Procedures and Protocol Manual

Amendment



STONNINGTON.VIC.GOV.AU



Part 1 – Preliminary

A term used in this manual has the meaning given to it under the Stonnington Local Law 2018.

Part 2 – Administration of this Local Law

The form of a Notice to Comply is set out in Schedule 1.

Part 6 – Vehicle Crossings

Introduction

The removal, maintenance and construction of a vehicle crossing is regulated by the Road Management Act 2004 (RMA). However, a 'consent' under the RMA may be evidenced by a Permit issued under the Local Law.

Applications

An application for the removal, maintenance or construction of a vehicle crossing will be considered in accordance with the Vehicle Crossing Policy and the following:

- (a) whether an existing vehicle crossing is already in existence;
- (b) the effect of the proposed vehicle crossing on the amenity of the neighbourhood;
- (c) the impact on Council assets including trees, tree roots and the ongoing health of the tree;
- (d) the impact of the proposed vehicle crossing on traffic, parking and community safety;
- (e) any other relevant matter.

Part 9 – Council Reserves

Restrictions

A person may consume Liquor in a Council Reserve:

- (a) during daylight hours
- (b) as part of a picnic, barbecue or otherwise in accordance with a Permit.
- A person may consume liquor in a Council Reserve:
- (a) during an event that has been prescribed by Council (from time to time) as an event for which liquor can be consumed.
- A list of Council Reserves is listed at Schedule 3.

Part 14 – Tree Protection

Significant Trees

In assessing an application for a Permit in relation to a Significant Tree an Authorised Officer must take into consideration the following where relevant:

- (a) the condition of the tree (health and structural condition)
- (b) whether the proposed action is to be undertaken for reasons of health or safety
- (c) whether the tree is causing significant property damage
- (d) the effect of the proposed action on the amenity of the neighbourhood
- (e) any other matter relevant to the circumstances of the application that is drawn to Council's attention or of which Council is aware.

Part 16 – Sanitation

Waste Collection

Unless otherwise authorised by Council, the occupier of land from which waste is to be collected must:

- (a) place or cause to be placed on the nature strip or footpath no more than the number of waste or recycling receptacles approved for use at the land;
- (b) ensure that the Approved Receptacle is placed on the nature strip or footpath no earlier than 3.00 pm on the day prior to the day Waste is collected and no later than 4.00 am on the day after Waste is collected.

The owner, occupier and person in charge of land must not, without a Permit, allow a waste receptacle to remain on a Road:

- (a) after the day of collection;
- (b) before 3.00 pm on the day before collection; and
- (c) (for commercial or trade waste collection) after collection or immediately upon arrival at the land of the operator or a staff member of the business, but no later than 24 hours after collection.

A waste receptacle must not be removed from the land or placed on a Road unless in accordance with:

- (a) the Local Law;
- (b) a Permit; or
- (c) any other legislation.

Recyclable Material must be placed in the Approved Receptacle and left for collection in the manner prescribed by Council.

Approved Receptacles Supplied by Council

- (1) An Approved Receptacle which has been supplied by Council must not be taken from land to which it has been assigned by Council unless the person has the written consent of Council or an Authorised Officer.
- (2) A person must not:
- (a) place or allow to be placed any hot materials or other material in an Approved Receptacle; or
- (b) place or allow to be placed an Approved Receptacle on a Road which causes damage to the Approved Receptacle.
- (3) A person who damages an Approved Receptacle is liable for, and must pay to Council, the cost of repairing or replacing the Approved Receptacle.
- (4) The owner and occupier of any land to which an Approved Receptacle has been supplied by Council is liable for the cost of replacing it in the event of it being damaged, destroyed, lost, stolen or missing (except where it is stolen and the theft has been reported promptly to a member of the Police Force and a statutory declaration to that effect is provided to Council).

Trade Waste Bins and Hoppers

The owner and occupier of land on which a waste receptacle used for the collection and storage of Industrial Waste must:

- (a) construct on the land an area for the storage of the waste receptacles which is supplied with reticulated water so that the waste receptacle can be adequately cleaned; and
- (b) ensure that the area constructed is screened from view, maintained in a clean and sanitary condition and fenced in such a manner to deny access to the public.

Household Waste Collection and Storage

An approved waste receptacle on private land must:

- (a) be placed so that it does not detrimentally affect the surrounding area by its presence, appearance or odour; and
- (b) not be placed so that it creates an obstruction or other safety related issue.

Storage of Trade Waste

All trade waste hoppers must:

- (a) be kept in a clean and sanitary condition at all times;
- (b) be kept free of graffiti;
- (c) be maintained in a condition fit for its purpose;
- (d) be replaced if damaged;
- (e) be kept in a manner to ensure easy movement and not to damage Council assets; and
- (f) clearly identify the owner of the Hopper.

Part 17 – Permits

Clause 115 - Asset Protection Permits

Asset Protection Permit Bonds are determined by Council from time to time.

Where, in the opinion of an Authorised Officer, an existing driveway crossing, footpath, road, street tree, kerb or other part of Council's asset may be damaged, the person responsible for the building work must pay to Council a bond, or provide a bank guarantee or other security acceptable to Council.

The amount of the bond, bank guarantee or other security to be provided will be determined during the assessment of the application and will be proportionate to the likely cost of repairing any damage to Council assets. The amount (if a bond), or bank guarantee must be provided to Council before the permit is issued.

If, after issuing a permit, with or without the requirement of a bond, guarantee or other security, further information is received and an Authorised Officer is of the opinion that damage or further damage may occur, the person responsible must pay to Council a bond, bank guarantee or other security or further bond, bank guarantee or other security.

The security will be refunded after the final inspection of Council assets if there has not been any damage to Council's assets as a result of the building works. If damage to Council's assets has occurred, the security will be retained by the Council to offset the cost of repairing any damage.

Hoarding, Scaffolding and Overhead Protective Awning

Council prefers the use of creative graphics on temporary structures on, or within, public space and on, or within, private land in the municipality.

Applying creative graphic treatments on protective structures, hoardings and scaffolding at construction sites across the municipality increases:

- > creativity in our streetscapes
- reduces the detriment to the amenity of the municipality as a result of hoardings and scaffolding.

Creative graphics include the following:

- > art works;
- > historical pictures;
- > advertising of the proposed development on the land
- > other treatment other than plain hoarding.

The installation of creative graphics on hoardings is mandatory depending on certain circumstances such as the location, duration of installation and proximity to major transport corridors. They are required to minimise adverse visual impacts of work sites and hoardings, and to increase the presence of creativity in our streetscapes. It is mandatory to have a creative graphic for the following:

(a) Specific locations:

(i) Toorak Road(ii) Malvern Road(iii) High Street(iv) Chapel Street.

(b) Duration:

Any hoarding, temporary structure, scaffolding or other protective structure required to be erected for a period of **four** months or more.

In all other circumstances, if chain wire temporary fencing is to be used, it must be screened with an appropriate mesh which screens the temporary fence so that a person cannot see into the land.

Council requires hoardings, temporary structure, scaffolding or other protective structure to meet the following requirements:

Hoardings

Hoarding fences must be kept free of graffiti and bill posters, and the structural frame must be kept clean, tidy and in good condition, to the satisfaction of Council.

Graffiti and bill posters must be removed within 24 hours of being placed on hoarding fences and, where the surface has been damaged, the hoarding fence repaired and re-painted. In the case of damage to graphics, damaged sections must be replaced. General wear-and-tear on hoarding fences and the hoarding structure will require periodic repair and/or repainting throughout the duration of its erection.

Screening systems and graphics

Screening systems and/or graphics or images on hoardings and scaffolding must be fully and properly maintained for the full duration that a temporary structure is in place including keeping:

- (a) the screening mesh or fabric taut to minimise the adverse effects of wind on the structure and being visually pleasing; and
- (b) screening systems being maintained in good condition to maintain an acceptable and quality appearance in the streetscape.

Scaffolding - graphics and images (construction/ scaffolding wraps)

The whole scaffolding face, or a lesser area where specifically approved by Council, must display a coordinated and integrated graphic display that can include façade replication, community images, historical municipal images or public art to mitigate the adverse visual impacts on the public place and add visual interest and vibrancy in the streetscape. The Council must give approval to a proposed artwork or graphic display. Printing of graphic displays must use UV-stabilised or latex-based inks. The system of installation and attachment of graphic displays to temporary structures must consider the long-term durability, appearance and maintenance requirements to ensure that an acceptable quality appearance is provided and maintained.

Internal Review

An applicant for a Permit may request a review of Council's decision in relation to the refusal to grant a Permit.

An application for review must be:

In writing;

Within 28 days of the date of the decision;

State the reasons for the internal review; and

Any additional information relevant to the grant of the Permit that was not previously provided.

An application for review must be considered by an Authorised Officer that was not previously involved in the decision to refuse to grant the Permit.

Upon the carrying out of the internal review, the Authorised Officer must:

Notify the applicant in writing of the decision of the internal review; and

Within 90 days of the decision of the internal review.

The form of a Permit is set out in Schedule 2.

Part 19 – Infringement Penalty Amounts

The offences for which an infringement notice may be issued and the penalty amount is set out in Schedule 3.

Part 20 – Administration and Enforcement

Exemptions

Council exempts the following people or groups of people from obtaining a Permit under the General Local Law:

Camping

The following people are exempt from obtaining a Permit under this section:

- (a) any person deemed vulnerable, homeless or suffering a mental illness
- (b) any person or group at the discretion of an Authorised Officer.

Asset Protection Permit

Authorised Officers have discretion in applying the provision to obtain Asset Protection Permits based on the identified scope of works.

Building works less than \$10,000 require a Permit but no application fee applies.

Matters to be considered when exercising discretion for an Asset Protection Permit may include, but will not be limited to:

- (a) essential safety measures fire service upgrade, fire hose reels and smoke alarms
- (b) DHHS public housing covered by the Department of Health and Human Services
- (c) internal fitouts within established hospitals, shopping centres and universities
- (d) unit fitouts within multi-storey buildings
- (e) pool safety barriers
- (f) internal stairways, awnings, balustrades
- (g) fitouts within established business parks with no impact to Council asset
- (h) access where all associated vehicles and equipment is located on private property using an existing vehicle crossing and no occupation of Council land. This does not apply to building structures that are built on a boundary or in close proximity to Council assets.

Deliveries to commercial premises

A person who delivers goods such as bread, milk, papers or similar goods to a commercial premises where the goods are required by the proprietor of the commercial premises as part of preparing to open the premises.

Schedule 1.

STONNINGTON CITY COUNCIL PO BOX 58 MALVERN VIC 3144 Telephone: 8290 1333

GENERAL LOCAL LAW NOTICE TO COMPLY

То:		
(Name)		
Address: (Address)		
The following constitutes a	breach under clause	of Council's General Local Law.
Clause	of the City of Stonnington Gene	eral Local Law provides that
It is the opinion of Council	that	
To remedy the breach, you	must do the following to my sa	tisfaction
byam/pm	on20)
What has to be done:		
under this Local Law may, written submission for con	within 28 days after the date of	rovides that any person who is aggrieved by any Notice or direction the issue of this Notice, apply to Council to be heard and may make a ght of itself will not in any way remove the person's obligation to act in under this law.
You should contact		(Responsible Officer) at the Municipal Offices
between the hours of	and	for further information about this Notice, if required.
	to \$2,000.00. Additionally Cou	n offence and Council may initiate legal proceedings resulting in a uncil may proceed to carry out any works required, the cost of which,
Date:		(Name of Authorised Officer)

Phone:

(Signature of Authorised Officer)

NOTE: This is not an infringement notice

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

Schedule 2.

STONNINGTON CITY COUNCIL PO BOX 58 MALVERN VIC 3144 Telephone: 8290 1333

GENERAL LOCAL LAW

PERMIT

Subject to the conditions set out below:

Name: Address:

is permitted under General Local Law to:

Conditions:

This permit will come into effect on

and will expire on

Date:

(Signature of Authorised Officer)

Schedule 3

Clause	Description	Penalty Unit
14	Failure to comply with a Notice to Comply.	5
24	The Common Seal must only be used with Council authorisation.	3
91(a)	For a Councillor to not withdraw a remark etc. when called upon twice by the Chairperson to do so.	2
91(b)	For any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so.	2
91(c)	For a person to fail to obey a direction of the Chairperson relating to the conduct of the meeting and the maintenance of order.	2
91(d)	For a Councillor to refuse to leave the chamber on suspension.	2
104 (1) (2)	Person destroys, damages, interferes with, excavates or taps into a drain, sewer, watercourse, ditch, creek, gutter, tunnel, bridge, levee, culvert or fence.	5
105 (1) (2)	Owner and occupier to ensure drains are operated for the purpose for which they are designed.	5
106	Owner and occupier to ensure land is adequately drained.	5
107(1)	Owner and occupier fail to ensure a vehicle crossing.	7
107 (2)	Person causes or allows a Motor Vehicle to enter or exit land other than via a vehicle crossing.	5
108	Temporary vehicle crossing not constructed to protect a Council asset or allow a vehicle to enter or exit land other than by a vehicle crossing.	5
109	Owner and occupier fail to maintain a vehicle crossing.	5
110	Person destroy, damage, remove or interfere with Council land or authorises or engages another to destroy, damage, remove or interfere with Council land without a permit.	5
111	Person lights a fire in open air without a permit.	5
112	Person allows a tree or plant on land to cause damage or interfere with Council land.	5
113(1)	Person removes, damages, kills or destroys a tree or plant on Council land.	20
113 (2)	Person prunes, cuts, trims, lops or interferes with in any way a tree or plant on Council land.	10
114(1)	Person fails to obtain a permit for activities on a road or to erect a structure of temporary crossing.	10
115	Person fails to take out a permit where building work may damage a road, kerb, drains or footpath, failing to repair damage to the road, kerb, drains or footpath or failing to call for inspection within 48 hours of completion of work.	15
116	Person fails to comply with prohibition of entry requirements to a municipal place.	3

Clause	Description	Penalty Unit
117	Person contravenes behaviour requirements in a municipal place.	3
118	Person fails to comply with terms and conditions of admission or membership requirements to a municipal place.	3
119	Person brings into, causes or allows a prohibited article to be brought onto a municipal place without consent.	3
120	Person fails to comply with a direction of an Authorised Officer or member of Council staff.	3
121	Person constructs an opening or gate to a Council reserve without a permit or uses an opening or gate contrary to a permit.	3
122	Person uses a Council reserve contrary to requirements.	4
123	Person uses a Council reserve contrary to restrictions.	4
125	Person fails to comply with shopping trolley requirements.	10
126	Person fails to obtain a footpath trading permit or contravenes a requirement of the Footpath Trading Policy or contravenes a condition of the footpath trading permit.	5
127	Person obstructs Council land without a permit.	5
128	Person services, paints or dismantles a motor vehicle on a road or Council land or repairs a motor vehicle on a road or Council land.	5
129	Person consumes or possess liquor in a public place or motor vehicle in a public place without a permit or exemption.	3
130	Person places, leaves standing or uses a crane, travel tower, boom, hydraulic arm, lift, tackle or other machine over Council land without a permit.	5
131	Person erects a hoarding, scaffolding, protective barrier or like on a road, public place or Council land without a permit.	5
132	Person places, leaves or permits to be left any bulk rubbish container or shipping container or other thing without a permit.	5
133	Person places a clothing bin on Council land or a road without a permit.	5
134	Person places or abandons or causes to be placed or abandoned any unregistered vehicle.	3
135	Person fails to comply with requirements for residential and commercial parking permits.	3
136	Person occupies or allows the occupation of any road, council land for filming, commercial purpose or public exhibition.	3
137	Person uses, or permits a person to use, a wheeled recreation vehicle on Council land or a footpath.	3
138	Person street trades without a permit.	3

40 Person conducts a street promotion without a permit. 3 41 Person conducts a street festival or street party without a permit. 5 42 Owner and occupier fail to comply with street number requirements. 5 43 than one caravan on residential land. 3 44 Owner, occupier or person in charge of land allows noise to be unreasonable or emanate from a motor vehicle that is unreasonable or noise deemed to be unreasonable. 5 45 Person places a mobile billboard without a permit. 5 46 Person places a mobile billboard without a permit. 5 47 Person allows to be lit or remain alight a fire in the open air without a permit. 3 48 Owner and occupier allow unsightly land. 5 50 Owner and occupier fails to comply with a notice directed to fence vacant land. 5 51 Owner or occupier fails to comply with a notice directed to fence dilapidated land. 5 52 Owner and occupier fails to contain noxious weeds. 5 54 Owner and occupier fails to advelling to be dilapidated. 5 55 Person shalts to comply with building activity hours. 5 56 Owner and occupier allow overhanging vegetatiwon. 5 <tr< th=""><th>Clause</th><th>Description</th><th>Penalty Unit</th></tr<>	Clause	Description	Penalty Unit
41 Person conducts a street festival or street party without a permit. 5 42 Owner and occupier fail to comply with street number requirements. 5 43 Person camps on a road or Council land without a permit or on residential land or more than one caravan on residential land. 3 44 Owner, occupier or person in charge of land allows noise to be unreasonable. 5 45 Person virites, paints, stencils, places or affixes an advertisement or causes or allows another without a permit. 5 46 Person places a mobile billboard without a permit. 5 47 Person allows to be lit or remain alight a fire in the open air without a permit. 3 48 Owner and occupier allow a chimney to be a nuisance. 5 50 Owner and occupier allow a chimney to be a nuisance. 5 51 Owner or occupier fails to comply with a notice directed to fence vacant land. 5 52 Owner or occupier fails to comply with a notice directed to fence vacant land. 5 53 Owner and occupier allow to vehicles or machinery or goods without a permit. 5 54 Owner and occupier allow overhanging vegetatiwon. 5 55 Person uses land to store motor vehicles or machinery or goods without a permit. 5	139	Person conducts a street appeal without a permit.	3
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51 Owner or occupier fails to comply with a notice directed to fence vacant land. 5 52 Owner or occupier fails to comply with a notice directed to fence dilapidated land. 5 53 Owner and occupier allow land to contain noxious weeds. 5 54 Owner and occupier allow land to be dangerous. 5 55 Person uses land to store motor vehicles or machinery or goods without a permit. 5 56 Owner and occupier allow overhanging vegetatiwon. 5 57 Owner and occupier allow a dwelling to be dilapidated. 10 59 Person fails to comply with building activity hours. 10 60 Person fails to ensure dust or spoil is not deposited on a road or escapes from land. 10 61 Person allows a motor vehicle to leave land with spoil on wheels. 5 62 Person places building material on a road or Council land without a permit. 5 63(2) (a) Person carries out works within a Tree. 10 63(2) (b) Person carries out works within a Tree Protection Zone. 10 63(2) (c) Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c). 20 Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed <td< td=""><td>148</td><td>Owner and occupier allow a chimney to be a nuisance.</td><td>5</td></td<>	148	Owner and occupier allow a chimney to be a nuisance.	5
52Owner or occupier fails to comply with a notice directed to fence dilapidated land.553Owner and occupier allow land to contain noxious weeds.554Owner and occupier allow land to be dangerous.555Person uses land to store motor vehicles or machinery or goods without a permit.556Owner and occupier allow overhanging vegetatiwon.557Owner and occupier allow overhanging vegetatiwon.559Person fails to comply with building activity hours.1060Person fails to ensure dust or spoil is not deposited on a road or escapes from land.1061Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed20	150	Owner and occupier allow unsightly land.	5
53Owner and occupier allow land to contain noxious weeds.554Owner and occupier allow land to be dangerous.555Person uses land to store motor vehicles or machinery or goods without a permit.556Owner and occupier allow overhanging vegetatiwon.557Owner and occupier allow a dwelling to be dilapidated.1059Person fails to comply with building activity hours.1060Person fails to ensure dust or spoil is not deposited on a road or escapes from land.1061Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person carries out works within a Tree Protection Zone.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruped or trimmed20	151	Owner or occupier fails to comply with a notice directed to fence vacant land.	5
54Owner and occupier allow land to be dangerous.555Person uses land to store motor vehicles or machinery or goods without a permit.556Owner and occupier allow overhanging vegetatiwon.557Owner and occupier allow a dwelling to be dilapidated.1059Person fails to comply with building activity hours.1060Person fails to ensure dust or spoil is not deposited on a road or escapes from land.1061Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person nemoves, kills or damages a Significant Tree.2063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	152	Owner or occupier fails to comply with a notice directed to fence dilapidated land.	5
55 Person uses land to store motor vehicles or machinery or goods without a permit. 5 56 Owner and occupier allow overhanging vegetatiwon. 5 57 Owner and occupier allow a dwelling to be dilapidated. 10 59 Person fails to comply with building activity hours. 10 60 Person fails to ensure dust or spoil is not deposited on a road or escapes from land. 10 61 Person allows a motor vehicle to leave land with spoil on wheels. 5 62 Person places building material on a road or Council land without a permit. 5 63(2) (a) Person lops, prunes or trims a Significant Tree. 10 63(2) (c) Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c). 20 Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed 20	153	Owner and occupier allow land to contain noxious weeds.	5
56Owner and occupier allow overhanging vegetatiwon.557Owner and occupier allow a dwelling to be dilapidated.1059Person fails to comply with building activity hours.1060Person fails to ensure dust or spoil is not deposited on a road or escapes from land.1061Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person removes, kills or damages a Significant Tree.2063(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	154	Owner and occupier allow land to be dangerous.	5
57Owner and occupier allow a dwelling to be dilapidated.1059Person fails to comply with building activity hours.1060Person fails to ensure dust or spoil is not deposited on a road or escapes from land.1061Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person removes, kills or damages a Significant Tree.2063(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed20	155	Person uses land to store motor vehicles or machinery or goods without a permit.	5
59Person fails to comply with building activity hours.1060Person fails to ensure dust or spoil is not deposited on a road or escapes from land.1061Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person removes, kills or damages a Significant Tree.2063(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	156	Owner and occupier allow overhanging vegetatiwon.	5
60Person fails to ensure dust or spoil is not deposited on a road or escapes from land.1061Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person removes, kills or damages a Significant Tree.2063(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	157	Owner and occupier allow a dwelling to be dilapidated.	10
61Person allows a motor vehicle to leave land with spoil on wheels.562Person places building material on a road or Council land without a permit.563(2) (a)Person removes, kills or damages a Significant Tree.2063(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	159	Person fails to comply with building activity hours.	10
62Person places building material on a road or Council land without a permit.563(2) (a)Person removes, kills or damages a Significant Tree.2063(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	160	Person fails to ensure dust or spoil is not deposited on a road or escapes from land.	10
63(2) (a)Person removes, kills or damages a Significant Tree.2063(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	161	Person allows a motor vehicle to leave land with spoil on wheels.	5
63(2) (b)Person lops, prunes or trims a Significant Tree.1063(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	162	Person places building material on a road or Council land without a permit.	5
63(2) (c)Person carries out works within a Tree Protection Zone.1063(2) (d)Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c).20Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	163(2) (a)	Person removes, kills or damages a Significant Tree.	20
 63(2) (d) Person directs, authorises or allows a person to contravene sections 162(2)(a), (b) or (c). Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed 	163(2) (b)	Person lops, prunes or trims a Significant Tree.	10
63(2) (d) (b) or (c). 20 Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	163(2) (c)	Person carries out works within a Tree Protection Zone.	10
Owner of land on which a Significant Tree is killed, damaged, loped, pruned or trimmed	163(2) (d)		20
63(4) or works carried out within a Tree Protection Zone.	163(4)		20

Clause	Description	Penalty Unit
163(5)	Person kills, damages, lops, prunes or trims a Significant Tree overhanging property owned or occupied by that person.	10
165	Person keeps an excessive number of animals.	2
166	Person fails to comply with Keeping of Animals Policy.	2
167	Person allows an animal to create a nuisance.	2
168	Person fails to collect and dispose of animal excrement or have a litter device.	3
169	Owner and occupier fail to remove a wasp nest or bee swarm.	2
170	Person keeps food for pest animals or feeds or encourages pest animals.	2
171	Owner or occupier fails to have adequate fences for keeping a dog.	2
172	Person feeds or leaves food for an animal or bird in a public place.	2
173	Person fails to comply with the supply and use of waste receptacle requirements.	3
174	Owner and occupier fail to comply with Council domestic waste and recycling requirements.	3
175	Owner and occupier fail to comply with trade waste requirements.	5
176	Person fails to comply with Council waste acceptance facility requirements.	5
190	Person obtains a permit fraudulently or fail to produce permit.	5
197(e)	Failure to comply with a condition of a Permit.	5
200	Person impersonates Council staff.	10

Schedule 4

Parks Gardens and Reserves

Aberdeen Road Reserve (23–25 Aberdeen Road)

Albert Street Reserve (Albert Street)

Allenby Avenue (11A Allenby Avenue)

Ambrose Avenue Reserve (48A Argyll Street)

Ardoch Windsor Reserve (Cnr Pine Grove and Hornby Street)

Ardrie Park (64A/B Ardrie Road)

Argo Reserve (83 Argo Street, corner Hardy Street)

Armadale Reserve (25–29 Armadale Street – between Sutherland Road and Armadale Street)

Bailey Avenue Reserve (2 Bailey Avenue)

Bill Dane Reserve (62B Heyington Place)

Bowen Street (72 Bowen Street)

Bowen Street (80 Bowen Street)

Braeside Terrace (557 Waverley Road)

Bretonneux Square

Buddle Drive Reserve (25 Wilfred Crescent)

Brookville Gardens (53 Canterbury Road)

Brunel Street (21A Brunel Street)

Camino Terrace Reserve (1 Camino Terrace)

Caroline Street South Reserve (36-40 Ralston Street)

Carters Avenue Reserve (20 Carters Avenue)

Central Park (83-141 Burke Road)

Percy Treyvaud Park (32A Chadstone Road – between Quentin and Chadstone Roads)

Chapel Street and Dandenong Road (4 Chapel Street)

Charles Street Reserve (72 Charles Street)

Chris Gahan Reserve (20-40 Hornby Street)

Como Park (Como and Alexandra Avenues)

Como Park North (Williams Road North and Alexandra Avenue)

Connell Park (Greville Street and Punt Road)

Cooinda Place Park (3 Cooinda Place)

Cromwell Crescent Reserve (Cromwell Crescent and Cromwell Road)

Cummins Grove (17 Cummins Grove)

Dairy Park Reserve (135–147 Darling Road)

Dandenong Road (1283–1285 Dandenong Road) (Urban Forest)

Darling Gardens (49 Darling Street – between Darling Street and Alexandra Avenue)

Darling Park (Basil Street – between Winton Road and Dunlop Street, bordered by Gardiners Creek on one side and South Eastern Arterial on the other)

Dyeworks Park (35–53 Simmons Street)

Elm Grove (1-5 Elm Grove)

Fairbairn Reserve (30-43 Fairbairn Road)

Fitzgerald Street Closure (53 Fitzgerald Street) (Gardiner Neighbourhood Park – between Kent and Nash streets)

Gardiner Park (49–61 Carroll Crescent – between St Edmunds Grove and Clarke Street)

Gladstone Gardens (Gladstone and De Murska streets)

Glenburn Bend Park (between Brixton Rise, South Eastern Arterial, Great Valley Road and Gardiners Creek)

Glen Iris Park Wetlands (1650 High Street - in Glen Iris Park)

Glen Iris Park (1650 High Street – between High Street and East Malvern Tennis Club along Gardiners Creek and South Eastern Arterial)

Glen Iris Park Nursery (1650 High Street)

Glenvale Park (4 Glenvale Road)

Golfers Drive (golf course – between Winton Road and Warrigal Road alongside Gardiners Creek)

Grattan Gardens (40-50 Grattan Street)

Grosvenor Street Reserve (43-49 Grosvenor Street)

Harry Gregory Reserve (76-78 Hornby Street)

Hedgeley Dene Gardens (1778–1780 Malvern Road – a linear park between Malvern Road and the eastern end of Kardella Street)

High Street (1409–1413 High Street – Harold Holt Memorial Swimming Centre front garden)

High Street (1231-1235 High Street - Malvern City Square)

High Street (1241–1249 High Street – Malvern City Square)

High Street (1257 High Street - Malvern Library)

High Street (1259 High Street - Malvern Library)

Hyslop Parade (38 Hyslop Parade – walkway to Urban Forest)

Inverness Avenue Park (17A Inverness Avenue)

Inverness Avenue Park (28 St James Road)

Ivanhoe Grove (17A Ivanhoe Grove)

Ivanhoe Grove Reserve (51A) (bounded by Ivanhoe Grove and South Eastern Arterial located north of the intersection of Ivanhoe Grove and Gauntlet Road)

James Street Reserve (13 James Street)

Knox Street Reserve (Linear)

Kooyong Park (458 Glenferrie Road – between Glenferrie and Toorak roads along Gardiners Creek and South Eastern Arterial)

Kooyong Gardens Playground (449A Glenferrie Road)

Kyarra Reserve (Kyarra Road – between Kyarra Road and South Eastern Arterial north west of Great Valley Road)

Kyarra Road (15-21 Kyarra Road)

Leopold Street Reserve (Leopold Street)

Lumley Gardens (Gooch Street and Jessamine Avenue)

Lumley Playgrounds (High Street, adjacent to Victoria Gardens)

Macfarlan Street Park (36 Macfarlan Street)

McArthur Street Reserve (16 McArthur Street)

Malvern City Square (Cnr Glenferrie Road and High Street)

Malvern Cricket Ground (1253 High Street)

Malvern Public Gardens (1275–1277 High Street – between Ascot, Park and High streets and Spring Road)

Milton Gray Reserve (216 Wattletree Road – between Wattletree and Wheatland Roads)

Moira Street (10 Moira Street)

Moore Street Playground (40 Moore Street)

Muswell Bend (1269 High Street – between Brixton Rise, High Street and Gardiners Creek)

Neighbourhood Park (4 Glenvale Road)

Northbrook Garden (rear of Malvern Public Library)

Orrong Park and Romanis Reserve (580 Orrong Road)

Orrong/Toorak Reserve (Wynnstay and Orrong Roads)

Oravel Avenue Reserve (463-467 Waverley Road)

Osborne Street Reserve (34 Osborne Street)

Osborne/Argo Playground (Osborne and Argo streets)

OT Flight Reserve (497-499 Waverley Road)

Peace Park (Burke Road between King Street and Malvern Rd)

Peak Park (Between Monash Freeway, Waverley Road and Peak Street)

Penpraze Park (Victoria Road – between Victoria Road South and Victoria Road North)

Peverill Park (between Peverill Street and South Eastern Arterial)

Princes Gardens (Princes and Little Chapel streets) behind Toorak Park) Prior Road Reserve (between Prior Road, Warrigal Road and Villers Square Repton Road (74) (access to Ardrie Park) The Rialto (between Oravel Avenue, The Rialto and Viva Reserve (154-164 Tooronga Road) Righetti Oval (43 Talbot Crescent) Rockley Gardens (Rockley and Toorak roads -Street and Sylvester Crescent) Wheatland Park (25 Wheatland Road - access to Serrell Street Park (42-46 Serrell Street) Milton Gray Reserve)

Avenue)

Woodlands Park (Cnr Castlebar Road and Woodlands Grove)

Yarra River Embankment

Shared Path and Associated Lands (between East Malvern Station and Warrigal Road along South Eastern Arterial)

Shared Path and Associated Lands (along Gardiners Creek between Burke and Winton roads)

Peverill Street (33 Peverill Street)

Phoenix Park (Rob Roy Road and High Street)

South Eastern Arterial, on-ramp)

South Eastern Arterial)

either side of Rockley Road)

Sir Robert Menzies Park (714 Toorak Road - bounded by Elizabeth Street, Toorak Road and Henderson Avenue)

South Yarra Siding (William Street and Lovers Walk)

Stanley Street Reserve (1867 Malvern Road - between Malvern Road, Stanley Street and Allenby Avenue)

Small Reserve (across from Stanley Street Reserve between 37 & 39 Allenby Avenue)

Stonnington Gardens (Cnr Perth and High streets)

Sydare Avenue Reserve (along Sydare Avenue between Dandenong and Waverly roads)

Talbot Crescent (43 Talbot Crescent)

The Urban Forest (between Waverly and Dandenong Roads along Bruce Street (north end) and Hyslop Parade (south end)

Toorak Park (580 Orrong Road)

Toorak/South Yarra Library Gardens (Toorak Road between Surrey Road North and Cromwell Road)

Tooronga Park (317 Tooronga Road)

Union Street (92 Union Street)

Union Street Gardens (43A Union Street)

Upton Road (Peel Street and Upton Road)

Victoria Gardens (High Street and Lewisham Road)

Victory Square (Osment Street and Ashleigh Road -

Vine Street Reserve (Chapel and Vine streets)

Warrigal Road Reserve (704-710 Warrigal Road)

Waverley Park (425-431 Waverley Road - between Sycamore

Windsor Siding Reserve (Union and Stewart streets)

Winifred Crescent Reserve (Winifred Crescent and Alexandra

Stonnington City Centre 311 Glenferrie Road, Malvern

Prahran Town Hall 180 Greville Street, Prahran

Depot 293 Tooronga Road, Malvern

Open

Monday to Friday, 8.30am to 5pm T 8290 1333 F 9521 2255

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