.

Penalty: 20 penalty units

- (b) A person must not, without a *permit*, trade from *Council land*, a *road* or a *road related area* where trading takes place or is to take place from a *vehicle*, stall or any other temporary structure and irrespective of whether trading is on a permanent or casual basis.

Penalty: 20 penalty units

- (c) All applications for a *permit* under sub-clause 10.2.6(a) must be submitted, on the form available from *Council*, at least seven days prior to the fundraising activity and include the method of collection, the date, time and location of collection, the use or recipient of funds collected, the Registered Charity Number (if applicable) and any additional information required by *Council* or an *authorised officer*.
- (d) *Permits* will not be granted under sub-clause 10.2.6(a) to organisations or individuals utilising collectors who receive financial gain.
- (e) *Permits* will not be issued more than three months in advance of the *event*.
- (f) In determining whether to grant a *permit* under sub-clause 10.2.6(a), *Council* or an *authorised officer* must consider:



- (i) the times and days proposed to collect;
- (ii) the manner or thing to be collected;
- (iii) the areas where the collections will take place;
- (iv) the impact on traffic and the safety of pedestrians;
- (v) the impact on the amenity of the surrounding area including, but not limited to, the frequency of use of the required area;
- (vi) whether the activity will disturb, annoy, or disrupt adjacent owners or occupiers of any property or any person;
- (vii) whether the activity will unfairly impact a fixed business selling, offering, or displaying goods for sale that are similar to those offered by the applicant;
- (viii) any complaints received about the activity;
- (ix) the capacity of the *permit holder* to supervise collectors;
- (x) whether evidence has been produced that the *applicant* has the required current public liability insurance of 20 million dollars;
- (xi) any view of the Victoria Police or the Head, Transport for Victoria (where relevant) concerning the proposed location or conduct of any collection;
- (xii) whether any other necessary consents or approvals required under other legislation have been obtained; and
- (xiii) any other matter relevant to the circumstances of the application.



PART THREE – COMPLIANCE WITH THE LOCAL LAW

11. USES AND ACTIVITIES

11.1 General

11.1.1 A person who does not comply with the requirements of this Part is guilty of an *offence*.

11.2 Standards Required for Keeping Animals

11.2.1 Whether a *permit* is required or not, a person keeping *animals* must provide shelter for them that is reasonable and appropriate for the type of *animal* being kept and having regard to the need to:

- (a) protect neighbours from any noise or *nuisance* from the *animal*; and
- (b) maintain the housing in an inoffensive and sanitary condition.

Penalty: 10 *penalty units*

11.2.2 For the purposes of sub-clause 11.2.1(b) all *animal* shelters must be maintained in an inoffensive and sanitary condition by:

- (a) ensuring that shelters or housing are not located within:
 - (i) six metres of the frontage of the land; or
 - (ii) three metres of any dwelling on adjacent land; or
 - (iii) 1.5 metres of a property boundary;
- (b) not allowing manure and other waste to remain on the land for an excessive period;
- (c) keeping food and other materials in fly and vermin proof containers;
- (d) adequately draining the land; and
- (e) not allowing grass, weeds, refuse, rubbish, and other material to build up within three metres of the *animal* shelter.

11.3 Animal Control

11.3.1 A person keeping a dog or housing a dog must not allow that dog to be housed on land within:

- (a) six metres of the frontage of the land; or
- (b) three metres of any dwelling on adjacent land.



Penalty: 10 penalty units

- 11.3.2 A person with the care and control of an *animal* must immediately collect and dispose of any excrement left by that *animal* in a *public place* in a way that does not cause a *nuisance* to any other person.

Penalty: 10 penalty units

- 11.3.3 A person disposing of dead *livestock* or parts of dead *livestock* must dispose of the *livestock* in a way that does not cause a *nuisance* or which is detrimental to the health of another person or detrimental to the environment.

Penalty: 10 penalty units

- 11.3.4 A person must not allow any *animal* of which the person is the owner or carer to stray from the land on which the *animal* is being kept.

Penalty: 10 penalty units

- 11.3.5 A person keeping any *animals* on land must ensure that the *animals* are contained by fencing that is adequate to prevent the type of *animal* being kept on the land escaping.

Penalty: 10 penalty units

- 11.3.6 A person must not keep any *animal* in a way that would create a *nuisance* or be dangerous or injurious to the health of another person.

Penalty: 10 penalty units

11.4 Livestock Movements within the Municipal District

- 11.4.1 A person who drives or grazes *livestock* on *roads* for which *Council* is the responsible road authority must comply with *Council's Livestock Droving and Grazing Guidelines*.

Penalty: 10 penalty units

- 11.4.2 The *Livestock Droving and Grazing Guidelines* are incorporated documents.



PART FOUR – PROHIBITED OR REGULATED ACTIVITIES AND USES

12. CONTRAVENTION OF THIS PART

A person who contravenes this Part is guilty of an *offence*.

13. CONSUMPTION AND POSSESSION OF ALCOHOL ON ROADS OR IN CAR PARKS

- 13.1 A person must not consume any *alcohol* or have in their possession or control any *alcohol* other than in an unopened container at any time while they are in a *shopping precinct* identified within *Council's* Township Maps.

Penalty: 10 *penalty units* for a first offence

20 *penalty units* for a subsequent offence

- 13.2 The prohibition in this clause does not apply to any person who consumes *alcohol* or has in their possession or control any *alcohol* while:

- 13.2.1 taking part in a public ceremony or a function which *Council* has permitted;
or
- 13.2.2 at a licensed premises or authorised premises under the *Liquor Control Reform Act* 1998 or in a defined area immediately adjacent to licensed premises set aside for meals for which a *permit* has been issued.

14. CONSUMPTION AND POSSESSION OF ALCOHOL ON COUNCIL LAND

- 14.1 A person must not consume any *alcohol* or have in their possession or control any *alcohol* other than in an unopened container while they are on any *Council land* or in any *vehicle* on *Council land* between 11:00pm and 6:00am the following day.

Penalty: 10 *penalty units* for a first offence

20 *penalty units* for a subsequent offence

- 14.2 Sub clause 14.1 does not apply to any person who consumes *alcohol* or has in their possession or control any *alcohol* while taking part in any organised function which *Council* has permitted.

15. DILAPIDATED, UNSIGHTLY, UNTIDY AND DANGEROUS PREMISES

15.1 General

- 15.1.1 This clause 15 contains provisions which aim to ensure that the appearance of buildings in the *municipal district* are consistent with an image of the



municipal district that is safe, attractive and well maintained by controlling premises that have been allowed to reach a dilapidated, unsightly or dangerous condition.

15.1.2 An owner or occupier of land must not allow any land to be used, kept or remain in a condition that:

- (a) is detrimental or destructive to the amenity of the neighbourhood; or
- (b) which may constitute a danger, hazard or *nuisance* to others:
 - (i) because of the state of the land or because its appearance is untidy or unsightly;
 - (ii) because the land harbours unconstrained rubbish, including disused excavation, waste material or builder's rubble;
 - (iii) because the land has excessive vegetation stockpiles and/or growth, including *noxious weeds*;
 - (iv) because of the nature, type, composition or growth of any vegetation on the land;
 - (v) because of the nature, type or composition of any goods or materials stored on the land or in premises on the land;
 - (vi) because graffiti or writing is on any building or other structures or fittings associated with the land;
 - (vii) because the exterior of any building is in a state of disrepair or has been damaged or defaced so as to affect the visual amenity of the land or the area in which it is located; or
 - (viii) because encroachments on the land are in a state of disrepair which may be dangerous or likely to cause a danger to any person.

Penalty: 20 penalty units

15.1.3 An *authorised officer* may:

- (a) if satisfied that sub-clause 15.1.2 has been or is being breached, serve on the owner of the land a Notice to Comply specifying the work required to correct the condition of the land; and
- (b) if satisfied that sub-clause 15.1.2 has been or is being breached, serve on the occupier of the land a Notice to Comply if the owner of the land cannot, after reasonable enquiry, be located.

15.1.4 In addition to any other means of enforcement provided by this Local Law, if the person served with a Notice to Comply under sub clause 15.1.3 fails to



comply with the Notice to Comply to the satisfaction of an *authorised officer* or *Council*, the *authorised officer* or *Council* can take whatever action it considers is necessary to bring the land into compliance with the Notice to Comply.

- 15.1.5 Any costs incurred by *Council* in taking action under clause 15.1.3 (including, without limitation, the cost of carrying out building work, the erection of hoardings and barricades and the removal of material from the land) must be paid by the person served with the Notice to Comply.

16. REAL ESTATE BOARDS AND COMMUNITY ADVERTISING SIGNS

- 16.1 A person must not exhibit, place out for exhibition, allow to be exhibited, or placed out for exhibition, a real estate board or community *advertising sign* on any *road* or in any *public place* so as to create a *nuisance*.

Penalty: 20 *Penalty units*

- 16.2 A person must not exhibit, place out for exhibition, allow to be exhibited, or placed out for exhibition, an open for inspection sign on any *road* or in any *public place* unless the sign is:

- 16.2.1 exhibited on the day the property which is the subject of the sign is open for inspection or auctioned;
- 16.2.2 exhibited either on the nature strip in front of the property for sale or a sign on the nature strip at either end of the street in which the property for sale is located;
- 16.2.3 removed within one hour of completion of the open for inspection or auction; and
- 16.2.4 placed 750mm from the kerb and allows at least 1.2m space between the placement of the sign and the property boundary for pedestrian access.

Penalty: 20 *penalty units*

17. OVERHANGING AND ENCROACHING VEGETATION

- 17.1 The owner or occupier of any land must not allow any vegetation located on the land to grow in a manner that obstructs the clear passage or view:

- 17.1.1 by a driver of any *vehicle* of a:
- (a) pedestrian; or
 - (b) street sign; or
 - (c) traffic control item,



or

17.1.2 by a pedestrian of any:

- (a) *vehicle*; or
- (b) street sign; or
- (c) traffic control item; or
- (d) vegetation.

Penalty: 5 penalty units

17.2 An owner or occupier of any land must not allow vegetation on that land to overhang any *road* at a height of less than 4.5 metres from the surface of the *road* and two metres from the surface of the footpath in line with clause 2.5 of the *West Wimmera Shire Council Road Management Plan 2021 - 2025*.

Penalty: 5 penalty units

17.3 *Council* or an *authorised officer* may, by notice in writing, direct the owner or occupier of land from which any tree or plant is causing damage to or interference with a *road* or *Council land* to undertake works on the owner or occupier's land, or on the adjacent *road* or *Council land*, to ensure that it ceases to cause damage or interference. The owner or occupier of the land must comply with that direction.

Penalty: 5 Penalty units

18. BEES AND WASPS

18.1 An owner or occupier of land who keeps or allows bees to be kept on that land must do so in accordance with the *Apiary Code of Practice*.

Penalty: 20 penalty units

18.2 The *Apiary Code of Practice* is an *incorporated document*.

18.3 Sub-clause 18.1 does not apply to a person who keeps or allows bees to be kept on the land where a planning permit has been issued for such use.

18.4 An owner or occupier of any land must, upon becoming aware of the existence of an unmanaged honeybee swarm on that land, take reasonable steps to cause the removal of that unmanaged honeybee swarm so as to not create a nuisance.

Penalty: 20 penalty units



- 18.5 An owner or occupier of land must not allow or suffer English wasps or European wasps to nest on the land, and, upon becoming aware of the existence of a wasp nest on the land, must take reasonable steps to cause the nest to be destroyed.

Penalty: 20 penalty units

- 18.6 If an *authorised officer* serves a Notice to Comply in relation to a contravention of this clause 18, the works required to correct the contravention may include the destruction of the English wasps or European wasps.

- 18.7 An owner or occupier of any land must not allow or suffer any feral European honeybees on the land to cause, or be likely to cause, a *nuisance*.

Penalty: 20 penalty units

- 18.8 Circumstances in which feral European honeybees on land are causing, or likely to cause, a *nuisance* include when the feral European honeybees are swarming or likely to swarm.

19. RECREATIONAL VEHICLES

- 19.1 A person must not use or allow to be used a *recreational vehicle* on any land in a manner that is a *nuisance* or constitutes a risk to the safety of any other person.

Penalty: 20 penalty units

20. NOISE

20.1 Burglar Alarms

- 20.2 A person must not allow an audible burglar alarm to be located on any residential premises or any industrial, commercial or trade premises or fitted to any *vehicle* unless the alarm, once activated, is automatically switched off within ten minutes of being activated and cannot reactivate until it has been reset.

Penalty: 20 penalty units

20.3 Amplified Sound Equipment

- 20.3.1 A person must not use or allow or suffer to be used any sound amplifying equipment or the like from a *vehicle* on a *road* or *Council land* or in a *public place* to a level that the noise is objectionable, constitutes a *nuisance* to any other person or interferes with the reasonable enjoyment of the nearby area by others.

Penalty: 20 penalty units

- 20.3.2 An owner or occupier of industrial, commercial or trade premises must ensure that any external amplified telephone, door type bells or public



address system from such industrial, commercial or trade premises is or are not audible within a habitable room of residential premises between 6:00pm and 9:00am of the following day.

Penalty: 20 penalty units

21. NOXIOUS AND ENVIRONMENTAL WEEDS

- 21.1 An owner or occupier of land must ensure that *noxious weeds* and *environmental weeds* are not present or growing on their land.

Penalty: 20 penalty units

- 21.2 A person must not sell or possess for sale any *environmental weed*.

Penalty: 20 penalty units

22. PEST AND STRAY ANIMALS

- 22.1 A person must not feed or encourage the presence of pest *animals*, stray *animals*, wild birds or foxes or allow any such *animals* access to food.

Penalty: 5 penalty units

23. VEHICLES

23.1 Unregistered Vehicles and Moveable Dwellings on Roads or Council Land

- 23.1.1 A person must not leave standing any abandoned or unregistered *vehicle* or moveable dwelling on a *road* or *Council land*.

Penalty: 5 penalty units

23.2 Heavy and Long Vehicles

- 23.2.1 A person must not park, keep, store, repair or allow to remain on any premises a *vehicle* which is greater than 7.5 metres in length or which has a gross *vehicle* mass of greater than 4.5 tonnes so as to create a *nuisance*.

Penalty: 20 penalty units



24. SCAREGUNS

24.1 Purpose

24.1.1 The purpose of this clause is to regulate and control the use of *scareguns* within the *municipal district* in a manner that prevents their use being detrimental to the environment or to the quality of life of the community.

24.2 Use of Scareguns

24.2.1 A person must not use or allow or authorise another person to use a *scaregun* unless all the following are satisfied:

- (a) the *scaregun* is only used for the bona fide purpose of scaring birds;
- (b) the distance in a straight line between the *scaregun* and residential premises on another property is 300 metres or greater;
- (c) the distance in a straight line between the *scaregun* and another *scaregun* in use (whether located on the same property or on another property) is 150 metres or greater;
- (d) the *scaregun* is only used between 7:00am and sunset on any day but for not more than 12 hours in total on any day;
- (e) the maximum noise level of the *scaregun* when measured immediately in front of a residential premises on another property is 100Db peak or less; and
- (f) the *scaregun* does not emit more than the number or exceed the regularity of blasts in any one-day period than the number set out in clause 24.3.

Penalty: 5 penalty units

24.3 Frequency of Scaregun Blasts

24.3.1 For the purposes of sub-clause 24.2.1(f), the number and regularity of blasts in any one-day period is as follows:

- (a) in the case of a single blast *scaregun*, 70 blasts, with the time between blasts to be no less than six minutes; and
- (b) in the case of a multiple blast *scaregun*, 70 blasts, with:
 - (i) the time between blast sequences being no less than six minutes; and
 - (ii) the time between the first blast of a sequence and the last blast of a sequence being no more than one minute; and



- (c) each blast in a sequence from a multiple blast *scaregun* must be counted as one blast.

24.4 Application

- 24.4.1 Clause 24 does not apply to the use of *scareguns* by *Council* staff or a *Council* contractor.

25. USE OF RECEPTACLES

25.1 General

- 25.1.1 A person must not cause or permit to be placed in any *receptacle* any:

- (a) slops or liquid waste; or
- (b) hot ashes or dirt; or
- (c) wire or other jagged or rough-edged material or object unless the material or object is securely wrapped so as to prevent injury to any person emptying the *receptacle*; or
- (d) syringes or other sharp objects which may be contaminated with infectious waste (including blood) unless wrapped or secured in such a manner as to render it or them harmless or inoffensive; or
- (e) *e-waste*; or
- (f) oil, paint or solvents, or any other thing, substance or material whatsoever which may damage such *receptacle* or reduce its strength; or
- (g) the carcass of a deceased *animal* or mammal; or
- (h) building waste; or
- (i) hazardous chemicals, or volatile, explosive or flammable substances; or
- (j) human faeces,

except in a *receptacle* approved for that purpose.

Penalty: 20 penalty units

- 25.1.2 An occupier of a dwelling must cause any *receptacle* to be removed from where it was left for collection within 24 hours from the time at which the *receptacle* was emptied.

Penalty: 10 penalty units



25.1.3 Sub-clause 25.1.2 does not apply to:

- (a) *receptacles* left for collection at common collection points where properties are not accessible by a waste collection *vehicle*; or
- (b) properties where the driveway is steep; or
- (c) where, due to age, infirmity or a disability, the occupier is unable to move the *receptacle* without ease or assistance; or
- (d) commercial premises where there is inadequate space to store *receptacles*.

25.2 Recyclable Waste, Hard Waste and Food and Organic Waste

25.2.1 *Council* may, from time to time, and in such manner as it may determine, undertake the collection of waste, including but not limited to recyclable waste, hard waste and food and organic waste.

25.2.2 The occupier of a dwelling in the recyclable household service area who is supplied by *Council* or its contractor with a *receptacle* for collection, must use the *receptacle* only for the purpose for which it was provided.

Penalty: 10 penalty units

25.2.3 Hard waste must not be placed out on the *road related area* in such a manner that will obstruct or hinder the use of any *road* (including a footpath).

Penalty: 10 penalty units

25.2.4 Garden waste must not be placed out on the *road related area* in such a manner that will obstruct or hinder the use of any *road* (including a footpath).

Penalty: 10 penalty units

26. NATURE STRIPS – ALTERNATIVE TREATMENT

26.1 A person who is the owner or occupier of land in a *township*:

26.1.1 may undertake maintenance of the lawn on the nature strip adjacent to the land; and

26.1.2 must obtain a *permit* to undertake other gardening works or other alternative treatment on the nature strip adjacent to the land, such as creating garden beds or planting trees.

Penalty: 20 penalty units



PART FIVE – ADMINISTRATION AND ENFORCEMENT

27. PERMITS AND FEES

27.1 Permit Applications

27.1.1 A person who wishes to apply for a *permit* may do so by:

- (a) lodging an application; and
- (b) paying the *appropriate fee* (where applicable).

27.1.2 *Council* or an *authorised officer* may require an *applicant* to provide additional information before dealing with an application for a *permit* or for an exemption to the requirement to obtain a *permit*.

27.1.3 *Council* or an *authorised officer* may require an *applicant* to give public notice of the application.

27.1.4 At the discretion of *Council* or an *authorised officer*, the public notice of the application may be required to be given:

- (a) by *Council* to the general public; or
- (b) by the *applicant* to persons specified by *Council* or an *authorised officer*.

27.1.5 A public notice given by *Council* shall be advertised:

- (a) on the *Council* website; and
- (b) where practicable, in a newspaper published in Victoria and circulating in the *municipal district*.

27.1.6 A public notice given by the *applicant* shall be:

- (a) in a form approved in advance by an *authorised officer*; and
- (b) given by registered mail to the persons specified by *Council* or an *authorised officer*.

27.1.7 A copy of the public notice given by the *applicant* must be provided to *Council*.

27.1.8 A public notice given pursuant to this clause must provide that submitters be given 14 days to respond.

27.1.9 Submissions received pursuant to this clause:



- (a) shall, where the public notice has been given by the *applicant*, be considered by an *authorised officer*; and
- (b) shall, where the public notice has been given by *Council*, be considered in accordance with *Council's Community Engagement Policy*.

27.1.10 In deciding whether to grant a *permit*, *Council* or an *authorised officer* may, in addition to anything else specified in this Local Law or where nothing else is specified, take into consideration whether the proposed activity or use will:

- (a) cause a danger or hazard to pedestrians or *vehicles*;
- (b) disturb, annoy or disrupt adjacent property owners or occupiers;
- (c) be detrimental to the amenity of the area;
- (d) destroy native vegetation on *Council land* or *roads*;
- (e) cause damage to *Council* assets;
- (f) require the consent of or whether the application should be referred to obtain the opinion of any other public authority or individual;
- (g) obstruct a footpath so that it will not be possible to always maintain a clear walkway; or
- (h) necessitate the *applicant* to have insurance against any risk.

27.2 Issue of Permits

27.2.1 *Council* or an *authorised officer* may:

- (a) issue a *permit* with or without conditions; or
- (b) refuse to issue a *permit*.

27.3 Conditional Permits

27.3.1 A *permit* may be subject to conditions which *Council*, or an *authorised officer*, considers appropriate in the circumstances including:

- (a) the payment of a fee or charge;
- (b) the payment of a security deposit, bond or guarantee to *Council* to secure the proper performance of conditions on a *permit* or to rectify any damage caused to *Council* assets as a result of the use or activity allowed by the *permit*;
- (c) a time limit to be applied by specifying the duration or commencement or completion date;
- (d) that the *applicant* be insured to the satisfaction of the *authorised officer*;



- (e) the rectification, remedying or restoration of a situation of circumstance;
- (f) where the *applicant* is not the owner of the subject property, the consent of the owner is obtained; and
- (g) the granting of some other *permit* or authorisation.

27.3.2 The conditions of a *permit* must be set out in the *permit*.

27.3.3 *Council* or an *authorised officer* may, during the currency of a *permit*, alter the conditions of a *permit* if it considers or they consider it to be appropriate to do so, after providing the *permit holder* with an opportunity to make comment on the proposed alteration.

27.4 Permit Cancellations

27.4.1 *Council* or an *authorised officer* may cancel a *permit* if it is considered that:

- (a) there has been a serious or ongoing breach of the conditions of the *permit*;
- (b) a Notice to Comply has been issued but not complied with within seven days or such other time as is specified in the Notice to Comply;
- (c) there was a significant error or misrepresentation in the application for the permit; or
- (d) in the circumstances, the *permit* should be cancelled.

27.4.2 Before it cancels a *permit*, *Council* or an *authorised officer* must provide the *permit holder* with an opportunity to make a submission on the proposed cancellation.

27.4.3 If a *permit holder* is given the opportunity to make a submission pursuant to sub-clause 27.4.2 the *permit holder* must be given 14 days to make a submission.

27.4.4 If a *permit holder* is not the owner of the land and the owner's consent was required to be given to the application for the *permit*, the owner must be notified of any Notice to Comply and of the reason why it has been served.

27.5 Correction of Permits

27.5.1 *Council* or an *authorised officer* may correct a *permit* in relation to:

- (a) an unintentional error or an omission; or
- (b) an evident material miscalculation or an evident material mistake in the description of a person, property, or thing.



27.5.2 *Council* or an *authorised officer* must notify the *permit holder* in writing of any correction.

27.5.3 If the *permit holder* is not the owner of the land and the owner's consent was required to be given to the application for the *permit*, the owner must be notified of any correction to a *permit*.

27.6 Appeal Rights

27.6.1 An *applicant* may appeal in writing to the *Chief Executive Officer* (CEO) against the decision of an *authorised officer* to refuse to grant a *permit* or to issue a *permit* with conditions within 14 days of being notified of the decision.

27.6.2 Appeals will be considered by the CEO, a *delegate* of the CEO or another person appointed by the CEO.

27.6.3 The CEO may obtain any additional information to assist with the determination of the appeal.

27.6.4 The CEO must advise the *applicant* in writing of the decision and the reasons for it within 14 days of receiving the request to review the decision of an *authorised officer* or within 14 days of receiving any additional information requested of the *applicant*.

27.7 Duration of Permits

27.7.1 A *permit* is in force until the expiry date indicated on the *permit*, unless it is cancelled before the expiry date.

27.7.2 If no expiry date is indicated on the *permit*, the *permit* expires two years after the date on which it is issued.

27.7.3 Before the *permit* expires, a person may request *Council* to extend the *permit* for a further period.

27.8 Fees

27.8.1 *Council* may, from time to time, by resolution determine fees for the purposes of this Local Law.

27.8.2 In determining any fees and charges, *Council* may establish a system or structure of fees, charges, bonds, and guarantees including a minimum or maximum fee or charge if it considers it is appropriate to do so.

27.8.3 *Council* or an *authorised officer* may waive, reduce, or alter a fee with or without conditions.

27.8.4 *Charities* are exempt from *permit* fees.



27.9 Exemptions

27.9.1 *Council* or an *authorised officer* may by written notice exempt any person or class of persons from the requirement to obtain a *permit*, either generally or at specified times.

27.9.2 In determining whether to grant an exemption to the requirement to obtain a *permit*, *Council* or an *authorised officer* will have regard to:

- (a) the circumstances of the application;
- (b) whether the application is to raise funds for community for charitable purposes;
- (c) whether the proposed activity or use will have an overall community benefit;
- (d) whether the proposed activity or use could have a detrimental effect on adjoining properties;
- (e) whether the *applicant* will be given an unfair advantage over any other person or organisation; and
- (f) any other matters relevant to the circumstances of the application.

27.9.3 An exemption may be granted subject to conditions.

27.9.4 A person must comply with the conditions of an exemption.

Penalty: 10 penalty units

27.9.5 An exemption may be cancelled or corrected as if it were a *permit*.

27.10 Offences

27.10.1 A person who makes a false representation or declaration (whether oral or in writing), or who intentionally omits relevant information in an application for a *permit* or exemption, is guilty of an *offence*.

Penalty: 10 penalty units

28. ENFORCEMENT

28.1 Compliance with Directions

28.1.1 A person must comply with any lawful direction or instruction of an *authorised officer* given under this Local Law when requested to do so in urgent circumstances or for public safety reasons, whether or not the person has a *permit*.



Penalty: 10 penalty units

28.2 Warning to Offenders

28.2.1 Where there is a breach of this Local Law an *authorised officer* may request the person breaching the Local Law to stop or remedy the breach.

28.2.2 If a breach of this Local Law continues after an *authorised officer* has requested a person to remedy or stop the breach, the *authorised officer* may issue an *official warning* which must comply with the requirements of the *Infringements Act 2006* and the *Infringements Regulations 2016*.

28.3 Power of Authorised Officer – Notice to Comply

28.3.1 Where there is a breach of this Local Law, an *authorised officer* may serve a Notice to Comply on the person who is breaching the Local Law.

28.4 Time to Comply

28.4.1 A Notice to Comply must state the time and date by which the breach must be remedied.

28.4.2 The time required by a Notice to Comply must be reasonable in the circumstances having regard to:

- (a) the amount of work involved;
- (b) the degree of difficulty;
- (c) the availability of necessary materials or other necessary items;
- (d) climatic conditions;
- (e) the degree of risk or potential risk; and
- (f) any other relevant factor.

28.5 Failure to Comply with a Notice to Comply

28.5.1 A person who fails to comply with a Notice to Comply served on that person is guilty of an *offence*.

Penalty: 10 penalty units

28.5.2 Where a Notice to Comply requiring works to be undertaken is not complied with, an *authorised officer* may cause any works to be carried out to ensure compliance and may recover the costs incurred by *Council*.



29. POWER OF AUTHORISED OFFICERS

29.1 Urgent Circumstances

- 29.1.1 In urgent circumstances arising as a result of a failure to comply with this Local Law, an *authorised officer* may take action to remove, remedy or rectify a situation without first serving a Notice to Comply if the *authorised officer* considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with serving a notice, may place a person, *animal*, property or thing at risk or in danger.
- 29.1.2 In deciding whether circumstances are urgent, an *authorised officer* must take into consideration, to the extent relevant, whether:
- (a) it is practicable to contact:
 - (i) the person by whose default, permission, or tolerance the situation has arisen; or
 - (ii) the owner or the occupier of the premises or property affected; and
 - (b) there is an urgent risk or threat to public health, public safety, the environment, or *animal* welfare.
- 29.1.3 The action taken by an *authorised officer* under sub-clause 29.1.1 must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.
- 29.1.4 An *authorised officer* who takes action under sub-clause 29.1.1 must ensure that, as soon as practicable, details of the circumstances and remedying action are forwarded to the person on whose behalf the action was taken.

29.2 Power to Impound

- 29.2.1 Where any items, goods and equipment are used in contravention of this Local Law an *authorised officer* may remove and impound them.
- 29.2.2 Where any items and equipment are impounded under this provision, an *authorised officer* must, as soon as possible and where practicable, serve a Notice of Impounding on the owner or the person responsible for the item setting out the fees and charges payable and the time by which the item must be retrieved.
- 29.2.3 Where the identity or whereabouts of the owner or the person responsible for the impounded item is unknown the *authorised officer* must take reasonable steps to establish the identity or whereabouts of the person and may dispose of the impounded item in the following way:
- (a) where the item has no saleable value, it may be disposed of in the most economical way determined by an *authorised officer* or *delegate* in



accordance with *Council's Asset Disposal Policy* or other relevant policy; or

- (b) where the item appears to have some saleable value, the item may be disposed of by tender, public auction or private sale but may be given away or disposed of if the sale is unsuccessful in accordance with *Council's Asset Disposal Policy* or other relevant policy.

29.2.4 Any proceeds from the disposal of an impounded item will be paid to the owner or the person who, in the opinion of *Council* or an *authorised officer*, appears to be authorised to receive the money, except for the reasonable costs incurred by *Council* in the administration of this Local Law.

29.2.5 If the person described in sub-clause 29.2.4 cannot be identified or located within six months of serving the Notice of Impounding, any proceeds of sale cease to be payable to that person and may be retained for municipal purposes.

29.2.6 If an *authorised officer* has impounded anything in accordance with this Local Law, *Council* may refuse to release it until the *appropriate fee* or charge for its release has been paid to *Council*.

29.2.7 In exercising any of the powers in this clause an *authorised officer* must have regard to any specific requirements in the *Act*.

29.3 Penalties and Infringement

29.3.1 As an alternative to prosecution, an *authorised officer* may issue an infringement notice to any person whom the *authorised officer* reasonably considers has committed an *offence*.

29.3.2 A person issued with an infringement notice is entitled to disregard the notice and defend the prosecution in court.

29.3.3 The penalty in respect of an infringement for which an infringement notice is issued is the amount set out in the Schedule.

29.3.4 A person issued with an infringement notice may pay the penalty amount to *Council* at the address indicated in the notice.

29.3.5 To avoid prosecution and subject to the *Infringements Act* 2006, the penalty indicated in the infringement notice must be paid within 28 days after the day on which the infringement notice is issued.



COMMUNITY LOCAL LAW NO 9

SCHEDULE

PENALTIES FIXED FOR INFRINGEMENT NOTICE PURPOSES

Explanatory Note: Infringement notice penalties are used to simplify the process of enforcing less serious breaches of the law.

Infringement notices avoid the complex process of Court prosecution.

When infringement notices are paid on time, no conviction is recorded by a Court. The amount of an infringement penalty is normally significantly less than the potential maximum penalty a Court might impose for the same offence. Maximum penalties may be imposed by a Court when:

- Council or an authorised officer chooses to prosecute an offence, rather than issue an infringement notice; or
- a person receiving an infringement notice chooses to have the matter heard in Court.

Penalty units are indexed annually.

Clause or sub-clause	Offence	Infringement Penalty Units	Maximum Penalty Units
6.2	Failing to comply with the conditions of the permit	2	10
7	Failing to obtain a permit to store vehicles and machinery	2	10
8	Failing to obtain a permit to keep excess <i>animals</i>	3	15
9.1	Failing to obtain a permit to camp in excess of the period	3	15
10.1.1	Committing an offence pursuant the sub-clause	2	10
10.1.2	Committing an offence pursuant the sub-clause	5	10
10.1.3 & 10.1.4	Committing an offence pursuant the sub-clause	5	10
10.2.1	Damaging Council land or roads	10	20
10.2.2	Bulk rubbish containers	5	10



Community Local Law 2023

WEST WIMMERA SHIRE COUNCIL

Clause or sub-clause	Offence	Infringement Penalty Units	Maximum Penalty Units
10.2.3	Clothing bins	5	10
10.2.4	Processions, street festivals and street parties	10	20
10.2.5(a)	Use of footpaths for activities	10	20
10.2.6(a) & 10.2.6(b)	Trading, collections, subscriptions, and raffles	10	20
11.2.1	Failing to comply with requirements for keeping animals	5	10
11.3.1	Failing to comply with requirements for animal control	5	10
11.3.2 – 11.3.6	Animal control	2	10
11.4	Failing to comply with requirements for livestock movements within the municipal district	5	10
13.1	Consumption and possession of alcohol on roads or in car parks contrary to the Local Law	10 (first offence), 20 (subsequent offences)	20
14.1	Consumption and possession of alcohol on reserves contrary to the Local Law	10 (first offence), 20 (subsequent offences)	20
15	Dilapidated, unsightly, untidy, and dangerous premises	20	20
16.1 & 16.2	Real estate boards and community advertising signs	10	20
17.1, 17.2 & 17.4	Overhanging vegetation	5	5
18.1, 18.4, 18.5 & 18.7	Bees and wasps	10	20
19	Recreational vehicles	10	20
20	Noise	10	20
21	Noxious and environmental weeds	10	20
22	Pest and stray animals	2	5
23.1.1	Vehicles	2	5
23.2.1	Heavy and long vehicles	10	20



Community Local Law 2023

WEST WIMMERA SHIRE COUNCIL

Clause or sub-clause	Offence	Infringement Penalty Units	Maximum Penalty Units
24	Scareguns	5	5
25.1.1	Use of receptacles	10	20
25.1.2	Receptacles	3	10
25.2.2, 25.2.3 & 25.2.4	Receptacles – recyclable waste, hard waste and food and organics	5	10
26.1.2	Nature strip treatments	10	20
27.9.4	Non-compliance with exemption	5	10
27.10.1	Offences relating to declarations	5	10
28.1.1	Non-compliance with directions	5	10
28.5.1	Failure to comply with a Notice to Comply	5	10

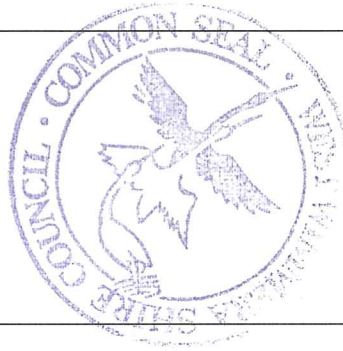


Community Local Law 2023

WEST WIMMERA SHIRE COUNCIL

The resolution for making this Local Law was agreed to by the West Wimmera Shire Council on 17 May 2023

THE COMMON SEAL of the
West Wimmera Shire Council
was hereunto affixed in the presence of:



tyll

Councillor

Jodie ReHove

Councillor

[Signature]

Chief Executive Officer

Public notice of the proposal to make and confirmation of the making of the Local Law were inserted in the Nhill Free Press and Kaniva Times on 23 November 2022, 29 March 2023 and 24 May 2023.

Notice of the making of this Local Law was included in the Victoria Government Gazette dated 25 May 2023.

+++++