

ATTACHMENT 1 - PROPOSED LOCAL LAW 2021

CITY OF BOROONDARA

PROTECTION OF COUNCIL ASSETS AND CONTROL OF BUILDING SITES LOCAL LAW 2021

TABLE OF CONTENTS

Part A – FORMAL PARTS	2
1. Title	2
2. Objects.....	2
3. Authorising provision.....	2
4. Commencement of this Local Law	2
5. Sunset of this Local Law	2
6. Application of this Local Law.....	2
7. Definitions.....	2
Part B – ADMINISTRATION.....	3
8. Permits.....	3
9. Correction, amendment, cancellation, and suspension.....	4
10. General permit provisions.....	5
11. Fees and charges	5
12. Delegation.....	5
13. Notice to Comply	6
14. Urgent circumstances.....	7
15. Impounding.....	7
16. Appeals.....	8
17. Security Bonds.....	8
18. Asset Protection Permit	8
19. Exemptions.....	9
Part C – CONTROL OF BUILDING SITES	9
20. Building work hours.....	9
21. Occupation or obstruction of Council land and roads	10
22. Hoardings and other structures	10
23. Run off	10
24. Temporary cross over.....	10
25. Refuse facility.....	10
26. Toilets.....	11
27. Vehicles entering and leaving land.....	12
28. Requirement to maintain a safe environment.....	12
29. Amenity impacts from building sites	12
30. Damage to Roads, Council land and Council Assets	12
Part D –ENFORCEMENT.....	13
31. Offences.....	13
32. Infringement notices.....	13
33. Offences in relation to Authorised Officers	13
Schedule A - Penalties for Fixed Infringements	14

PART A – FORMAL PARTS

1. Title

This Local Law is called the "Protection of Council Assets and Control of Building Sites Local Law 2021".

2. Objects

The objects of this Local Law are to:

- (a) protect Council assets from damage caused by building work;
- (b) protect the health and safety of persons who work in or enter building sites;
- (c) protect the health and safety of persons who reside near or pass by building sites;
- (d) protect the amenity of persons who reside near and pass by building sites;
- (e) provide for the administration and enforcement of this Local Law; and
- (f) provide for the peace, order and good governance of the municipality.

3. Authorising provision

This Local Law is authorised by section 111 of the *Local Government Act* 1989.

4. Commencement of this Local Law

This Local Law begins on 1 September 2021.

5. Sunset of this Local Law

This Local Law ends on 1 September 2031 unless revoked sooner.

6. Application of this Local Law

This Local Law applies throughout Council's municipal district.

7. Definitions

In this Local Law:

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

"appointed agent" means a person authorised by an owner of land to make an application on the owner's behalf.

"authorised officer" means a person appointed by Council as an authorised officer under section 224(1) of the *Local Government Act* 1989.

"builder" means a person who has applied to the Council, or any other person by whom an application may be made, for a building permit or the person in charge of any building work being carried out, or the person identified on the building permit.

"building" includes any structure or building, whether temporary or permanent, or any part of such building or structure.

"building work" includes work for or in connection with the construction, renovation, alteration, demolition, relocation, or removal of a building and includes landscaping, concreting, paving and subdivision road construction (extending to installation of utility services and drainage).

"Council" means Boroondara City Council.

"Council land" means any land which Council owns, occupies, manages, or otherwise controls.

"Council Policy" means a policy adopted by Council from time to time in connection with this Local Law.

"land" has the same meaning as the *Interpretation of Legislation Act 1984*.

"Local Law" means the Protection of Council Assets and Control of Building Sites Local Law.

"municipal district" means the municipal district of Council.

"owner" in relation to any land, has the same meaning as it has in section 3(1) of the Act.

"permit" means a permit granted under this Local Law or another local law made by Council.

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

PART B– ADMINISTRATION

8. Permits

8.1 Where occupation or activity on Council land is required, and that occupation or activity on Council land, person or class of persons have not been exempted from the requirement of a permit need to obtain a permit:

8.2 A person who makes an application for a permit must:

8.2.1 lodge with Council an application in a form approved by Council;

8.2.2 pay the application fee.

8.3 Council may require a person to provide additional information before further considering an application for a permit.

8.4 Council may require a person applying for a permit to give public notice of the application and if public notice is given any person may make a submission in relation to the application.

8.5 Council may:

8.5.1 grant the permit;

8.5.2 refuse to grant the permit;

8.5.3 grant the permit subject to conditions; or

8.5.4 determine that no permit is required.

8.6 in considering an application for a permit, Council must consider:

8.6.1 any policy or guideline adopted by Council relating to the subject matter of the application for the permit;

- 8.6.2 any written objection, submission or comment received in respect of the application, where they are invited under clause 8.4 above.
- 8.7 A permit will be in the form approved by Council from time to time and may include any condition which Council considers to be reasonable and appropriate, including but not limited to:
- 8.7.1 a requirement that a security bond, release, indemnity and/or guarantee (in a form specified by Council) be lodged with or given to Council to secure the proper performance of the permit;
 - 8.7.2 a requirement that notice be given to Council as to when the activities authorised by the permit will be carried out or will occur;
 - 8.7.3 a time limit on the permit or on the activities authorised by it;
 - 8.7.4 a provision for the extension of the permit;
 - 8.7.5 the payment of a fee, charge, fare or rent;
 - 8.7.6 a standard to be applied to the activities authorised by the permit, or to which the activities authorised by the permit must be carried out;
 - 8.7.7 that the permit is conditional upon the rectification, remedying or restoration of any situation or circumstance; and
 - 8.7.8 where the applicant is not the owner of the land that the consent of the owner be obtained.
- 8.8 Unless otherwise stated in the permit, a permit authorises the person or persons named on the permit to carry out the activity authorised by the permit (including the engaging of contractors or the appointment of agents) and is not transferable.

9. Correction, amendment, cancellation, and suspension

- 9.1 Council may correct a permit if the permit contains:
- 9.1.1 a clerical mistake or an error arising from any accident, slip or omission; or
 - 9.1.2 a material miscalculation of figures or a material mistake in the description of any person, premises, thing or property referred to in the permit.
- 9.2 Council may cancel, suspend or amend any permit at any time if:
- 9.2.1 it is requested to do so by the permit holder; or
 - 9.2.2 it considers that there has been:
 - 9.2.2.1 a material misrepresentation or concealment of fact in relation to the application for the permit;
 - 9.2.2.2 any material mistake in relation to the grant of the permit; or
 - 9.2.2.3 any material change of circumstances which has occurred since the grant of the permit; or
 - 9.2.2.4 any default in the payment of a fee, security bond, guarantee or other payment, or in the provision of a release, indemnity or other thing, required by a permit.

- 9.3 Council may cancel or suspend a permit at any time if Council is satisfied that there has been a substantial failure to comply with:
- 9.3.1 a permit condition; or
 - 9.3.2 a notice to comply relating to the premises, item or activity to which the permit relates.
- 9.4 Council may cancel or suspend a permit at any time where Council determines that the permit may result in a hazard, danger or inconvenience to any other person, premises, thing, or property.

10. General permit provisions

- 10.1 The holding of a permit or compliance with a condition included in a permit does not of itself relieve the permit holder from:
- 10.1.1 compliance with any other legislation with respect to the subject matter of the permit; or
 - 10.1.2 liability for any damage sustained by any person as a result of an activity undertaken by or on behalf of the permit holder pursuant to the permit.
- 10.2 A person who:
- 10.2.1 makes or allows to be made any false representation or declaration in or in relation to the application for a permit; or
 - 10.2.2 omits relevant information from an application for a permit –
- is guilty of an offence.
- 10.3 Except where expressly stated in this Local Law or in a permit, the permit will operate from the date it is granted for a period of 3 years.

11. Fees and charges

- 11.1 Council may from time to time, by resolution, determine the fees and charges to apply under this Local Law, which may include an administrative or processing fee or charge, and Council must give reasonable public notice of its resolution to determine or alter fees and charges.
- 11.2 In determining any fees and charges, 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.
- 11.3 Council may waive, reduce or alter any fee, charge, bond, guarantee or payment applying under this Local Law, with or without conditions.

12. Delegation

- 12.1 Pursuant to section 78(c) of the Act, Council delegates all of its powers, functions and duties under this Local Law to the person holding the position of Chief Executive Officer.
- 12.2 Pursuant to section 78(d) of the Act, Council authorises the person holding the position of Chief Executive Officer to delegate a power, function or duty referred to in clause 12.1 to the holder of a position as a member of Council staff.

13. Notice to Comply

- 13.1 If Council reasonably believes that a person has contravened or failed to comply with the Local Law or a permit granted under this Local Law, Council may cause to be served on the person a written notice to comply which:
- 13.1.1 requires the person to stop contravening or failing to comply with the Local Law or a permit;
 - 13.1.2 contains a direction stating what action is required to stop contravening or failing to comply with the Local Law or a permit;
 - 13.1.3 contains a direction stating what action is required to achieve compliance with this Local Law or a permit;
 - 13.1.4 contains a direction to remedy any consequences arising from the conduct contravening or failing to comply with the Local Law or a permit; or
 - 13.1.5 any combination of the above.
- 13.2 A notice to comply must be in writing and include:
- 13.2.1 the name of the person or if not known the statement “the owner” or “the occupier”;
 - 13.2.2 the clause of the Local Law contravened or failed to comply with or the condition of the permit;
 - 13.2.3 the action and/or direction;
 - 13.2.4 the time and date for compliance;
 - 13.2.5 the date on which it is issued; and
 - 13.2.6 the name or other unique identifier of the officer issuing the notice to comply.
- 13.3 The time and date required by a notice to comply served under this Local Law must be reasonable in the circumstances and what will be reasonable will vary depending on the matters to be remedied, but should take into account, if applicable:
- 13.3.1 the amount of work involved;
 - 13.3.2 the degree of difficulty to carry out the work;
 - 13.3.3 the availability of necessary materials or other necessary items;
 - 13.3.4 climatic conditions;
 - 13.3.5 the degree of risk or potential risk;
 - 13.3.6 the response if any by the person to be served with the notice to comply; and
 - 13.3.7 any other relevant matter.
- 13.4 Any person to whom a notice to comply is directed and who fails to comply with, or contravenes, the notice to comply is guilty of an offence.
- 13.5 If a person does not comply with a notice to comply, Council or an authorised officer or any employee or any other person authorised in writing by Council or an

authorised officer, may enter upon any private land or public land on which there is any such failure to comply and do all acts, matters or things that are required to comply with the notice to comply.

- 13.6 All costs and expenses including any administration fee incurred by council in carrying out any acts, matters or things are a debt due to Council from the person on whom the notice to comply was issued.

14. Urgent circumstances

- 14.1 Council may act to remedy any circumstance which threatens a person's life, health or property, or an animal, or to prevent any danger to the environment or any nuisance arising, without serving a notice to comply, provided that:
- 14.1.1 the circumstance arises out of a person's use of Council controlled land or a road or a failure to comply with a provision of this Local Law
 - 14.1.2 Council considers the circumstance to be sufficiently urgent that the time necessary to serve, or the potential difficulty in serving, a notice to comply may place the person's life, health or property, or the animal or the environment at risk or the danger of substantial detriment;
 - 14.1.3 the action taken is no more than the minimum necessary to remedy the urgent circumstance;
 - 14.1.4 the person on whom a notice to comply under clause 13 would have otherwise been served is as soon as possible notified of the urgent circumstance and the action taken to remedy it; and
 - 14.1.5 All costs and expenses including any administration fee incurred by Council in carrying out any acts, matters or things are to be paid to Council by the person on whom the notice to comply would have been issued.

15. Impounding

- 15.1 Council may seize and impound any item which is, has been or is being used, possessed, placed, or left in contravention of or by a failure to comply with this Local Law.
- 15.2 Where a thing has been impounded under this Local Law, Council must, if it is practicable to do so, serve notice of the impounding on the person who appears to be the owner of it;
- 15.3 On receipt of evidence which, to Council's satisfaction, shows a person is the owner of an impounded item, and on payment of a fee determined by Council, an impounded thing must be given back to:
- 15.3.1 its owner; or
 - 15.3.2 a person who provides satisfactory evidence to Council of his or her authority from the item's owner to act on the owner's behalf.
- 15.4 Where an impounded item has not been claimed within 30 days of notice being given in accordance with clause 15.2, or within 30 days of the thing being impounded if it is not practicable to serve notice of the impoundment in accordance with clause 15.2, Council may:
- 15.4.1 sell the impounded thing and recover the costs of the impounding and storage of the thing; or

15.4.2 if the cost of selling the thing exceeds the costs of the impounding and storage, destroy, or give away the thing as the case requires.

15.5 If the thing is sold and the amount recovered exceeds the costs of the impounding and the storage of the thing, the excess of the money must be returned to the owner of the thing or dealt with in accordance with the *Unclaimed Money Act 2008*.

16. Appeals

16.1 A person who has been issued with a notice to comply may request Council to review the decision to issue the person with the notice to comply.

16.2 Where a request for the review of the decision to issue a notice to comply has been made, the person requesting the review must do everything practicable to cooperate in the prompt and timely review of the decision to serve the notice to comply.

16.3 Unless Council notifies the person to the contrary, the person must still comply with a notice to comply.

17. Security Bonds

17.1 In deciding to grant a permit, Council may, at any time, require the applicant to lodge or provide to Council a security bond or guarantee in such amount and in such a manner as Council determines.

17.2 In the event that a person to whom a permit is issued breaches or fails to comply with the permit conditions attached to the permit or this Local Law, Council may apply so much of the security bond or guarantee as is necessary to remedy that breach or failure to comply and repair any damage caused by that breach or failure to comply.

17.3 In the event that the security bond or guarantee is insufficient to remedy the breach or failure to comply and repair any damage caused by that breach, the person to whom a permit is issued is liable for the additional cost of the repair.

17.4 Upon expiry of a permit, Council must, unless clause 17.2 applies, release any remaining security bond or guarantee to the person who paid the security bond or guarantee.

17.5 If there is any remaining amount which would be released pursuant to clause 17.4, and Council cannot locate the person entitled to the money, the money must be dealt with in accordance with the *Unclaimed Money Act 2008*.

18. Asset Protection Permit

18.1 If a building permit is required for building work on land and that building work, person or class of persons have not been exempted from the need to obtain a permit:

18.1.1 the owner of the land;

18.1.2 the builder engaged to carry out building work on the land;

18.1.3 any appointed agent; and

18.1.4 any demolition contractor engaged to demolish some object on the land as part of the building work

must:

18.1.5 not carry out or allow to be carried out building work on that land unless a permit has been obtained;

- 18.1.6 not carry out or allow to be carried out building work on that land in breach of any conditions of a permit that has been obtained; and
- 18.1.7 pay any bond or guarantee determined by the Council from time to time, in accordance with Council Policy.

19. Exemptions

- 19.1 Council or an authorised officer may exempt any person or class of persons from the requirement to obtain a permit:
 - 19.1.1 on application;
 - 19.1.2 on its own motion; or
 - 19.1.3 by way of Council Policy.
- 19.2 An exemption granted under clause 19.1 may:
 - 19.2.1 operate for a specified period; and
 - 19.2.2 be subject to conditions.
- 19.3 Council or an authorised officer may require an applicant under clause 19.1.1 to provide additional information before determining an application for an exemption.
- 19.4 A person must comply with the conditions of an exemption granted under this clause 19.

PART C – CONTROL OF BUILDING SITES

20. Building work hours

- 20.1 A person must not, without a permit, carry out or allow to be carried out, building work for which a building permit has been granted, or is required, pursuant to clause 18 between the following hours:
 - 20.1.1 before 7am or after 6pm on a Monday to Friday (inclusive);
 - 20.1.2 before 9am or after 5pm on a Saturday;
 - 20.1.3 on a Sunday; or
 - 20.1.4 on a public holiday
- 20.2 Clause 20.1 does not apply to:
 - 20.2.1 any employee or agent of an out of hours permit holder;
 - 20.2.2 any building work required because of an emergency;
 - 20.2.3 any building work which is subject to a permit issued under the *Planning and Environment Act 1987* if that permit contains a condition which:
 - 20.2.3.1 restricts the times during which building work may be performed; and
 - 20.2.3.2 the condition is more restrictive than clause 20.1; or

- 20.2.4 any person to whom section 48A(5) of the *Environment Protection Act* 1970 applies; or
- 20.2.5 building work which is carried out by an occupier or owner of land being home maintenance.

21. Occupation or obstruction of Council land and roads

- 21.1 A person must not, without a permit:
 - 21.1.1 place any building materials, plant, equipment or any other thing associated with building work on a road or Council land;
 - 21.1.2 erect or install anything associated with building work on a road or Council land;
 - 21.1.3 occupy a road or Council land in connection with, or for the purposes of, building work; or
 - 21.1.4 obstruct a road or Council land in connection with, or for the purposes of, building work.
- 21.2 If clause 21.1 above is contravened, the builder is also guilty of an offence, whether the person who contravened clause 21.1 above is identified or prosecuted.
- 21.3 Clause 21.1 does not apply to a delivery of any building materials associated with building work, plant or equipment, or any other thing on a road or Council land which is less than half an hour in duration.

22. Hoardings and other structures

- 22.1 A person must not, without a permit, place or construct any hoarding, scaffolding or other structure on or over a road or Council land.

23. Run off

- 23.1 Where building work is being carried out on any land the owner, the builder, and any appointed agent must ensure that contaminated water, including, run off of chemicals, sediments, concrete, soil, wash down, animal waste and other pollutants does not enter the storm water system from the land or the washing or cleaning of tools or in any other way.
- 23.2 The builder will be guilty of an offence for a breach of clause 23.1.

24. Temporary cross over

- 24.1 Where building work is to be carried out, the owner, the builder and any appointed agent must not, without a permit, place or construct a temporary vehicle cross over on a road or Council land.
- 24.2 The owner and the builder will each be guilty of an offence for a breach of clause 24.1.

25. Refuse facility

- 25.1 Where building work is being carried out on any land, the owner, the builder and any appointed agent must ensure that:
 - 25.1.1 a facility is provided for refuse which is of a size and construction to adequately contain all refuse generated on the land during the building work;

- 25.1.2 the facility remains on the land for the duration of the building work (other than when required to be emptied);
- 25.1.3 the facility is not placed on Council Land or a road without a permit under Council's Amenity Local Law or any other applicable law; and
- 25.1.4 the facility is emptied whenever full and promptly replaced (if necessary).
- 25.2 During building work:
 - 25.2.1 the owner of land on which the building work is being carried out;
 - 25.2.2 the builder engaged to carry out the building work; and
 - 25.2.3 any appointed agent-
 must ensure that:
 - 25.2.4 all refuse which requires containment is placed in the facility provided under clause 25.1;
 - 25.2.5 the refuse is not deposited in or on any land other than in accordance with clause 25.1, and
 - 25.2.6 the builder's refuse is not deposited in or over any part of the storm water system.
- 25.3 On any land where building work is being, or has been, carried out:
 - 25.3.1 the owner of the land on which the building work is being, or has been, carried out:
 - 25.3.2 the builder engaged to carry out the building work; and
 - 25.3.3 any appointed agent-
 must remove and lawfully dispose of all refuse, including refuse in the facility provided under clause 25.1, within seven (7) days of the completion of the building work or issue of an occupancy permit, whichever occurs last.
- 25.4 The driver of any vehicle involved in placing or removing a facility provided under clause 25.1 on or from land must access the land by way of a temporary vehicle crossing installed or constructed in accordance with this Local Law.

26. Toilets

- 26.1 The:
 - 26.1.1 owner of land on which building work is being carried out;
 - 26.1.2 builder engaged to carry out the building work; and
 - 26.1.3 appointed agent-
 must not undertake or carry on any building work necessitating the employment or engagement of persons on the land unless:
 - 26.1.4 a sewerer toilet or a fresh water flush with water seal type portable toilet (closed) system is provided on the land; and

- 26.1.5 the toilet system provided under clause 26.1.4 is serviced as required, and in any event at least monthly, to the satisfaction of Council or an authorised officer.
- 26.2 A toilet must not, without a permit, be placed on or occupy a road or Council land.
- 26.3 Clause 26.1 does not apply if:
 - 26.3.1 buildings are being constructed on adjacent pieces of land simultaneously by the same person;
 - 26.3.2 there is at least one (1) toilet system provided under and in accordance with this clause 26 on one of those pieces of adjacent land; and
 - 26.3.3 that toilet system services no more than three pieces of adjacent land on which building work is being undertaken.

27. Vehicles entering and leaving land

- 27.1 The owner of the land on which building work is being carried out, the builder and any appointed agent must ensure that:
 - 27.1.1 a motor vehicle enters or leaves the land on which building works are being carried out via a vehicle crossing or temporary vehicle crossing;
 - 27.1.2 soil, earth, clay, or other debris is not deposited on a road from a vehicle entering or leaving the land.

28. Requirement to maintain a safe environment

- 28.1 The owner, the builder, and a person in charge of any:
 - 28.1.1 land on which building works are being undertaken; or
 - 28.1.2 vehicle parked on or adjacent to any road or Council land,must ensure that the land is maintained, and the vehicle is parked and loaded, in such a way so as not to cause or potentially cause any:
 - 28.1.3 injury to a person or animal;
 - 28.1.4 damage to a Council owned or controlled asset or any other asset not owned or controlled by the owner or person in charge; or
 - 28.1.5 detriment to the amenity of adjacent land or the neighbourhood.

29. Amenity impacts from building sites

- 29.1 The owner, the builder, and a person in charge of any land on which building works are being undertaken is guilty of an offence if the amenity of the area is detrimentally affected by the emission of noise, dust, dirt, odour, litter, vermin or in any other way.

30. Damage to Roads, Council land and Council Assets

- 30.1 A person must not without a permit remove, destroy, damage, or interfere with any road, Council land or other Council asset.
- 30.2 If any road, Council land or other Council asset is removed, destroyed, damaged or interfered with the person who removed, destroyed, damaged or interfered with the road, Council land or other Council asset and the builder are guilty of an offence.

- 30.3 A permit is evidence of a consent given under the *Road Management Act 2004*.

PART D –ENFORCEMENT

31. Offences

- 31.1 A person who:

- 31.1.1 fails to comply with any provision of this Local Law;
- 31.1.2 fails to comply with a condition of a permit;
- 31.1.3 fails to obtain a permit when a permit is required;
- 31.1.4 fails to comply with a Notice to Comply issued under this Local Law; or
- 31.1.5 submits wrong, inaccurate or misleading information in an application for a permit issued under this Local Law.

is guilty of an offence.

- 31.2 If no penalty is specifically provided for in a provision of this Local Law, a person found guilty of an offence under this Local Law is liable to a penalty not exceeding 20 penalty units.
- 31.3 In addition to any penalty imposed pursuant to this Local Law, a penalty not exceeding 2 penalty units will apply for each day that a contravention of this Local Law continues after a finding of guilt or conviction for an offence against it.

32. Infringement notices

- 32.1 Where an authorised officer reasonably believes that a person has contravened or failed to comply with this Local Law the authorised officer may issue an infringement notice.
- 32.2 Where an infringement notice is issued under this Local Law the penalty payable in respect of the infringement notice is:
- 32.2.1 the amount specified in Schedule A; or
 - 32.2.2 if no amount is specified in Schedule A, 5 penalty units.

33. Offences in relation to Authorised Officers

- 33.1 A person must not give information that the person knows or believes to be false to an authorised officer who is performing a function under this Local Law. -

Schedule A - Penalties Fixed for Infringements

Clause	Offence	Penalty Unit
10.2.1	Make or allow to be made any false representation or declaration in or in relation to the application for a permit	10
10.2.2	Omits relevant information from an application for a permit	7
13.4	Failure to comply with a Notice to Comply	10
18.1.5	Person carries out or allows to be carried out building work on the land without obtaining a permit	10
18.1.6	Person carries out or allowed to be carried out building work on the land in breach of a condition of a permit that has been obtained	10
18.1.7	Person carries out or allowed to be carried out building work on the land without paying a bond or guarantee	10
20.1	Person failed to comply with Building Work Hours	10
21.1.1	Person place any building material associated with building work, plant or equipment or any other thing on a road or Council Land without a permit	5
21.1.2	Person erects or installs anything associated with building work on a road or Council Land without a permit	10
21.1.3	Person occupies a road or Council Land without a permit	10
21.1.4	Person obstructs a road or Council Land without a permit	10
22.1	Person places or constructs any hoarding, scaffolding, or other structure on or over a road or Council Land without a permit	10
23.1	Person did not ensure contaminated water did not enter storm water system from the land	10
23.2	Builder did not ensure contaminated water did not enter storm water system from the land	10
24.1	Person placed or constructed a temporary vehicle crossing over a road or Council Land without a permit	15
25.1.1	Person did not ensure that an adequate refuse facility was provided to contain all refuse	10
25.1.2	Person did not ensure that the refuse facility remained on site for the duration of the works	7.5
25.1.3	Person did allow a refuse facility to be placed on Council Land without a permit	5
25.1.4	Person did not ensure the refuse facility was emptied when full	5
25.2.4	Person did not ensure all refuse was contained in the refuse facility	7
25.2.5	Person did not ensure that refuse was not deposited in or on any land	7
25.2.6	Person did not ensure that refuse was not deposited in or over any storm water system	10
25.3	Person did not remove and lawfully dispose of all refuse within 7 days of the completion of the building work	5
25.4	Person placing or removing a refuse facility accessed the land without the use of the temporary vehicle crossing	5
26.1.4	Person did not provide compliant toilet system on land	10
26.1.5	Person did not service toilet system on land	10
26.2	Person placed toilet on road or Council land without a permit	5

Clause	Offence	Penalty Unit
27.1.1	Person did not ensure that a vehicle entered or left land via a vehicle crossing or temporary vehicle crossing	10
27.1.2	Person allowed soil, earth, clay or other debris to be deposited on a road from a vehicle entering or leaving the land	10
28.1	Person did not ensure that land was maintained or a vehicle was parked and loaded in such a way so as not to cause or potentially cause any injury, damage or detriment to amenity	10
29.1	Detrimentially affect the amenity of the area by the emission of noise, dust, dirt, odour, litter, vermin or in any other way	10
30.1	Remove, destroy, damage, or interfere with any road, Council land or other Council asset without a permit	10