

# LOCAL GOVERNMENT ACT 1995

## TOWN OF VICTORIA PARK

### AMENDMENT (PRESCRIBED OFFENCES) LOCAL LAW 2021

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Victoria Park resolved on the [INSERT DATE] to make the following local law.

#### 1 Citation

This local law may be cited as the *Town of Victoria Park Amendment (Prescribed Offences) Local Law 2021*.

#### 2 Commencement

This local law commences 14 days after its publication in the *Government Gazette*.

#### 3 Local law amended

This local law amends the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* as published in the *Government Gazette* on 31 May 2000 and as amended on 10 May 2005 and 23 August 2021.

#### 4 Clause 9.4 amended

Clause 9.4 is amended by the deletion sub-clause (3), (4) and (5) and replaced with:

- (3) Where this local law expresses the modified penalty as a number of penalty units, the monetary value of the modified penalty is the number of dollars obtained by multiplying the value of the penalty unit as specified in the *Town of Victoria Park Penalty Units Local Law 2021* by the number of penalty units specified in this local law.

#### 5 Schedule 1 replaced

Schedule 1 is deleted and replaced with:

#### Schedule 1 – Prescribed Offences

Clause 9.4(2)

Item	Clause	Description	Penalty Unit
1	2.1(a)(i)	Plant which may cause a hazard	10
2	2.1(a)(ii)	Plant of 0.75m in height on thoroughfare	10
3	2.1(a)(iii)	Plant (except grass) on thoroughfare within 1m of carriageway	10
4	2.1(b)	Damaging lawn or garden	10
5	2.1(c)	Placing hazardous substance on footpath	10
6	2.1(d)	Damaging or interfering with signpost or structure on thoroughfare	30

7	2.1(e)	Playing games so as to impede vehicles or persons on thoroughfare	10
8	2.1(f)	Riding of skateboard or similar device on mall or verandah of shopping centre	10
9	2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	10
10	2.2(1)(b)	Throwing or placing anything on a verge without a permit	10
11	2.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	10
12	2.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	20
13	2.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	20
14	2.2(1)(g)	Lighting a fire on a thoroughfare without a permit	30
15	2.2(1)(h)	Felling tree onto thoroughfare without a permit	10
16	2.2(1)(i)	Installing pipes or stone on thoroughfare without a permit	10
17	2.2(1)(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	30
18	2.2(1)(k)	Creating a nuisance on a thoroughfare without a permit	10
19	2.2(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	10
20	2.2(1)(m)	Interfering with anything on a thoroughfare without a permit	10
21	2.3(1)	Consumption or possession of liquor on thoroughfare	10
22	2.4(1)	Failure to obtain permit for temporary crossing	20
23	2.5(2)	Failure to comply with notice to remove crossing and reinstate kerb	30
24	2.8(1)	Installation of verge treatment other than permissible verge treatment	20
25	2.9	Failure to maintain permissible verge treatment or placement of obstruction on verge	10
26	2.10	Failure to comply with notice to rectify default	10
27	2.16(2)	Failure to comply with sign on public place	10
28	2.18(1)	Driving or taking a vehicle on a closed thoroughfare	30
29	3.2(a)	Erect, place or display an advertising sign, direction sign or election sign on a thoroughfare or any structure situated on a thoroughfare without a permit	25
30	3.2(b)	Post any bill or paint, place or affix any advertisement on a thoroughfare or any structure situated on a thoroughfare without a permit	25
31	3.4(2)	Failing to comply with conditions imposed on a permit for an election sign issued by the local government	25
32	3.6(1)(a)	Failing to maintain the sign in a safe and serviceable condition at all times, in the opinion of the local government	10
33	3.6(1)(b)	Failing to display the permit number provided by the local government in a conspicuous place on the sign	5
34	3.6(1)(b)	Failing to produce a permit whenever requested by an authorised person to do so	10
35	3.6(1)(c)	Failing to ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using a thoroughfare, in the opinion of the local government	10

36	3.6(1)(d)(i)	Failing to comply with the conditions imposed upon the permit where a permit has been issued by the local government	25
37	3.6(1)(d)(ii)	Failing to comply with the requirements of clause 3.5 where a sign is erected, placed or displayed in accordance with clause 3.5	10
38	3.6(1)(e)	Failing to display the sign in the location approved by the local government and as specified in the permit	25
39	3.6(1)(f)	Failing to ensure the sign does not prevent free passage of persons using the footpath at all times, in the opinion of the local government	10
40	3.6(1)(g)(i)	Erecting, placing or displaying a sign over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2,700mm	10
41	3.6(1)(g)(ii)	Erecting, placing or displaying a sign on or within 500mm from the kerb	10
42	3.6(1)(g)(iii)	Erecting, placing or displaying a sign in any location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare	25
43	3.6(1)(g)(iv)	Erecting, placing or displaying a sign on any other sign (or structure supporting a sign) any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge	10
44	3.6(2)	Erecting, placing or displaying a sign in such a condition, which in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person	25
45	3.7	Failing to ensure that a sign that is erected, placed or displayed pursuant to Part 3 of this local law, is removed from any footpath when directed to do so by an authorised person	10
46	3.8	Failing to remove any sign, or item which does not comply with the requirements of Part 3 of this local law, from any footpath when directed to do so by an authorised person	10
47	4.1(1)	Animal or vehicle obstructing a public place or local government property	10
48	4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	10
49	4.2(2)(b)	Animal on public place with infectious disease	10
50	4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	10
51	4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	10
52	4.5	Person leaving shopping trolley in public place other than trolley bay	10
53	4.6(2)	Failure to remove shopping trolley upon being advised of location	10
54	5.2(1)	Conducting of stall in public place without a permit	30
55	5.3(1)	Trading without a permit	30
56	5.7(1)(a)	Failure of stallholder or trader to display or carry permit	10
57	5.7(1)(b)	Stallholder or trader not displaying valid permit	10
58	5.7(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	10
59	5.7(2)	Stallholder or trader engaged in prohibited conduct	10
60	5.9	Performing in a public place without a permit	10
61	5.10(2)	Failure of performer to move onto another area when directed	10
62	5.13	Failure of performer to comply with obligations	10

63	5.15	Establishment or conduct of outdoor eating facility without a permit	30
64	5.17	Failure of permit holder of outdoor eating facility to comply with obligations	10
65	5.19	Failure to leave outdoor eating facility when requested to do so by permit holder	5
66	6.5	Failure to comply with a condition of a permit	10
67	6.9	Failure to produce permit on request of authorised person	10
68	9.1	Failure to comply with notice given under local law	10

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the Council of the Town of Victoria Park resolved to make the following local law on the [INSERT DATE].

The Common Seal of the )  
Town of Victoria Park was )  
affixed by the authority of a )  
resolution of the Council in )  
the presence of )

\_\_\_\_\_ Karen Vernon, Mayor

\_\_\_\_\_ Anthony Vuleta, Chief Executive Officer

On the        day of        20