

General Local Law Fact Sheet



Mount Alexander Shire Council is currently encouraging the community to have a say on a draft General Local Law to replace existing Local Laws No. 2 to 6.

Why is the draft General Local Law being proposed now?

Council is required to review and develop new local laws every ten years, in accordance with the Local Government Act 1989.

A proposed General Local Law has been prepared by Council to consolidate our existing Local Laws No. 2 – 6 into one Law. Local Law No. 1, which relates to Council Meeting Procedures, is excluded from this review.

How does the draft General Local Law differ from the existing Local Laws?

The proposed General Local Law 2020 introduces additional clauses to manage new and emerging public safety, amenity, and environmental issues. It removes redundant clauses to improve the operation of the Law, and makes other changes to improve how the clauses are read and implemented by Council and the community.

What more do I need to know about the proposed Local Law changes?

The proposed changes cover areas such as amenity on private property and in public places, animal and waste management, the protection of infrastructure and assets, permits, administration and enforcement.

The draft General Local Law is a starting point for community feedback and is subject to review. Some of the proposed changes include:

Business/Traders

- Goods for sale and tables will no longer be permitted to be placed along the property or building line outside shops and cafes, to create clear and safe access along the footpath to improve public safety and meet obligations under the Federal Disability Discrimination Act.
- Greater accountability on store retailers and shoppers for shopping trolleys left in a public place.
- Encouraging the sale or barter of locally grown foods to reduce food miles, with restrictions in place to prevent sale within 100 metres of a commercial business selling similar produce.

Environment

- An amendment has been made to acknowledge fire for cultural purposes.
- Regulations around burning-off on private property have been amended, with a requirement for residents to call ESTA to register a burn before lighting a fire. This recommendation is supported by the CFA, and is intended to improve air quality and the environment.
- What can be burnt off is now identified and is intended to improve air quality and the environment.
- Occupiers of a commercial and industrial property may be required to provide suitable cigarette disposal outside their property with the aim to reduce litter.
- The ability to have two garage sales per property per year without a permit, which will help reduce landfill and encourage recycling.

Animals

- Stricter guidelines will apply to animal enclosures to ensure the safety and welfare of the animal and the amenity of the surrounding area.
- Deceased animals are required to be disposed of in a timely and appropriate manner.
- The number of animals that can be kept without a permit has been increased for larger properties.

Public spaces

- At the request of the Police, consumption and possession of liquor has been expanded.
- You cannot occupy all or part of a public place in a way that makes it inaccessible to other people.

Private property

- Mobile dwellings such as tiny homes and caravans will be permitted to be used temporarily on private land without a permit for a defined period of 21 days (compared to 60 days previously) and with a permit for a longer period (but still temporarily).
- Clauses related to the amenity and safety of land have been expanded to better define unsightly properties and dangerous land.
- Property owners will be responsible for controlling noxious weeds like blackberries on their allotment.
- Allowances will be made for graffiti art (not tagging) to be recognised on private property.
- Outdoor lighting cannot affect another property.

Vehicles

- Fines will be issued if an unregistered vehicle is left on the street or if vehicles such as caravans, trailers and boats, are stored or repaired on a public road.
- Motorists will be held responsible for substances such as oil and/or mud coming from their vehicle, and will be fined if not cleaned up when directed.
- The use of recreational vehicles (dirt bikes) is limited up to three hours during the day, and not at night time.

Permits

- Builders need to take out an Asset Protection Permit to ensure no council infrastructure is damaged.
- A shipping container located in a township area that is not being used to transport goods would require a building and/or planning permit.
- Council-approved community organisations, special events and markets will no longer require a permit.
- Heavy vehicles over 8 tonne will require to have a permit if parked on land under one acre.

What is the reasons for the change?

Local Laws must be reviewed and readopted every 10 years. In developing the proposed changes, Council officers have undertaken a review of the function and performance of existing Local Laws No. 2-6. In addition, the current laws have been bench-marked against those in place at other councils in order to identify any local issues that need to be addressed, opportunities for improvement and any gaps in the existing framework.

The draft General Local Law was updated and presented to Council at its meeting in May 2020 in order to seek public feedback.

How can I provide feedback or comment on the local law?

Community members can provide feedback on the General Local Law by making a submission until 5.00pm, Friday 31 July 2020.

If you would like to provide a comment or submission please send your feedback titled Local Law Review to Mr. Jeffrey Amy, Coordinator Community Safety and Amenity, Mount Alexander Shire Council, PO Box 185, Castlemaine VIC 3450 or by email to info@mountalexander.vic.gov.au.

If you would like to ask a question or find out more information about the review process, or specific changes please contact Mr. Amy on (03) 5471 1700.

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In addition to written submissions, there will be an opportunity for submissions to be heard in person at a Council meeting.

Any person making a submission is entitled to request in the submission that the person wishes to appear in person or to be represented by a person specified in the submission at a meeting to be heard in support of the submission.

Submitters requesting to be heard will be advised of the day, time and place of the relevant Council meeting.