

Townscape, Road Verge and Public Open Space Management Plan

2016 - 2026



Kellerberrin, June 2016.

DATE	VERSION	By WHO
13 July 2016	one	Deputy CEO K Oborn

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EXECUTIVE SUMMARY

The Shire of Kellerberrin Townscape, Road Verge, and Public Open Space Management Plan (TVPMP) outlines the strategies and actions required to meet the Community of Kellerberrin's aspirations outlined in the Shire of Kellerberrin 'Strategic Community Plan 2012 -2022' (SCP).

As a result of the consultation process, the Community of Kellerberrin identified a number of strategic priorities appropriate to the management of the Shire's amenity and services. These included the delivery of effective services critical to maintaining the Shire as one that will continue to attract residents, businesses and tourists.

The Shire will continue to engage with key stakeholders to plan for future needs and deliver the strategy objectives in the SCP. The Shire's primary objectives are to meet its health and environmental responsibilities, ensure service delivery, cost effectively to improve amenity and promote the attractiveness of the district.

Key issues affecting service delivery include:

- Townscape Amenity – preventing properties and road verges from appearing unsightly and / or untidy.
- Main Street / Highway Amenity – preventing properties and road verges from appearing unsightly, untidy, and ensuring windows and external doors are covered over appropriately when required.
- Waste Management – avoiding rubbish and landfill by encouraging increased recycling and diversion of waste from landfill.
- Working with business and householders – to ensure the amenity of the Shire of Kellerberrin is kept at an appropriate standard, in accordance with the Community of Kellerberrin's goals and aspirations outlined in the SCP.
- Public Open Spaces and future service capacity – ensuring that services and infrastructure meet the needs of the current and future population in a cost effective manner.

The Shire has direct responsibility and control over many facilities and services through its own operational practices. It also has the ability to influence other sectors of the community through its policies and development approvals processes. The TVPMP outlines actions which have been developed into an implementation action plan by the Shire to support the delivery of the TVPMP.

The actions have been developed under the themes of:

- 1. District Amenity**
- 2. Public Open Spaces and Infrastructure**
- 3. Community and Economic Development**
- 4. Waste Management** (refer to Waste Management Strategy & Business Plan)

There are also a number of overarching actions related to delivery of the TVPMP, these include ensuring the Shire's strategies and policies integrate community goals and the delivery of services, reviewing funding structures as well as monitoring and reporting of services delivered. This TVPMP sets the framework for delivering best practice solutions to maintain clean, safe and attractive Shire.

INTRODUCTION

Providing sustainable cost effective management solutions to address community aspirations is a major challenge for every Australian council. The Shire of Kellerberrin has undertaken internal consultation to develop this strategy, which is designed to meet the current and future needs of the Shire.

This strategy outlines the current context and issues for the Shire. It identifies objectives and actions that establish the foundations for the Shire to promote a safe, attractive district with appropriate amenity for the whole community.

Delivering sustainable solutions will require Council working with a wide variety of residents, businesses, developers and companies within the region.



Townscape, Great Eastern Highway, Kellerberrin, June 2016

OBJECTIVES

The following objectives were considered in the drafting of the TVPMP:

1. Ensure the Shire's fundamental public and environmental health obligations and responsibilities are foremost in strategic and policy considerations.
2. To improve amenity while maintaining appropriate service levels to customers and facility users through the use of innovative programs, ensuring value for money and sustainable practices.
3. Through community engagement and cooperation, maximise opportunities to enhance amenity throughout the Shire with a focus on minimizing hazards, waste, pests and vermin, whilst promoting economic development and tourism.
4. Devise townscape, road verge and public open space management practices and policies which guide and set appropriate standards.
5. Contribute to the delivery of the community's goals and objectives in the SCP, in terms of quantitative and time based targets, where practicable.

BACKGROUND

The Shire has a community leadership role to ensure the Shire continues to develop and flourish without compromising future generations. Delivery of effective community management and services is critical to maintaining the Shire as one that will continue to attract residents, businesses and tourists. The TVPMP addresses the growing pressures on the Shire and outlines how management and services can be efficiently delivered into the future.

Services and management, in the context of this TVPMP, mean preserving and/or promoting visual amenity, ensuring waste hazards vermin and pests are avoided, and cost effective public infrastructure is available for current and future generations.

The Shire of Kellerberrin does not have direct control over all of the services and management practices in the Shire. The TVPMP seeks to influence the outcome of issues that are not under the Shire's direct control, and to adopt best practice for matters that the Shire of Kellerberrin does control through its own operations.

EXISTING POLICIES & REGULATIONS

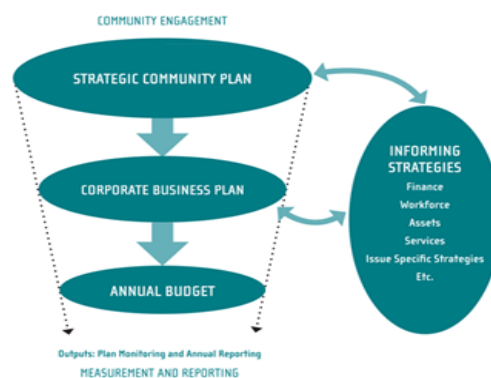
At a State Government level the main policy drivers affecting this management plan are:

- The Waste Avoidance and Resource Recovery Act 2007;
- The WA Waste Strategy 'Creating the Right Environment';
- Various Environmental Health and Building Acts, Codes and regulations; and
- An assortment of anti- littering laws and regulations.

At a Local Government level the main policy drivers affecting this management plan are:

- The Local Government Act of WA 1995;
- The Shire of Kellerberrin '*Strategic Community Plan 2012 -2022*'
- The Shire of Kellerberrin's existing policies and strategies regarding hazard reduction, planning, building, waste management, and public infrastructure.

The Shire of Kellerberrin has followed the legislated Western Australian Local Government model for the integrated planning and reporting framework. Community and economic development will continue to be integrated into this planning framework:



Integrated Planning and Reporting Framework (Department of Local Government)

STRATEGIC COMMUNITY PLAN 2012 -2022

The Community identified and supported the services provided by the Shire of Kellerberrin in developing the 2012 – 2022 Strategic Community Plan.

All Local Governments across Western Australia provide a variety of services; some are categorised as core services whilst others could be referred to as discretionary services, or services that Councils elect to make available to the community.

Generally, local government provide core services such as roads, storm water management, waste management, building maintenance and streetscape maintenance, but are now also venturing into the provision of services that benefit the community socially, economically, environmentally and culturally.

In summary, the Shire of Kellerberrin provides the following core services to our Community:

- general engineering and public works, such as design, construction and maintenance of assets for storm water, local roads, footpaths, parks and gardens, streetscape and solid waste management;
- provision and maintenance of recreational facilities, such as public pools, recreation centres, community halls;
- provision of health services, such as food and safety, animal welfare / control and noise management;
- provision of community services and assists in provision of a local doctor;
- provision of emergency services;
- environmental management;
- building and facility maintenance and management;
- building inspection and approvals;
- strategic, regional and town planning and development;
- economic development and tourism; and
- provision of arts and cultural services, including maintenance of facilities and buildings, such as libraries and museums.

In addition to these, our Council also provides services to:

- undertake planning at a local and regional level for the long term development of the Shire region;
- represent the community at a regional level, lobbying, advocating, communicating, coordinating and collaborating with other local, state, federal and regional organisation, where appropriate;
- promote, express and communicate the community's vision, objectives, concerns and initiatives to other levels of Government;

- provide facilities, services and programs that improves the welfare of the community and the region, socially, economically and environmentally, as well as enhance the general amenity of the area to attract and benefit the community members and visitors to the area; and
- manage resources efficiently and effectively to deliver services, programs, and infrastructure to the community.

Our Council's goal is to be acknowledged as a responsive, transparent, ethical and accountable organisation, recognised as a leader and voice for the community that provides quality services to our residents and visitors.

SCP 2012 - 2022

The Community of Kellerberrin goals and aspirations outlined in the Shire of Kellerberrin 'Strategic Community Plan 2012 -2022' included:

- **Theme 1: Lifestyle** - To create a comfortable, inviting and welcoming lifestyle that is in keeping with the natural environment and cultural and historical heritage of the Shire.
- **Theme 2: Sustainability** - To live in a region that promotes sustainable economic, social and environmental development and growth.
- **Theme 3: Leadership** -To be led by an open, honest and transparent government.
- **Theme 4: Prosperity** - To develop a community that fosters and encourages long term prosperity and growth and presents a diverse range of opportunities.

Some Shire strategies that this TVPMPP aligns with include; the Strategic Community Plan 2022, Long Term Financial Plan 2016 - 2026, Corporate Business Plan 2016 - 2020, Asset Management Plan 2012 – 2022 and WMS&BP 2016-2026.

As a result of the consultation process, the Community of Kellerberrin identified a number of strategic priorities and goals associated with community services and operational management;

Strategic Priority	Goals	Key Focus Areas				
		Social	Infrastructure	Governance	Economic Development	Environment
Theme 1: Lifestyle						
To create a comfortable, inviting and welcoming lifestyle that is in keeping with the natural environment and cultural and historical heritage of the Shire.						
1.1 We are a vibrant and viable, culturally diverse and engaging and unified community with strong links to history, culture and the creative arts.	1.1.1 To foster an environment that celebrates the diversity of the community.	✓		✓		
	1.1.2 To provide residents and visitors with access to historical knowledge, places and spaces and a range of community and cultural events.	✓		✓		
	1.1.3 To encourage the growth of local regional and indigenous arts, culture and history.	✓		✓		
	1.1.4 To create opportunities to enhance community connection, belonging and encourage sharing of cultures, history and knowledge.	✓		✓		
1.2 Our residents feel supported and cared for through the provision of a range of quality community services.	1.2.1 To create and activate cultural places that will draw community involvement.	✓				
	1.2.2 To establish relationships to develop and deliver essential health and education services to the region.	✓		✓		
	1.2.3 To collaborate with partners to provide activities and events that will educate and enrich the lives of our residents and visitors of all ages.	✓		✓		
1.3 Present a Shire with high visual and aesthetic appeal to neighbouring Shire Councils and visitors.	1.3.1 To create visually appealing and inviting public and recreational places that complies with good planning and design principles.	✓	✓	✓		

Strategic Priority	Goals	Key Focus Areas				
		Social	Infrastructure	Governance	Economic Development	Environment
	1.3.2 To plan and design assets and facilities to address community needs and expectations.	✓	✓	✓		
Theme 2: Sustainability						
To live in a region that promotes sustainable economic, social and environmental development and growth.						
2.1 Provide sustainable and well managed community assets and infrastructure for the long term enjoyment by our residents and visitors	2.1.1 To maintain, upgrade and renew assets to ensure condition and performance remain at the level required.		✓	✓		
	2.1.2 To ensure new assets are designed and operated to incorporate the principles of value for money and life cycle costing.		✓	✓		
	2.1.3 To collaborate with groups to investigate opportunities to improve road and transport network and connectivity between the Shire and beyond.		✓	✓		
2.2 We are a Shire that respects and aims to preserve the quality of the natural environment and rural landscape and promote environmental sustainable initiatives.	2.2.1 To raise awareness and interest of the natural environment and key factors affecting the environment.	✓		✓		✓
	2.2.2 To work with organisations to promote actions to enhance the environment.	✓		✓		✓
	2.2.3 To promote opportunities to encourage sustainable environmental practices across the Shire.			✓		✓
Theme 3: Leadership						
To be led by an open, honest and transparent government.						
3.1 Our Elected Representatives provide effective, respected and progressive leadership.	3.1.1 To lead and govern in a fair, transparent, ethical and responsive manner.			✓		

Strategic Priority	Goals	Key Focus Areas				
		Social	Infrastructure	Governance	Economic Development	Environment
	3.1.2 To inform the community of activities and events that may have an impact on the way they live and/or where they live.	✓		✓		
	3.1.3 To actively engage and consult with the community to ensure they have the opportunity to have a say and be heard.	✓		✓		
	3.1.4 To actively pursue a positive community spirit and support.	✓		✓		
Theme 4: Prosperity To develop a community that fosters and encourages long term prosperity and growth and presents a diverse range of opportunities.						
4.1 We are a sustainable, economically diverse and strong community.	4.1.1 To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.	✓		✓	✓	
	4.1.2 To work with local businesses to improve and enhance the quality of service provided.	✓		✓	✓	
	4.1.3 To identify economic trends and create employment and business opportunities for the local community.	✓		✓	✓	

2016 Community Consultation

The Department of Local Government guidelines and legislation require all plans to be updated on a cyclic basis. In 2016, as the Strategic Community Plan was four years old, the Shire undertook an extensive review of the Strategic Community Plan and undertook community consultation, to prepare an updated Strategic Community Plan (SCP). The updated SCP was adopted by Council in April 2016. The strategic priorities in the SCP, developed by the Community of Kellerberrin, identified the need to *present a Shire with high visual and aesthetic appeal to neighbouring Shire Councils and visitors*. As the achievement of this aspiration requires appropriate services and management, it provided the foundation for the development of this TVPMP adopted by Council in July 2016.

ISSUES & STRATEGIES

The delivery of Shire services have evolved from the traditional role of roads, storm water management, waste management, building maintenance and streetscape maintenance, to now also start venturing into the provision of services that benefit the community socially, economically, environmentally and culturally. This includes ensuring the provision of appropriate management strategies to ensure the Shire's facilities and amenity continues to attract residents, businesses and tourists. There are a number of issues and challenges for the Shire in facilitating and delivering sustainable community management and services. The issues are summarised under the key themes below;

Laneways

There have been incidents of community members disposing of waste in access laneways. This is not permitted for public health and safety reasons.

1. To address this issue:

- The Shire of Kellerberrin will contact community members and requests they remove the rubbish. Where the householder is unable to arrange this, the Shire will remove the rubbish and charge the householder the cost of providing this service. The Shire may also prosecute community members who dispose of waste in access laneways.

Townscapes

There have been incidents of community members storing rubbish, car bodies and other items of hard waste in their front and back yards, as well as on the road verges. This is not permitted for public health and safety reasons. In addition it is not permitted for amenity and townscape reasons.

2. To address these issues:

- The Shire of Kellerberrin will send out an annual letter to householders requesting they remove the rubbish. The Shire will then conduct random inspections, to ensure the requests have been complied with.
- Where the the owner(s) and/or occupier(s) of the properties, do not arrange to attend the requests in the required time frame, the Shire may at its discretion undertake the requested works, or engage a third party to do so and charge the the owner(s) and/or occupier(s) the cost of providing this service: and/or may prosecute community members who store rubbish, car bodies and other items of hard waste in their front and back yards, as well as on the road verges, under sections 3.1 and 3.25 of the Local Government Act – *please refer to policy 9.11 for further information (appendix.2).*

In addition, there have been incidents of buildings having missing and/or broken windows and/ or missing and/or damaged external doors and/or damaged fencing. This creates a Townscape Amenity that is unsightly and/or untidy, which is contrary to the Community of Kellerberrin's goals and aspirations outlined in the SCP.

3. To address these issues:

- The Shire of Kellerberrin will send out notices to the owner(s) and/or occupier(s) of the properties, houses and buildings requesting: they cover over windows and/or external doors, where window panes and external doors are missing; And/or they repair and/ or replace the properties boundary fencing; *in a manner that local government considers to be consistent with the general appearance of other land in the locality and also meets the aspirations of the community outlined in the SCP.* The Shire will then conduct inspections to ensure the requests have been complied with.
- Where the the owner(s) and/or occupier(s) do not arrange to attend the requests in the required time frame, the Shire may prosecute owners and/or occupiers who do not comply with the above local government requests, under sections 3.1 and 3.25 of the Local Government Act – *please refer to policy 9.11 for further information (appendix.2).*

Illegal dumping & Avoiding Landfill

There have been incidents of illegal dumping. This is not permitted for public health and safety reasons. In addition it is not permitted for amenity and environmental reasons.

4. To address this issue:

- The Shire of Kellerberrin requests the appropriate person or agency removes the rubbish. Where this cannot be arranged, the Shire may remove the rubbish and charge the person or agency the cost of providing this service. The Shire may also prosecute person(s) or agency(s) to recover the cost of disposing of illegally dumped waste.

The Shire of Kellerberrin is also supportive of the policy drivers affecting the waste strategy such as the Waste Avoidance and Resource Recovery Act 2007 and the WA Waste Strategy 'Creating the Right Environment'.

5. To address this issue:

- The Shire of Kellerberrin provides recycling collection facilities for residents and the waste transfer station facility. In addition, the Shire of Kellerberrin supports the drum muster collection program, which was gifted to the 'Mens Shed' organisation as a fundraising initiative. The Shire of Kellerberrin will also trial participating in the "Garage Sale Trail" held each October over the next three years, from 2016 to 2018.

Garage Sale Trail

The "Garage Sale Trail is thousands of garage sales on one big day. It's the biggest reuse and community event in the country. It is a national program that promotes reuse, waste education and community building. It is delivered locally by 164 councils and state governments in partnership with Garage Sale Trail". The program is run from August each year to the final event in October each year. <https://www.garagesaletrail.com.au/how-it-works.html>

Opportunities to Improve Resource Recovery & Reuse

There are a number of scenarios that could be considered to reduce costs and improve the efficiency of waste management, as well as to reduce waste going to landfill, these are outlined in the 'Shire of Kellerberrin Waste Management Strategy and Business Plan 2016-2016' adopted in June 2016.

Main Street / Highway Frontage

The main street and townscape frontages along the highway are the first thing that residents, business owners, visitors and potential investors see. Therefore it is important to create a good first impression to promote tourism and economic development. However some owners / occupiers of buildings in the main street / Great Eastern Highway, have boarded over broken windows and/ or damaged external doors, in addition, some are failing to repair and/or replace damaged fencing. This creates a Townscape amenity that is unsightly and/or untidy, which is contrary to the Community of Kellerberrin's goals and aspirations outlined in the SCP.

6. To address these issues:

- The Shire of Kellerberrin will send out an annual letter to the owner(s) and/or occupier(s) of main street properties, houses and buildings requesting:
 - That damaged windows and/ or damaged external doors are covered over, and are painted and/or decorated; And that front facades, yards and fencing, are appropriately maintained (including the removal of rubbish, hard waste, cobwebs and grime); *in a manner that local government considers to be consistent with the general appearance of other land in the locality and also meets the aspirations of the community outlined in the SCP.*
- The Shire will then conduct inspections to ensure the requests have been complied with. Where the the owner(s) and/or occupier(s) of do not arrange to attend the requests in the required time frame, the Shire may also prosecute owners and/or occupiers who do not comply with the above local government requests, under sections 3.1 and 3.25 of the Local Government Act – *please refer to policy 9.11 for further information (appendix.2).*



Example of appropriate covering for windows and external doors - if required.

Public Health - Vermin and Pest Control

There have been incidents of some owner(s) and/or occupier(s) failing to control vermin populations such as mosquito's, cockroaches, feral cats, pigeons, rats and mice. This is not permitted for public health and safety reasons.

7. To address this issue:

- The Shire of Kellerberrin will send out an annual letter to householders requesting they tidy up their properties including the removal the rubbish, car bodies and other items of hard waste and take steps to eradicate and remove vermin (dead or alive). The Shire will then conduct inspections to ensure the requests have been complied with.

- Where the owner(s) and/or occupier(s) do not arrange this in the required time frame, the Shire may remove the rubbish and/or arrange for appropriate pest control measures to be implemented and charge the owner(s) and/or occupier(s) the cost of providing this service. The Shire may also prosecute owners and/or occupiers who do not comply with the above local government requests, under sections 3.1 and 3.25 of the Local Government Act – *please refer to policy 9.11 for further information (appendix.2).*

Public Open Space

Included in the services and infrastructure the Shire of Kellerberrin provide for the community is Public Open Spaces such as parks and reserves. In the SCP, the Community of Kellerberrin, identified the aspiration to ***present a Shire with high visual and aesthetic appeal to neighbouring Shire Councils and visitors.*** Maintaining Public Open Spaces at an appropriate level, cost effectively, is an ongoing challenge.



Shire of Kellerberrin, Main Road Amenity and Appropriate Public Open Space.

8. To address this issue:

- Public Open Spaces will be developed and/or maintained in a manner that meets the needs of the current and future population and includes;
 - Implementing water wise and low maintenance features where ever possible, such as native plants and artificial grass. As well as ensuring that cost effective and durable materials are used where practicable. For example, installing durable and aesthetically pleasing signage. And ensuring the areas amenity is maintained at an appropriate level to meet the community's aspirations to present a Shire with high visual and aesthetic appeal to neighbouring Shire Councils and visitors.



Example of Shire of Kellerberrin Signage.

Road Verges and Power Lines

The Shire has an ongoing annual road work and footpath program. The cost of maintaining and renewing roads and footpaths has become increasingly expensive. In addition, many roads and footpaths are being damaged by tree roots. There is also a significant hazard for Shire staff when trimming trees to avoid power lines, and significant costs to the community if the State power authority undertakes this work instead.

9. To address these issues:

- When upgrading Roads in town sites trees under power lines will be removed from road verges and maybe replaced with native shrubs and grasses;



Example of trees clear of power lines.

- When upgrading roads and footpaths in town sites, trees with aggressive root systems such as river gums, or trees too close to the road kerbs and /or footpaths that are already damaging roads and/or footpaths, will be removed from road verges and maybe replaced with native shrubs and grasses.
- Replacement footpaths will be wide enough to accommodate gophers and provide wheel chair access where practicable.



Example of shrubs and native plants that could be used under power lines along road verges.

NEXT STEPS

Delivering this strategy relies on a large number of stakeholders. It will need constant and gradual implementation and review. This section outlines some of the overarching considerations for facilitating the delivery of the TVPMP. In addition an action plan (Appendix 1) has been developed to complement the strategy.

Funding

10. The Shire of Kellerberrin will continue to fund the delivery of appropriate community and land management and services through the budget process, to provide;

- Public Open Space and Infrastructure
- Waste Management
- Community and Economic Development

Monitoring

The Shire of Kellerberrin will continue to collate data regarding the volume of waste being collected and recycled; as well as undertake its annual bin audit to ensure appropriate waste disposal fees are being collected to fund the management services. (Refer to the WMS&BP 2016 -2026)

In addition, the Shire will continue to conduct inspections to ensure holders are not storing rubbish, used car bodies and/or hard waste in their yards and/or on the road verges, and that pests are being adequately controlled. As well as monitor properties to ensure none pose a hazard, are untidy and/or are unsightly.

Implementation

This section contains an implementation plan for the actions outlined within the TVPMP. It is proposed that the actions be implemented using Shire staff. Some of these actions can be undertaken using existing resources, however there are a number of actions that will require additional internal resourcing support.

A key for the following Action Plan is as follows:

- **Action #:** Action number as outlined in the TVPMP
- **Who:** indicates the role within the Shire of Kellerberrin that is responsible for implementing the action, with assistance of other sections as appropriate.
- **Year:** indicates the financial year that the work is to be undertaken.

APPENDIX ONE: Shire of Kellerberrin TVPMP Action Plan

Action #.	Actions	Who	By Year
1	Ensuring access laneways are kept free of rubbish	MWS / MDS	Ongoing
2	Ensuring rubbish, car bodies and hard waste are not stored in town yards &/or on verges	CEO / MDS	Annually
3	Visible broken external doors and windows are attended to appropriate manner	CEO / MDS	Ongoing
4	Ensuring illegally dumped waste is dealt with appropriately	MDS / MWS	Ongoing
5	Shire provides recycling facilities	CEO / MDS	Ongoing
6	Ensuring properties along the highway do not detract from the districts amenity	CEO / MDS	Ongoing
7	Ensuring owner(s)/occupier(s) eradicate pests to control disease	CEO / MDS	Ongoing
8	Ensure Public Open Space developed and/or maintained to meet current and future needs	CEO / MWS	Ongoing
9	Ensure Road Verges developed and/or maintained to meet current and future needs safely	CEO / MWS	Ongoing
10	Reviews costing structures to ensure affordability	CEO/DCEO	Annually
Appx.2	The Council adopts policies designed to promote the improvement of the districts amenity	CEO / DCEO	2016



APPENDIX TWO: Shire of Kellerberrin Policy 9.11

9.11 Townscape, Verge and Property Amenity

Policy Name: Townscape, Road Verge and Public Open Spaces Amenity	To be read in conjunction with Policy Numbers: 3.6, 3.12, 6.2, 8.4, 10.6
Date Adopted: July 2016	Review Date:

Purpose

To ensure amenity of the Shire of Kellerberrin is kept at an appropriate standard, in accordance with the Community of Kellerberrin goals and aspirations outlined in the Shire of Kellerberrin 'Strategic Community Plan 2012 -2022'.

Policy

In keeping with Schedule 3.1 of the Local Government Act of WA 1995 (LG Act), the Shire of Kellerberrin requires all households, rural properties, business premises, road verges and laneways, to be maintained in a manner that supports the general health safety and amenity of the district, ensuring *that overgrown vegetation, rubbish, or disused material as specified, is removed from land that the local government considers to be untidy*. In keeping with the LG Act the Shire of Kellerberrin will also issue notices against land that is considered 'unsightly' as well as 'untidy' against a property which *"does not conform with the general appearance of other land in the locality"*. Additionally, a ruling from the supreme court in *Saliba v Town of Bassendean [2013] WASC 93*, also found that a local government can issue a notice for items to be removed irrespective of whether those items can be viewed from the street, as untidiness also accounts for potential dangers and ill effects caused to neighbours and the public such as for example, unpleasant odors, potential fire risks, the need for pest and vermin control. (T. Beckett, McLeods Barristers and Solicitors).

Enforcement and Infringements

Under section 3.25 of the LG Act, notices generally, a local government may issue notice to an owner or occupier of land, requiring specified works or actions to be carried out, including the removal of items that the local government considers 'unsightly' and / or 'untidy'. Where a local government issues under section 3.25 of the LG Act to an owner or occupier of land, failure to comply with that notice will constitute an offence which carries a maximum penalty of \$5,000 and a maximum daily penalty of \$500 for each day during which the offence continues. (T. Beckett, McLeods Barristers and Solicitors).