

NOTICE OF REVOCATION AND REVISION OF LOCAL LAWS

In accordance with Division 3 of Part 3 of the Local Government Act 2020 (the Act) the Greater Bendigo City Council provides this notice of the intent to:

- Revoke the Local Law Process of Municipal Government (2020)
- Revise the Community Local Law
- Revise the Local Law No. 10 - Administration

This notice addresses the following items, as per section 73(3):

(a) the objectives of the proposed local law changes:

The objectives of these changes are to:

- Remove the content of the Local Law Process of Municipal Government (2020) that is now contained within the Governance Rules;
- Continue to consolidate all Local Laws as part of the City's continuous improvement plan; and
- Ensure alignment between the newly created Part to the Community Local Law (Part E) and the Local Law No. 10 – Administration.

The objective of the newly created Part to the Community Local Law (Part E) remains:

- To regulate the use of the common seal of the municipality;
- To aid the enforcement of the Governance Rules to maintain order;
- To promote and encourage good governance.

(b) the intended effect of the proposed local law changes:

The intended effects of these changes are to:

- Remove the content of the Local Law Process of Municipal Government (2020) that is now contained within the Governance Rules;
- Move the remaining content of the Local Law Process of Municipal Government (2020) into the Community Local Law; and
- Ensure the offences and penalties for the contravention of the Governance Rules are aligned between Community Local Law (Part E) and the Local Law No. 10 – Administration.

(c) a copy of the proposed local law is available for inspection at:

City of Greater Bendigo office, 15 Hopetoun Street or online at www.letstalkgreaterbendigo.com.au/councillor-only-governance-documents

(d) the community engagement process that applies in respect of the making of the local law.

The proposed community engagement process is to inform and consult in accordance with the IAP2 spectrum of public participation, as per the City Community Engagement Policy.

CRAIG NIEMANN
CHIEF EXECUTIVE OFFICER



Greater Bendigo City Council

Community Local Law

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PART A - PRELIMINARY

1.1 Title

This is the Greater Bendigo City Council Community Local Law.

1.2 Power to make this Local Law

This Local Law is made under Section 111 of the *Local Government Act 1989*.

1.3 Objectives of this Local Law

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

- (a) provide for the peace, order and good governance of the municipal district,
- (b) provide a safe and healthy environment so that the community and visitors can enjoy a quality of life that meets its expectations,
- (c) prohibit, regulate and control activities, events, practices or behaviours in public places so that no detriment is caused to the amenity of the area, nor nuisance to a person nor detrimental effect to a person's property,
- (d) provide for the safe and fair use and enjoyment of public places,
- (e) provide for the safe and fair use of roads,
- (f) protect Council assets and land and regulate their use; and
- (g) to provide standards and conditions for certain activities in relation to the physical and visual environment within the municipality.

1.4 Commencement

This Local Law comes into operation on the first day of September 2018.

1.5 Revocation of Local Law

On the commencement of this Local Law the following City of Greater Bendigo Local Laws are revoked:

- Local Law no. 3 - Environment
- Local Law no. 4 - Streets and Roads
- Local Law no. 5 - Municipal Places Local Law

1.6 Application of this Local Law

- (a) This Local Law applies throughout the whole of the Greater Bendigo City Council, except where it is indicated that a Clause or Schedule applies to specific areas.

- (b) This Local Law does not apply where any act or thing otherwise prohibited or regulate by this Local Law is authorised by any Act, Rule, Regulation or Planning Scheme.

1.7 Cessation date

Unless this Local Law is revoked sooner its operation will cease on the day which is 10 years after the day on which it came into operation.

1.8 Definitions

Act	means the <i>Local Government Act 1989</i> , <u>or <i>Local Government Act 2020</i>, whichever Act is relevant</u>
Advertising sign	means any placard, notice board, sign, structure, banner, A-frame or similar device, whether portable or affixed to any structure, which is used for the purposes of soliciting sales or notifying persons of the presence of an adjacent property where goods or services can be obtained.
Amenity	means a desirable or useful feature or facility of a building or place.
Authorised Officer	means a person appointed by Council under Section 224 of the <i>Local Government Act 1989</i> or a Police Officer appointed under Section 224A of the <i>Local Government Act 1989</i> .
Barbecue	means a structure or device: (a) designed or constructed for the primary purpose of cooking food, and (b) which is being used for the purposes of cooking food or is being prepared to cook such food.
Busk/busking	means to perform to the public, whether by acting, juggling and singing, playing a musical instrument or otherwise entertaining passers-by, with or without collecting money.
Camp/camping	means using a caravan, tent, swag, motor vehicle, shipping container, shed or like structure for residential accommodation (either temporary or permanent) by a person or persons, and 'camp' has corresponding meaning.
Caravan/mobile home	means any campervan, mobile home or similar vehicle which includes sleeping and/or living facilities, whether manufactured or converted, and includes a caravan, camper trailer and other similar

towed living/sleeping trailer facility, whether or not any of the wheels or axles have been removed so the body of the structure is resting on the ground or other supports and includes structure annexed thereto.

Chairperson means the Chairperson of a meeting and includes an acting, a temporary and a substitute Chairperson

Chief Executive Officer means the person appointed by Council to be its Chief Executive Officer or any person acting in that position.

Clause means a clause of this Local Law and sub-clause has a corresponding meaning.

Common seal means the common seal of Council

Council means the Greater Bendigo City Council

Outdoor Dining and Street Trading Code of Practice means a policy document that supports the City's decisions for approving outdoor dining and street trading, which is attached to this Local Law as an incorporated reference document and which may be amended from time to time.

Commercial Fitness Operator Policy means a policy document that supports the City's decisions for determining suitable commercial fitness activities, which is attached to this Local Law as an incorporated reference document and which may be amended from time to time.

Commercial means land zoned for the purpose of commercial uses and development as defined under the Greater Bendigo Planning Scheme.

Council means the Greater Bendigo City Council.

Council land means any land owned by or vested in or under the care, management and control of Council, and include, all roads, reserves and water courses.

Environmental Management Plan for Scheduled Reserves and Park Land means a list of Council owned or managed reserves, which specifies prohibited activities on those reserves for the protection and conservation of those reserves and which is attached to this Local Law as an incorporated reference document.

Heavy vehicle	has the same meaning as the <i>Road Safety Act 1986</i> .
Incinerator	means a structure or device able to be used for the purpose of burning matter, substance or material, but does not include a barbecue or pizza oven.
Industrial zone	means land zoned for the purpose of industrial uses and development as defined under the Greater Bendigo Planning Scheme.
Liquor	means any alcoholic beverage, and any liquid is deemed to be liquor until the contrary is proven.
Mall	means that part of Hargreaves Street, Bendigo between Mitchell Street and Williamson Street.
Motor vehicle	has the same meaning as the <i>Road Safety Act 1986</i> .

Offence means an act or default contrary to this Local Law

Open air fire means a fire lit in the open air, not including a barbeque.

Outdoor dining facility means any approved area containing tables or chairs or both tables and chairs, located out of doors on a footpath or part of a road in which food or drink is served and may be consumed.

Penalty unit means penalty unit as prescribed in Section 110 of the Sentencing Act 1991

Procession means an organised group of people proceeding along a road or gathering for a ceremony or function and includes fun runs and bicycle events.

Properly constructed fireplace means a fireplace constructed of stone, metal, concrete or other non-flammable material in a manner which contains the perimeter of a fire.

Public place means, but not limited to:

- (a) any public highway, road, street, footway, court, mall, alley or thoroughfare, notwithstanding that it may be formed on private property;
- (b) any public garden, reserve or other place of public recreation or resort;
- (c) any open space to which the public have or are permitted to have access;
- (d) Crown Land;
- (e) Council land or land owned by or vested in any public Authority.

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Refuse	includes rubbish of a domestic or commercial nature (except sewage and manure) produced in or about any house, building or premises, but does not include trade waste from food manufacturing plants, or industrial waste material.
Residential	means any land used predominantly for residential purposes and includes land in the Residential Growth, General Residential, Low Density Residential, Mixed Use, Township and Rural Living zones pursuant to the Greater Bendigo Planning Scheme.
Road	means any area that is open to or used by the public and is developed for, or has as one of it's main uses, the driving of motor vehicles and includes a street, right of way, a public road under the <i>Road Management Act 2004</i> , footpath, bridge, bicycle path nature strip and other land or works forming part of the road.
Responsible road authority	means the road Authority which has operational functions as determined in accordance with Section 37 of the <i>Road Management Act 2004</i> .
Solid fuels	means heat beads, briquettes and dry timber.
Street party	means an organised, recreational, cultural, commercial or social gathering of people held on a road.
Street trading	means the use of a road or part thereof, including a footpath, for the sale or display of goods or signs or for an outdoor dining area, whether or not such activity has been approved by the Council.
Traffic	means the movement of people by foot or in or on vehicles, along, across or within a road.
Toy vehicle	means recreational equipment designed to be propelled by human power and includes a skateboard, scooter, roller and in-line skates.
Vehicle	has the same meaning as the <i>Road Safety Act 1986</i> .
Waste receptacle	means a wheeled garbage bin approved by Council.
Waste Services Code of Practice	means a policy document supporting the City's kerbside collection service, which is attached to this

Local Law as an incorporated reference document and which may be amended from time to time.

1.9 Administration

- (a) Notices to Comply, Notices of Impounding, Infringement Notices and Permits for this Local Law may be issued by an Authorised Officer pursuant to the Administration Local Law No. 10.
- (b) A Police Officer appointed as an Authorised Officer pursuant to Section 224a of the *Local Government Act 1989*, may serve an Infringement Notice on any person believed to have contravened or failed to comply with Clause 4.1 of this Local Law.

PART B - ENVIRONMENT

2.1 Kerbside waste collection

- (a) The occupier(s) of any premise where a kerbside waste collection service is provided shall use waste receptacles which are approved by Council.
- (b) In Residential areas, waste receptacles shall not be placed outside the property boundary except within twenty four (24) hours either side of the day of refuse collection.
- (c) In Commercial areas waste receptacles shall not be placed outside the property boundary between 10.00am (1000hrs) and 5:30pm (1730hrs) each day, regardless of the frequency of collection.
- (d) Municipal litter bins must not be used for the disposal of general residential or commercial waste.
- (e) The occupier(s) of any premises where a kerbside waste collection service is provided will have regard to any matters prescribed within the City of Greater Bendigo's Waste Services Code of Practice.

PENALTY: Two penalty units

2.2 Open air burning

This section applies to all land within the Greater Bendigo Municipality, including land zoned Commercial or Industrial under the Greater Bendigo Planning Scheme.

- (a) A person must not light an incinerator at any time.

PENALTY: Two penalty units

- (b) A person must not light or allow to be lit, or allow to remain alight any fire in the open air during the declared Fire Danger Period as specified by the

Country Fire Authority, unless authorised by a written permit issued under the *Country Fire Authority Act 1958*.

PENALTY: Five penalty units

- (c) Unless prohibited pursuant to any Act, Regulation or fire danger period, a person may only light an open air fire for cooking or warmth, provided only dry solid fuels are used and that the fire is in:-
 - (i) a barbeque; or
 - (ii) a properly constructed fire place.

PENALTY: Three penalty units

- (d) An open air fire constructed for warmth or cooking shall:-
 - (i) be located no closer than 3 metres to the property boundary or 3 metres to any building; and
 - (ii) be cleared of flammable material for a minimum radius of 3 metres; and
 - (iii) not occupy an area in excess of 1 metre square and the size and dimensions of solid fuel used are the minimum necessary for the purpose; and
 - (iv) must not be used when the wind speed in the vicinity of the fire is stronger than 15kph; and
 - (v) be supervised by an adult at all times whilst an open air fire is being used and who shall ensure that there is immediately available a container of not less than 9 litres of water or a charged hose for safety precautions; and
 - (vi) must use dry solid fuel, untreated timber; and
 - (vii) shall not cause a nuisance to neighbours.

PENALTY: Three penalty units

- (e) This clause applies only to land one (1) hectare or less in size.
 - (i) A person shall not without a written permit from an Authorised Officer light an open air fire to burn dry solid fuels for fuel reduction purposes only unless authorised pursuant to an Act or Regulation.

PENALTY: Three penalty units

- (ii) A person who has lit or allowed to remain lit a fire in the open air to burn dry solid fuels without a permit from an Authorised Officer must immediately extinguish same when directed to do so by an Authorised Officer, Police Officer or an officer or member of a Fire Authority acting in an official capacity.

PENALTY: Three penalty units

- (f) This clause applies only to land greater than one (1) hectare in size:-
 - (i) Any person before lighting an open air fire to burn dry solid fuel for fuel reduction purposes, must ensure that it does not exceed any of the prescribed dimensions of 4 metres width, 4 metres length and 3 metres in height, unless authorised by a written permit to do so.

PENALTY: Five penalty units

- (ii) Subsection (i) does not apply to the owner or occupier of any land or a person acting under the direction of an owner or occupier of any land conducting a burn for primary production or broad acre farming purposes.
- (g) In determining whether to issue a permit under clause (f)(i), the Authorised Officer shall have regard to whether the permit is required in order to protect property, the general health of the community or any other purpose that in the opinion of the Authorised Officer is deemed to be a reasonable request.
- (h) Any person before lighting an open air fire must ensure that before the open air fire is lit, it must:-
 - (i) not be located closer than 3 metres to the property boundary or 3 metres to any building; and
 - (ii) is cleared of flammable material for a minimum radius of 3 metres; and
 - (iii) not be lit when the wind speed in the vicinity of the fire is stronger than 15kph; and
 - (iv) be supervised by an adult at all times whilst an open air fire is being used and who shall ensure that there is immediately available a container of not less than 9 litres of water or a charged hose for safety precautions; and
 - (v) must use dry, untreated timber; and
 - (vi) shall not cause a nuisance to neighbours.

PENALTY: Three penalty units

- (i) Before an open air fire is lit the property owner or responsible person must notify adjoining neighbours and the Emergency Services Telecommunications Authority (ESTA), or relevant Authority of their intention to light an open air fire.

PENALTY: Three penalty units

2.3 Burning of materials causing offence

- (a) A person shall not burn or cause to be burned any of the following or any

substance containing any of the following:-

- (i) manufactured chemicals; or
- (ii) rubber or plastic; or
- (iii) petroleum, oil or derivative thereof; or
- (iv) paint or receptacle which contains or which contained paint, food waste, fish or other offensive or noxious matter; or
- (v) explosive material; or
- (vi) container which may cause an explosion; or
- (vii) green waste or damp garden refuse including leaves; or
- (viii) cardboard or newspaper; or
- (ix) any other material deemed offensive or dangerous by an Authorised Officer of the Council.

PENALTY: Five penalty units

2.4 Motor vehicles on Council land

- (a) A person shall not cause or permit a motor vehicle to be on Council land other than:-
 - (i) on a road; or
 - (ii) in a designated parking area; or
 - (iii) in an area where provision has been specifically made for the entry or accommodation of motorised vehicles.

PENALTY: Five penalty units

- (b) Any person responsible for a breach of subsection (a) shall meet the costs incurred by Council of any repair or reinstatement works considered by Council to be necessary as a result of damage caused by such vehicle.
- (c) Subsection (a) shall not preclude the entry onto public land of an emergency vehicle, City of Greater Bendigo Council vehicle or a vehicle operated by a Public Authority.

2.5 Dangerous or unsightly land

Unless otherwise permitted by a permit issued pursuant to the Greater Bendigo Planning Scheme, an owner or occupier of land must ensure that the land in the opinion of an Authorised Officer:-

- (a) does not constitute a danger to health or property,
- (b) does not constitute a fire hazard,
- (c) is not unsightly or detrimental to and does not adversely affect the general amenity of the adjoining land or the neighbourhood by the appearance of (including but not limited to):-
 - (i) stored unregistered motor vehicles;
 - (ii) machinery or any parts thereof;

- (iii) scrap metal;
- (iv) second hand timber and or building materials;
- (v) waste paper;
- (vi) rags;
- (vii) bottles;
- (viii) soil or similar materials;
- (ix) overgrown vegetation.

- (d) is not used in any manner that may cause a nuisance or become detrimental to the amenity of the immediate area.

PENALTY: Five penalty units, and one penalty unit for each day after a finding of guilt by any Court during which the breach continues.

2.6 Heavy Vehicles

- (a) It is an offence for a person to allow a heavy vehicle to be parked, kept, stored or repaired on any property in a Residential area without a permit issued by the Chief Executive Officer or his/her delegate.

PENALTY: Five penalty units, and one penalty unit for each day after a finding of guilt by any Court during which the breach continues.

- (b) In determining whether to grant a permit for the purposes of sub-clause (a), the Authorised Officer shall have regard to-
 - (i) the possible impacts on adjoining properties; and
 - (ii) the amenity of the area; and
 - (iii) any other matters considered relevant by the Chief Executive Officer or his/her delegate.
- (c) A permit will not be granted under sub-clause (a) unless the following minimum conditions are complied with:-
 - (i) the engine of such vehicles shall not be started before 6.00am; and
 - (ii) no exhaust breaks shall be used when parking; and
 - (iii) animals shall not be housed within the heavy vehicle when stationary; and
 - (iv) operation of any compressor driven refrigeration unit on the vehicle shall not be permitted; and
 - (v) parking of the heavy vehicle shall not cause any visual obstruction for motorists using adjoining roads or driveways; and
 - (vi) any other matter considered relevant by the Chief Executive Officer or his/her delegate.

2.7 European wasps and bees

- (a) Any person who is the owner or occupier of any land upon which is located a colony of European wasps, shall cause all such colonies to be destroyed in such a manner that ensures that all the wasps are killed

within five (5) days of being directed to do so by an Authorised Officer.

PENALTY: One penalty unit

- (b) Any person who is the owner or occupier of any land upon which is located an unmanaged or abandoned colony of bees, shall cause all such colonies to be removed or destroyed in such a manner that ensures that the colony is removed or destroyed within five (5) days of being directed to do so by an Authorised Officer.

PENALTY: One penalty unit

2.8 Protection and preservation of scheduled Council reserves and parkland

- (a) A person shall not, within any area listed in the Environmental Management Plan Scheduled Reserves and Park Land, carry out any activity prohibited in that schedule.

PENALTY: Five penalty units

- (b) The Environmental Management Plan Scheduled Reserves and Park and is attached to this Local Law.

PART C - STREETS & ROADS

3.1 Vehicle crossings

This section applies to all properties which have vehicles accessing them.

- (a) Require by written notice that the vehicle crossing be constructed, modified or replaced, so that it complies with Council's approved standard drawings for vehicle crossings.
- (b) Notice in writing shall specify reasonable time for compliance with sub-clause (a) failure to comply with the notice in the specified time frame is an offence.

PENALTY: Five penalty units

3.2 Advertising signs placed on roads

- (a) A person shall not place an advertising sign on any part of a road without a permit from the Chief Executive Officer or his/her delegate

PENALTY: Five penalty units

- (b) In considering whether to grant a permit for an advertising sign on any part of a road the Chief Executive Officer or his/her delegate shall have regard to the following criteria:-
 - (i) any matter prescribed within the City of Greater Bendigo's Outdoor Dining and Street Trading Code of Practice,
 - (ii) such sign shall be suitably constructed and weighted to be safe and stable in strong winds
 - (iii) such advertising sign shall be located to ensure a clear footway area measuring a minimum of 1.8 metres from the property frontage and a minimum of 0.75 metres from the face of the kerb
 - (iv) such signage shall be placed where it does not affect traffic visibility
 - (v) such signage shall not be placed on a median roundabout, tree reserve or other public reserve
 - (vi) public liability insurance shall be provided by the owner of such signage to a sum specified by Council.
- (c) An Authorised Officer may impound any advertising sign erected or placed on any part of a road contrary to Clauses 3.2 (a) and (b). An Authorised Officer may take all reasonable steps to facilitate the impounding of such signs. Where such steps are taken Council and the Authorised Officer whether together or individually shall not be liable for any reinstatement costs.

3.3 Sale of motor vehicles or goods on roads or road reserves.

- (a) A person must not park a vehicle or goods on a road or public place as defined under Clause 1.8 of the Local Law while that vehicle displays a sign or inscription which promotes or advertises the sale of the vehicle.

PENALTY: Five penalty units

- (b) An infringement for this offence may be served in the same manner as section 12(c) of the *Infringements Act 2006*.

3.4 Waste skip bins placed on the road or road reserve.

- (a) A person must not without a permit, place a waste skip bin on any road or road reserve.

PENALTY: Five penalty units

- (b) In considering whether to grant a permit for any waste skip bin on any part of a road the Chief Executive Officer or his/her delegate shall have regard to the following criteria:
 - (i) Vic Roads Code of Practice for the Placement of Waste Bins on Roadsides 2001, with any amendments or its successor is incorporated into this Local Law; and
 - (ii) public liability insurance shall be provided by the owner of such waste skip bin to a sum specified by Council.

3.5 Occupancy of footpath or road reserve for works.

- (a) A person must not occupy a footpath or road reserve to conduct works on private property without a permit.

PENALTY: Five penalty units

- (b) In considering whether to grant a permit to temporarily occupy a footpath or road reserve, on any part of a road, the Chief Executive Officer or his/her delegate shall have regard to the following criteria:
 - (i) safety and amenity of other users of the footpath/or road reserve; and
 - (ii) public liability insurance shall be provided by the person conducting the works to a sum specified by Council.

3.6 Third party advertising on footpaths or road reserves.

- (a) Third party advertising and promotion is not permitted on footpaths or road reserves.

PENALTY: Two penalty units

- (b) A person wishing to install street art, information signage on the footpath or road reserve must obtain a permit.

PENALTY: Two penalty units

- (c) In considering whether to grant a permit the Chief Executive Officer or his/her delegate shall have regard to the following criteria:
 - (i) safety and amenity of other users of the footpath/or road reserve; and
 - (ii) public liability insurance shall be provided by the person conducting the activity to a sum specified by Council.

PART D - MUNICIPAL PLACES

4.1. Consumption of Liquor

- (a) A person must not:
 - (i) in or at a public place; or
 - (ii) in or on a vehicle which is in or at a public place

consume any liquor, or have any liquor in their possession or under their control, other than in a sealed container, in or on any public place located in areas proclaimed by Council, unless the public place is part of a licensed premises or authorised premises pursuant to the *Liquor Control Reform Act 1998*.

PENALTY: Five penalty units

- (b) The Chief Executive Officer or his or her delegate may grant a permit for the consumption of any liquor or for the possession of liquor in an unsealed container in any public place within a location proclaimed by Council.
- (c) In determining whether to grant a permit, the Chief Executive Officer or his or her delegate shall have regard to:
 - (i) the nature of the event at which the liquor is to be consumed; and
 - (ii) any other matter considered relevant by the Chief Executive Officer or his or her delegate.

PENALTY: Five penalty units

4.2 Designation of smoke-free zones within the municipality

- (a) The Council, or the Chief Executive Officer under delegation, may designate by Notice in the Government Gazette an area or areas within the municipality as a smoke-free zone.
- (b) The Notice referred to in sub-section (a) must:
 - (i) specify the date on which the designation has effect; and
 - (ii) be published in a newspaper circulating in Victoria; and
 - (iii) be kept in a register of designations under this clause available for public inspection.
- (c) The Council must cause any area designated under sub-section (a) to be sufficiently signed to reasonably notify members of the public it is a smoke-free zone and smoking is prohibited.
- (d) It is an offence for a person to smoke within an area designated under sub-clause (a).

PENALTY: Two penalty units

- (e) For the purpose of sub-clause (d) **smoke** means smoke, hold or otherwise have control over an ignited or heated tobacco product; or use an e-cigarette to generate or release an aerosol or vapour.

4.3 Activities in public places

- (a) It is an offence for a person while in a public place to:
 - (i) speak to an assembly of people; or
 - (ii) use amplifying equipment; or
 - (iii) perform or conduct any form of entertainment or instruction; or
 - (iv) hold a street party, procession, demonstration or other like assembly; or
 - (v) erect any booth, kiosk, tent or other temporary building structure or display; or
 - (vi) use Council owned or managed land or facilities for the purpose of commercial gain or events

without a permit issued by the Chief Executive Officer or his/her delegate.

PENALTY: Five penalty units

- (b) In determining whether to grant a permit for the purposes of sub-clause (a), the Chief Executive Officer or his/her delegate shall have regard to:
 - (i) any matter prescribed within the City of Greater Bendigo's Outdoor Dining and Street Trading Code of Practice as amended from time to time;
 - (ii) any matter prescribed within Commercial Fitness Operator Policy as amended from time to time;
 - (iii) in relation to businesses operating adjacent to roads and road reserves, whether the consent of Victoria Police or VicRoads is required and obtained; and
 - (iv) any other matter considered relevant by the Chief Executive Officer or his/her delegate.
- (c) It is an offence for a person while in a public place to use or allow to be used any object or thing as to endanger, harm, intimidate, unduly obstruct or hinder any other person or vehicle using or intending to use the same area, or damage any public building, structure, furniture, object or fitting.

PENALTY: Five penalty units

4.4. Activities in the Mall

- (a) A person shall not without a permit from the Chief Executive Officer or his or her delegate:

- (i) display or erect any advertisement, notice, plaque or sign: except in Council approved community signage boards; or
 - (ii) conduct an event or activity; or
 - (iii) use Council owned or managed land or facilities for the purposes of commercial gain; or
 - (iv) perform any form of entertainment; or
 - (v) disrupt the flow of pedestrian traffic.
- (b) A person who desires to obtain a permit for such purposes shall make written application in the approved form. The application shall be lodged with Council and shall be accompanied by the prescribed fee and any such other information as Council may require as prescribed in the Code of Practice.
- (c) Dogs must be kept on a lead within the Mall at all times.

PENALTY: Two penalty units

4.5. Street trading and outdoor dining facility

- (a) A person shall not without a permit, engage in Street Trading or erect or place an Outdoor Dining Facility on any footpath or part of a road.

PENALTY: Ten penalty units

- (b) In determining whether to grant permission, the Chief Executive Officer or his or her delegate shall have regard to:
- (i) matters prescribed by the City of Greater Bendigo's Outdoor Dining and Street Trading Code of Practice; and
 - (ii) any other matter considered relevant by the Chief Executive Officer or his or her delegate.
- (c) It is an offence for a person to not comply with all conditions relevant to the approval given.

PENALTY: Ten penalty units

4.6 Camping and caravans

- (a) A person shall not without a permit occupy a tent, caravan or other temporary or make-shift structure in any public place.
- (b) A person shall not occupy a tent, caravan or other temporary or makeshift structure on private property for more than a total of 21 days in any calendar year, without a permit.
- (c) Subclauses (a) and (b) of this Clause do not apply to persons within an area registered under the Residential Tenancy Act 1997 or camping within a recognised camping reserve.

- (d) In determining whether to grant a permit pursuant to this Clause the Chief Executive Officer or his or her delegate shall have regard to:
- (i) whether the amenity of the area will be detrimentally affected,
 - (ii) whether adequate facilities will be available to occupants; and
 - (iii) any other matter considered relevant by the Chief Executive Officer or his/her delegate.

Such a permit shall not be granted for a period greater than six months unless special circumstances apply:

- (e) A person wishing to obtain a permit to occupy a caravan upon a property where that person intends to build a dwelling must satisfy the following criteria:
- (i) have a current valid building permit for the dwelling,
 - (ii) have installed an approved onsite wastewater management system or be connected to reticulated sewerage system,
 - (iii) have installed proper sanitation facilities as required by Councils Environmental Health Officers; and
 - (iv) that all domestic refuse will be adequately disposed of.

Such a permit shall not be granted for a period greater than six months but is renewable subject to the Council being satisfied as to the progress of the construction of the dwelling. The application must be in writing and give appropriate details of the proposed living arrangements whilst the dwelling is being constructed.

PENALTY: Five penalty units

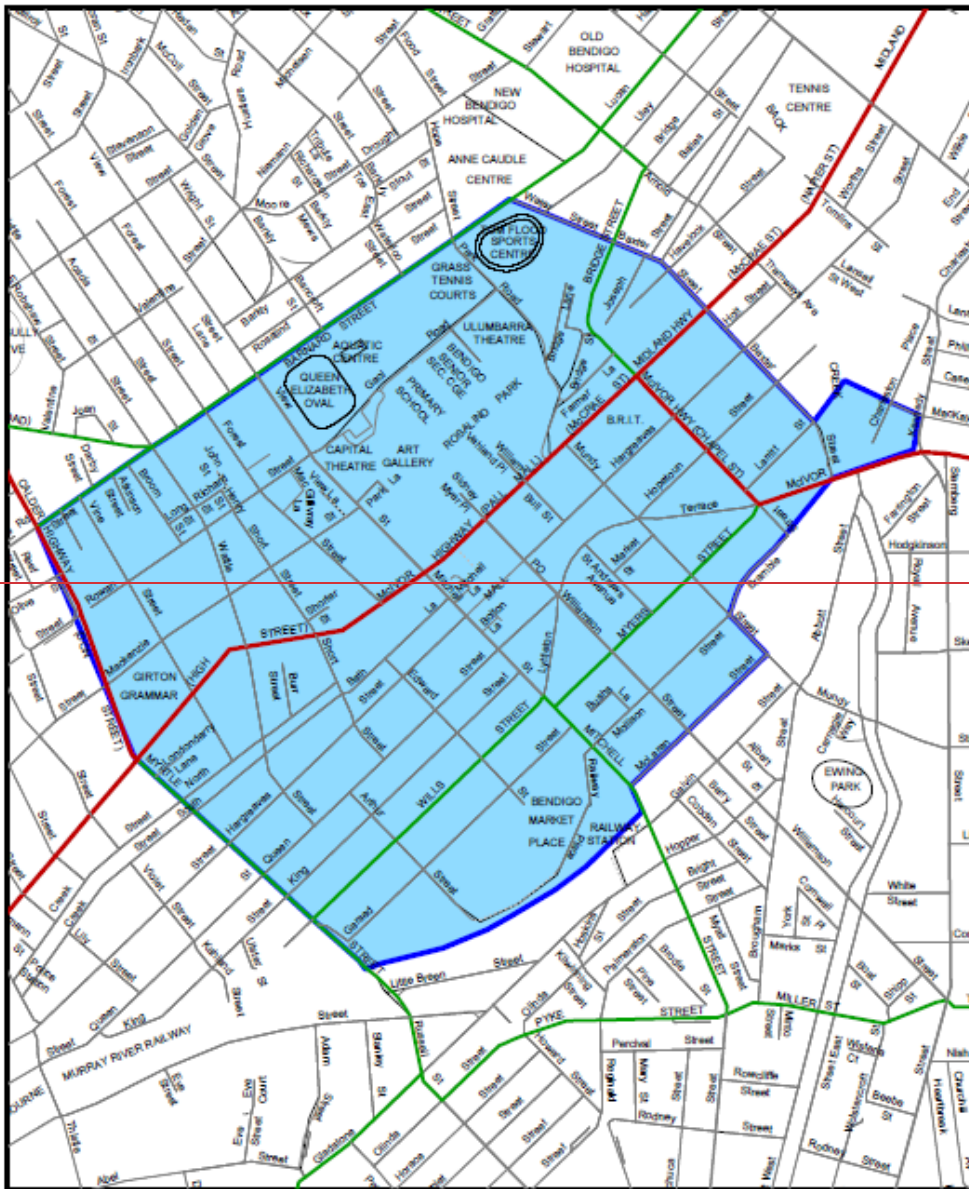
4.7 Behaviour

A person must not in, on or within the hearing or sight of a public place:

- (a) cause or commit any nuisance;
- (b) adversely affect the amenity of that public place;
- (c) interfere with the use or enjoyment of that public place or the personal comfort of another person in or on that public place;
- (d) annoy, molest or obstruct any other person in or on that public place;
- (e) defecate or urinate except in a toilet or urinal (as the case may be) in a public convenience; or
- (g) use any threatening, abusive or insulting words.

PENALTY: Ten penalty units

PROCLAIMED AREA No 1 : CENTRAL BENDIGO AREA



PROCLAIMED 6 APRIL 1998

SCALE 1 : 12.500

PART E - PROCESS OF MUNICIPAL GOVERNMENT

5.1. Use of the Common Seal

- (a) The Council's common seal must only be used on the authority of the Council and every document to which the seal is affixed must be signed by the Chief Executive Officer or his/her delegate.
- (b) The CEO must ensure the security of the Council's common seal at all times.
- (c) Any person who uses the Council's common seal without authority is guilty of an offence.

PENALTY: Two Penalty Units

5.2. Maintenance of Order

- (a) It is an offence for any person to fail to obey a direction of the Chairperson in relation to the conduct of the meeting and the maintenance of order.

PENALTY: Two Penalty Units

- (b) It is an offence for a Councillor to not withdraw an expression, considered by the Chairperson to be offensive or disorderly, and satisfactorily apologise when called upon twice by the Chairperson to do so.

PENALTY: Two Penalty Units

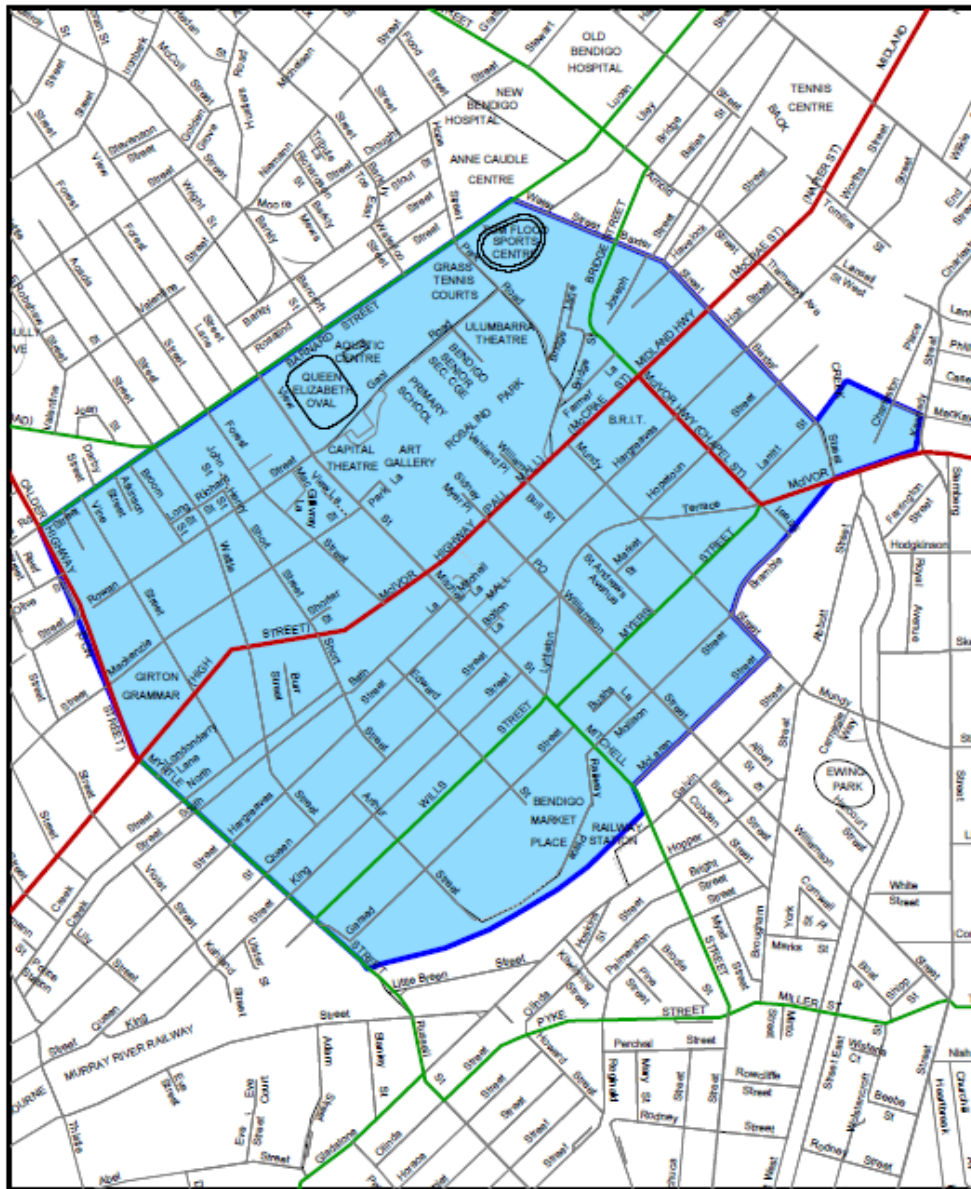
- (c) It is an offence for any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave when requested by the Chairperson to do so.

PENALTY: Two Penalty Units

- (d) It is an offence for a Councillor to refuse to leave the chamber on suspension.

PENALTY: Five Penalty Units

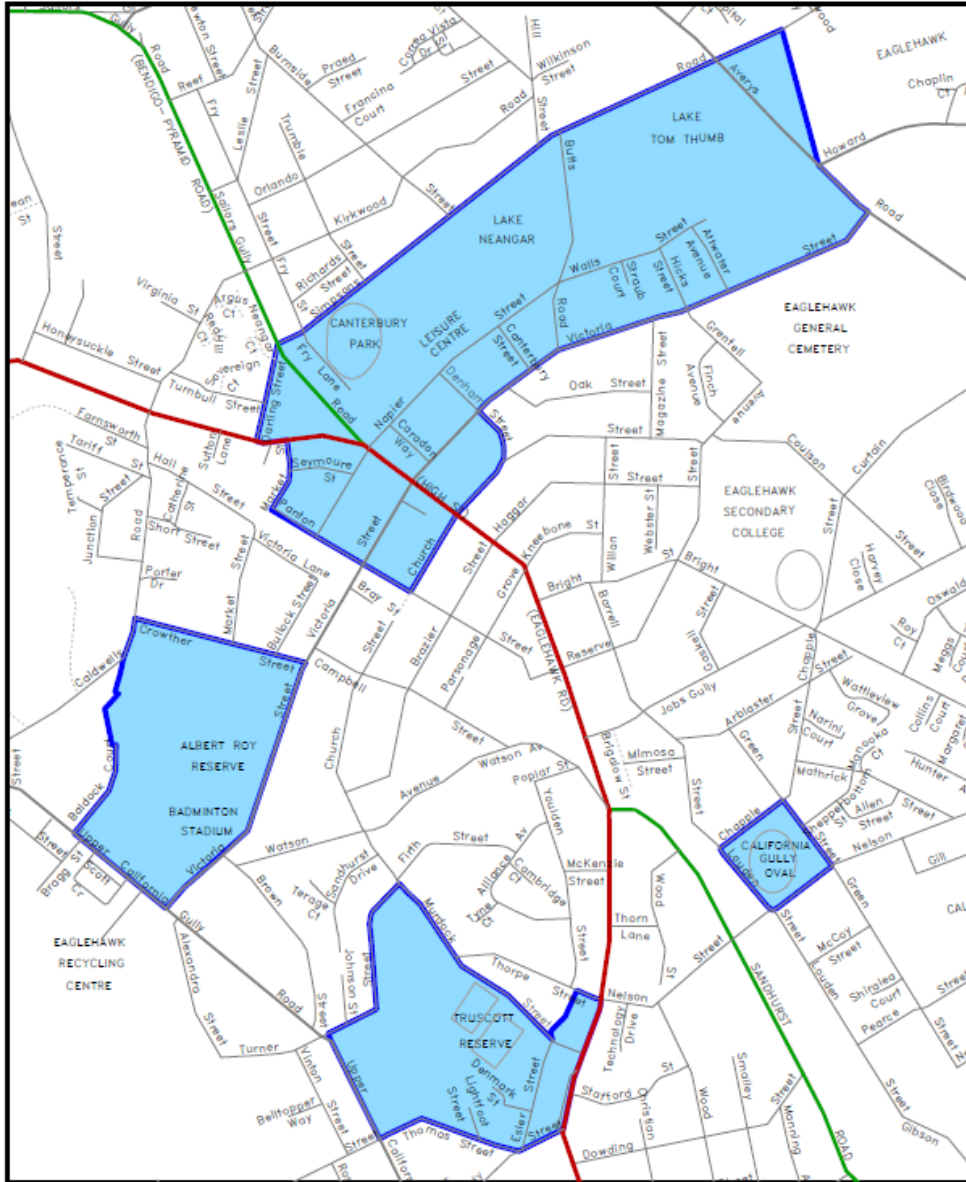
PROCLAIMED AREA No 1 : CENTRAL BENDIGO AREA



PROCLAIMED 6 APRIL 1998

SCALE 1 : 12.500

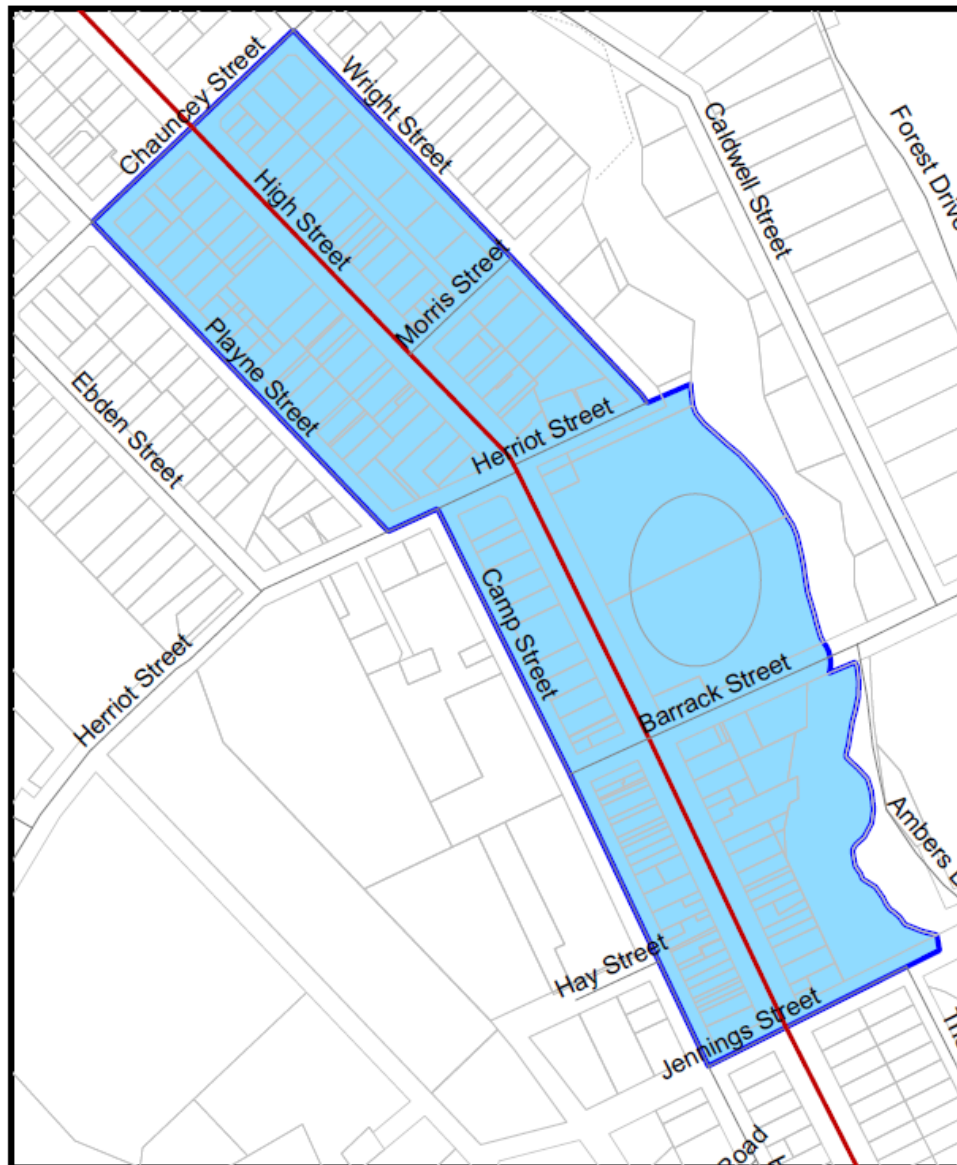
PROCLAIMED AREA No 2 : EAGLEHAWK AREA



PROCLAIMED 21 MARCH 1995

SCALE 1 : 12500

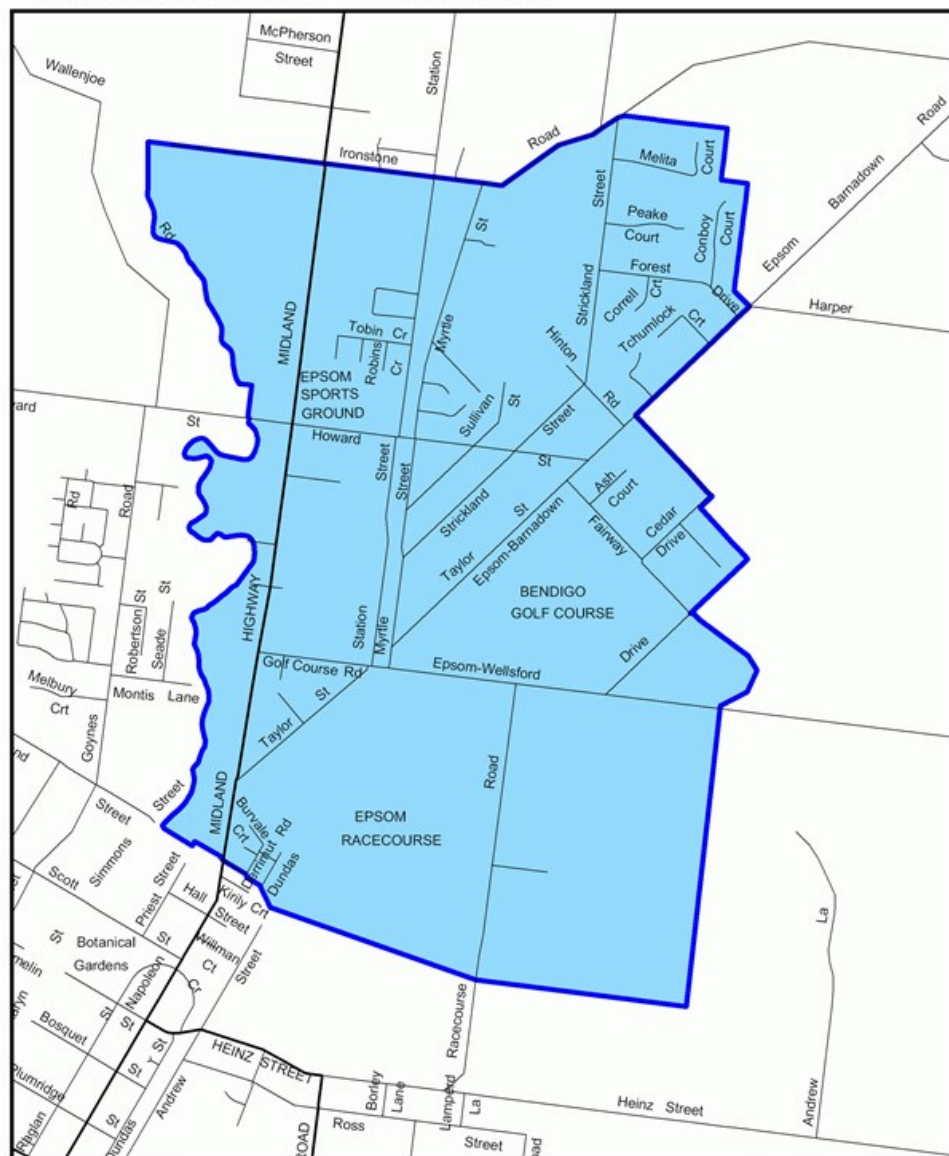
PROCLAIMED AREA No 3 : HEATHCOTE AREA



PROCLAIMED 21 MARCH 1995

SCALE 1 : 5000

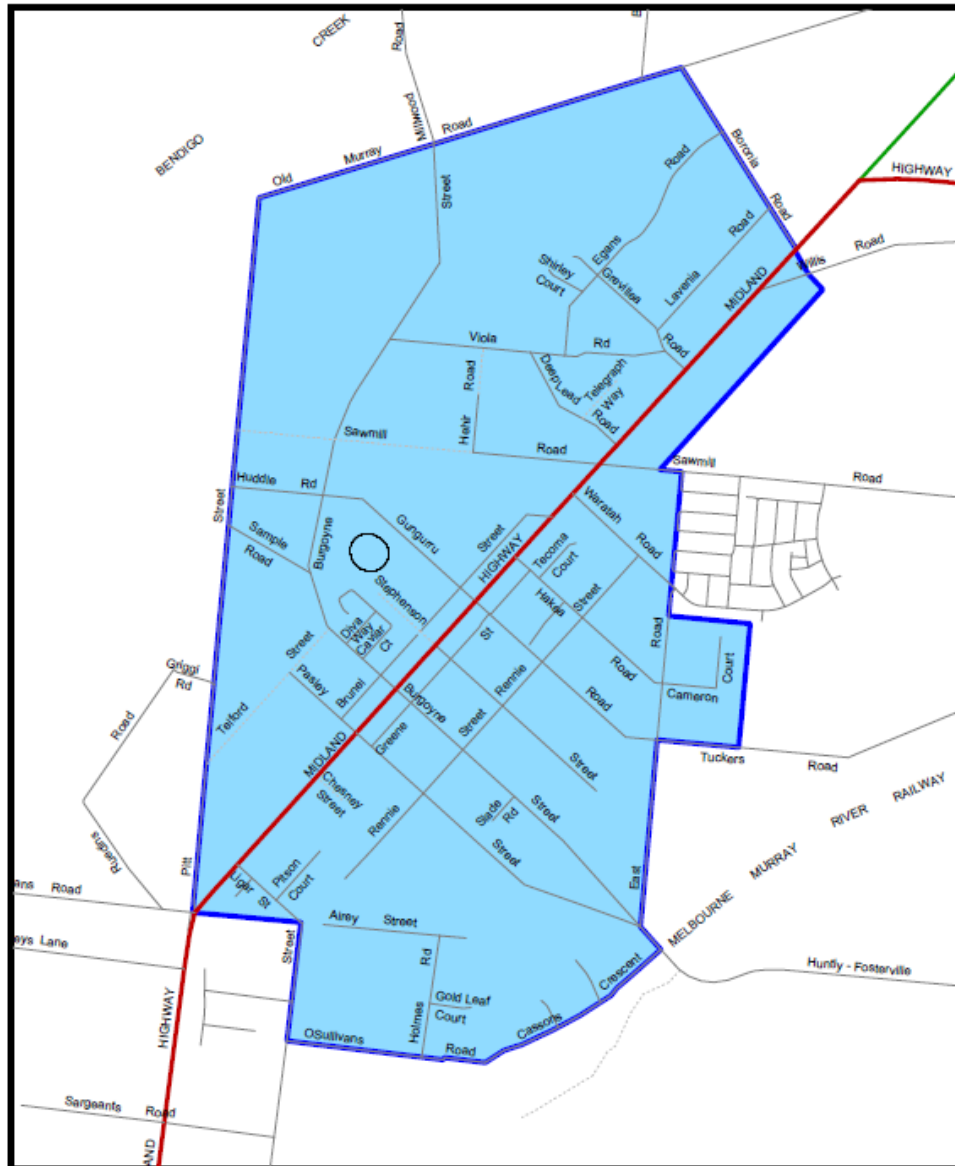
PROCLAIMED AREA No 4 : EPSOM AREA



PROCLAIMED 21 MARCH 1995

SCALE 1 : 20,000

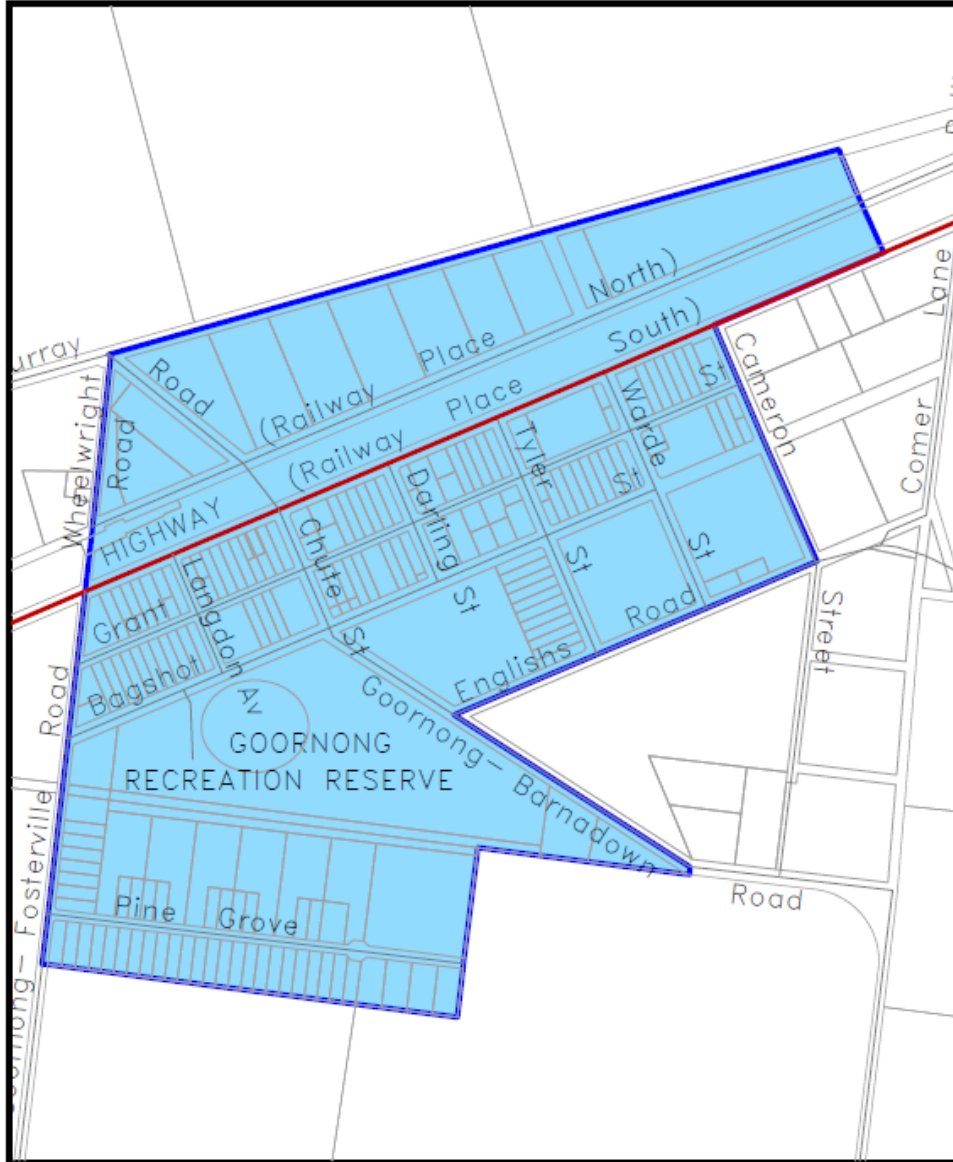
PROCLAIMED AREA No 5 : HUNTLY AREA



PROCLAIMED 21 MARCH 1995

SCALE 1 : 20.000

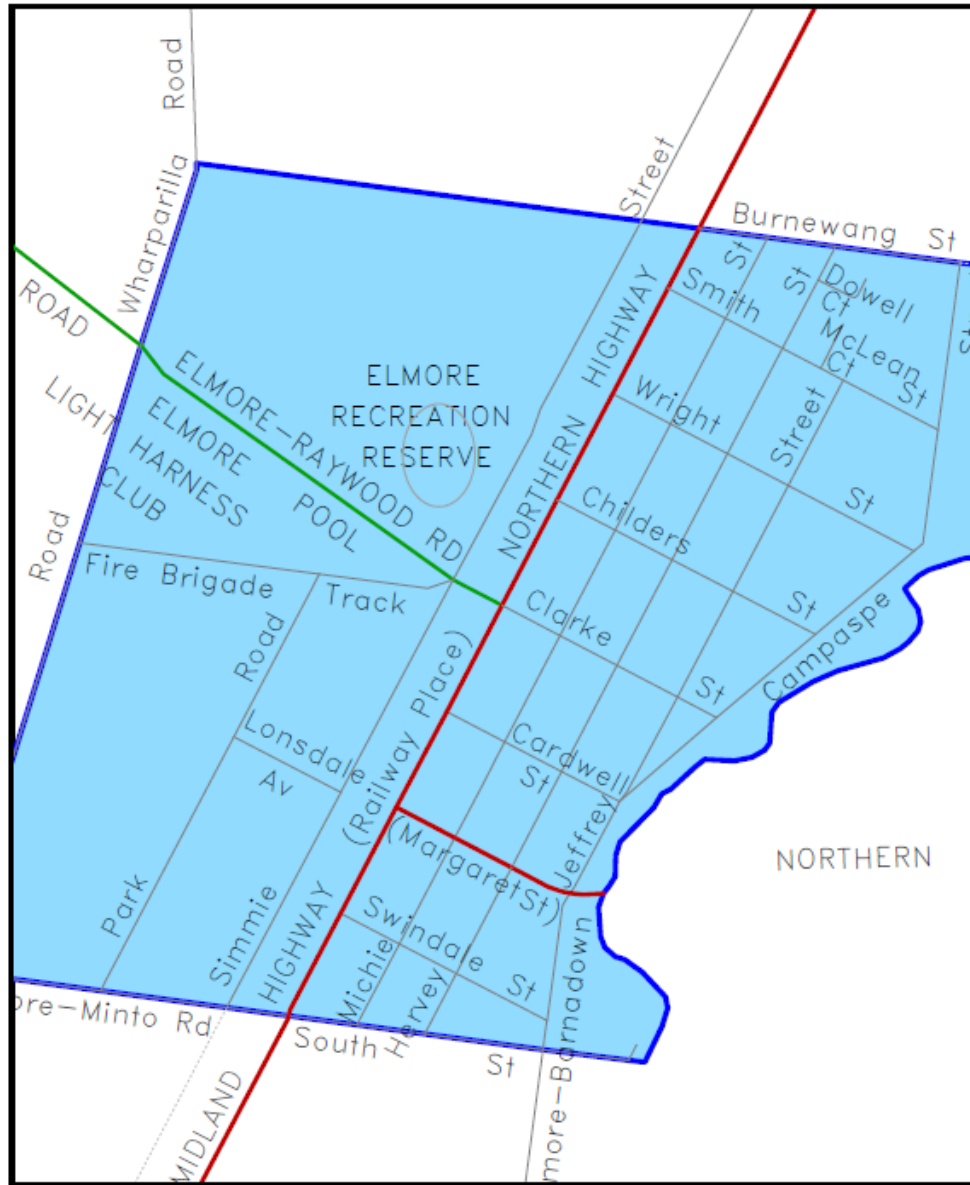
PROCLAIMED AREA No 6 : GOORNONG AREA



PROCLAIMED 21 MARCH 1995

SCALE 1 : 10,000

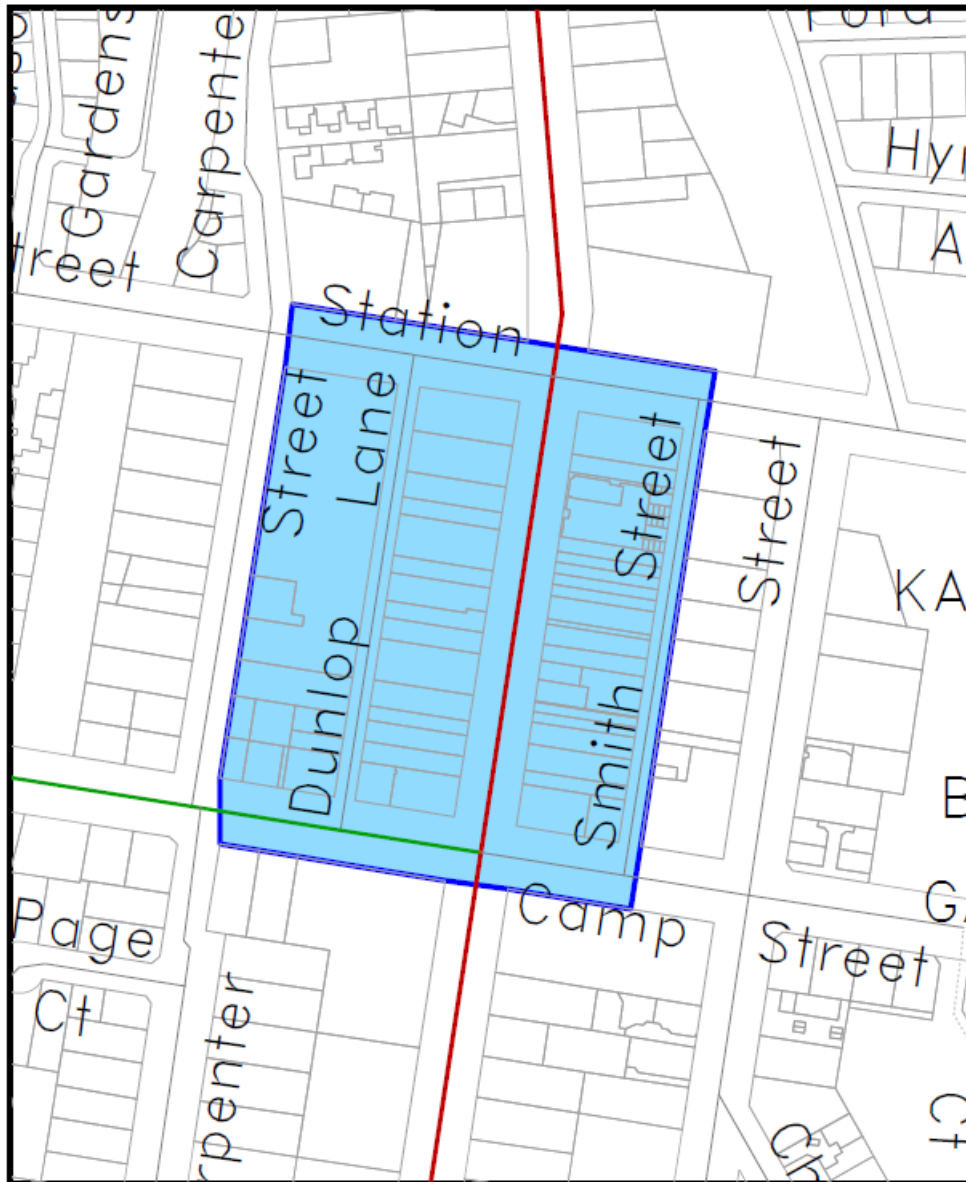
PROCLAIMED AREA No 7 : ELMORE AREA



PROCLAIMED 21 MARCH 1995

SCALE 1 : 10,000

PROCLAIMED AREA No 8 : KANGAROO FLAT SHOPPING CENTRE



PROCLAIMED 15 DECEMBER 1997

SCALE 1 : 2500

Environmental Management Plan Scheduled Reserves and Park Land

Crusoe Reservoir and No.7 Park	Kennington Reservoir Natural Reserve	O'Keefe Rail Trail
Passive Recreation Allowed	Passive Recreation Allowed	
Walking and Cycling Allowed	Active Recreation Inc. Ball Games Prohibited	
Fishing Prohibited (At No.7 Park)	Walking and Cycling Allowed	
Fishing Allowed (At Crusoe Res)	Fishing Allowed	
Swimming Prohibited (At No.7 Park)	Dogs (On Lead Only)	
Swimming Allowed (At Crusoe Res)	Non-Power Boating Allowed	
All Domestic Pets Prohibited	Power Boating Prohibited	
Dogs Prohibited	Swimming Prohibited	
Horse Riding Prohibited	Littering Prohibited	
Carry Out Rubbish Only	Dumping of Garden Waste Prohibited	
Littering Prohibited	Motorcycles Prohibited	
Dumping of Garden Waste Prohibited	Prospecting Prohibited	
Camping Prohibited	Lighting Fires Prohibited	
Prospecting Prohibited		
Power Boating Prohibited		
Non-Power Boating Allowed (At Crusoe Res)		
All Boating Prohibited (At No.7 Park)		
Motorcycles Prohibited		
Horses Prohibited		
Lighting Fires Prohibited		
Lake Weeroona Reserve	Lake Neangar Reserve (Including Lake Tom Thumb)	
Passive Recreation Allowed	Passive Recreation Allowed	
Walking and Cycling Allowed	Walking and Cycling Allowed	
Swimming Prohibited	Active Recreation Inc. Ball Games Allowed	
Fishing Allowed	Fishing Allowed	
Littering Prohibited	Swimming Prohibited	
Dumping of Garden Waste Prohibited	Dogs (On Lead Only)	
Dogs (On Lead Only)	Littering Prohibited	
Camping Prohibited	Dumping of Garden Waste Prohibited	
Prospecting Prohibited	Camping Prohibited	
Power Boating Prohibited	Prospecting Prohibited	
Non-Power Boating Permitted	Power Boating Prohibited	
Motorcycles Prohibited	Non-Power Boating Permitted	
Lighting Fires Prohibited	Motorcycles Prohibited	
	Lighting Fires Prohibited	

Greater Bendigo City Council
Local Law No. 10 - Administration

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Greater Bendigo City Council Local Law No. 10 - Administration

1. Title

This is the Greater Bendigo City Council Local Law No. 10 - Administration.

2. Objectives of this Local Law

The objectives of this Local Law are:

- (a) to provide procedures for the administration of the local laws;
- (b) to provide procedures for the setting of fees and charges in relation to local laws;
- (c) provide penalty values for penalty infringement notice purposes; and
- (d) to provide procedures for the issue of:
 - i) Permits
 - ii) Notices to Comply
 - iii) Notices of Impounding
 - iv) Infringement Notices

3. Power to make this Local Law

The Council's authority to make this Local Law is contained in Section 111 of the Local Government Act 1989.

4. Operational Date of this Local Law.

This Local Law operates from the 1 September 2018.

5. Revocation of Local Law

On the commencement of this Local Law, the previous version of this Local Law No.10 – Administration, is revoked.

6. Application of this Local Law

The provisions of this Local Law apply to all City of Greater Bendigo Local Laws except where it is apparent that a Clause indicates otherwise or provides alternative provisions.

7. Date that this Local Law Ceases Operation

Unless this Local Law is revoked sooner its operation will cease on the day which is 10 years after the day on which it came into operation.

8. Exemption

The Council may prescribe specified persons, premises or areas within the municipality to be exempt from all or any of the provisions of this local law for a specified time and on specified conditions provided that;

- i) The exemption is in writing, with specified conditions

- ii) The exemption is complied with

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

9. Definitions

Authorised Officer means an Officer appointed under Section 224 of the Local Government Act 1989.

Chief Executive Officer means the Chief Executive Officer of the Greater Bendigo City Council.

PERMITS, FEES AND DELEGATIONS

10. Applying for a Permit

- (a) An application for a permit under a Local Law shall be in the form of Appendix 5 (except where a Local Law specifies otherwise) and be accompanied by the appropriate fee.
- (b) In considering such an application the Authorised Officer may:
 - i) require a person making an application for a permit to give public notice of such application
 - ii) take into consideration any response to that notice, any policy or guidelines adopted by the Council, any objections or submissions, any comments from other authorities, government departments or community organisations, any other matter that is considered relevant.
- (c) Submissions made in relation to an application may be heard in accordance with Section 223 of the Local Government Act 1989.
- (e) An Authorised Officer may require an applicant to provide additional information before considering an application for a permit or request for exemption under the Local Law.

11. Fees & Charges

- (a) The Council may from time to time by resolution determine the fees and charges to apply under a Local Law and the Council shall give public notice of its resolution to set or alter fees and charges.
- (b) In determining any fees and charges the Council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge if it considers it is appropriate to do so.
- (c) The Council or Authorised Officer may waive, reduce or alter any fee or charge with or without conditions.

12. Issue of Permits

The Council or Authorised Officer may:

- (a) Issue a permit in the form of Appendix 6 (unless a Local Law specifies otherwise), or
- (b) Refuse to issue a permit.

A copy of the permit must be available for inspection at the address or place to which the permit relates on demand by an Authorised Officer.

13. Appeal of Decision to Refuse

- (a) An applicant may appeal a decision to refuse to issue a permit.
- (b) Applications must be in prescribed form of Appendix 7 and be accompanied by the appropriate fee.
- (c) Appeals will be considered by a three member panel made up of a Director, a person with legal qualifications and an Authorised Officers.
- (d) The applicant may make written or verbal submissions to the panel within the time specified in writing by an Authorised Officer.
- (e) Within 10 days of considering any written submissions received from the applicant or after hearing the applicant's verbal submissions, an Authorised Officer shall notify the applicant in writing of the panel's decision.

14. Duration of Permits

- (a) A permit remains in force until the expiry date indicated in the permit, unless it is cancelled before the expiry date.
- (b) If no expiry date is indicated on the permit, the permit expires on the 30 June next after the day on which it was issued.

15. Conditional Permits

- (a) A permit may be subject to such conditions which the Council or Authorised Officer considers appropriate, including but not limited to:
 - i) the payment of a fee or charge;
 - ii) the payment of a security deposit , bond or guarantee to the 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;
 - iii) the application of an appropriate standard;
 - iv) a time limitation specifying the duration, commencement or completion date of the permit;
 - v) the happening of an event, or the rectification, remedying or restoration of any damage caused to the place or thing by the activity permitted;
 - vi) where the applicant is not the owner of the subject property, the

- consent of the owner.
- (b) before the granting of some other permit which may be required by the Authorised Officer whether under a Local Law or otherwise.

16. Cancellation of Permit

- (a) The Chief Executive Officer or his or her delegate may cancel a permit if it is considered that:
- i) there has been a serious or ongoing breach of the conditions of the permit; or
 - ii) a notice to comply has been issued, but not complied with within seven days after the time specified in the notice to comply; or
 - iii) there was a significant error or misrepresentation in the application for the permit; or
 - iv) in the circumstances, the permit should be cancelled.
- (b) Before a permit is cancelled under sub-clause 16(a), the permit holder shall be invited to submit within a nominated time a written statement giving reasons why the permit should not be cancelled.

ENFORCEMENT

17. Compliance with Directions

A person must comply with any reasonable direction or instruction of an Authorised Officer, member of the Police Force or an emergency service when requested to do so in urgent circumstances or for public safety reasons whether or not a person has a permit under any Local Law.

PENALTY: Two penalty units

18. Power of Authorised Officer

An Authorised Officer may issue a warning, a Notice to Comply and an Infringement Notice on a person who is in breach of a Local Law, commence legal proceedings and may impound items, goods or equipment relevant to a breach of the Local Law.

19. Notice to Comply

An Authorised Officer may serve a written Notice to Comply in the form of Appendix I on any owner, occupier or other relevant person to remedy any breach of a Local Law.

20. Time to Comply

- (a) A Notice to Comply must state the time and date by which the breach must be remedied.
- (b) The time required by the Notice to Comply to remedy the breach must be

reasonable in the circumstances having regards to:

- i) The amount of work involved;
- ii) The degree of difficulty;
- iii) The availability of necessary materials or other necessary items;
- iv) Climatic conditions;
- v) The degree of actual risk or potential risk to health and safety;
- vi) Any other relevant factor.

21. Failure to comply with a “Notice to Comply”

- (a) Any person who fails to remedy a breach of a Local law in accordance with a Notice to Comply is guilty of an offence and liable to the amount of the penalty specified by the Local Law.
- (b) Where such failure to remedy occurs an Authorised Officer may take action to remedy the breach and the person who has failed to remedy the breach shall be liable to reimburse Council for all costs associated with such action.

22. Power of Authorised Officers to Act in Urgent Circumstances

- (a) An Authorised Officer may, in urgent circumstances arising as a result of a failure to comply with a Local Law take action to remove, remedy or rectify the breach without the necessity to serve a Notice to Comply provided:
 - i) The Authorised Officer considers the circumstances of the breach 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.
 - ii) Wherever practicable, a senior officer of the Council is given prior notice of the proposed action.
 - iii) Details of the circumstances and remedial action taken are as soon as possible given to the person responsible for the breach.
- (b) Where action is taken by the Authorised Officer pursuant to Clause 22(a) the person responsible for the breach shall be liable to reimburse Council for all costs associated with such action.

NOTICES OF IMPOUNDING

23. Power of Authorised Officer to Impound

- (a) Where in the opinion of an Authorised Officer there is a risk to the environment or to the safety of a member of the public an Authorised Officer may seize and impound any goods, animals, birds, items or things where there is a breach of a Local Law.
- (b) If an Authorised Officer has impounded an item in accordance with this

clause the Council may refuse to release it until a charge equivalent to all costs incurred by it in such impounding has been paid to Council. Any such fee shall be determined by resolution of the Council.

- (c) At the time of the impoundment or as soon as practicable thereafter the Authorised Officer shall serve a Notice of Impounding in the form of Appendix 2 on the owner or registered owner or person apparently responsible for the good, animal, bird, item or thing setting out the fees and charges payable and time by which it must be retrieved from the Council. Where good, animal, bird, item or thing is required for evidence for a prosecution the owner or person responsible for it shall be advised of the time for collection following resolution of the prosecution.
- (d) If, after 28 days from the date of impoundment, an impounded good, animal, bird, item or thing has not been retrieved then the Authorised Officer may dispose of it by such means as is determined by the Chief Executive Officer including sale by public auction, public tender or private treaty, by disposal at a municipal land fill or transfer station or otherwise. Any proceeds of sale shall be paid into the municipal fund.
- (e) Where an impounded item has been disposed of in accordance with sub clause (d) the owner of the particular item may apply in writing to the Council for reimbursement of any proceeds from the sale. Subject to receipt of satisfactory proof of ownership by the Authorised Officer the proceeds from the disposal shall be paid to the owner except for the reasonable costs incurred by Council which may be retained by the Council.
- (f) Where the identity or whereabouts of the owner or person responsible for the impounded item is unknown the Authorised Officer must take reasonable steps to ascertain the identity or whereabouts of that person and may only proceed to dispose of the impounded item in accordance with sub clause (d) once he or she is satisfied that all reasonable efforts have been made to contact the owner or the person responsible for the impounded item.
- (g) A person must not, except with the authority of an Authorised Officer or pursuant to an order of a Court, remove, alter or interfere in any way with an animal or other thing, seized or detained by an Authorised Officer in the exercise of his power, functions or duties under this Local Law

PENALTY: First offence - Two penalty units
Second or subsequent offence - Four penalty units

OFFENCES AND PENALTIES

24. Offences

- (a) A person must not refuse or neglect to furnish information to an Authorised Officer when reasonably required under this Local Law to do so.

PENALTY: First offence - Two penalty units
Second or subsequent Offence – Four penalty units

- (b) 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: First Offence – Five penalty units
Second or subsequent offence - Ten penalty units

- (c) A person must not assault, obstruct, or attempt to obstruct, threaten, abuse, insult, intimidate, or attempt to intimidate any Authorised Officer in the exercise of his powers, function or duties under this Local Law.

PENALTY: First Offence – Two penalty units
Second or subsequent offence - Four penalty units

- (d) A person must not refuse to state his name and address of his usual place of residence or state a false name or address to an Authorised Officer when required under this Local Law to do so.

PENALTY: First Offence – Two penalty units
Second or subsequent offence – Four penalty units

- (e) Where any provision in a Local Law requires that something shall not be done at all, any person who does that thing or act is guilty of an offence.

PENALTY: First Offence – Two penalty units
Second or subsequent offence – Four penalty units

- (f) Where any provision in a Local Law requires that something shall not be done between specified hours of the day or night, during specified months of the year or in or at specified locations or specified parts of those locations, any person who does that thing or act between such hours, during such months, on such days, in or at such location or a specified part of such location is guilty of an offence.

PENALTY: First Offence – Two penalty units
Second or subsequent offence – Four penalty units

- (g) Where any provision in a Local Law requires that a person obtain a permit before engaging in any particular activity a person is guilty of an offence if that person engages in that activity without a current permit (unless the requirement for a permit has been waived by an Authorised Officer).

PENALTY: First Offence – Two penalty units
Second or subsequent offence – Four penalty units

- (h) Where any permit issued pursuant to a Local Law contains conditions, any person who breaches or fails to comply with a condition of such a permit is guilty of an offence.

PENALTY: First Offence – Two penalty units
Second or subsequent offence – Four penalty units

- (i) A person is guilty of an offence if he or she:
 - i) Falsely represents himself or herself to be an Authorised Officer.
 - ii) Fails to comply with any reasonable direction, instruction or signal of an Authorised Officer, member of Victoria Police or an Emergency Service.

PENALTY: Ten penalty units

25. Penalty Units

Where a penalty unit(s) has been prescribed by a Local Law, the value of the penalty unit(s) shall be have the same value of a penalty unit prescribed at the time of the offence by the *Sentencing Act 1991*.

26. Infringement Notices

In accordance with the *Infringements Act 2006* the CEO, or his/her delegate may:

- (a) As an alternative to a prosecution, an Authorised Officer may issue and serve an Infringement Notice on a person who:
 - i) has committed one of the offences referred to in clause 24, or
 - ii) is reasonably suspected of having committed on of the offences referred to in clause 24.
- (b) A person served with an Infringement Notice may pay the penalty specified in the Notice to the cashier of the Council within 28 days after service of the Notice, failing which a prosecution may be instituted against that person by an Authorised Officer.
- (c) A person served with an Infringement Notice may make a written representation to the Chief Executive Officer or his delegate within 28 days of the service of the Infringement Notice.
- (d) The Chief Executive Officer or his delegate may by written notice withdraw an Infringement Notice within 28 days of the service of the same and then initiate a prosecution regardless of whether the Infringement Notice penalty has been paid or not. If the penalty indicated in the Infringement Notice has been paid, the payment shall be refunded to the alleged offender prior to the prosecution being initiated.
- (e) The Chief Executive Officer or his delegate may withdraw an Infringement Notice and not proceed to prosecute, providing the circumstances warrant such action in the opinion of the Chief Executive Officer or his delegate.
- (f) In the event of the failure of a person served with an Infringement Notice to pay the amount specified within 28 days of the service of the Notice or such further time as the Authorised Officer may permit, the Authorised Officer may pursue the matter by prosecuting for an offence or by taking any other appropriate steps which may be available for enforcing penalties.

- (g) Any person served with an Infringement Notice is entitled to defend the prosecution in Court rather than pay the penalty specified therein.

CITY OF GREATER BENDIGO
LOCAL LAW No. 10 - APPENDIX ONE
NOTICE TO COMPLY

TO _____
(Name)

(Address)

The following constitutes a breach under Clause _____ of the Council's Local
Law No. _____ (Title _____)

To remedy the breach you must carry out the following, within _____ days
from the date of this Notice.

You should contact _____ (contact officer) at the
Municipal Office between the hours of 9:00am and 4:30pm for any further information
about this Notice.

If you fail to comply with this Notice you will be guilty of an offence and liable for payment of
a penalty of \$ _____ and the Authorised Officer may proceed to carry out the
work, the cost of which, in addition to the above penalty, you will be liable to pay.

DATE: / /

(Name of Authorised Officer)

TELEPHONE:

(Signature of Authorised Officer)

*NOTE: if this Notice relates to a contravention of a permit and the Notice is not complied
with, the permit may be cancelled. If you do not wish to have the permit cancelled you should
comply with the directions in this Notice or show cause to the Council in writing why the
permit should not be cancelled.*

CITY OF GREATER BENDIGO
LOCAL LAW No. 10 - APPENDIX TWO
NOTICE OF IMPOUNDING

TO _____
(Name)

(Address)

The following item(s) has/have been impounded in accordance with Local Law No. _____

(Title _____)

Describe Items Impounded

You may collect the items by attending at the Municipal Office / Depot between the hours of _____ and _____ to see _____ (Contact Officer) upon providing satisfactory proof of ownership and by paying the following:

Details of Fees and Charges

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

If you fail to collect the item(s), or fail to provide satisfactory proof of ownership and pay the required fees and charges by _____ (date), the Authorised Officer will proceed to dispose of the item(s) in accordance with Local Law No. 10 - Administration.

DATE: / /

(Name of Authorised Officer)

TELEPHONE:

(Signature of Authorised Officer)

CITY OF GREATER BENDIGO

LOCAL LAW No. 10 - APPENDIX THREE

INFRINGEMENT NOTICE

DATE OF NOTICE: _____ NO. OF NOTICE: _____

REG. NO. OF ANY VEHICLE: _____ (STATE) _____

TO: SURNAME OR ORGANISATION NAME

OTHER NAMES

ADDRESS

I, _____ (name of Authorised Officer)
being a duly Authorised Officer of the above Council have reason to believe that you have
committed an offence against a Local Law of the Council. The nature of the alleged offence
and the amount of the penalty is indicated below:

	Local Law Number	Clause Number	Nature of Infringement	Penalty

Other particulars of alleged offence:

TIME: _____ LOCATION: _____

If you pay the penalty indicated within 28 days from the date of service of this Notice to the
City of Greater Bendigo by:

- * CHEQUE or MONEY ORDER for the FULL AMOUNT posted to P0 Box 733,
Bendigo, 3550
- * CHEQUE, MONEY ORDER or CASH for the FULL AMOUNT to Municipal Offices at
Lyttleton Terrace, Bendigo, 3550.

this matter will not be brought to Court (subject to Clause 25(d) of Local Law 10) and no
conviction will be recorded.

You are entitled to elect to have the matter of the infringement offence heard and determined
in the Court and if you are a child, by the Children's Court in accordance with the Children,
Youth and Families Act 2005.

Should you wish to make any submission concerning this infringement notice contact should
be made with _____

(telephone _____) at the Municipal Office.

(Signed by Authorised Officer)

CITY OF GREATER BENDIGO

LOCAL LAW No. 10 - APPENDIX FOUR

INFRINGEMENT NOTICE

**PENALTIES FOR INFRINGEMENT NOTICE PURPOSE IN RESPECT OF
OFFENCES AGAINST LOCAL LAWS**

CLAUSE		PENALTY
Offences Against Local Law No.2 Keeping of Animals		
Clause 9	Keeping of Animals	2 penalty units
Clause 10	Limit on number of animals	2 penalty units
Clause 11	Keeping of poultry	2 penalty units
Clause 12	Fences of properties to restrain animals	2 penalty units
Clause 13	Animal litter	1.5 penalty units
Offences Against Greater Bendigo City Council Community Local Law Part B – Environment		
Clause 2.1	Kerbside waste collection	2 penalty units
Clause 2.2	Open air burning	2 penalty units
Clause 2.3	Burning of offensive materials	2 penalty units
Clause 2.4	Motorised vehicles on council land	2 penalty units
Clause 2.5	Dangerous or unsightly land	2 penalty units
Clause 2.6	Heavy vehicles	2 penalty units
Clause 2.7	European wasps and bees	1 penalty unit
Clause 2.8	Protection and preservation of scheduled Council reserves and park land	2 penalty units
Part C – Streets & Roads		
Clause 3.1	Vehicle crossings	2 penalty units
Clause 3.2	Advertising signs placed on roads	2 penalty units
Clause 3.3	Sale of motor vehicles or goods on road or road reserves	1 penalty unit
Clause 3.4	Waste skip bins placed on the road or road reserve	2 penalty units
Clause 3.5	Occupancy of footpath or road reserve for works	2 penalty units
Clause 3.6	Third party advertising on footpaths or road reserves	2 penalty units
Part D – Municipal Places		
Clause 4.1	Consumption of liquor	2 penalty units
Clause 4.2	Designation of smoke-free zones within the municipality	2 penalty units
Clause 4.3	Activities in public places	2 penalty units
Clause 4.4	Activities in the Mall	2 penalty units
Clause 4.5(a)	Outdoor dining and street trading	1 penalty units
Clause 4.6	Camping and caravans	1 penalty units
Clause 4.7	Behaviour	2 penalty units

Offences Against Local Law No. 8 Part E - Process of Municipal Government		
Clause 95.1	Use of common seal	2 penalty units
Clause 31	Petitions (whole of Clause)	1 penalty unit
Clause 325.2 (a-c)	Maintenance of order (whole of Clause)	42 penalty unit units
Clause 34(b)	Removal from chambers	1 penalty unit
Clause 34(c) 5.2 (d)	Removal from chambers Councillor refusal to leave Chamber	1.5 penalty unit
Offences Against Local Law No.9 Bendigo Livestock Exchange		
Clause 12	Use of Bendigo livestock exchange	2 penalty units
Clause 14	Sales before and after opening or closing of market or on non-sale days	2 penalty units
Clause 17	Pre-sale procedure	2 penalty units
Clause 18(b)	Allocations	2 penalty units
Clause 19	Penning of Stock	2 penalty units
Clause 20(a)	Stock not connected with sale	1 penalty units
Clause 22	Agents	2 penalty units
Clause 23	Behaviour	1 penalty units
Clause 24(b)	Exclusion from Bendigo livestock exchange	2 penalty units
Clause 25(a)(b)(c)	Dogs	1 penalty unit
Clause 26(b)	Removing the stock	1 penalty units
Clause 27	Moving Stock	1 penalty units
Clause 28(b), (c)	Vehicles	1 penalty units
Clause 29	Dead/Injured stock	2 penalty units
Clause 30	Obstruction	2.5 penalty units
Clause 33	Selling of sundry items	2.5 penalty units
Clause 36	Allotted time for selling	1 penalty unit
Offences Against Local Law No. 10 Administration		
Clause 24	Offences	2 penalty units
Clause 17	Compliance with directions	2 penalty units
Clause 21	Failure to Adhere to Notice to Comply	2 penalty units
Clause 23	Power of Authorised Officer to Impound	2 penalty units
Offences Against Local Law No. 11 Protection of Public Assets & Control of Building Sites		
Clause 21	Infringement Notices – Penalty Fixed	2 penalty units

CITY OF GREATER BENDIGO

LOCAL LAW No. 10 - APPENDIX FIVE

APPLICATION FOR LOCAL LAW PERMIT

I, _____
(Name of Applicant)

of _____
(Address)

wish to apply for a _____
(Type of permit)

The relevant details are as follows:

The address / place to which the permit will relate to is _____

Local Law Number _____ Section Number _____

I wish to be able to: _____

For further information I may be contacted on _____ telephone)

between the following times: _____ and _____.

Signed by the Applicant _____

Signature of Owner where required _____

Name of Owner _____

Address of Owner _____

CITY OF GREATER BENDIGO
LOCAL LAW NO. 10 - APPENDIX SIX
LOCAL LAW PERMIT

PERSON TO WHOM ISSUED: _____

PERMIT NUMBER _____

A permit is hereby granted under Section _____ of the _____
_____ Local Law No. _____ for the
purposes of _____

and subject to any condition attached and signed by the Authorised Officer.

The address/place to which the permit relates is _____

If you have any queries regarding these conditions, you should telephone _____
_____ on _____

Failure to comply with these conditions may result in cancellation of the permit and payment of a penalty.

DATE OF ISSUE OF PERMIT : _____

DATE ON WHICH THIS PERMIT EXPIRES _____

Date : / / _____

Authorised Officer

Fees \$ _____

Paid / / _____

Receipt Number _____

NOTE:

A copy of this permit must be available for inspection at the address / place to which the permit relates on demand by an Authorised Officer.

CITY OF GREATER BENDIGO

LOCA LAW NO. 10 - APPENDIX SEVEN

APPLICATION TO APPEAL DECISION TO REFUSE PERMIT

NAME OF APPEALANT: _____

POSTAL ADDRESS OF APPEALANT: _____

CONTACT NUMBER : _____

APPLICATION DETAILS

APPLICATION NO.:- _____

WHAT WAS THE APPLICATION FOR _____

THE ADDRESS OR PLACE THE APPLICATION RELATES: _____

REASONS OF APPEAL

Date : / /

Signature of Appellant

Fees \$ _____

Paid / /

Receipt Number _____