



## Community Local Law 2019: Policies and Permit Conditions

Table 1 provides details of permit conditions and other policy requirements supporting the *Community Local Law 2019*. Policies for consumption of liquor on Council land, footpath advertising, dining and trading and roadside trading are included below Table 1.

**Table 1: Summary of policies, permit conditions / other requirements**

#	Title	Policy & Permit Conditions
1	Consumption of liquor on Council land	<ul style="list-style-type: none"> <li>See separate policy below.</li> </ul>
2	Council owned airfields	<ul style="list-style-type: none"> <li>Council may require a permit for the use of an airfield.</li> <li>Permit conditions are determined by Council in consultation with the relevant Incorporated Association in charge of the airfield, and will be displayed on signage at the airfield.</li> </ul>
3	Snowmobiles	<p>Permit may be granted for use on Council Land, having regard for the following:</p> <ul style="list-style-type: none"> <li>Use is to be for commercial purposes</li> <li>Routes to be defined on the permit</li> <li>A copy of the applicant's public liability insurance provided to Council</li> </ul> <p><i>Note snowmobiles are allowed to be used on public roads only if they are appropriately registered and insured</i></p>

#	Title	Policy & Permit Conditions
4	Droving / grazing of livestock permit	<p>Permit may be granted by Council if an application is received with the following details:</p> <ul style="list-style-type: none"> <li>• Provision of public liability insurance</li> <li>• Provision of a plan showing number and type of livestock, route and duration of permit</li> <li>• Compliance with <i>Livestock Management Act 2010</i>, <i>Livestock Disease Control Act 1994</i>, <i>Prevention of Cruelty to Animals Act 1986</i> and any other relevant legislation</li> <li>• Consultation with VicRoads if travelling on any Declared Roads</li> <li>• Compliance with any VicRoads requirements or restrictions</li> <li>• Notification of landowners along proposed route</li> </ul> <p>Note that no permit is required to graze livestock on a road reserve adjacent to own property, subject to compliance with VicRoads regulations</p>
5	Camping	<ul style="list-style-type: none"> <li>• Camping not permitted on Council land in Alpine Shire</li> <li>• Council may issue a permit through the events approval process on a case by case basis</li> </ul>
6	Keeping animals	<p>In considering whether to grant a permit, Council must take into consideration:</p> <ul style="list-style-type: none"> <li>• Land zoning</li> <li>• Proximity of adjoining properties</li> <li>• Type and number of additional animals to be kept</li> <li>• Likely effect on adjoining properties</li> <li>• Whether written consent has been provided by neighbours</li> <li>• Whether noise control measures have been put in place to minimise the chances of noise nuisance, annoyance or complaints</li> <li>• Any other matter relevant to the circumstances of the application</li> </ul>
7	Horse drawn vehicles & motorcycle tours	<p>Permits can be issued for Roadside Trading for horse drawn vehicle and motorcycle tour businesses (refer to Portable advertising, footpath trading and footpath dining policy below)</p>

#	Title	Policy & Permit Conditions
8	Advertising signs, footpath trading and footpath dining	<ul style="list-style-type: none"> <li>• See separate policy below</li> </ul>
9	Roadside trading	<ul style="list-style-type: none"> <li>• See separate policy below</li> </ul>
10	Trees and plants	<ul style="list-style-type: none"> <li>• Vegetation should be trimmed back to the fence line and to a height of 2.1m above the footpath</li> </ul>
11	Occupation of road for works	<ul style="list-style-type: none"> <li>• Existing permit process – no change proposed</li> </ul>
12	Waste Services	<ul style="list-style-type: none"> <li>• See separate policy (incorporated document)</li> </ul>
13	Scareguns	<ul style="list-style-type: none"> <li>• See separate policy (incorporated document)</li> </ul>
14	Register of penalties	<ul style="list-style-type: none"> <li>• See table (incorporated document)</li> </ul>

## Consumption of Liquor on Council Land

Council's standard restrictions on the consumption of liquor on Council land are identified on the Alcohol Restriction Maps as declared by Council from time to time, and as published by Council on their website.

Council may impose additional restrictions from time to time if required to manage risks associated with public drinking. Any such additional restrictions will be notified by appropriate signage and communicated to the public in advance of the restrictions, including on Council's website. The declaration of additional restrictions is delegated to the CEO.

Council may grant a permit to waive or vary the requirements of Clause 2.2 of the *Community Local Law 2019*.

In deciding whether to grant a permit, Council must take into consideration:

- The impact of the sale or consumption of liquor on the amenity of the surrounding area
- The impact of the likely number of patrons and hours of operation on the surrounding area
- The presence of appropriate risk management strategies and actions
- The views of Victoria Police and other relevant stakeholders and agencies

## **Portable advertising, footpath trading and footpath dining policy**

Council may issue a permit for portable advertising, footpath trading and footpath dining on Council land.

Council's objectives are to promote a high standard of amenity, activation and vibrancy in our town centres, and provide for comfortable and safe pedestrian access. Businesses can play an important role in achieving these objectives through footpath based activities, however if poorly conceived these activities also have the potential to detract from the overall amenity or accessibility of an area.

Our streets and towns are all different and it is difficult to anticipate all circumstances that may arise in permit applications. Therefore Council retains absolute discretion to modify or amend the requirements in this policy on a case by case basis to achieve a high standard of access and amenity for the community.

The requirements for providing a high standard of access are detailed below:

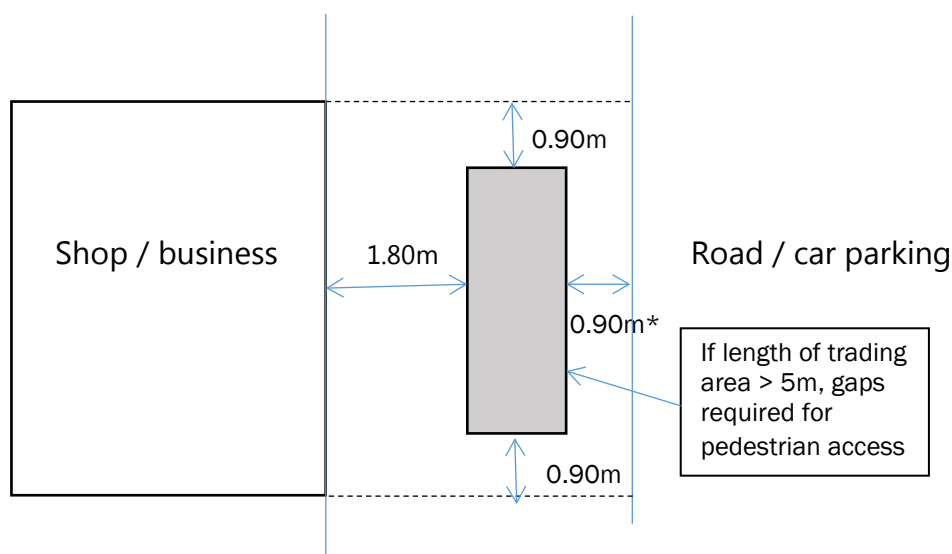
- Minimum 1.8m width needs to be provided to allow for safe passing of wheelchairs, prams, mobility scooters. This may be reduced to 1.5m width for short distances of up to 2.5m, and may need to be greater than 1.8m in high pedestrian traffic areas in town centres.
- Access and circulation is required between building edges and the roadway, and along the kerb line
- A maximum of one portable advertising sign will be permitted per business.

If the footpath is less than 1.8m wide, the plan must demonstrate how the placement of goods, signage or outdoor dining does not further restrict the footpath below its existing width.

In making a decision as to whether to issue a permit, Council requires the following:

- A copy of public liability insurance to the value of \$5 million
- A dimensioned plan of the items proposed to be placed on the footpath / roadway with appropriate clear areas provided as per the guidance below
- All items placed on a footpath must be adequately weighted down or secured appropriately against the wind
- A-frame signs are to be a maximum of 1m<sup>2</sup> per side, and 800mm wide, and 1.2m high
- Banner or flag type signs are to be a maximum of 2.4m high and not be able to move over or obstruct any pathway
- Umbrellas associated with footpath dining are to provide a minimum of 1.9m clear space underneath and must not protrude into pedestrian access or roadway areas

Standard minimum clear areas to be provided around footpath trading and portable advertising signs:



*\*Distance between items and kerb may be decreased at the absolute discretion of Council if it is deemed not to result in any restriction of access to car parking or pedestrian circulation.*

Note that there are other considerations that will need to be assessed that may impact what is ultimately approved by Council, for example:

- Presence of street trees, utility poles, planter boxes or other street furniture
- The need to maintain sight lines and visibility e.g. on street corners for the safety of pedestrians and vehicles
- The unobstructed width of the footpath may need to be increased in high pedestrian traffic areas
- Any kerb ramps will need to be kept clear
- Any access restrictions in adjoining areas may impact on what can be approved
- If there are disabled parking or other special access requirements
- Adjacent business trading areas, landscaping, veranda posts or other relevant limitations

Community or not for profit agencies are subject to the same considerations, however Council may elect to waive the permit application fee.

Signage for community events may be displayed up to three weeks prior to an event, in a location to be determined by Council, and must be removed within three days following the conclusion of the event.

Emergency services information (e.g. fire season awareness signs) may be placed out for the duration of the season, in a location to be determined in consultation with Council.

*Any advertising sign placed on or affixed to a building will be the subject of Planning Scheme controls, not Local Laws. However, such advertising should not protrude into Council land or obstruct any path or area.*

## Roadside trading policy

Council may issue a permit for mobile or roadside trading. This covers vehicles, caravans, trailers, tables, stalls or other similar structures for the purposes of selling or offering for sale any goods or services, not directly adjacent to or related with a fixed trading premises (i.e. a shop). It also covers busking, raffles and other activities such as the promotion of religion.

Council's objectives are to promote a high standard of amenity, activation and vibrancy in our town centres, and supporting events. Mobile or roadside trading can play an important role in achieving these objectives, however if poorly conceived these activities also have the potential to detract from the overall amenity or accessibility of an area.

Our streets and towns are all different and it is difficult to anticipate all circumstances that may arise in permit applications. Therefore Council retains absolute discretion to modify or amend the requirements in this policy on a case by case basis to achieve a high standard of access and amenity for the community.

In deciding whether to grant a permit, Council must take into consideration:

- If the activity is part of an approved event, market, festival or other similar activity endorsed by Council
- The safety of road users, pedestrians and the passage of vehicles
- Other relevant permits obtained such as those required by the *Health Act 1958 and Food Act 1984*
- Copies of Public Liability insurance provided to Council
- If appropriate arrangements have been made for waste water disposal, impacts of litter and garbage, lighting and advertising signs
- A plan of the site to be provided with the application
- The potential impact on nearby property owners and businesses

Note that spruiking or touting for business is not permitted.