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	Part 1 - Preliminary		Part 1 - Preliminary	
8	 Fodder – means grass grown for the production of food for grazing animals or livestock either by grazing animals directly on the land or for the production of hay. Toy vehicle includes (a) a vehicle designed to be propelled by human power including a scooter, skateboard, roller skates, rollerblades and like toys; and (b) a remote control aircraft or vehicle. Trade waste – means any waste, refuse, slops, and other matter arising from or generated by any trade, industry or commercial undertaking. Tree – includes plants and shrubs. 	8	 Definitions New definitions added: Farm land – Has the same meaning as in the Valuations of Land Act 1960. Noxious weeds – has the same meaning as in the Catchment Land Protection Act 1994. Amended definitions: Fodder – means grass or other crops grown for the production of food for grazing animals or livestock either by grazing animals directly on the land or for the production of hay. Toy vehicle includes (a) a vehicle designed to be propelled by human power including a scooter, skateboard, roller skates, rollerblades and like toys; and (b) a remote control vehicle. Trade waste – means any waste, refuse, slops, and other matter arising from or generated by any trade, industry or commercial undertaking, with the exception of farming practises. Tree – includes plants and shrubs, with the exception of noxious weeds. 	Definitions have been revised and updated. They have been cross referenced against current legislation.
			PART 2 – Roads and Municipal Places	
	Division 1 – Use of Roads and Municipal Place		Division 1 – Use of Roads and Municipal Places	
11	Tree Protection in a Municipal Place (1) Without a permit, a person must not, on a road or on or in a municipal place, destroy, damage, remove, prune, lop or otherwise interfere with any tree or allow any person to destroy, damage or remove any tree.	11	Tree Protection in a Municipal Place (1) Without a permit, a person must not, on a road or on or in a municipal place, destroy, damage or remove any tree or allow any person to destroy, damage or remove any tree. (2) Subclause (1) does not apply to urgent circumstances where action is required to remedy or rectify circumstances which threaten a person's or an animal's life or health, any property or the natural environment	The updated clause has greater provision for trees to be maintained and adds a safety exemption. The intent is to protect trees and helps Council to respond to vandalism on Council trees including those on nature strips and in parks and those

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				damaged/removed to allow people a better 'view' from their property	
			Division 2 – Vehicles		
23	Use of toy vehicles (1) A person must not on a road or municipal place: (a) use, place or leave or allow another person to use, place or leave a toy vehicle or bicycle in such a manner as to: i. interfere with the passage of, ii. cause annoyance to, or iii. cause danger to any person on or using the road or municipal place; or (b) use or allow another person to use a toy vehicle in an area prescribed by Council to be a prohibited place for the purpose of this clause.	23	Use of Toy Vehicles (1) A person must not on a road or municipal place: (a) use, place or leave or allow another person to use, place or leave a toy vehicle in such a manner as to: i. interfere with the passage of, ii. cause annoyance to, or iii. cause danger to any person on or using the road or municipal place; or (b) use or allow another person to use a toy vehicle in an area prescribed by Council to be a prohibited place for the purpose of this clause.	Removed 'remote control aircraft' from definition of toy vehicle. Removed 'bicycle' from clause	
			Division 4 – Trading Activities		
27	(1) Without a permit, a person must not erect or place on any road or municipal place a vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services. (2) Without a permit, a person must not sell or offer for sale any goods or services from any private property or municipal place adjacent to a road. (3) Without a permit or unless otherwise authorised by Council, a person must not on any road or on or in any municipal place busk or play any musical instrument or use any sound amplification equipment for the purpose of public entertainment or	27	(1) Without a permit, a person must not erect or place on any road or municipal place a vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services. (2) Without a permit or unless otherwise authorised by Council, a person must not on any road or on or in any municipal place busk or play any musical instrument or use any sound amplification equipment for the purpose of public entertainment or performance. (3) The permit holder under this clause must comply with the Footpath Trading Code.	All exemptions under this Local Law are handled by the generic exemption clause. Subclause 2 incorporates busking and street entertainment. Reference to Footpath Trading Code (to become an incorporated document to the local law).	

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	performance. (4) The permit holder under this clause must comply with the Footpath Trading Code.		PART 3 - Amenity	
			Division 1 – Your Property	
33	Unsightly and dangerous properties (1) An owner or occupier of private property must ensure that the private property and any structure on the private property: (a) do not constitute a danger to the health of a person, animal or property; and (b) are not unsightly or detrimental to the amenity of the surrounding area, including through a lack of effective maintenance. (2) Without limiting sub-clause (1), private property or any structure on it may be unsightly or detrimental to the amenity of the surrounding area by reason of the presence of: (a) unconstrained rubbish or waste material; (b) conditions conducive to harbouring or breeding vermin; (c) disused excavations; (d) excess vegetation, including grass exceeding 300mm in height (f) machinery, vehicles, caravans, boats or any parts of them; (g) scrap metal; (h) shipping containers, unless exempted under the Planning Scheme; or (i) a building which is incomplete and not currently under construction.	33	Unsightly and dangerous properties (1) An owner or occupier of private property must ensure that the private property and any structure on the private property: (a) do not constitute a danger to the health of a person, animal or property; and (b) are not unsightly or detrimental to the amenity of the surrounding area, including through a lack of effective maintenance. (2) Without limiting sub-clause (1), private property or any structure on it may be unsightly or detrimental to the amenity of the surrounding area by reason of the presence of: (a) unconstrained rubbish or waste material; (b) conditions conducive to harbouring or breeding vermin; (c) disused excavations; (d) grass exceeding 300mm in height, except that which is grown for fodder on land greater than 1 acre; (e) noxious weeds; (f) machinery, vehicles, caravans, boats or any parts of them; (g) scrap metal; (h) shipping containers, unless exempted under the Planning Scheme; or (i) a building which is incomplete and not currently under construction. (3) Without limiting sub-clauses (1) and (2), a Notice to	Have included an exemption for grass that is grown for fodder and included noxious weeds. Large properties may still be inspected for fire risk under the CFA Act. Removed reference to storage of second-hand machinery or goods, with focus instead on danger and amenity.
	not currently under construction. (3) Without limiting sub-clauses (1) and (2), a Notice to Comply issued by an Authorised		(3) Without limiting sub-clauses (1) and (2), a Notice to Comply issued by an Authorised Officer with respect to an offence against this clause may include a direction that	

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	Officer with respect to an offence against this clause may include a direction that the private property or structure be: (a) cleared of any substance, material or equipment; (b) suitably fenced, screened or otherwise enclosed in the manner specified in the Notice to Comply; (c) boarded up or otherwise secured to prevent access or to otherwise alleviate a specific danger, unsightliness, a nuisance or detriment to the general amenity of the surrounding area; and/or (d) protected by warning signs or barriers to alert members of the public to the presence on the private property of a danger to persons entering the private property. (4) For the purposes of this clause, a structure includes a building and an outbuilding, fence and any other capital improvement on the private property.		the private property or structure be: (a) cleared of any substance, material or equipment; (b) suitably fenced, screened or otherwise enclosed in the manner specified in the Notice to Comply; (c) boarded up or otherwise secured to prevent access or to otherwise alleviate a specific danger, unsightliness, a nuisance or detriment to the general amenity of the surrounding area; and/or (d) protected by warning signs or barriers to alert members of the public to the presence on the private property of a danger to persons entering the private property. (4) For the purposes of this clause, a structure includes a building and an outbuilding, fence and any other capital improvement on the private property.	
34	Dilapidated Building	34	Dilapidated Building	This clause has been changed to
	(1) An owner or an occupier of private property which is unoccupied or unfit for occupation or use must: (a) not allow a building located on the private property to become dilapidated or further dilapidated; (b) take all reasonable steps to secure any building located on the private property from unauthorised access; and (c) maintain any building located on the private property in a state of good repair and appearance, including		(1) An owner or an occupier of private property which is dangerous to the extent that it threatens a person's or an animal's life or health, any property or the natural environment must: (a) not allow a building located on the private property to become dilapidated or further dilapidated; (b) take all reasonable steps to secure any building located on the private property from unauthorised access; and (c) maintain any building located on the private property in a state of good repair, including undertaking temporary repairs as required to	reflect the aim which is to ensure public safety. It will help Council to respond to reports of buildings that have been left abandoned, and/or have deteriorated to a level that is considered unsafe.

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	undertaking temporary repairs as required to ensure on-site safety and security and to avoid the appearance of neglect that is out of character with the neighbourhood amenity. (2) For the purposes of sub-clause (1), a building is dilapidated if the exterior of the building is in a state of disrepair or has deteriorated or fallen into a state of partial ruin as a result of age, neglect, poor maintenance or misuse or because it has been damaged or defaced. (3) For the purposes of this clause, a building includes an outbuilding, fence and any other capital improvement on the land.		ensure on-site safety and security. (2) For the purposes of sub-clause (1), a building is dilapidated if the exterior of the building is in a state of disrepair or has deteriorated or fallen into a state of partial ruin as a result of age, neglect, poor maintenance or misuse or because it has been damaged or defaced. (3) For the purposes of this clause, a building includes an outbuilding, fence and any other capital improvement on the land.	
37	Heavy and Long Vehicles on Private Property (1) Without a permit, a person must not keep, store or do work on any vehicle: (a) over 7.5 metres in length (including any trailer and fittings); or (b) with a GVM in excess of 4.5 tonnes on private property in a residential area. (2) Sub-clause (1) does not apply to one (1) caravan or (1) boat being stored on private property in a residential area by the occupier.	37	Heavy and Long Vehicles on Private Property (1) Without a permit, a person must not keep, store or do work on any vehicle: (a) over 7.5 metres in length (including any trailer and fittings); or (b) with a GVM in excess of 4.5 tonnes on private property in a residential area. (2) Sub-clause (1) does not apply to one (1) caravan and (1) boat being stored on private property in a residential area by the occupier.	Modified so it allows for storage of one (1) caravan and (1) boat on private property.
			Division 2 - Animals	
46	Keeping of animals (1) Without a permit, an owner or occupier of private property must not keep or allow to be kept on the private property any more of each species or group of animals than is stated in the following table.	40	Keeping of animals (1) Without a permit, an owner or occupier of private property must not keep or allow to be kept on the private property any more of each species or group of animals than is stated in the following table.	In this clause sub-clause (3) was changed to show that the permit requirement does not apply to people on farmland. (including on properties zoned rural conservation and rural living). This clause helps to protect amenity and the welfare of animals.

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Section	tion Clause			Section	Clause			Key Changes	
	Type of animal	Maximum no Residential, mixed use, commercial, township & industrial zones as defined in the Planning Scheme.	Rural conservation and rural living zones as defined in the Planning Scheme.		Type of animal	Maximum no Residential, mixed use, commercial, township & industrial zones as defined in the Planning Scheme.	Rural conservation and rural living zones as defined in the Planning Scheme.		
	Dogs	2	2		Dogs	2	2	1	
	Cats	2	2		Cats	2	2	1	
	Poultry Hens, ducks, geese, and turkeys Roosters	12 0 50	No limit 0 No limit		Poultry Hens, ducks, geese, and turkeys Roosters	12	No limit		
	Domestic birds	50	No limit		Domestic birds	50	No limit		
	Large birds	2	No limit		Large birds	2	No limit	1	
	Domestic mice	10	No limit	1	Domestic mice	10	No limit	1	
	Guinea pigs	2	No limit		Guinea pigs	2	No limit	1	
	Domestic rabbits	2	No limit		Domestic rabbits	2	No limit	1	
	Horses/donkeys	0	No limit	1	Horses/donkeys	0	No limit	1	
	Cattle	0	No limit		Cattle	0	No limit	-	
	Sheep	0	No limit		Sheep	0	No limit	1	
	Goats	0	No limit		Goats	0	No limit	1	
	Pigs	0	0		Pigs	0	0	1	
	Other agricultural animals	0	0		Other agricultural animals	0	0	1	
	any animal k progeny of a counted fron (3) Without a perprivate prop	ose of calculating ept under sub- cla ny dog or cat lawf n twelve (12) weelermit, an owner or erty must not kee isted in the table iste property.	use (1), the ully kept will be ks after its birth. coccupier of p an animal of a		kept under s lawfully kept its birth. (3) Sub-clause (in a Rural Co	ose of calculating t ub- clause (1), the will be counted fro 1) does not apply tonservation or Rura g Scheme) if the pri	orogeny of any do om twelve (12) we o private property Il Living Zone (as d	g or cat eeks after located	
41	ensure that a used for hou (a) ade any continue from (b) mai	ing occupier of private any part of the private sing an animal is: quately fenced, are gates maintained dition, so that any private property on the private propentained in a clean, tary condition and	and the fence and in a satisfactory animal kept on annot escape erty; and inoffensive and		that any part animal is: (a) ade mai any esca (b) mai	occupier of private t of the private prop quately fenced, and ntained in a satisfa animal kept on the ape from the privat ntained in a clean, dition and does not er person, including	d the fence and ar ctory condition, so private property e property; and inoffensive and sa t cause a nuisance	ny gates o that cannot nitary to any	Removed wording around animal type, numbers, shelter height etc. These apply to Codes of Practice under the Protection of Cruelty to Animals Act. This clause allows Council to respond to complaints about the way animals are being kept if it is unsuitable or impacting on neighbours.

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	a nuisance to any other person, including by ensuring that: (i) the part of the private property surrounding the place where the animal is kept is free from rubbish or vegetation that could attract or harbour vermin; (ii) all animal food for consumption kept or stored on the private property is kept or stored in a vermin and fly-proof receptacle; (iii) animal waste is not offensive and does not cause a nuisance to any other person; and (iv) any animal odour emanated from the private property does not interfere with the immediate amenity of the area (2) Nothing in sub-clause (1) applies to an owner or occupier of private property to who section 32 of the Domestic Animals Act 1994 or section 61 of the Public Health and Wellbeing Act 2008 applies.		(i) the part of the private property surrounding the place where the animal is kept is free from rubbish or vegetation that could attract or harbour vermin; (ii) all animal food for consumption kept or stored on the private property is kept or stored in a vermin and fly-proof receptacle; (iii) animal waste is not offensive and does not cause a nuisance to any other person; and (iv) any animal odour emanated from the private property does not interfere with the immediate amenity of the area (3) Sub-clause Error! Reference source not found., Error! Reference source not found. does not apply to private property that is farm land. (4) Sub-clause (1)(b)(ii) does not apply to fodder.	In this clause sub-clause 2 and 3 have been added to provide an exemption for farm properties.
42	 Animal waste on roads and in municipal places (1) A person in charge of an animal on any road or on or in any municipal place must carry a facility for the effective removal of animal waste that may be deposited by that animal and must produce it on the request of an Authorised Officer. (2) A person in charge of an animal must not allow any part of animal waste generated by that animal to remain on any road or municipal place and must immediately collect and dispose of the animal waste. (3) Sub-clause (1) does not apply to livestock outside a residential area, except in an area 	42	 Animal waste on roads and in municipal places (1) A person in charge of an animal on any road or on or in any municipal place must carry a facility for the effective removal of animal waste that may be deposited by that animal and must produce it on the request of an Authorised Officer. (2) A person in charge of an animal must not allow any part of animal waste generated by that animal to remain on any road or municipal place and must immediately collect and dispose of the animal waste. (3) Sub-clause (1) does not apply to livestock outside a residential area, except in an area prescribed by Council. (4) Sub-clause (2) does not apply to a person in charge of livestock outside a residential area, except when present 	This has been amended to give Council the ability to designate areas such as the Rail Trail

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	designated by Council. (4) Sub-clause (2) does not apply to a person in charge of livestock outside a residential area, except when present at a livestock road crossing if the animal waste left on a road is sufficient to cause a genuine risk to public safety.		at a livestock road crossing if the animal waste left on a road is sufficient to cause a genuine risk to public safety.			
44	Livestock – grazing, droving and movement on a road or municipal place	44	Livestock – grazing, droving and movement on a road or municipal place	This clause has been reworded to make it clearer that a permit to		
	 Without a permit, a person must not cause, allow or undertake the grazing or droving of livestock on a road or on or in a municipal place. Sub-clause (1) does not apply when the person complies wholly with the Manual for Traffic Control at Stock Crossings (Vic Roads, June 2015), including obtaining all necessary permissions from the relevant road authority. Without a permit, a person must not install a stock crossing or related sign or other infrastructure on a road or on or in a municipal place. 		 A person who causes, allows or undertakes the grazing or droving of livestock on a road or on in a municipal place must comply wholly with the Manual for Traffic Control at Stock Crossings (VicRoads, June 2015), including obtaining all necessary permissions from the relevant road authority. A person who does not comply or is incapable of complying with sub-clause (1) must not, without a permit cause, allow or undertake the grazing or droving of livestock on a road or on or in a municipal place. Without a permit, a person must not install a permanent stock crossing or related sign or other permanent infrastructure on a road or on or in a municipal place. 	graze or drove livestock on a road or in a municipal place is only required if a person is unable to adhere to the conditions in the Manual for Traffic Control at Stock Crossings, including necessary permissions. Note that the conditions, or manner, in which livestock is moved are covered under the provisions of Manual for Traffic at Control Stock Crossings (VicRoads, June 2015).		
S			Division 3 – Open Air Burning	Complete rewrite – new division		
46	Burning of Offensive Materials (1) A person must not light, cause or allow to be lit any offensive materials, or any materials that may cause offensive emissions of smoke and odour to enter any neighbouring property. This includes but is not limited to: (a) manufactured chemicals or pressurised cans; (b) rubber or plastic; (c) electronic equipment and recyclable materials (excluding timber);	46	Burning of Offensive Materials (1) A person must not light, cause or allow to be lit any offensive materials, or any materials that may cause offensive emissions of smoke and odour to enter any neighbouring property. This includes but is not limited to: (a) manufactured chemicals or pressurised cans; (b) rubber or plastic; (c) electronic equipment and recyclable materials (excluding timber); (d) petroleum, oil or oil-based products; (e) paint or a receptacle which contains or	This section regulates materials that cannot be burned, as well as ensuring materials burned do not affect amenity of neighbouring properties. Added to list: Electronic equipment and recyclable materials Construction and demolition waste		

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	(d) petroleum, oil or oil-based products; (e) paint or a receptacle which contains or contained paint; (f) food waste, fish or other offensive or noxious matter; (g) clothing, appliance furniture or toys; (h) construction and demolition waste; (i) materials containing asbestos; (j) any other prescribed material.		contained paint; (f) food waste, fish or other offensive or noxious matter; (g) clothing, appliance furniture or toys; (h) construction and demolition waste; (i) materials containing asbestos; (j) treated pine; and (k) any other prescribed material.	Materials containing asbestos. Treated pine
_		-	Division 4 – Waste and Recycling	
50	Collection and Storage of Domestic Bins (1) An occupier of premises may place the Domestic Bins issued to those premises out for collection on the nature strip or road reserve nearest the premises or in such other location as may be approved or permitted by Council or an Authorised Officer, and must: (a) not place out any Domestic Bin so as to interfere with the free movement of pedestrian or vehicular traffic; (b) place out any Domestic Bin so that the opening of the bin is facing, and accessible from, the road; and (c) not leave a Domestic Bin out for more than (1) day before or after the designated collection day.	50	Collection and Storage of Domestic Bins (1) An occupier of premises may place the Domestic Bins issued to those premises out for collection on the nature strip or road reserve nearest the premises or in such other location as may be approved or permitted by Council or an Authorised Officer, and must: (a) not place out any Domestic Bin so as to interfere with the free movement of pedestrian or vehicular traffic; (b) place out any Domestic Bin so that the opening of the bin is facing, and accessible from, the road.	Removed sub-clause (1)(c)