Vehicle, Roads, Footpath - Table of Changes

Current Local Law	Draft Local Law	Key Changes	Change Type
47. Heavy Motor Vehicles 47.1 Unless permitted under the Planning Scheme applicable to the land, the owner or occupier of any land must not, without a permit: 47.1.1 keep; or 47.1.2 allow to be kept- a heavy motor vehicle on any land in a residential area.	**4.1. Heavy motor vehicle** (1) Unless permitted under the Planning Scheme applicable to the land, the owner or occupier of any land must not, without a permit, keep or allow to be kept a heavy motor vehicle on any land in a residential area.	**Simplifies** The new clause direct reformatting of the previous clause (47). Key benefits and changes include: • The clause has been reformatted to be clearer and easier to read. • The change simplifies the wording without altering the core legal requirements of the original clause. • The meaning and content of the clause remain identical to the previous version.	**Medium**
33. Noisy Vehicles 33.1 A person must not: 33.1.1 leave the engine of a heavy motor vehicle running while the heavy motor vehicle is stationary, except for a period of five (5) minutes: 33.1.1.1 immediately after the heavy motor vehicle has stopped moving; or 33.1.1.2 immediately before the heavy motor vehicle is to start moving; or 33.1.2 allow a refrigeration unit mounted on a motor vehicle to run between the hours of 7pm and 7am while the motor vehicle is parked or standing on any road located in or abutting an area zoned as residential or predominantly residential under the Planning Scheme. 33.2 Clause 33.1 does not apply to a person employed by: 33.2.1 a service authority; 33.2.2 an emergency service; or 33.2.3 the Council- while acting in the course of his or her duties.	**4.2. Noisy vehicles** (1) A person must not leave the engine of a heavy motor vehicle running while the heavy motor vehicle is stationary, except for a period of five (5) minutes: (a) immediately after the heavy motor vehicle has stopped moving; or (b) immediately before the heavy motor vehicle is to start moving. (2) A person must not allow a refrigeration unit mounted on a vehicle to run between the hours of 7pm and 7am while the vehicle is parked or standing on any road located in or abutting an area zoned as residential or predominantly residential under the Planning Scheme. (3) Sub-clause (1) and (2) does not apply to a person employed by a service authority, an emergency service or the Council while acting in the course of their duties.	**Simplifies** The new clause is a streamlined and reorganised version of the old clause (33). Key benefits and changes include: • The new version is more concise and easier to read, improving accessibility. • The meaning and content of the clause remain identical to the previous version. • The change simplifies the wording without altering the core legal requirements.	**Minor**
32. Repair and Display of Vehicles 32.1 A person must not: 32.1.1 paint; 32.1.2 service; 32.1.3 carry out maintenance on or perform any work on; or 32.1.4 display for sale in the course of a business for the sale of vehicles- a vehicle on a road, footway or Council land. 32.2 Clause 32.1 does not apply if maintenance or work is carried out to enable a vehicle, which has broken down, to be removed from the road, footway or Council land. 32.3 Notwithstanding the exception in clause 32.2, a person commits an offence if the vehicle is within 100 metres of premises occupied by that person or that person's employer for the purposes of motor repairs or panel beating.	**4.3 Repair and display of vehicles** (1) A person must not paint, service, carry out maintenance on or perform any work on, or display for sale in the course of a business for the sale of vehicles- a vehicle on a road, footway or Council land. (2) Sub-clause (1) does not apply if maintenance or work is carried out to enable a vehicle, which has broken down, to be removed from the road, footway or Council land. (3) Notwithstanding the exception in sub-clause (2), a person commits an offence if the vehicle is within 100 metres of premises occupied by that person or that person's employer for the purposes of motor repairs or panel beating.	**Simplifies** The new clause is a streamlined and reorganised version of the old clause (32). Key benefits and changes include: • The new version is more concise and easier to read, enhancing accessibility for the public. • The meaning and content of the clause remain identical to the previous version. • The change simplifies the wording without altering the core legal requirements.	**Minor**

Current Local Law	Draft Local Law	Key Changes	Change Type
35. Application of this Part	**4.4 Parking permits**	**Consolidates and simplifies**	**Medium**

35.1 This Part applies to Vehicle Parking Permits issued by the Council in accordance with a Resident Parking Scheme established pursuant to Schedule 11 to the Act and any Council policies regarding the operation of Resident Parking Schemes in the municipal district. 35.2 This Part is intended to operate in conjunction with any policy of the Council relating to the operation of Resident Parking Schemes and any conditions imposed on Vehicle Parking Permits. 35.3 Nothing in this Part is intended to derogate from any rights which the Council or an authorised officer may have under any Council policies regulating the operation of Resident Parking Schemes and the use of Vehicle Parking Permits or any conditions imposed on Vehicle Parking Permits. 35.4 A decision by the Council or an authorised officer not to enforce this Part does not affect the power of the Council or an authorised officer to enforce any relevant Council policy or conditions imposed on Vehicle Parking Permits. **36. Offence to sell, give away or rent a Vehicle Parking Permit** 36.1 A Vehicle Parking Permit Holder must not: 36.1.1 sell or offer to sell a Vehicle Parking Permit; 36.1.2 give away for no charge, or offer to give away for no charge, a Vehicle Parking Permit (other than a Visitor Permit to be used by a legitimate visitor); 36.1.3 lend or license, or offer to lend or license a Vehicle Parking Permit (other than a temporary Visitor Permit to be used by a legitimate visitor); or 36.1.4 otherwise allow a Vehicle Parking Permit (other than a temporary Visitor Permit being used by a legitimate visitor) to be used by any person other than a Vehicle Parking Permit Holder. **37. Offence to accept or to use a Vehicle Parking Permit where not the Vehicle Parking Permit Holder** 37.1 A person (other than a legitimate visitor using a Visitor Permit in accordance with any applicable policies or conditions) must not: 37.1.1 purchase or induce to purchase a Vehicle Parking Permit from any Vehicle Parking Permit Holder or other person not authorised to issue a Vehicle Parking Permit; 37.1.2 otherwise receive (whether for a charge or not), or induce to receive (whether for a charge or not), a Vehicle Parking Permit from any Vehicle Parking Permit Holder or other person not authorised to issue a Vehicle Parking Permit; 37.1.3 accept a lent or licensed Vehicle Parking Permit, or induce to receive a lent or licensed Vehicle Parking Permit from any Vehicle Parking Permit Holder or other person not authorised to issue a Vehicle Parking Permit; or 37.1.4 otherwise use or attempt to use a Vehicle Parking Permit in instances where he or she is not the relevant Vehicle Parking Permit Holder. **38. Offences relating to falsification of Vehicle Parking Permits** 38.1 A person must not: 38.1.1 forge or counterfeit a Vehicle Parking Permit; or 38.1.2 knowingly use, deal with or tender a false Vehicle Parking Permit.	(1) This Part applies to Vehicle Parking Permits issued by the Council under a Resident Parking Scheme established pursuant to the Act. This Part operates in conjunction with and does not derogate from any Council policies or conditions related to the operation of Resident Parking Schemes. A decision not to enforce this Part does not affect the Council's power to enforce its policies or permit conditions. (2) A vehicle parking permit holder must not, other than use by a legitimate visitor: (a) sell or offer to sell a vehicle parking permit (b) give away for no charge, or offer to give away for no charge, a vehicle parking permit (c) lend or license, or offer to lend or license a vehicle parking permit (d) otherwise allow a vehicle parking permit to be used by any person other than a vehicle parking permit holder. (3) A person, other than a legitimate visitor using a visitor permit, must not: (a) purchase or induce to purchase a vehicle parking permit from any vehicle parking permit holder or other person (b) otherwise receive, or induce to receive, whether for a charge or not, a vehicle parking permit from any vehicle parking permit holder or other person (c) accept or induce a lent or licensed vehicle parking permit any vehicle parking permit holder or other person (d) otherwise use or attempt to use a vehicle parking permit in instances where he or she is not the relevant vehicle parking permit holder. (4) A person must not, forge or counterfeit a Vehicle Parking Permit or knowingly use, deal with or tender a false Vehicle Parking Permit.	The new clause is a significant simplification and consolidation of four previous clauses (35, 36, 37, and 38). It restructures the content to be much more concise and easier to follow, while retaining all the essential rules. Key benefits and changes include: • Four separate clauses are combined into one single clause with four sub-clauses, creating a highly logical and user-friendly structure. • The four introductory paragraphs from the old clause 35 are combined into a single, cohesive paragraph in the new sub-clause (1). • All specific rules regarding selling, lending, accepting, and forging permits are fully retained in sub-clauses (2), (3), and (4), with slightly simplified wording for clarity. • The use of a single, numbered clause with clear sub-clauses makes the regulations significantly more logical and accessible to the public.	

Current Local Law	Draft Local Law	Key Changes	Change Type
8. Vehicles in Recreational Reserves 8.1 In this clause 'recreational reserve' means any land within the municipal district that is owned, occupied or controlled by the Council and is dedicated or used for cultural, recreational or entertainment purposes and includes Council's parks and gardens. 8.2 A person must not, without a permit, on any recreational reserve: 8.2.1 drive a vehicle into or onto a recreational reserve; or	**4.5 Vehicles in reserves** (1) A person or registered owner of the vehicle must not, without a permit, on any recreational reserve, drive a vehicle into or onto a recreational reserve or allow a vehicle which they are the owner, or otherwise in charge of, to remain in or on a recreational reserve. (2) Sub-clause (1) does not apply to: (a) bicycle or e-bicycle, e-scooter, wheelchair, mobility scooter, child's toy vehicle, pram or similar devices	**Simplifies** The new clause a significant simplification and consolidation of the old clause (8), removing redundant definitions and combining multiple clauses for a clearer, more concise presentation. Key benefits and changes include: • The definition of 'recreational reserve' is moved to the definitions section, allowing the clause to focus directly on the rules.	**Medium**

8.2.2 allow a vehicle which they are the owner, or otherwise in charge of, to remain in or on a recreational reserve. 8.3 For the purpose of clause 8.2, vehicle does not include the following: 8.3.1 a bicycle; 8.3.2 a child's toy vehicle; 8.3.3 a pram, baby or child carriage, wheelchair, mobility scooter or similar device. 8.4 Clause 8.2 does not apply to: 8.4.1 a staff member of the Council or a public body (or other person authorised by the Council or the public body for this purpose), member of the police force or a staff member of an emergency service acting in the course of his or her duties; 8.4.2 or in accordance with any applicable Act or regulation. 8.5 Where damage is caused to a recreational reserve, or anything in or on a recreational reserve, by a person in breach of clause 8.2, the Council may institute proceedings to recover the costs incurred by or on behalf of the Council in rectifying the damage.	(b) a Council staff member, a member of the Victoria Police or other emergency services acting in the course of their duties (c) or in accordance with any applicable Act or regulation. (3) Where damage is caused to a recreational reserve in breach of sub-clause (1), Council may institute proceedings to recover the costs incurred by or on behalf of the Council in rectifying the damage caused.	• Two old exemption clauses (8.3 and 8.4) are merged into a single, more efficient sub-clause (2), making the law easier to read and interpret. • The core provisions against driving or leaving a vehicle in a reserve without a permit, and the Council's ability to recover damage costs, are fully retained. • The list of exempted vehicles is updated to explicitly include 'e-bicycle' and 'e-scooter.'	
14. Toy Vehicles 14.1 For the purpose of clause 14.4 and 14.5 a 'wheeled recreational vehicle' means any mini bike, trail bike, motor bike, motor scooter, go-cart or other vehicle propelled by a motor which is normally used for recreational purposes, but does not include a motorised wheelchair or electric bicycle. 14.2 A person: 14.2.1 must not; or 14.2.2 must not allow a person under his or her care and control: in any area of the municipal district: 14.2.3 use; or 14.2.4 leave a toy vehicle in a manner which: 14.2.5 interferes with the passage of; 14.2.6 intimidates, obstructs, hinders or causes a nuisance to; or 14.2.7 endangers, any person or vehicle in the municipal district. 14.3 A person must not use or leave a toy vehicle in an area where the use of toy vehicles is prohibited by a sign erected by the Council or an authorised officer. 14.4 The owner or occupier of any private land must not, without a permit, use, or permit a person to use, a wheeled recreational vehicle on the private land. 14.5 A person must not, without a permit, use, or permit a person to use, a wheeled recreational vehicle on Council Land, a road, or footway.	**4.6 Toy Vehicles** (1) A person must not or allow a person under their care or control to, use a toy vehicle in a manner that interferes with, obstructs, hinders, or endangers any person, animal, or vehicle within the municipal district. (2) A person must not use or leave a toy vehicle in an area where the use of toy vehicles is prohibited by a sign erected by the Council or an authorised officer. (3) The owner or occupier of any private land must not, without a permit, use, or permit a person to use, a wheeled recreational vehicle on the private land. (4) A person must not, without a permit, use, or permit a person to use, a wheeled recreational vehicle on road, footpath or Council Land.	**Simplifies and clarifies** The new clause is a significant simplification of the old clause (14). It removes unnecessary definitions and streamlines the provisions into a more concise format. Key benefits and changes include: • The definition of 'wheeled recreational vehicle' is moved to the definitions section, allowing the clause to focus directly on the rules. • Multiple sub-clauses in the old law prohibiting interference with the passage of people or vehicles are condensed into a single, comprehensive sub-clause. • The term 'intimidates' has been removed from sub-clause (1) due to its subjective nature, providing clearer rules for enforcement. • The clause retains the core permit requirement for using wheeled recreational vehicles on both private and public land, and the provision on using toy vehicles where signs restrict them. • The change simplifies the wording without altering the core legal requirements (other than removing the subjective term).	**Medium**

Current Local Law	Draft Local Law	Key Changes	Change Type
13. Vehicle Crossings 13.1 A person must not, without a permit, construct, repair, reconstruct or remove a temporary or permanent vehicle crossing. 13.2 The Council or an authorised officer may, by notice in writing, require: 13.2.1 the construction of a temporary or permanent vehicle crossing or adjacent footpath; 13.2.2 the repair or reconstruction of a vehicle crossing or adjacent footpath; 13.2.3 the removal of a vehicle crossing in accordance with clause 13.9; or 13.2.4 the repair or reconstruction of a footway adjacent to a vehicle crossing which itself is being constructed, repaired, reconstructed or removed	**4.7. Vehicle crossings** (1) A person must not, without a permit, construct, repair, reconstruct or remove a vehicle crossing or adjacent footpath. (2) The Council or an authorised officer may issue a written notice to the owner or occupier of a property, requiring them to perform any of the following actions by a specified date, having regard to the size, cost, and complexity of the required works: (a) construct or repair a vehicle crossing or adjacent footpath (b) remove a redundant vehicle crossing (c) remove a vehicle crossing constructed without a permit (d) repair any damage caused by vehicles to a crossing, road, footpath, kerb, or drain	**Consolidates and simplifies** The new clause is a significant consolidation and streamlining of the previous law. While the legal intent remains the same, the new version is clearer and more efficient. Key benefits and changes include: • Nine separate old clauses (13.1, 13.2, 13.3, 13.4, 13.6, 13.7, 13.8, 13.9, and 13.10) are merged into a new, single four-sub-clause structure, which eliminates redundancy. • The new sub-clause (2) lists all actions Council can require via written notice (including specific reasons for removal) in a single, comprehensive list, replacing multiple separate clauses.	**Major**

by the owner or occupier of any adjacent allotment by a date determined by the Council or an authorised officer, having regard to the size, cost and complexity of the required works. 13.3 A person must comply with a notice directed to that person under clause 13.2 and must perform any work specified in the notice within the time specified in the notice. 13.4 The owner or occupier of any allotment required, by notice in writing, to construct, repair, reconstruct or remove a vehicle crossing or adjacent footway under this clause must make an application to the Council for a permit under clause 13.1. 13.5 Any work in respect of a footway, kerb, drain, or vehicle crossing performed under clause 13.1 must be performed to the satisfaction of the Council or an authorised officer. 13.6 If building work is to be carried out or is being carried out on private land, a person must not drive a motor vehicle over a kerb, nature strip or footpath to access the private land unless a temporary vehicle crossing is in place and the motor vehicle drives over that temporary vehicle crossing. 13.7 If the Council or an authorised officer has required the owner or occupier of any private land on which building work is to occur to construct a temporary vehicle crossing under clause 13.2 the owner or occupier must not carry out, cause or allow the building work to commence until the permit has been granted and the temporary vehicle crossing has been constructed. 13.8 If vehicles enter or leave the carriageway of any road adjacent to any private land, on which any building work is being conducted, the owner or occupier of the private land must repair any damage to any permanent vehicle crossing, road, footway, kerb or drain that results from the passing of any motor vehicle over the vehicle crossing leaving or entering the carriageway of an adjacent road. 13.9 The Council or an authorised officer may, by notice in writing, require the removal of any vehicle crossing and the reinstatement of any kerb, drain, footway, nature strip or other part of a road if, in the opinion of the Council or an authorised officer, the vehicle crossing is redundant or has been constructed in breach of any provision of clause 13 or a permit. 13.10 A person must comply with a notice directed to that person under clause 13.7 and must perform any work specified in the notice within the prescribed time.	(e) reinstate Council land to the satisfaction of Council. (3) A person who receives such a notice must comply and, where a permit is required, apply for one. All work specified must be completed to the satisfaction of the Council and within the prescribed time. (4) A person must not drive a vehicle over a kerb, nature strip, or footpath to access a private property with building works to be carried out or is to be carried out, unless a temporary vehicle crossing is in place. Building work must not begin until the required temporary crossing is constructed and a permit is granted.	• The consolidation makes the clause easier to read and interpret without changing the core legal requirements.	
Not Included	**4.8. Skip Bins** (1) A person must not, without a permit, place, allow to be placed or cause to be placed on any road, footpath or Council Land a skip bin, bulk rubbish container or similar object. (2) A person must not place or collect a skip bin, bulk rubbish container or similar object on any road, footpath, Council land, or private land except between the following hours: (a) from 7am to 8pm on a Monday to Saturday (b) from 9am to 8pm on a Sunday or Public Holiday. (3) This clause does not apply to works or activities by Council or a service authority.	**New provision that clarifies existing requirements** This new clause is a new addition to the Local Law, introducing a clear clause for regulating skip bins and similar containers (which were previously managed under a generic clause). Key benefits and changes include: • Creates a new, specific section for regulating skip bins, improving accessibility and clarity for users and service providers. • By moving regulation out of a generic clause into its own section, the rules are now clearer and easier to understand. • The change simplifies the wording without altering the core legal requirements.	**Medium**

Current Local Law	Draft Local Law	Key Changes	Change Type
10. Obstructions and Hazards on Roads and Council Land 10.1 An owner or occupier of private land must not allow an advertising sign or any other similar object to: 10.1.1 encroach onto Council Land, a road or a footway at a height less than 2.4 metres; or 10.1.2 remain on private land or be placed on private land which obstructs the clear view of a traffic control item by a person in a vehicle or a person on a footway. 10.2 A person must not, without a permit, place, allow to be placed or cause to be placed on any road, footway or Council Land: 10.2.1 a bulk rubbish container; or 10.2.2 any other thing which interferes with the use of the road, footway or Council Land. 10.3 A person must not place a bulk rubbish container on any road, footway or Council land or collect a bulk rubbish container from any private land or Council land at any time except: 10.3.1 From 7am to 8pm on a Monday to Saturday (inclusive); or	**4.9. Obstructions and hazards** (1) An owner or occupier of private land must not allow an advertising sign or any other similar object to: (a) encroach onto Council Land, a road or a footpath at a height less than 2.4 metres (b) remain on private land or be placed on private land which obstructs the clear view of a traffic control item by a person in a vehicle or a person on a footpath. (2) A person must not, without a permit, obstruct, restrict, or interfere with the use of any road, footpath, or Council land by placing any thing, causing to be placed or by any other means. (3) This clause does not apply to works or activities by Council or a service authority.	**Simplifies** The new clause is a is a significant simplification and consolidation of the old clause (10). It removes redundant provisions and presents the information in a more streamlined and concise format. Key benefits and changes include: • Separate provisions on causing obstructions are combined into a single, comprehensive statement in sub-clause (2). • The rule now concisely prohibits a person from 'obstructing, restricting, or interfering with the use of any road, footpath, or Council land,' making the clause easier to apply. • The consolidation removes repetition and presents the information in a more concise and streamlined way. • The change simplifies the wording without altering the core legal requirements.	**Medium**

10.3.2 From 9am to 8pm on a Sunday or Public Holiday. 10.4 This clause does not apply to the works or activities of a service authority. 10.5 A person must not, without a permit, obstruct or restrict the use of any road, footway or Council Land by any means.			

15. Shopping Trolleys
15.1 In this clause *'shopping trolley'* means a wheeled receptacle supplied by a retailer of goods to enable persons purchasing any of those goods to transport them from one place to another.
 	
15.2 A person must not leave a shopping trolley in any area except in an area designated for the leaving of shopping trolleys.
 	
15.3 The owner of a shopping trolley must, within 24 hours of being notified by an *authorised officer* of the location of a shopping trolley, collect the shopping trolley.
	4.10 Shopping trolleys
	(1) A person must not use a shopping trolley for any purpose other than for its intended design or leave a shopping trolley on any public land, unless it is in a designated collection area.
	
	(2) The owner or proprietor of any business that provides shopping trolleys for use must comply with the following requirements:
	(a) ensure that each trolley displays clear business signage to identify ownership
	(b) install a wheel lock mechanism or other Council approved device to prevent trolley removal and demonstrate to Council's satisfaction that a responsive collection system is in place
	(c) collect any shopping trolley within 24 hours of being notified, whether the shopping is on road, footpath or Council land or has been impounded by Council
	
	(3) Sub-clause (3)(b) does not apply to a business who has less than twenty (20) shopping trolleys available for the use of customers.
	
	(4) An authorised officer, council employee or contractor of council, may immediately impound any trolley that appears abandoned or not attended to if the trolley is on a road, footpath or Council land.
		Clarifies; new requirements for larger businesses to provide signage, implement a deterrent mechanism and demonstrate responsive collection system; new power for Council to immediately impound a trolley
		The new clause is an expansion and clarification of the old clause, moving beyond simple provision to place responsibility on businesses and give Council more robust enforcement powers.
		
		Key benefits and changes include:
		• Businesses now have explicit responsibilities not present in the old law, including:
		  ○ Ensuring each trolley has clear ownership signage.
		  ○ Either implementing a deterrent mechanism (such as a wheel lock to Council's satisfaction) and demonstrating a responsive collection system is in place.
		• A new sub-clause introduces an explicit exemption for smaller businesses with fewer than 20 trolleys.
		• Council gains the new power to immediately impound a trolley if it is causing an obstruction or danger. This is a key improvement for public safety, filling the gap of the old law's 24-hour notice period.
			Major

31. Spoil on Roads 31.1 A person must not: 31.1.1 drive; or 31.1.2 permit or cause to be driven, a vehicle on a road or footway in the course of any trade, industry or commercial undertaking, unless the: 31.1.3 wheels; and 31.1.4 tyres, of the vehicle are free from soil, earth, clay or like substances. 31.2 A person must not allow any produce, soil, earth, mud, clay, liquid waste or like substance to fall from or escape onto a road or footway from any vehicle which he or she is driving or any equipment which he or she is operating in the course of any trade, industry or commercial undertaking. 31.3 A person must not allow any grease, oil, mud, clay or like substance to run off a motor vehicle he or she is cleaning in the course of any trade, industry or commercial undertaking onto a road, footway or into a drain. 31.4 An individual who is an owner of residential land, other than an individual who is carrying out building work to develop residential land for sale, who contravenes or fails to comply with clause 31.1 is liable to an infringement penalty half that specified in schedule 1.	**4.11 Spoil on Roads** (1) A person must not drive or permit or cause to be driven, a vehicle on a road or footpath during any trade, industry or commercial undertaking, unless the wheels and tyres, of the vehicle are free from soil, earth, clay or like substances. (2) A person must not allow any produce, soil, earth, mud, clay, liquid waste or like substance to fall from or escape onto a road or footpath from any vehicle which they are driving or any equipment which they are operating during any trade, industry or commercial undertaking. (3) A person must not allow any grease, oil, mud, clay or like substance to run off a motor vehicle they are cleaning during any trade, industry or commercial undertaking onto a road, footpath or into a drain. (4) The builder of a building site must ensure that no mud, dirt, sand, soil, stones, concrete or other matter is deposited on the road or is washed into the stormwater system. (5) An individual who is an owner of residential land, other than an individual who is carrying out building work to develop residential land for sale, who contravenes or fails to comply with sub-clause (1) is liable to an infringement penalty half that specified in Schedule 1.	**Expands; new requirements for builders to ensure no mud dirt or other matter is deposited on road or washed into stormwater system** The new clause is a significant expansion and reorganisation of the old clause (31). While retaining core provisions, it adds a crucial new responsibility for builders. Key benefits and changes include: • The most important change is a new provision that places a specific and explicit responsibility on the builder of a site to ensure no mud, dirt, or other matter is deposited on the road or washed into the stormwater system. • This is a crucial new tool for the Council to directly address a common issue related to construction sites, which was not explicitly covered in the old law. • Core rules against driving with spoil on wheels, allowing spoil/liquid waste to fall from a vehicle, and allowing runoff from vehicle cleaning are retained. • The provision that residential landowners are subject to a halved infringement penalty is maintained.	**Major**

Current Local Law	Draft Local Law	Key Changes	Change Type
22. Occupation of Council Land 22.1 A person must not, without a permit, occupy Council Land, road or footway by: 22.1.1 placing on; or 22.1.2 leaving; any boat, trailer, caravan, equipment or other thing for longer than one hour unless it is attached to a registered motor vehicle.	**4.12 Occupation of Council land** (1) A person must not, without a permit, occupy a road, footpath or Council land by placing on or leaving any boat on a trailer, trailer, caravan, equipment or other thing for longer than one hour unless it is attached to a registered motor vehicle. (2) A person must not, without a permit, occupy a road, footpath or Council land by placing on or leaving any other thing on road, footpath or Council land. (3) Sub-clause (1) does not create an exemption for specific activities related to vehicles that meet the definition of a 'long vehicle' under the Road Safety Road Rules 2017.	**Expanded with new requirement prohibiting public land by placing or leaving something without a permit** The new clause is an expansion of the old clause (22). It broadens the scope of the original provision to cover a wider range of items and situations. Key benefits and changes include: • The core provision against leaving specific items (like boats, trailers, and caravans) for more than one hour without a permit is retained. • A new, separate rule is added that prohibits occupying public land by placing or leaving 'any other thing' on it without a permit. This significantly broadens the scope to cover items not explicitly listed in sub-clause (1). • A note is added to clarify that this clause does not exempt the activity from potentially being classed as a long vehicle under the Road Safety Road Rules 2017. • The expanded scope gives the Council greater authority to manage obstructions and unauthorised occupation of public land.	**Major**
21. Damage to Council Assets or Likely to Damage Council Assets 21.1 A person must not, without a permit, destroy, damage, remove, interfere with, attach to or change in any way anything in, on or under a road, footway or Council Land, except where the asset is designed for that use.	**4.13 Damage to council assets** (1) A person must not, without a permit, add, place on, destroy, damage, remove, interfere with, attach to, or change in any way anything in, on or under a road, footpath, or Council Land, except where the asset is designed for that use. (2) An owner of private land must not allow any tree or plant on land owned or occupied by them to cause damage or interfere with the use of any road, footpath or Council land, or any other asset.	**Expanded with new provision holding property owners responsible for indirect damage** The new clause is a slightly expanded version of the old clause (21). While the core provision remains, the new version adds specific actions and a crucial new provision for property owners. Key benefits and changes include: • The list of prohibited actions against Council assets is broadened by adding two new verbs: 'add' and 'place on.' This gives Council authority to regulate the placement of items on assets, not just their physical alteration, making the clause more comprehensive and proactive. • A new sub-clause holds property owners responsible for indirect damage. It prohibits an owner from allowing any tree or plant on their private land to cause damage to or obstruct any road, footpath, or other Council asset.	**Medium**

		• This addition directly addresses a common and persistent problem, ensuring the Council has a clear legal basis to enforce against this type of damage. • The core provision against destroying, damaging, removing, interfering with, attaching to, or changing any Council asset without a permit is retained.	
34. Failure to maintain a safe environment 34.1 The owner, or a person in charge, of any: 34.1.1 land on which works are being undertaken on or adjacent to any road, footway or Council land; or 34.1.2 vehicle parked on or adjacent to any road, footway 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: (i) injury to a person or animal; (ii) damage to a Council owned or controlled asset or any other asset not owned or controlled by the owner or person in charge; or (iii) detriment to the amenity of adjacent land or the neighbourhood.	**4.14 Loading or unloading** (1) The owner or person in charge of any land, or a person in charge of a vehicle, must ensure the land is maintained and the vehicle is parked, and loaded or unloaded in a way that does not cause or is likely to cause a danger to any person or animal or damage to Council assets, other assets or private property.	**Simplifies and clarifies** The new clause is a significant simplification and consolidation of the old clause (34). While the core intent remains the same, the new version removes redundant language and is more concise. Key benefits and changes include: • The clause now explicitly includes the activity of 'unloading,' which, although intended, was not mentioned in the old law. • All requirements are combined into a single, comprehensive phrase, prohibiting activities that 'cause or is likely to cause a danger to any person or animal or damage to Council assets, other assets or private property.' • The new version is more direct and easier to understand due to the removal of redundant language. • The change achieves greater clarity without altering the core legal purpose of the regulation	
63. Maintenance of Drains 63.1 An *owner* or occupier of *private land* must ensure that a drain which is located on the *private land* is maintained and not in disrepair.	**4.15 Maintenance of drains** (1) An owner or occupier of private land must ensure that any private drainage infrastructure servicing the private land is maintained and not in disrepair. (2) An owner or occupier of private land must ensure that any Council drainage infrastructure located within the private land is not destroyed, damaged, impeded and not in disrepair. (3) An owner or occupier of private land must not obstruct, impede or interfere with the overland flow path of any watercourse unless given written agreement of the Council. (4) An owner of private land must not allow any tree or plant on land owned or occupied by them to cause damage or interfere with any drain invested in or under the control of Council.	**Expanded with new provision placing onus on owners to ensure trees do not damage Council drains** The new clause is a significant expansion and clarification of the old clause. While the core principle remains, the new version introduces more specific responsibilities for property owners. Key benefits and changes include: • The clause introduces the broader and more specific concepts of 'private drainage infrastructure' and 'Council drainage infrastructure.' This clearly defines what the property owner is responsible for on their land. • A new sub-clause places the onus on owners to ensure that trees do not damage Council drains. • This addition provides the Council with a clear legal basis to enforce against tree-related damage to its drainage system, addressing a common and costly issue. • The core principle of requiring property owners to maintain drainage remains.	**Major**

Current Local Law	Draft Local Law	Key Changes	Change Type
64. Tapping into Drains 64.1 A person must not, without a permit, destroy, damage or tap into any drain vested in Council.	**4.16 Connecting to Council drainage** (1) A person must not, without a permit, destroy, damage, or connect into any drainage infrastructure vested in Council. (2) An owner or occupier of private land must obtain permission from Council prior to connecting privately owned drainage into any drainage infrastructure vested in Council. (3) An owner or occupier of private land is responsible for capturing stormwater on the private land and directing it to the Council allocated legal point of discharge. (4) An owner or occupier must not, without a permit or the written consent of the Council, discharge stormwater from private land over the surface into Council land or into drainage infrastructure vested in Council.	**Expanded with new requirement for property owners to manage stormwater connection** The new clause is an expansion and clarification of the old clause. It replaces a single, general provision with specific requirements for property owners and detailed regulations on stormwater management. Key benefits and changes include: • The regulations are broken down into separate sub-clauses for different actions and responsibilities, replacing the single, broad statement of the old clause. • The new version introduces specific requirements for property owners, making clear the rules for managing stormwater connection. • The detailed structure provides clearer and more comprehensive guidance on how stormwater is to be legally connected and managed. • The breakdown into specific sub-clauses makes the regulations easier to enforce and monitor.	**Major**
65. Building over Drains 65.1 An owner or occupier of any land must not without a permit or the written agreement of the Council: 65.1.1 build anything; or 65.1.2 cause or allow anything to be built- over a drain, sewer, watercourse or associated infrastructure that is vested in the Council or another public authority or over any easement existing for the benefit of the Council. 65.2 Nothing in clause 65.1 applies to any person who: 65.2.1 builds anything; or 65.2.2 causes or allows anything to be built- 65.2.3 over a drain, or sewer, watercourse or associated infrastructure easement in accordance with any building approval given under the Building Act 1993.	**4.17 Building over drains** (1) An owner or occupier of any land must not without a permit or the written agreement of the Council: (a) build anything; or (b) cause or allow anything to be built- over a drain, sewer, watercourse or associated infrastructure that is vested in the Council or another public authority or over any easement existing for the benefit of the Council. (2) Nothing in sub-clause (1) applies to any person who builds anything or causes or allows anything to be built, over a drain, or sewer, watercourse or associated infrastructure easement in accordance with any building approval given under the Building Act 1993.	**Simplifies** The new clause is a more streamlined version of the old clause. It is a reformatting of the existing rules rather than a substantive legal change. Key benefits and changes include: • The clause has been reformatted to be clearer and easier to read. • The clause does not introduce any new legal obligations or alter the core requirements of the original wording. • The meaning and legal intent of the clause remain identical to the previous version.	**Minor**