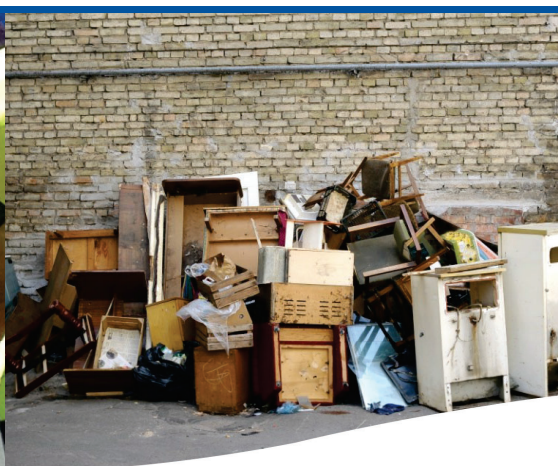




# Community Local Law No. 2



**Adopted:** 16 May 2017

**Amendment:** 18 August 2020

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# Part 1 - Preliminary

## 1. Local Law

This Community Local Law is a local law made under Part 5 of the *Local Government Act* Part 5 of the Local Government Act 1989.

## 2. Purpose

The purpose of this Local Law is to provide:

- a) the peace, order and good governance of the municipal district;
- b) a safe and healthy environment so that the community can enjoy a quality of life that meets its expectations;
- c) the safe and equitable use and enjoyment of public and municipal places;
- d) the protection and enhancement of the amenity and environment of the municipal district;
- e) the fair and reasonable use and enjoyment of private land;
- f) the uniform and fair application of this Local Law;
- g) to prevent damage to Council property and infrastructure;
- h) manage, regulate and control the keeping of animals and birds; and
- i) regulate, prohibit and control the consumption of alcohol in designated areas within the municipal district.

## 3. Commencement

This Local Law commences on the day following the gazettal of the Local Law in the Victorian Government Gazette.

Community Local Law 2017 (Amendment) comes into effect 28 August 2020.

## 4. Revocation of Local Law

On the commencement of this Local Law, Community Local Law No 2. 2007 is revoked.

## 5. Application of Local Law

This Local Law applies throughout the municipal district of the Swan Hill Rural City Council.



## 6. Definitions

In this Local Law:

<b>Act</b>	means the Local Government Act 1989.
<b>alcohol</b>	means liquor.
<b>authorised officer</b>	means a person appointed by Council under Section 224 of the Act and includes all Police Officers pursuant to Section 224A.
<b>advertising sign</b>	means any portable sign, notice, structure, banner or other similar device used for the purpose of soliciting goods or services or displaying information.
<b>applicant</b>	means a person who applies for a permit under this Local Law.
<b>barbecue</b>	means a device used for all cooking of food outdoors whether constructed or manufactured and whether powered by gas, electricity, liquid or solid fuel, or any combination of them and includes kettles, rotisserie spits, pizza ovens and traditional in-ground fire pit cooking.
<b>building site</b>	means any land prepared for and on which building works are carried out.
<b>building works</b>	includes any activities, events and practices for or in connection with the construction, alteration, demolition or removal of a building.
<b>bulk rubbish container</b>	includes a waste bin, mini-skip, shipping containers and pallet, but does not include a waste bin provided by Council for the purpose of a kerbside waste collection service provided by Council.
<b>busker</b>	is a person who entertains by playing music, dancing, singing, or reciting on the street or in a public place with or without collecting money.
<b>camp</b>	means the encampment of lodging in a caravan, tent or other temporary structure or vehicle not permanently erected on land.
<b>caravan</b>	means and includes a caravan, motor home, bus and any object or structure having the general characteristics of a caravan, including when wheels or axles have been removed or if the caravan is resting directly on the ground or is placed on blocks or other supports.
<b>carriageway</b>	means a portion of a road improved, designed or ordinarily used for vehicular traffic (but does not include a segregated footway, a shared footway or a bicycle path), and includes any shoulders and areas both at the sides or centre of the carriageway used for the standing or parking of vehicles and, if a road has two or more portions divided by a reservation, means each portion separately.
<b>Council</b>	means Swan Hill Rural City Council.
<b>Council land</b>	means land owned by, vested in, leased by or otherwise occupied by Council or land under its management or control, and includes any building, structure or fence thereon and every Council drain.

<b>code</b>	means a Code of Practice incorporated into and forming part of this Local Law.
<b>domestic birds</b>	means small birds such as canaries, finches, budgerigars and the like kept in a domesticated state or under the control of humans.
<b>drain</b>	means a system for the collection, storage and removal of stormwater developed, managed and/or maintained by Council.
<b>droving of livestock</b>	means driving livestock in or through the municipal district or from one location to another for the purpose of changing their grazing area outside the local farming district or for the purposes of sale or relocation after sale but does not include the normal movement of livestock.
<b>dwelling</b>	means a building used as a self-contained residence which normally includes a kitchen sink, food preparation facilities , a bath or shower and a closet pan and wash basin, a includes out-buildings and works normal to a dwelling.
<b>event</b>	means a promoted public gathering on Council land owned not including normal business operations including an organised recreational, cultural, commercial or social event or gathering of people.
<b>emergency service</b>	includes the ambulance, fire brigade, police or state emergency service.
<b>farming zone</b>	means the Farming Zone under Council's Planning Scheme.
<b>footpath</b>	means any path that is provided for the use of pedestrians only or that is regularly used by pedestrians and not vehicles, or that is a segregated footway or a shared footway.
<b>green waste</b>	means all types of organic waste produced or accumulated on any land that Council designates as acceptable waste for any green waste collection as described by Council in any newspaper generally circulating in the municipal district.
<b>goods</b>	means merchandise or wares for sale or display.
<b>graffiti</b>	means to write, draw, mark, scratch or otherwise deface property by any means so that the defacement is not readily removable by wiping with a cloth.
<b>grazing</b>	means the holding of livestock in one area for the purpose of them feeding off roadside vegetation.
<b>household waste</b>	means all waste and rubbish produced or accumulated in or about a dwelling but does not include bricks, chemicals, hard waste, trade waste, garden waste, medical waste, furniture, fittings or machinery.
<b>infringement notice</b>	means an infringement notice issued by Council or by an Authorised Officer under this Local Law.
<b>irrigation district</b>	means an area with defined geographic boundaries organised to obtain and distribute water for irrigation of lands within the district.



<b><i>irrigation water</i></b>	means an artificial application of water on lands to assist in the growing of crops and pastures and/or to maintain vegetative growth on recreational lands.
<b><i>land</i></b>	includes buildings and other structures permanently affixed to land, land covered with water and any estate, interest, easement, servitude, privilege or right in or over land.
<b><i>livestock</i></b>	has the same meaning as defined in the Impounding of Livestock Act 1994, namely an animal (including a bird) of any species used in connection with primary production or kept for recreational purposes, other than a dog or cat.
<b><i>motorised vehicles</i></b>	includes all mini-bikes, trail bikes, motor bikes, motor cars, four-wheel drive vehicles, motor scooters, go-carts and other vehicles which may be propelled by a motor, electrical motor or by mechanical means.
<b><i>movement of livestock</i></b>	means movement of stock (during daylight hours and not less than 1km per hr) between adjoining or adjacent paddocks or properties as part of normal farming practices.
<b><i>municipality</i></b>	means the municipal district of Swan Hill Rural City Council.
<b><i>municipal place</i></b>	means land, excluding a road, which is owned, occupied, managed or controlled by Council.
<b><i>Notice to Comply</i></b>	means a Notice to Comply issued under this Local Law.
<b><i>occupier</i></b>	means the person who is for the time being in charge of the land or premises.
<b><i>offensive</i></b>	means in relation to the emission of noise, dust, smoke, ash, odour, waste or other things, which due to its intensity, duration, frequency, or other factor, results in a level of personal discomfort that a reasonable person would not expect to endure, or results in a unreasonable disruption to normal living activity.
<b><i>park</i></b>	means a public reserve or part of a public reserve that has been improved by the construction of a playing field, or contains playground equipment, or contains provisions for cooking or other eating facilities or has established and maintained lawns and garden beds.
<b><i>permit</i></b>	means a permit issued under this Local Law.
<b><i>penalty unit</i></b>	has the same meaning as Section 110(2) of the Sentencing Act 1991.
<b><i>person</i></b>	includes an individual, partnership, unincorporated body, association and corporation.
<b><i>person in charge</i></b>	in relation to clause 60(5) means the person or persons whether natural or incorporated who has or have management responsibility for building works or a building site and includes the owner of land on which the building works are being carried out or the building site is located.
<b><i>Planning Scheme</i></b>	means a planning scheme approved under the Planning and Environment Act 1987 that operates within the municipal district.

<b><i>poultry</i></b>	includes any fowl, duck, goose, ostrich, turkey, pheasant, quail, guinea fowl, squab and any other avian species ordinarily consumed as food by humans.
<b><i>procession</i></b>	means an organised group of people proceeding along a road or a gathering for a ceremony or function and includes fun runs and bicycle events.
<b><i>public place</i></b>	has the same meaning as defined in the Summary Offences Act 1966.
<b><i>public reserve</i></b>	means a municipal place which is outdoors and available for recreational purposes.
<b><i>putrescibles waste</i></b>	is a solid waste that contains organic matter capable of being decomposed by microorganisms and of such a character and proportion as to cause obnoxious odours and to be capable of attracting or providing food for pests, birds and animals.
<b><i>mobile garbage bin</i></b>	means a wheeled mobile garbage bin of the type issued or approved by Council.
<b><i>residential area</i></b>	means land within a General Residential Zone, Township Zone and Low Density Residential Zone under Council's Planning Scheme.
<b><i>road</i></b>	has the same meaning as defined in the Local Government Act 1989 namely: <ul style="list-style-type: none"> <li>a) a street; and</li> <li>b) a right of way; and</li> <li>c) any land reserved or proclaimed as a street or road under the Crown Land (Reserves) Act 1978 or the Land Act 1958; and</li> <li>d) a public road under the Road Management Act 2004; and</li> <li>e) a passage; and</li> <li>f) a cul de sac; and</li> <li>g) a by-pass; and</li> <li>h) a bridge or ford; and</li> <li>i) a footpath, bicycle path or nature strip; and</li> <li>j) any culvert or kerbing or other land or works forming part of the road.</li> </ul>
<b><i>road reserve</i></b>	means all of the area of land that is within the boundaries of a road.
<b><i>rural living zone</i></b>	means land within Rural living Zone under Council's Planning Scheme.
<b><i>sell</i></b>	means to offer negotiate, accept or undertake an exchange of goods and services for consideration and to barter or exchange, to agree to sell, to offer or display for sale, to have or keep goods in possession for the immediate purpose of sale rather than storage, to use any machine or mechanical device for the purpose, and to direct cause or attempt any of these things.
<b><i>shopping trolley</i></b>	means a wheeled container supplied by a retailer for enabling a customer to transport goods.

<b><i>smoke</i></b>	means to smoke, hold or otherwise have control over an ignited tobacco product, or light a tobacco product.
<b><i>smoke free area</i></b>	means an area gazetted by the Victorian State Government, or in, any public reserve or Council land, which has been declared as a 'smoke free' or 'non smoking area' and may have smoke free area signage erected and maintained in accordance with the Tobacco Act 1987.
<b><i>spruik</i></b>	means attracting customers by public aural appeals to passerby, with or without sound amplification equipment.
<b><i>street festival</i></b>	means an organised recreational, cultural, commercial or social event or gathering of people which is held on a road and includes a procession or party.
<b><i>street furniture</i></b>	means tables and chairs, stools and benches, umbrellas, wind frames or similar articles placed on any road or municipal place.
<b><i>street party</i></b>	means an organised social gathering of people from one or several adjacent roads that is held on a road.
<b><i>street tree</i></b>	any tree or shrub located within a road reserve, Council park or reserve or area controlled or administered by Council.
<b><i>temporary dwelling</i></b>	means a building or caravan used for residential purposes prior to and during construction of a dwelling.
<b><i>vehicle</i></b>	has the same meaning prescribed to it in the Road Safety Act 1986.
<b><i>waste</i></b>	<p>has the meaning as defined in section 4 of the Environment Protection Act 1970:</p> <ul style="list-style-type: none"> <li>a) any matter whether solid, liquid, gaseous or radio-active which is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment;</li> <li>b) any discarded, rejected, unwanted, surplus or abandoned matter;</li> <li>c) any otherwise discarded, rejected, abandoned, unwanted or surplus matter intended for: <ul style="list-style-type: none"> <li>i. recycling, reprocessing, recovery or purification by a separate operation from that which produced the matter; or</li> <li>ii. sale; and</li> </ul> </li> <li>d) any matter prescribed to be waste.</li> </ul>
<b><i>works</i></b>	<p>includes any change to the natural or existing condition or topography of land including but not limited to:</p> <ul style="list-style-type: none"> <li>a) removal, destruction or lopping of trees</li> <li>b) removal of vegetation</li> <li>c) removal of topsoil</li> <li>d) collection of seed</li> <li>e) collection of firewood</li> <li>f) preparation and construction of fire breaks</li> <li>g) drainage works</li> <li>h) construct an underpass under a road</li> </ul>

## 7. Administration of this Local Law

### Exercise of discretion

- (1) In exercising any discretion under this Local Law Council must have regard to:
  - a) the objectives of this Local Law; and
  - b) any relevant guidelines or standards.
- (2) Council may prepare guidelines for use by Council, Council officers and other persons for the purpose of this Local Law.
- (3) Guidelines prepared by Council must be consistent with the objectives of this Local Law.

## 8. Exemptions from this Local Law

Nothing in this Local Law prevents a member, officer or employee from the list below from performing any of the duties he or she is lawfully entitled or required to perform while engaged in those duties:

- a) the Commonwealth or State Government;
- b) the Victorian Police;
- c) the Country Fire Brigade;
- d) Ambulance Victoria;
- e) any first aid or emergency service organisation;
- f) any military or civil defence force, or
- g) a public body other than Council

## 9. Incorporation of documents

- (1) The document titled 'Trading Code of Practice', as made by Council and published from time to time on Council's website, is hereby incorporated into this Local Law pursuant to section 112 of the Local Government Act 1989.
- (2) The document titled 'Building and Works Code of Practice' as made by Council and published from time to time on Council's website, is hereby incorporated into this Local Law pursuant to section 112 of the Local Government Act 1989.
- (3) The document titled 'Waste Code of Practice' as made by Council and published from time to time on Council's website, is hereby incorporated into this Local Law pursuant to section 112 of the Local Government Act 1989.

## Part 2 - Administration

### 10. Issue of permits

- (1) An application for a permit under this Local Law must be in an approved form and accompanied by the appropriate fee prescribed by Council.
- (2) Council may waive, reduce or alter any fee.
- (3) Council may require an applicant to supply additional information or to give public notice of the application.
- (4) Council may:
  - a) issue a permit, with or without conditions; or
  - b) refuse to issue a permit
- (5) Council may exempt a person from the requirement under this Local Law to obtain a permit.
- (6) Unless specified in the permit, all permits expire one year after date of issue.

### 11. Conditional permits

- (1) A permit may be subject to conditions, which Council or an Authorised Officer considers to be appropriate in the circumstances including:
  - a) the payment of a fee or charge;
  - b) a time limit to be applied either specifying the duration, commencement or completion date;
  - c) the happening of an event;
  - d) the rectification, remedying or restoration of a situation or circumstance;
  - e) when the applicant is not the owner of the subject property, the consent of the owner is required;
  - f) the granting of some other permit or authorisation which may be required by Council or another statutory or public authority whether under this Local Law or otherwise; and
  - g) the requirements of a Code of Practice incorporated as part of this Local Law.
- (2) The conditions of a permit must be set out in the permit.
- (3) Council or an Authorised Officer may, during the currency of a permit, alter the conditions of a permit if it considers it to be appropriate to do so, after providing the permit holder with an opportunity to make comment on the proposed alteration.
- (4) A person who undertakes an activity for which Council or an Authorised Officer has issued a permit must comply with the conditions of the permit.

**Penalty: 5 penalty units**

## 12. Cancellation of permits

- (1) A permit may be cancelled by Council or an Authorised Officer at any time if it is clear that the conditions under which the permit was issued have not been complied with, provided:
  - a) there has been a breach of a condition of the permit
  - b) a Notice to Comply has been served upon the permit holder; and
  - c) the time required under the Notice to Comply has expired.
- (2) Where the permit holder is not the owner of the land and the owner's consent was required to be given to the application for the permit, the owner must be notified of the Notice to Comply.
- (3) Where any permit issued under this Local Law contains conditions, any person who contravenes or fails to comply with a condition is guilty of an offence.

**Penalty: 10 penalty units**

**Infringement notice: 2 penalty units**

## 13. Notice to Comply

- (1) An Authorised Officer may, by serving a written Notice to Comply, make any reasonable direction to a person:
  - a) in respect of any matter under this Local Law; or
  - b) a person's use of a municipal place, Council land or a road; and the person must comply with that direction.
- (2) A Notice to Comply must:
  - a) specify the act, matter or thing which is required to cease or specify the act, matter or thing which is required to be done;
  - b) specify the time within which the person receiving the notice is required to carry out or cease carrying out any such act, matter or thing;
  - c) be signed by an Authorised Officer; and
- (3) The time required by notice to comply served under this Local Law must be reasonable in the circumstances and what will be reasonable will vary depending on the matters to be remedied, but should take into account if applicable:
  - a) the amount of work involved;
  - b) the degree of difficulty;
  - c) the availability of necessary materials or other necessary items;
  - d) climatic conditions;
  - e) the degree of risk or potential risk; and
  - f) any other relevant factor.
- (4) The cost of carrying out the work is recoverable as a debt.

## 14. Power of Authorised Officer – urgent circumstances

- (1) An Authorised Officer may, in urgent circumstances arising as a result of another person's failure to comply with this Local Law, take action to remove, remedy or rectify a situation without the necessity to serve a Notice to Comply, provided:
  - a) the Authorised Officer considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with serving a Notice to Comply may place a person, animal, property or thing at risk or in danger;
  - b) the Chief Executive Officer approves of the proposed action;
  - c) details of the circumstances and remedying action are, as soon as possible, forwarded to the person on whose behalf the action was taken; and
  - d) Council is advised as soon as practicable of the action taken.
- (2) The action taken by an Authorised Officer under sub-clause (1) must not extend beyond what is necessary to cause the immediate abatement of the risk or danger involved.

## 15. Notice to Comply – not a precondition to enforcement proceedings

An Authorised Officer is able to prosecute a person or issue an infringement notice under this Local Law without first serving a Notice to Comply.

## 16. Impounding

- (1) An Authorised Officer may:
  - a) impound an animal or item in accordance with this Local Law, Council may refuse to release it until the appropriate fee or charge for its release has been paid to Council.
  - b) impound any item that unlawfully encroaches on or obstructs the free use of a road or a municipal place;
  - c) sell, destroy, dispose of or give away the impounded item if the owner of the item has not paid the fee within 14 days of serving of a notice unless having applied for an appeal.
- (2) If an Authorised Officer impounds an item or animal under this Local Law he or she must serve on the owner a notice as soon as possible after the impounding.
- (3) If the identity or whereabouts of the owner of the impounded animal or item is unknown, the Authorised Officer must take reasonable steps to ascertain the identity or whereabouts of that person. Council may proceed to dispose of the impounded animal or item in accordance with sub-clause (1)(c).
- (4) Any proceeds from the disposal of impounded items must be paid to the owner except for the reasonable costs incurred by Council.
- (5) In the event that the owner cannot be identified or located within one year from the date the Notice of Impounding was served any proceeds as described in sub-clause 4 may be retained by Council beneficially.



## 17. Appeals

- (1) A person may appeal by written submission to Council for a review of an order, direction or notice made in relation to her or him under this Local Law within 14 days of the order, direction or notice being made.
- (2) An appeal will not in any way remove that person's obligation to act in accordance with any order, direction or notices which are applicable under this Local Law.
- (3) Where an appeal is to be heard under this clause the person appealing must do all that is necessary to cooperate in the prompt and speedy hearing of the appeal.

## 18. Delegation

Council delegates to its Chief Executive Officer and any Authorised Officer the power to:

- a) issue, refuse or revoke a permit;
- b) exempt a person from the requirement to obtain a permit;
- c) issue, sign, revoke, exempt, require or cancel any notice, order or direction;
- d) enforce any matter.

## 19. Fees

- (1) Council may, from time to time, by resolution determine fees for the purposes of this Local Law.
- (2) In determining the fees, Council may establish a system or structure of fees, including a minimum or maximum fee.
- (3) Council may waive, reduce or alter a fee with or without conditions.

## Part 3 - Enforcement

### 20. Offences

A person is guilty of an offence if the person:

- a) does something which this Local Law prohibits to be done or makes an offence;
- b) fails to do something which this Local Law requires to be done;
- c) engages in activity without a permit where a provision of this Local Law requires that person obtain a permit before engaging in that activity;
- d) fails to comply with a condition of a permit issued under this Local Law; or
- e) fails to comply with a notice to comply or a direction of an Authorised Officer under this Local Law.

### 21. Infringement notice

- (1) Where an Authorised Officer reasonably believes that a person has committed an offence against this Local Law, the Authorised Officer may issue to that person an infringement notice, in a form approved by Council, as an alternative to a prosecution for the offence.
- (2) A person to whom an infringement notice has been issued must pay to Council the amount specified in the notice within 42 days of being served with the infringement notice.

### 22. Penalties

- (1) An infringement notice may be issued as an alternative to prosecution in respect of offences against this Local Law. In the event that an infringement notice is issued the infringement notice penalty will be two penalty units unless a specific infringement notice penalty is provided.
- (2) Unless otherwise specified, a person found by a court to be guilty of an offence under this Local Law is subject to the following penalties:
  - a) First offence – not more than 10 penalty units; and
  - b) Second or subsequent offence – not more than 20 penalty units.

# Part 4 - Roads

## 23. Vehicle crossings

- (1) For the purposes of this clause a vehicle crossing is properly constructed if:
- a) it was constructed by or in accordance with the terms of an approval by Council or a State Road Authority; or
  - b) Council has approved in writing the method of construction of the particular vehicle crossing; or
  - c) in accordance with the Infrastructure Design Manual located at <http://www.designmanual.com.au> or other relevant standard applicable at the time of construction.
- (2) The owner of land abutting a road where kerb and channel are constructed, or any other land as determined by Council in accordance with this Local Law, must ensure that each point of vehicular access from a carriageway on a road to his or her land has a properly constructed vehicle crossing.
- Penalty: 5 penalty units**
- (3) Where a properly constructed vehicular crossing exists, a person must not use any other passage or route for vehicular access to the land.
- Penalty: 5 penalty units**
- (4) Where access to land is not via a properly constructed vehicle crossing, Council or an Authorised Officer may serve a Notice to Comply on the owner of the land to construct a properly constructed vehicle crossing.
- (5) If a point of vehicular access from a carriageway on a road to adjacent land does not have a properly constructed vehicle crossing, Council or an Authorised Officer may serve a Notice to Comply on the owner of the land.
- (6) In the case of roll-over type kerbing where a specific vehicular crossing point is not constructed, Council may nominate the location at which vehicles are to cross the kerb. Where access to land is not in accordance with the location nominated by Council, Council or an Authorised Officer may serve a Notice to Comply on the owner of the land.
- (7) A vehicle crossing must allow for free drainage of water by construction of a culvert or by an alternative approved means.

## 24. Temporary vehicle crossings

- (1) Where it is likely that building works on any land will involve vehicles leaving a road and entering the land, the person responsible for the building works must obtain a permit for the construction of a temporary vehicle crossing which protects the existing road, kerb, drains, footpath and street trees.
- (2) Council or an Authorised Officer may serve a Notice to Comply on any person who should make application under sub-clause (1) for a temporary vehicle crossing.
- (3) The person responsible for the building works is liable for any damage to the existing road, kerb, drains, footpath and street trees resulting from the building works.

- (4) The permit holder must, within 48 hours of completion of the building works, arrange with Council for an inspection of the site.

## 25. Redundant vehicle crossings

- (1) Where works on any land involve the relocation or closure of a point of vehicular access, any redundant part of a vehicle crossing must be removed and the kerb, drain, footpath, nature strip or other part of the road reinstated to the satisfaction of Council.
- (2) Council or an Authorised Officer may serve a Notice to Comply on the owner of any land, requiring the removal of part or all of a vehicle crossing which does not provide an effective point of vehicle access to the land.
- (3) If the removal of all or part of a vehicle crossing or the reinstatement of the road is not carried out in accordance with the Notice to Comply, Council may carry out the work at the full cost of the owner of the land.
- (4) The Notice to Comply may require the reinstatement of any part of the road.

## 26. Street levels

- (1) A person must not carry out any building or other works on or fence any part of any land immediately abutting a street, road, footpath or public reserve which is inconsistent with the level fixed by Council for the street, road, footpath or public reserve.
- (2) Council or an Authorised Officer may serve a Notice to Comply to any person who has not complied with sub-clause (1).
- (3) If the works required in accordance with the Notice to Comply are not complied with Council may carry out the works at the full cost of the owner.
- (4) A person may obtain details of the levels fixed by Council for any street, road, footpath or public reserve by making application to Council.

## 27. Use of vehicles in a municipal place

- (1) A person must not ride or drive any motor car, motor cycle or other vehicle in any municipal place other than in an area set aside for vehicle parking or any designated roadway.

**Penalty: 5 penalty units**

- (2) A person must not use rollerblades, skateboards, self-propelled scooters or other similar devices on Council land, roads or a public place in a way that:
- a) other users of Council land, public place or road may have their safety compromised or they could be injured; or
  - b) damage could be caused to any property on Council land or road or public place.

**Penalty: 3 penalty units**

**Infringement Notice: 1 penalty unit**

## 28. Parked motor vehicles interfering with Council functions

The owner of a motor vehicle parked on a road must move or cause to be moved the vehicle in accordance with a notice from Council or an Authorised Officer served on the owner if Council or an Authorised Officer is of the opinion that the presence of the motor vehicle interferes with any Council function.

**Penalty: 5 penalty units**

## 29. Abandoned vehicles

- (1) A person must not, on any road or in a municipal place or parking area vested in or under the control of Council, place any unregistered vehicle or cause to be abandoned any vehicle.
- (2) Where a vehicle is impounded by Council and is not claimed within 28 days by the owner, an Authorised Officer may cause the vehicle to be:
  - a) destroyed;
  - b) given away to community groups or for other community uses, or
  - c) disposed of by auction, public tender or advertised sale.
- (3) Where an impounded vehicle is claimed by its owner:
  - a) proof of ownership of the vehicle must be provided to Council;
  - b) a fee not exceeding the amount that represents the cost to Council of impounding, moving, keeping and releasing the vehicle must be paid to Council; and
  - c) in the event that a claim for a vehicle is made by a person other than the owner, satisfactory evidence must be provided to Council of that person's authority from the owner to take possession of the vehicle.

**Penalty: 5 penalty units**

## 30. Repair of vehicles

A person must not perform any work to a vehicle on a road or in a municipal place, except to enable the vehicle to be removed from the road or municipal place.

**Penalty: 5 penalty units**

## 31. Motor vehicles

- (1) A person must not park any motor vehicle within a municipal place except:
  - a) in an area set apart for the purpose;
  - b) when and where directed or authorised by Council or an Authorised Officer to do so;
  - c) upon payment of such fees (if any) as may be prescribed and authorised by Council;
- (2) A person must not display a vehicle for sale on a road or on Council land.
- (3) A person must not leave any derelict vehicle on any road, Council land or municipal place whether temporary or permanent.

**Penalty: 5 penalty units**

## 32. Trees and plants on roads

- (1) A person must not, without a permit, plant any tree or other vegetation on a road;
- (2) Where any tree or other vegetation is planted on a road without a permit or in contravention of any permit condition the tree or vegetation may be removed by Council.
- (3) A person must not, without a permit, remove or cultivate soil from, damage, remove from or burn vegetation on any roadside reserve.
- (4) A person must not without a permit, collect or remove firewood including trees and fallen branches from a municipal place or roadside reserve.

## 33. Trees and plants on private property

- (1) The owner and occupier of land on which any tree or other vegetation is growing must not allow the tree or other vegetation to obstruct or interfere with the passage of traffic by:
  - a) overgrown and/or overhanging any footpath or road used by pedestrians so that it gets in the way of pedestrians or is likely to cause injury or damage to them;
  - b) extending over any part of the road in such a way that it obstructs the view between vehicles at an intersection; or
  - c) obstructing the view between vehicles and pedestrians where they come close to one another; or
  - d) obscuring a traffic control item from an approaching vehicle or pedestrian; or
  - e) obscuring street lighting; or
  - f) obstructing the view between vehicles and trains at a railway level crossing which does not have gates, booms or flashing lights; or
  - g) otherwise constituting a danger to vehicles or pedestrians or compromising the safe and convenient use of the footpath or road.

**Penalty: 3 penalty units**

- (2) The owner or occupier of any land that is situated adjacent to an intersection of two or more roads must not plant or let grow any tree or other vegetation on that land in such manner as to cause an obstruction to the view between vehicles and other road users at the intersection.

**Penalty: 3 penalty units**

## 34. Storage of materials on road

A person must not, without a permit, deposit or place any soil, garden waste, prunings, building materials, refuse containers, skip bins, building rubbish, electrical cords, air hoses, shipping containers or other similar obstructions on, upon, across or over any road or footpath.

## 35. Signs and objects

A person must not place any sign or other object on any land in such a way that it causes an obstruction or interferes with the passage of traffic by:

- (a) overhanging a footpath or road used by pedestrians so that it gets in the way of pedestrians or is likely to cause injury or damage to them; or

- (b) extending over any part of the road in such a way that it obstructs the view between vehicles at an intersection; or
- (c) obstructing the view between vehicles and pedestrians where they come close to one another; or
- (d) obscuring a traffic control item from an approaching vehicle or pedestrian; or
- (e) obscuring street lighting; or
- (f) obstructing the view between vehicles and trains at a railway level crossing which does not have gates, booms or flashing lights; or
- (g) otherwise constituting a danger to vehicles or pedestrians or compromising the safe and convenient use of the road.
- (h) constructing or allowing to remain in place a boundary fence near any road intersection which reduces visibility or causes an obstruction and interferes with the safe passage of vehicles or pedestrians.

**Penalty: 2 penalty units**

## 36. Removing road signs

A person must not erect or remove a sign that applies a name to a road.

**Penalty: 5 penalty units**

**Infringement Notice: 3 penalty units**

## 37. Property numbers to be displayed

- (1) Council may allot such numbers as are in its opinion necessary to identify each premises in the municipal district.
- (2) If Council has allocated a number to the premises, the owner must mark the premises with the number and must renew or replace the number as often as may be necessary.

**Penalty: 5 penalty units**

- (3) The owner of the premises must ensure that the number is of a sufficient size and is placed in such a position as to be clearly readable from the road on which the premises have their frontage.

**Penalty: 5 penalty units**

- (4) Council may, from time to time, determine a minimum size and the appropriate design of such numbers.

## 38. Residential Parking Permit Scheme

- (1) Council may from time to time by resolution, designate any parking area of the municipal district as an area in which a Residential Parking Permit Scheme is in operation.
- (2) Council may at any time by resolution rescind, amend or vary any resolution so made.
- (3) Council must give appropriate public notice of any resolution made under sub-clause (1).
- (4) The person who resides in an area in which a Residential Parking Permit Scheme is in operation may make application in writing for a Residential Parking Permit.



- (5) Council may grant a residential parking permit subject to such conditions as may be determined from time to time.
- (6) A residential parking permit may specify the road or roads or part of the road to which the permit applies.
- (7) The holder of a residential parking permit may park an eligible vehicle in the road or roads as specified in the permit without being required to comply with any parking restrictions as to time indicated by parking signed associated with the road or roads.
- (8) Council may from time to time by resolution, determine a fee to be paid for a residential parking permit.
- (9) Prior to the introduction of a new residential parking permit scheme Council must notify the owner and occupier of every residence in the area advising as to;
  - a) eligibility;
  - b) how to apply;
  - c) the cost of the permit; and
  - d) how the proposed scheme will operate.

# Part 5 - Municipal and Public Places

## 39. Behaviour

### (1) General

A person must not, in a municipal place or public place:

- a) interfere with another person's reasonable use and enjoyment of that municipal place or public place, (including, but not limited to, using indecent language or fighting), or;
- b) endanger or be likely to endanger health, life or property; or
- c) destroy, damage or interfere with any building, fence, property improvements, sign, structure, chattel, tree, shrub or plant, garden bed, bird or animal or bird/animal habitat; or
- d) enter on any area, road or track that is specifically designed for land or vegetation establishment and for which entry is prohibited.

**Infringement Notice: 3 penalty units**

- (2) A person must not urinate, defecate, spit or vomit in a public place other than in a toilet facility constructed for that purpose.

**Infringement Notice: 3 penalty units**

- (3) An Authorised Officer may direct a person to leave a municipal place or a public place if they believe on reasonable grounds that the person is behaving in:

- a) an indecent, offensive, threatening or insulting manner; or
- b) using threatening, abusive, obscene, indecent or insulting words.

- (4) Any person who is involved in an activity that is damaging or defacing Council property or assets, or that could reasonably be foreseen to damage Council property or assets, must immediately cease such activity upon being directed to do so by an Authorised Officer. A person to whom such a direction is given must comply with that direction.

- (5) A person must not, without a permit, remove damage or trim any street tree or shrub.

**Infringement Notice: 3 penalty units**

- (6) A person must not In a wetland, fountain or similar located in a municipal place or public place:

- a) enter, swim, paddle, bath, dive or jump; or
- b) throw or place any liquid, powder substance, stone, rock, stick, paper, dirt, rubbish or other object, substance or thing.

**Infringement Notice: 3 penalty units**

- (7) A person must not without a permit while in a public reserve;

- a) light any fire other than a portable barbecue or properly constructed fireplace
- b) act contrary to any sign;
- c) play any game with a hard ball except in an area set aside for that purpose;
- d) ride a horse other than on a road or in an area designated for the riding of horses; or
- e) organise any concert, public assembly or public event.

## 40. Council land management signs

- (1) Council may by a notice or sign prohibit or regulate the use of any Council land or the conduct of a person on that land.
- (2) A person must not erect or remove, interfere or deface any notice or sign except with the authority of Council.
- (3) A person must not act contrary to any notice or sign referred to in sub-clause (1).

**Penalty: 3 penalty units**

## 41. Consumption and possession of liquor in a public place

- (1) A person must not, on a road, footpath or public reserve, or in a motor vehicle parked on a road, footpath or public reserve, in a prescribed area during a prescribed period:
  - a) consume any liquor; or
  - b) have in his or her possession or control any liquor other than liquor in a sealed container.

**Penalty: 10 penalty units**

**Infringement Notice: 3 penalty units**

- (2) Council may by resolution specify an area of the municipal district to be a prescribed area.
- (3) If Council prescribes an area to be a prescribed area, it must:
  - a) publish a notice in a newspaper generally circulating within the municipal district;
  - b) erect signage signifying the prescribed area; and
  - c) ensure that a description of the area is available for inspection at Council's offices during business hours.
- (4) Council may at the time of specifying an area to be a prescribed area specify in relation to that area:
  - a) periods of the year;
  - b) periods of the week; or
  - c) periods of the day, or of specified days; that are to be 'no alcohol' periods.
- (5) If no period is specified in relation to an area, the 'no alcohol' period for that area is all day every day.
- (6) For the purpose of this part, a 'no alcohol' period is a prescribed period.
- (7) This clause does not apply to:
  - a) 'authorised premises' or 'licensed premises' within the meaning of the Liquor Control Reform Act 1998;
  - b) circumstances to which the Liquor Control Reform Act 1998 does not apply by virtue of section 7 of that Act; or
  - c) consumption of liquor at an organised event for which a permit has been granted.

## 42. No smoking in smoke free areas

(1) A person must not smoke a tobacco product in a smoke free area.

**Penalty: 10 penalty units**

(2) Where an Authorised Officer believes on reasonable grounds that a person is contravening or has contravened sub-clause (1), the Authorised Officer may direct the person to extinguish and then dispose of the tobacco product.

(3) A person to whom a direction is given under sub-clause (2) must comply with that direction.

**Penalty: 10 penalty units**

(4) Council may designate any area within the municipal district to be a smoke free area.

(5) When determining whether to designate a smoke free area, Council must have regard to the following factors:

- a) the size of the proposed smoke free area;
- b) the opinions of any person who is the owner or occupier of any part of the proposed smoke free area;
- c) the proximity of the proposed smoke free area to a public place;
- d) the extent and outcome of any public consultation on the proposed smoke free area;
- e) any benefits to the community which would be achieved by Council designating the proposed smoke free area;
- f) any detriment to the community which would be caused by Council designating the proposed smoke free area; and
- g) any other matter Council considers relevant.

(6) Council or an Authorised Officer must erect, or cause to be erected, an acceptable no smoking sign in every designated smoke free area.

## 43. Public swimming pools

(1) A person must not while attending a public swimming pool:

- a) commit any nuisance;
- b) act to endanger any person;
- c) act to interfere with the quiet enjoyment of the public swimming pool by any person;
- d) destroy, damage or interfere with any Council property;
- e) bring any animal except a guide dog into the public swimming pool site;
- f) enter the public swimming pool site without paying the appropriate fee as determined by Council; or
- g) bring into the public swimming pool site any glass container.

**Penalty: 5 penalty units**

## 44. Commercial activity on Council land

### Trading Code of Practice

- (1) The Trading Code of Practice:
  - a) has been adopted by Council for the purposes of this Local Law;
  - b) has the objective of providing for the peace, order, well being and safety of people and amenity of public places in the municipality; and
  - c) is available for inspection at Council's offices and service centres during business hours.
- (2) The whole of the Trading Code of Practice is incorporated into and forms part of this Local Law.
- (3) Council may amend the Trading Code of Practice from time to time in accordance with the provisions contained in the Code.
- (4) An amendment does not take effect until notice of Council's decision to amend the Trading Code of Practice is published in the Victoria Government Gazette.
- (5) A person on whom an obligation is imposed by the Trading Code of Practice must ensure that:
  - a) where under the Trading Code of Practice a permit is necessary, that permit is obtained; and
  - b) the Trading Code of Practice is complied with.

## 45. Trading activities on roads and in a municipal place

- (1) Without a permit a person must not on a road or in a municipal place:
  - a) place any advertising sign, banner or flag;
  - b) display any goods;
  - c) place any outdoor eating furniture or associated facilities;
  - d) place any structure for the purpose of selling or offering to sell any goods or services;
  - e) place goods or services carried out or placed on the person or any other moveable thing do so from land adjacent to a road or a municipal place;
  - f) solicit or collect any waste materials, gifts of money, or subscriptions, or do so from premises to premises adjacent to a road;
  - g) busk;
  - h) hold a street festival or event, other than a funeral.

### Penalty: 3 penalty units

**NOTE:** For processions or festivals on roads controlled by Vic Roads, prior consent must be obtained from the Chief Commissioner of Victoria Police and Vic Roads.

- (2) A person displaying advertising signs, banners or flags, placing street furniture and/or displaying goods on a road or municipal place must ensure that:
  - a) a permit is applied for and issued prior to display; and
  - b) the Trading Code of Practice is complied with; and

- c) the Disability Discrimination Act 1992 is complied with.
- (3) In considering an application for a permit under sub-clause (1), Council must have regard to the requirements of:
- a) the Trading Code of Practice;
  - b) the Disability Discrimination Act 1992;
  - c) whether permits required by the Public Health and Wellbeing Act 2008, Food Act 1984 or any other legislation have been obtained;
  - d) whether the activity will disturb, annoy or disrupt adjacent property owners or occupiers;
  - e) whether the activity will be detrimental to the amenity of the area;
  - f) whether the safety of road users or the passage of vehicles will be affected by the placement;
  - g) whether appropriate arrangements can be made for waste water disposal, litter and garbage, lighting; and advertising signs;
  - h) any other matter relevant to the circumstances of the application.
- (4) When an advertising sign, banner, flag or good is placed or displayed contrary to this Local Law or in contravention of any permit conditions, a notice to comply may be issued by an Authorised Officer.
- (5) Failure to comply with a notice to comply may result in the advertising sign, banner, flag or the good being removed by an Authorised Officer and impounded.
- (6) Council may determine a fee that must be paid by the owner of any impounded advertising sign, banner, flag or good before Council releases the impounded item.
- (7) Advertising signs, banners, flags or goods that have been impounded by Council for more than one month may be disposed of by Council by tender or public auction, or may be transferred to the municipal landfill or given away. Where perishable goods have been impounded, Council may dispose of the goods as soon as reasonably appropriate.
- (8) A person must not, without a permit, erect or place on any road, roadside or municipal place, a vehicle, caravan, trailer, table, stall or similar structure for the purpose of selling or offering for sale any goods or services or conducting a raffle or lottery.
- (9) A person must not, without a permit, sell or offer for sale on any road, roadside or municipal place, any goods carried about on a person or animal.
- (10) A person must not, without a permit, engage in spruiking or promoting goods or services or permit another person to engage in spruiking or promoting goods or services on any road or municipal place.
- (11) A person must not, without a permit, give or offer to the public on any road or municipal place, any pamphlet or brochure advertising goods, services or events.

## 46. Appeals and collections

- (1) A person must not, without a permit, solicit or collect any gifts, money or subscription or authorise or cause another person to solicit or collect any gifts, money or subscription, from house to house or on any road or municipal place.
- (2) A person participating in highway collections approved under the authority of the Road Safety Act 1986 does not require a permit under sub-clause (1).

**Penalty: 3 penalty units**

- (3) A person must not, without a permit, busk on a road or municipal place.
- (4) An application for a permit to busk must be in a form approved by a Council.
- (5) In determining whether to grant a permit to allow busking Council or an Authorised Officer must take into account:
  - a) the time and days it is proposed to busk;
  - b) the roads or areas in which the busking will take place;
  - c) the impact on pedestrians and traffic;
  - d) the ability to obtain public liability insurance;
  - e) whether the busking is part of the entertainment provided within a street trading area; and
  - f) any other matter relevant to the circumstances of the application.
- (6) Where there has been a failure to comply with sub-clause (1) or a contravention of any conditions of a permit, Council or an Authorised Officer may serve a Notice to Comply to the person undertaking the activity or the permit holder.

**Penalty: 3 penalty units**

## 47. Approval for events and festivals

- (1) A person must not, without a permit, conduct an event, festival or similar gathering within the municipal district.

**Penalty: 5 penalty units**

- (2) In determining whether to grant a permit to allow an event or festival, Council or an Authorised Officer must take into account the Swan Hill Rural City Council Event Management Guide.
- (3) In determining to grant a permit for an event or festival, Council or an Authorised Officer may take into account:
  - a) whether the event or festival will unreasonably inconvenience road users (including owners and occupiers of properties with vehicular access to the section of road to be closed);
  - b) whether the written permission of the Victoria Police and the relevant State Road Authority has been obtained and their requirements met;
  - c) whether the road can be closed to vehicular traffic, or partly closed to vehicular traffic with safe and effective separation of vehicular traffic from the event or festival patrons and equipment; and
  - d) any other matter relevant to the circumstances of the application.
- (4) In determining whether to grant a permit for a street party, Council or an Authorised Officer must take into account:
  - a) whether the road can be closed to vehicular traffic without detriment to the traffic management of the area, for the duration of the street party;
  - b) whether the owners and occupiers of land with any vehicular access via the section of road to be closed have been advised by letter and given seven days to comment or object;



- c) whether a suitably qualified person on behalf of the applicant has been nominated to erect and remove the barriers which close the road at locations and times specified by an Authorised Officer;
  - d) whether the footpath on at least one side of the road can be kept clear of obstructions; and
  - e) any other matter relevant to the circumstances of the application.
- (5) Where the application is to conduct a street party the application must be made at least 28 days before the street party is to take place.
- (6) Where the application is to conduct a street festival or procession, the application must be made at least 28 days before the street festival or procession is to take place.

## 48. Placement of clothing bins

A person must not, without a permit, place a clothing bin in a municipal place or on a road.

**Penalty: 3 penalty units**

## 49. Bulk rubbish containers

- (1) A rubbish container, rubbish skip, movable structure, device, material or other object may be removed and impounded if in the opinion of an Authorised Officer it is;
- a) causing an obstruction;
  - b) a danger to road users;
  - c) getting in the way of or likely to get in the way of traffic; or
  - d) located on a road reserve without a permit.
- (2) Council may from time to time determine a fee which must be paid before Council is required to release the impounded item.

## 50. Graffiti

- (1) The owner and occupier of land must not allow any graffiti to remain on any building, wall, fence or other structure erected on his or her land for four weeks after the graffiti has been detected.

**Penalty: 5 penalty units**

- (2) A person must not, without a permit, write, print, stencil, paint, place or affix any letter, figure, device, poster, sign or advertisement upon any Council land or in a public place.
- (3) Where, in the opinion of an Authorised Officer, the provisions of this clause or the conditions of any permit are not being complied with the Authorised Officer may serve a Notice to Comply on the owner or occupier of the relevant land or the permit holder.

**Infringement notice: 5 penalty units**

## 51. Abandoned shopping trolleys

- (1) A person must not leave a shopping trolley on a road or municipal place other than an area specifically designated for the storage of shopping trolleys.

**Penalty: 5 Penalty units**

- (2) The owner of any shopping trolley left on a road or municipal place in an area not designated for the storage of shopping trolleys will be notified and if not removed, an Authorised Officer may impound.
- (3) Shopping trolleys that have been impounded for three months may be disposed of by Council by tender or public auction or may be transferred to the municipal landfill or be given away.

## 52. Noise in a municipal place or on a road

- (1) A person must not in a municipal place or on a road:
  - a) spruik; or
  - b) emit, or allow to be emitted, any other noise which causes or is calculated to cause interference with a person's use or enjoyment of adjacent or nearby premises.

**Penalty: 3 Penalty units**

- (2) An Authorised Officer may direct a person playing amplified music in a public place (including in a road or public reserve or in a motor vehicle on a road or public reserve) to cease playing such music if the music is audible 20 metres or more from the source.
- (3) A person to whom such a direction is given must comply with that direction

**Infringement Notice: 3 penalty units**

- (4) This clause does not apply to a person who has the permission of Council or the owner of the public place to play the amplified music.

## Part 6 - Environment

### 53. Dangerous and unsightly land

- (1) The owner and occupier of land must not allow or permit the land or grassed area of a road abutting the land to be kept in a manner that:
- a) constitutes a fire hazard;
  - b) is unsightly or detrimental to the general amenity of the neighbourhood including but not limited by the appearance of:
    - stored unregistered motor vehicles;
    - machinery or any parts of them;
    - scrap metal;
    - second-hand timber or building materials;
    - waste paper;
    - rags;
    - bottles;
    - overgrown vegetation;
    - grass or weeds in excess of 250mm in height; or
    - Is kept free of graffiti

**Penalty: 5 penalty units**

- (2) A Notice to Comply may be served on the owner or occupier of the land where an Authorised Officer is of the opinion that the condition of the land is unsightly, dangerous or detrimental to the general amenity of the surrounding area.

**Penalty: 5 penalty units**

### 54. The emission of offensive material, odour and noise

- (1) Any person who, in the opinion of an Authorised Officer, is causing a nuisance to any person by burning any material must immediately extinguish the fire upon being directed to do so by such Authorised Officer.

**Penalty: 5 penalty units**

**Infringement notice: 3 penalty units**

- (2) A person must not burn or cause to burn any offensive materials including without limitation any substance which contains any:
- a) manufactured chemical;
  - b) rubber or plastic;
  - c) petroleum or oil, other than in a properly constructed and operating heating appliance;
  - d) paint or bin which contains or which contained paint;
  - e) food waste, fish or other offensive or noxious matter; or
  - f) other material which emits dense or offensive smoke.

**Penalty: 5 penalty units**

- (3) A person must not cause or allow the emission of any dust, grit, ashes, fumes or other material created by any chemical, mechanical or manual process from any land owned or occupied by that person to such an extent that it may be offensive to another person not within the boundaries of such land.

**Penalty: 5 penalty units**

- (4) A person must not cause or allow the emission of any noise caused by any chemical, mechanical or manual process from land owned or occupied by that person to such an extent that it is offensive.

**Penalty: 5 penalty units**

**Infringement notice: 2 penalty units**

## 55. Open air burning

- (1) A person must not, without a permit, light or allow to be lit or remain alight any open air burn in any part of the municipal district which is zoned commercial, industrial or residential under Council's Planning Scheme.
- (2) Property owners may apply in writing for a conditional permit to burn in a restricted zone. The fire restriction zones are specified on Schedules 12 to 20 of this Local Law. Authorised Officers may grant a permit if there are exceptional circumstances.
- (3) Sub clause (1) shall not apply to –
- a. a pizza oven, barbecue, fire pit, chimenea, fire brazier or other properly constructed appliance while it is being used for cooking food or heating;
  - b. rural properties if the burning is more than 100 metres or more from a neighbouring residence; or
  - c. where a conditional permit has been granted under subclause (2).
- (4) A person must not light a fire in the open air, including on a rural property:
- a) on any day of Total Fire Ban declared by the Country Fire Authority, or
  - b) during a declared Fire Danger Period under the Country Fire Authority Act 1958 without first obtaining a permit from the Municipal Fire Prevention Officer and/or Country Fire Authority.
- (5) A person must, when directed to do so by a member of an emergency service agency or an Authorised Officer, immediately extinguish a fire in the open air.
- (6) A person must not burn or cause to burn any dead animal carcass except where the burning of a dead animal carcass has been ordered by the Department of Jobs, Precincts and Regions.

## 56. Application

This part shall not apply to a;

- a) structure or device licensed under the provisions of the Environment Protection Act 1970;
- b) structure or device located on a commercial or industrial premises subject to control under of the Environment Protection Act 1970;
- c) person engaged in fuel reduction burning pursuant to section 11(2) of the Summary Offences Act 1966; or

- d) person performing any act in order to comply with the Country Fire Authority Act 1958 or any regulations made under it.

## 57. Caravans and camping on Council land

- (1) A person must not without a permit, camp on Council managed land or a public place in a tent, caravan or other temporary or makeshift structure unless within a Caravan Park registered under the Residential Tenancies (Caravan and Parks and Movable Dwellings Registrations and Standards) Regulations 2010 or an area determined by Council to be available for camping purposes.

**Penalty: 5 Penalty units**

- (2) In determining whether to grant a permit to allow a person to camp, Council must take into account:
  - a) the location of the land;
  - b) the planning scheme zone of the land;
  - c) the suitability of the land to camp;
  - d) the number of tents or other structures to be located on the land;
  - e) the length of time the tents and other structures will be erected on the land;
  - f) the availability of sanitary facilities to the land;
  - g) the likely damage to be caused; and
  - h) any other matter relevant to the circumstances associated with the application.

## 58. Caravans and camping on private property

- (1) The owner and occupier of land in a residential area must not park or allow more than one caravan on the land without first obtaining a permit from Council.

**Penalty: 5 Penalty units**

- (2) A person may use a caravan on privately owned land without a permit for sleeping purposes for seven nights in a six month period.
- (3) In determining whether to grant a permit Council must have regard to:
  - a) any relevant standards, guidelines or codes;
  - b) whether a building permit for a dwelling has been granted in respect to the land;
  - c) the adequacy of the standard of habitation on the site;
  - d) the means by which effluent from the camp or facilities is to be treated and the method of disposal;
  - e) whether any rent or charge is being paid by any person occupying the land for the camp to any person in respect of the occupation;
  - f) whether the establishment of a camp will have any effect on the amenity of the area on which it is situated; and
  - g) any other matter relevant the circumstances associated with the application.

## 59. Temporary dwellings

- (1) A person must not establish, erect or occupy a temporary dwelling.

**Penalty: 5 penalty units**

- (2) Nothing in sub-clause (1) prevents a person who has obtained a permit from Council for establishing, erecting or occupying a temporary dwelling in association with the construction of a permanent detached dwelling.
- (3) A permit issued pursuant to sub-clause (2) operates from the date of issue and expires on the expiry date stipulated in the permit or, if no expiry date is stipulated, after 12 months.
- (4) A person must not, after the issue of an occupancy permit for a permanent dwelling or the expiration of a permit for the temporary dwelling, occupy the temporary dwelling.

**Penalty: 5 penalty units**

**Infringement notice: 2 penalty units**

## 60. Building and Works Code of Practice

- (1) The Building and Works Code of Practice:

- a) has been adopted by Council for the purposes of this Local Law;
- b) has the objective of providing an environment where activity on and related to building sites and building works complement the safety and amenity of the public and the community; and
- c) is available for inspection at Council's offices and service centres during business hours.

- (2) The whole of the Building and Works Code of Practice is incorporated into and forms part of this Local Law.

- (3) Council may amend the Building and Works Code of Practice from time to time in accordance with the provisions contained in the Building and Works Code of Practice.

- (4) An amendment does not take effect until notice of Council's decision to amend the Building and Works Code of Practice is published in the Victoria Government Gazette.

- (5) The person in charge of building works or a building site must ensure that:

- a) a permit is obtained prior to commencing, or allowing to be commenced, any such building works; and
- b) the Building and Works Code of Practice is complied with.

- (6) In considering an application for a permit under sub-clause (5a), Council must have regard to the requirements of the Building and Works Code of Practice.

## 61. Drainage tappings

A person must not, without a permit, tap into any Council drain.

**Penalty: 5 penalty units**

## 62. Damage to watercourses

A person must not, without a permit, destroy damage or interfere with a ditch, creek or drain or other watercourse on any Council Land.

**Penalty: 5 penalty units**

## 63. Interference with drains

A person must not, without a permit, interfere with, obstruct or alter any Council drain.

**Penalty: 5 penalty units**

## 64. Discharge of water prohibited

A person must not, without a permit, cause or permit:

- a) the direct or indirect flow of any irrigation water onto any Council land;
- b) the discharge of any water onto any Council land;
- c) the discharge of any water onto any land (including land of that person) so as to cause or permit such water to discharge onto Council land; or
- d) any substance other than storm water to be discharged into the storm water system.

## 65. Control of sprinklers

- (1) The owner of land in an irrigation district must ensure that any irrigation sprinkler heads on the land are fitted with either half circle sprinkler heads or standard sprinkler heads fitted with adequate solid metal guards so as to prevent the discharge of irrigation water onto the adjacent road or footpath.

## 66. Regulation of household waste by Council operated services

- (1) A person must not place out for collection any household waste, recycling and/or garden organics unless it is contained within an approved waste mobile garbage bin in accordance with the Waste Code of Practice which:
  - a) has been adopted by Council for the purposes of this Local Law; and
  - b) has the objective of providing an environment where activity related to waste, recycling and green waste compliment the safety, amenity of the community; and
  - c) is available for inspection at Council's offices and service centres during business hours.
- (2) Council may amend the Waste Code of Practice from time to time in accordance with the provisions contained in the Code.
- (3) An amendment does not take effect until notice of Council's decision to amend the Waste Code of Practice is published in the Victoria Government Gazette.
- (4) A person must not place household waste into municipal bins located in a park, road or municipal place.

## 67. Domestic waste collection

The occupier of land for which Council provides a domestic waste collection service must ensure that the Waste Code of Practice is complied with.



## 68. Recycling

- (1) Where Council has notified occupiers of land of a recycling collection service referable to that land, the person who uses the recycling collection service must comply with the requirements stipulated in that notification in relation to:
- a) the type of material allowable;
  - b) the date and time of collection;
  - c) the manner in which the material must be left; and
  - d) the placement of the material on the road or footpath.
- (2) A person must not deposit any putrescible material, garden waste, food scraps, items of clothing or anything other than prescribed material in a mobile garbage bin specifically provided for the recycling of domestic waste.

**Penalty: 5 penalty units**

- (3) For the purposes of this clause, prescribed material may be approved by a Council resolution and published from time to time in a newspaper generally circulated within the municipal district.

## 69. Transportation of waste

A person must not convey or cause to be conveyed in any vehicle on any road any manure, dead animals or remains, offal, bones, hides, skins, offensive matter, waste, rubbish or other waste matter unless the vehicle is constructed, fitted, loaded and covered so that:

- a) no leakage occurs or other material is dropped or deposited on any road, Council land or adjacent area from the vehicle; and
- b) the possibility of escape of offensive odours is reduced.

**Penalty: 5 penalty units**

## 70. Depositing of waste at a municipal landfill or transfer station

- (1) A person using a municipal landfill or transfer station must deposit waste in accordance with any directions of any attendant of such facility or any signs erected at the facility and must pay the appropriate fee as set by any Council resolution from time to time.
- (2) Council may, by resolution, require persons to be registered with Council before being able to use a municipal landfill or transfer station.
- (3) Council may, by resolution, prohibit categories of waste from being deposited at a municipal landfill or transfer station.
- (4) A person must not deposit any waste which is prohibited at such facility.

## Part 7 - Animals

### 71. Keeping animals in the municipal district

(1) A person must not, without a permit keep or allow to be kept a greater number of animals than set out in the following table:

Type of Animal	Maximum allowed in residential area	Farming zone properties under 0.5 hectare and All Rural living zone properties	Farming Zone properties equal to or greater than 0.5 hectare
Dogs (includes working dogs)	2	2	5
Cats	2	2	2
Poultry	10	40	No maximum limit
Turkeys and geese	0	0	30
Roosters	0	0	20
Domestic birds (includes pigeons)	30	30	100
Ferrets	2	4	10
Guinea pigs	6	6	10
Domestic rabbits	2	6	10
Domestic mice	6	10	10
Pigs	0	0	6
Horses, donkeys, mules, sheep and goats	0	2	No maximum limit
Camels	0	0	No maximum limit
Cattle	0	1	No maximum limit
Ostriches, emus and peacocks	0	0	No maximum limit
Any other livestock or agricultural animal	0	0	No maximum limit

**Penalty: 5 penalty units**

- a) For the purpose of calculating the maximum number of dogs or cats kept, any progeny may be lawfully kept, without a permit, for 12 weeks after birth;
  - b) The table does not apply where a planning permit has been obtained for land used for the purposes of animal boarding, breeding, keeping or training;
  - c) All cats and dogs, including working dogs must be registered with Council under the Domestic Animals Act 1994;
  - d) Any zone outside of the table requires a permit to keep animals.
- (2) In determining whether to grant a permit for the keeping of animals where the number exceeds that which is set out in the table to sub-clause (1), Council must take into account:
- a) the zoning of the land;
  - b) the proximity of the area to adjoining properties;
  - c) the amenity of the area to that of adjoining properties;
  - d) the type and additional numbers of animals to be kept;
  - e) the area of land available for keeping the animals;
  - f) the likely effects on adjoining owners or occupiers;
  - g) whether the animals are being temporarily homed under an approved community foster care network;
  - h) the adequacy of animal shelters;
  - i) whether the animals have been desexed; and
  - j) any other matter relevant to the circumstances associated with the application.

## 72. Adequate fencing to prevent the escape of animals

The owner and occupier of land on which an animal is kept must ensure that the land is adequately fenced so as to prevent the escape of the animal from their land.

**Infringement notice: 3 penalty units**

## 73. Effective fencing for livestock

- (1) The owner and occupier of land must not use or permit the use of the land for the grazing or keeping of livestock unless it is adequately fenced for the purpose of preventing the livestock straying from their land onto any road or Council land.

**Infringement notice: 3 penalty units**

- (2) If an Authorised Officer is of the opinion that land used for the grazing or keeping of livestock is not adequately fenced then, in addition to any penalty that may be imposed, the Authorised Officer may issue a Notice to Comply directing the owner or occupier of the land to do any or all of the following:
- a) install, repair, replace or modify fences and gates;
  - b) remove any livestock from the land; and
  - c) not to permit the grazing and keeping of livestock until required works have been completed.

## 74. Domestic animal nuisance to neighbours

The owner and occupier of land must ensure that any animal or bird kept on the land does not cause a nuisance to surrounding or neighbouring landowners.

**Penalty: 2 Penalty units**

- (1) The owner and occupier of any land where any animal or bird is kept must ensure that all animal and bird litter and waste and rubbish associated with the keeping of the animal or bird are disposed of in such a manner so as not to create any nuisance.

**Penalty: 2 Penalty units**

## 75. Dog excrement

A person in charge of a dog on a road or in a municipal place must:

- a) not permit the excrement of the dog to remain on that road or in that municipal place;
- b) carry a device or article suitable for the removal of any excrement that may be deposited by the dog; and
- c) produce the device or article on the request of an authorised officer.

**Penalty: 3 penalty units**

## 76. Leashed areas

All dogs and cats must be on a leash at all times in or on:

- a) all streets and roads within residential areas;
- b) all public reserves, unless specifically designated as an off leash area by Council;
- c) all shopping precincts; and
- d) within 10 metres of all playgrounds and BBQ areas

## 77. Livestock grazing on a road reserve without a permit

- (1) A person must not, without a permit, allow any livestock to graze on any road or Council land.
- (2) An Authorised Officer may impound any livestock found on any road or Council land in breach of sub-clause (1) and can revoke a permit at any time.

## 78. Wandering livestock

- (1) A person must not allow any livestock under their ownership, care or control to stray or wander unattended onto any road or on any Council land.

**Infringement Notice: 3 Penalty units**

## 79. Droving and moving of livestock on a road reserve

- (1) The droving of any livestock in the municipality is prohibited.
- (2) A person who owns or is in charge of livestock must not cause or allow the movement of livestock on any road without a permit.
- (3) Sub clause (2) does not apply when the person complies with the 'Manual for Traffic Control at Stock Crossings' (Vic Roads, June 2015), and has obtained a permit from Vic Roads.
- (4) Sub clause (2) does not apply when livestock is being moved between two adjoining parts of a farm and the livestock are only moved within the boundaries of that farm.
- (5) Sub clause (2) does not apply to a person who owns or is in charge of the movement of livestock between two properties divided by a road but shall comply with the following;
  - a. the livestock are moved directly across the road at a stock crossing approved by Council;
  - b. portable signage is displayed to warn motorists when livestock are being moved. Permanent signage and related infrastructure must not be installed without a permit;
  - c. the livestock are supervised and under effective control by a person who is competent in the management of livestock;
  - d. as far as possible, the livestock are moved during daylight hours;
  - e. areas of high conservation are avoided and protected at all times;
  - f. any livestock excretion, mud or other debris deposits on the road are removed if required by an Authorised Officer for safety and amenity of the area;
  - g. any reasonable direction from an Authorised Officer is complied with.
- (6) Any person who owns or is in charge of moving livestock along, across or on Council land must comply with any reasonable direction from an Authorised Officer.
- (7) Council may exempt the owner of any farming property from the requirements of sub clause (2) upon written application to Council. Council may grant an exemption depending on the circumstances.
- (8) Council may, by resolution, prohibit a road or part of a road within the municipal district from being used for the grazing or moving of livestock.
- (9) Notice of resolutions made by Council shall be available at Council offices.

## 80. Responsibility of owners or occupiers of farm properties

- (1) The owner and occupier of any farm property to or from which livestock are being moved must ensure that:
  - a) adequate surface treatment measures in accordance with Council's requirements are applied to the road reserve between the carriageway and each property access point;
  - b) a vehicular crossing constructed in accordance with Council's requirements is provided and maintained at points where livestock either enter or exit the farm property.

## 81. Bees, wasps and fruit flies

- (1) The occupier of any land on which a beehive is kept must not create a nuisance through interfering with the reasonable comfort or convenience of persons who occupy adjacent or nearby land.

**Penalty: 2 penalty units**

- (2) The owner and occupier of land must destroy English and European wasps nesting on the land and must comply with any direction to do so in writing by an Authorised Officer.

**Penalty: 2 penalty units**

- (3) For the prevention of fruit fly, each owner and occupier of land;
- a) who leaves, or allows to remain any fruit on the ground of the land; or
  - b) does not annually prune and maintain any fruit trees on the land;

Is guilty of an offence and must dispose of any fruit that lies on the ground by sealing the fruit in a receptacle or container such as a plastic bag and placing it in a rubbish bin.

**Penalty: 2 penalty units**

## Schedule 1 – Beverford prescribed area

**In the township of Beverford the consumption of alcohol is prohibited between the hours of 9pm to 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Murray Valley Highway and School Road.

Continue heading in a westerly direction parallel to the northern side of School Road to the first channel reserve.

Continue heading in a southerly direction parallel to the western side of the channel reserve to the Murray Valley Highway.

Continue heading in southerly direction parallel to the western side of the Murray Valley Highway to the southern boundary of 1370 Murray Valley Highway, Beverford.

Continue heading in a northerly direction parallel to the eastern side of the Murray Valley Highway to School Road.

## BEVERFORD

Prescribed areas in the township of Beverford  
between the hours of 9pm and 10am.





## Schedule 2 - Lake Boga prescribed area

**In the township of Lake Boga the consumption of alcohol is prohibited between the hours of 9pm and 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Murray Valley Highway and Lakeside Drive.

Continue heading in an easterly direction parallel to the northern side of Lakeside Drive to Willakool Drive.

Continue heading in a southerly direction parallel to the eastern side of Willakool Drive to the property known as 19 Murray Valley Highway, Lake Boga.

Continue heading in a southerly direction parallel to the western boundary line of above property to Jacaranda Crescent.

Continue heading in a southerly direction parallel to the eastern side of Jacaranda Crescent to Murray Valley Highway.

Continue heading in a southerly direction to the property known as 170 Murray Valley Highway, Lake Boga.

Continue heading in a westerly direction parallel to the southern boundary of the above property, over the railway reserve to Cumnock Road.

Continue heading in a northerly direction parallel to the western side of Cumnock Road to the unnamed road.

Continue heading in a westerly direction parallel to the southern side of the unnamed road to the property known as 2-12 Cemetery Road, Lake Boga.

Continue heading parallel to the boundary perimeter of above property to Lalbert Road.

Continue heading in a westerly direction parallel to the southern side of Lalbert Road to Dallas Street.

Continue heading in a northerly direction parallel to the western side of Dallas Street to Marraboor Street.

Continue heading in an easterly direction parallel to the northern side of Marraboor Street to Soudan Street.

Continue heading in a northerly direction parallel to the western side of Soudan Street to Kunat Street.

Continue heading in an easterly direction parallel to the northern side of Kunat Street to Station Street.

Continue heading in a northerly direction parallel to the western side of Station Street to Kunat Street.

Continue heading in an easterly direction parallel to the northern side of Kunat Street to Murray Valley Highway.

Continue heading in a northerly direction parallel to the western side of Murray Valley Highway to Lakeside Drive.

## LAKE BOGA

Prescribed areas in the township of Lake Boga  
between the hours of 9pm and 10am.



## Schedule 3 - Manangatang prescribed area

**In the township of Manangatang the consumption of alcohol is prohibited 24 hours per day.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Wattle Street and Excelsior Street.

Continue heading in a westerly direction parallel to northern side of Excelsior Street to the intersection of Sutton Lane and the unnamed road.

Continue heading in a southerly direction parallel to the western side of the unnamed road to the Larundel Street.

Continue heading in an easterly direction parallel to the southern side of Larundel Street and around the perimeter of 19-21 Larundel Street (Manangatang Outdoor Pool) to Hope Street.

Continue heading in a southerly direction parallel to the western side of Hope Street to Wharton Street.

Continue heading in a northerly direction to the southern boundary of 1 Wattle Street (Manangatang Community Centre).

Continue along the southern boundary of the Community Centre to Wattle Street.

Continue in a northerly direction parallel to the western side of Wattle Street, cross over the railway reserve in an easterly direction and around the perimeter of 4105 Mallee Highway (Manangatang P-12 College) to Mallee Highway.

Continue heading in a westerly direction parallel to southern side of Mallee Highway to Sport Street.

Continue heading in a northerly direction parallel to eastern side of Sport Street to the unnamed road.

Continue heading in a northerly direction parallel to eastern side of the unnamed road to the intersection of Wattle Street and Excelsior Street.

## MANANGATANG

Prescribed areas in the township of Manangatang 24 hours a day.



## Schedule 4 - Nyah prescribed area

**In the township of Nyah the consumption of alcohol is prohibited between the hours of 9pm to 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Stradbroke Avenue and Church Road.

Continue heading in an easterly direction parallel to the southern side of Church Road to River Street.

Continue heading in a northerly direction parallel to the eastern side of River Street to Stradbroke Avenue.

Continue heading in a northerly direction parallel to the eastern side of Stradbroke Avenue to where the Murray Valley Highway commences.

Cross over Stradbroke Avenue and continue heading in a southerly direction parallel to the western side of Stradbroke Avenue to Church Road.

## NYAH

Prescribed areas in the township of Nyah  
between the hours of 9pm and 10am.





## Schedule 5 - Nyah West prescribed area

**In the township of Nyah West the consumption of alcohol is prohibited between the hours of 9pm to 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Monash Avenue and Bodinnar Road.

Continue heading in a southerly direction parallel to the southern side of Bodinnar Road to Donald Street.

Continue heading in an easterly direction parallel to the southern side of Donald Street to Mary Street.

Continue in a southerly direction along the eastern boundary of Lot 1 TP865805 to Lot 1 PS342018.

Continue along the northern boundary of Lot 1 PS342018 to Station Street.

Continue heading in a south easterly direction parallel to the western side of Station Street to Birdwood Avenue.

Continue heading in a northerly direction parallel to the eastern side of Birdwood Avenue to Limon Street.

Continue heading in an easterly direction parallel to the southern side of Limon Street to the unnamed road.

Continue heading in a northerly direction on the eastern side of unnamed road to Railway Avenue.

Continue heading in an easterly direction on the southern side of Railway Avenue to Lauer Crescent.

Continue heading in an easterly direction on the southern side of Lauer Crescent to Monash Avenue.

Continue heading in a westerly direction parallel to the northern side of Monash Avenue to the Hansen Lane.

Continue heading in a north westerly direction parallel to the northern side of Hansen Lane which becomes an unnamed road.

Continue heading in a north westerly direction parallel to the northern side of the unnamed road to Leigh Street.

Continue heading in a southerly direction parallel to the western side of Leigh Street to the unnamed road.

Continue heading in a south westerly direction parallel to the western side of unnamed road to the Monash Avenue.

Continue heading in a westerly direction parallel on the northern side of Monash Avenue to Bodinnar Road.

## NYAH WEST

Prescribed areas in the township of Nyah West  
between the hours of 9pm and 10am.





## Schedule 6 - Piangil prescribed area

**In the township of Piangil the consumption of alcohol is prohibited between the hours of 9pm to 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Murray Street and Hayward Road.

Continue heading in a southerly direction parallel to the western side of Hayward Road to the unnamed road.

Continue heading in an easterly direction over the railway reserve to South Street.

Continue heading in an easterly direction parallel to the southern side of South Street to McGradie Street.

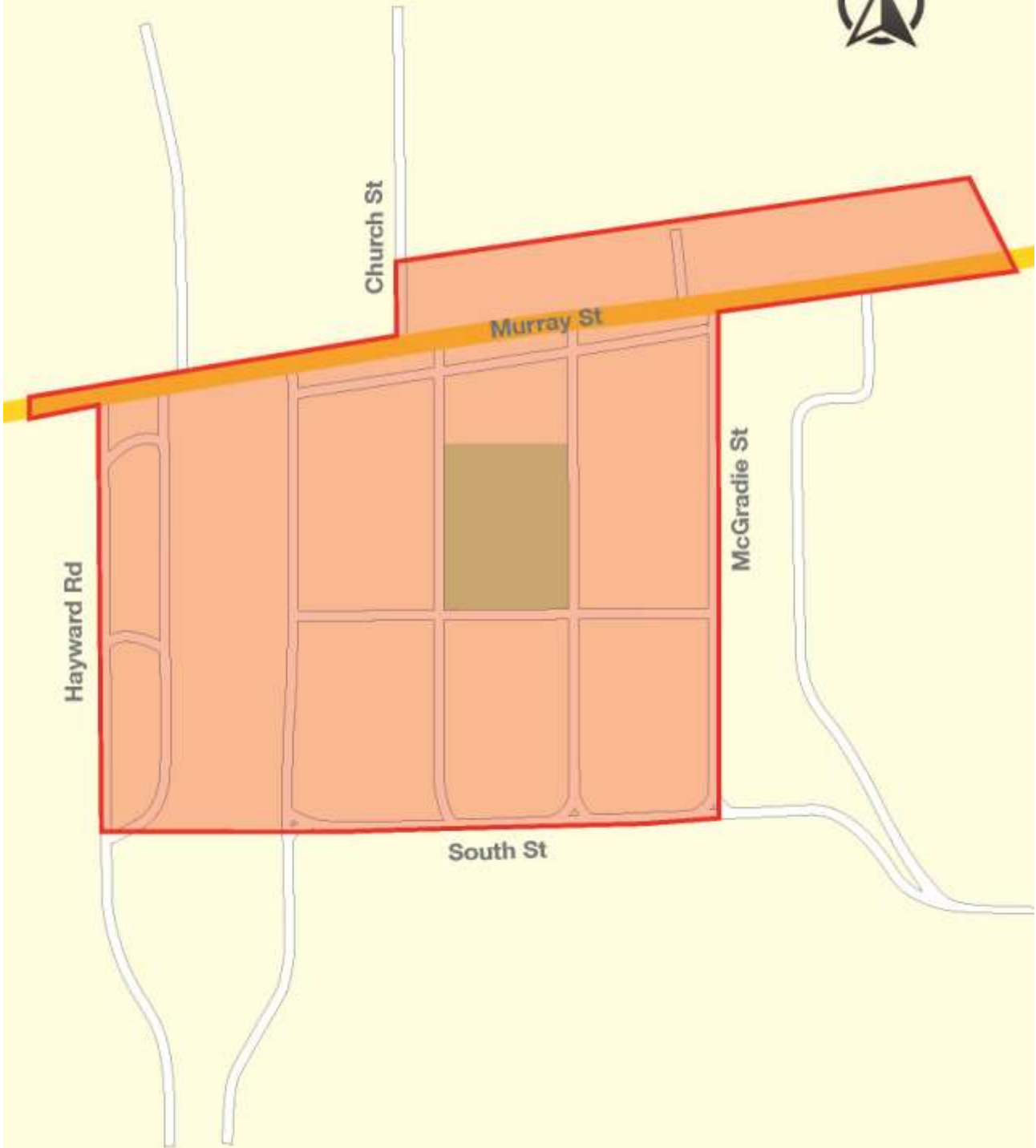
Continue heading in a northerly direction parallel to the eastern side of McGradie Street to Murray Street.

Continue heading in an easterly direction parallel to the southern side of Murray Street to the intersecting point opposite 26 Murray Street, Piangil.

Cross over Murray Street to the southern boundary of the above property and continue in an easterly direction back to where Murray Street becomes the Mallee Highway.

## PIANGIL

Prescribed areas in the township of Piangil  
between the hours of 9pm and 10am.



## Schedule 7 - Robinvale prescribed area

**In the township of Robinvale the consumption of alcohol is prohibited 24 hours per day.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of McLennan Drive and Murray Valley Highway

Continue heading in southerly direction parallel to the western side of Murray Valley Highway to Bromley Road.

Continue heading in a southerly direction parallel to the western side of Bromley Road to Moore Street.

Continue heading in a southerly direction parallel to the western side of Moore Street to the unnamed road.

Continue in an easterly direction parallel to the southern side of the unnamed road, over the railway reserve to the Murray Valley Highway.

Continue heading in a southerly direction parallel to the western side of the Murray Valley Highway to Robinvale-Sea Lake Road.

Continue heading in an easterly direction parallel to the southern side of the Murray Valley Highway to Smythe Road.

Continue heading in an easterly direction parallel to the southern side of Smythe Road to the unnamed road.

Continue heading a north easterly direction parallel to the eastern side of the unnamed road to the edge of the southern bank of the Murray River.

Continue heading in a north easterly direction on the southern side of the Murray River, then heading in a westerly direction to the bridge on the Murray Valley Highway.

Continue heading in a southerly direction parallel to the western side of the Murray Valley Highway to McLennan Drive.

## ROBINVALE

Prescribed areas in the township of  
Robinvale 24 hours a day.



## Schedule 8 - Swan Hill prescribed area

**In the township of Swan Hill the consumption of alcohol is prohibited between the hours 9pm to 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Karinie Street and Nyah Road.

Continue heading in a westerly direction parallel to the northern side of Karinie Street to Bish Road.

Continue heading in a southerly direction parallel to the western side of Bish Road to Woorinen Road.

Continue heading in a southerly direction parallel to southern side of Woorinen Road to Memorial Drive.

Continue heading in a southerly direction parallel to the western side of Memorial Drive to the intersection of Memorial Drive, Dead Horse Lane and Sea Lake—Swan Hill Road.

Continue heading in a southerly direction parallel to the western side of Dead Horse Lane to Werril Street.

Continue heading in an easterly direction parallel to the southern side of Werril Street to Murray Valley Highway.

Continue heading in a southerly direction parallel to the western side of Murray Valley Highway to the northern boundary of 5563 Murray Valley Highway, Swan Hill

Cross the Murray Valley Highway and over the railway reserve to the northern boundary of 5536B Murray Valley Highway, Swan Hill.

Continue heading in an easterly direction parallel to the southern boundary of the above property, to the western bank of the Little Murray River.

Continue heading in a northerly direction along the western bank of the Little Murray River to the junction of the Little Murray River and the Murray River.

Continue heading in a northerly direction parallel to the western bank of the Murray River to the intersection of Milloo Street and the unnamed road.

Continue heading in a westerly direction parallel to the northern side of the unnamed road to the intersection of River Road and Arnoldt Street.

Continue heading in a westerly direction parallel to the northern side of Arnoldt Street and along the rear boundary of 2-8 King Street (the Grain Shed) to Curlewis Street.

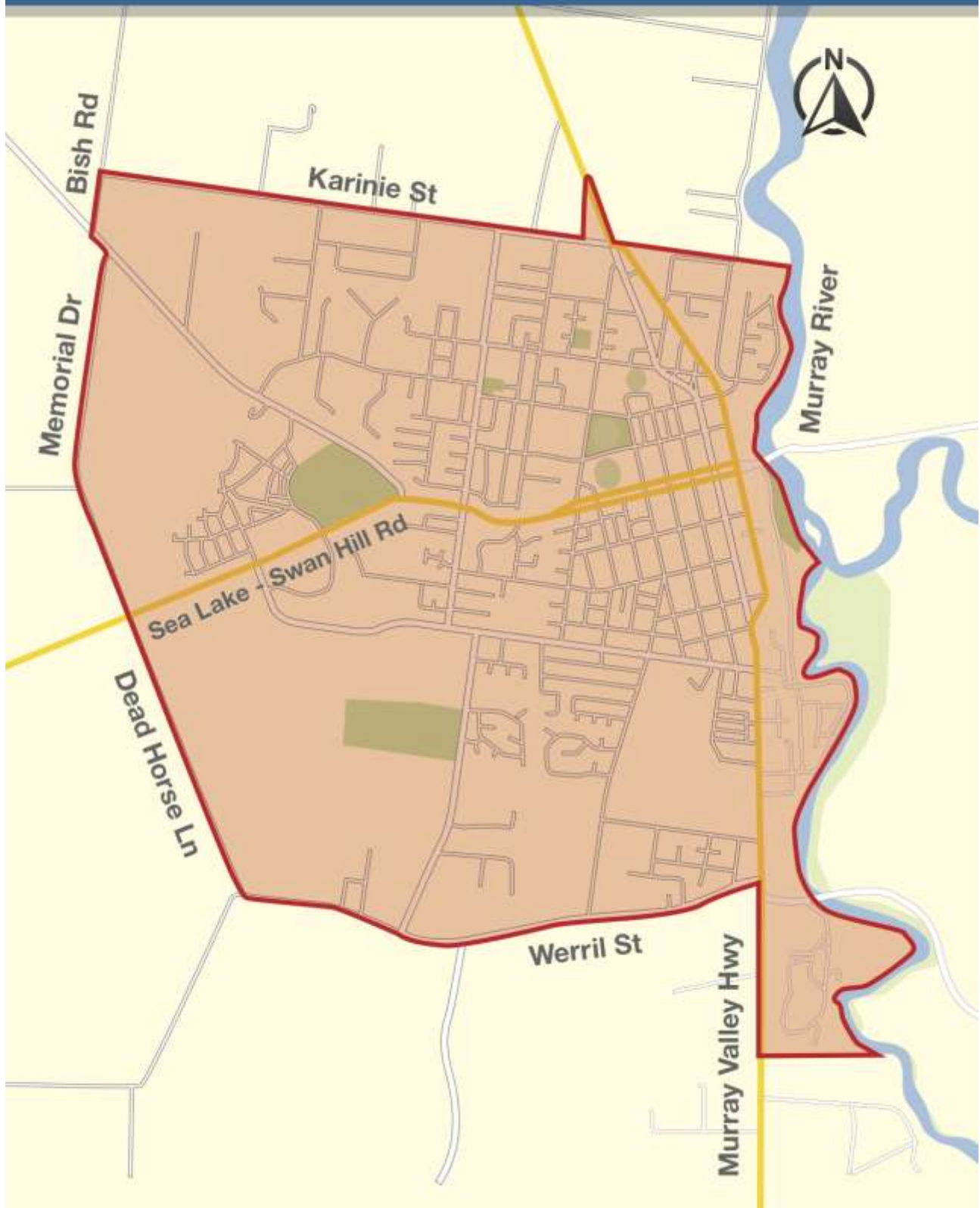
Continue heading in a northerly direction around the roundabout and along the Murray Valley Highway to Saleyards Road.

Continue heading in a southerly direction parallel to the western side of Salesyards Road to the intersecting point of commencement Karinie Street and Nyah Road.



## SWAN HILL

Prescribed areas in the township of Swan Hill  
between the hours of 9pm and 10am.



## Schedule 9 - Swan Hill Central Business District prescribed area

**In the township of Swan Hill CBD the consumption of alcohol is prohibited 24 hours per day.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Curlewis Street and Nyah Road.

Continue heading in a southerly direction parallel to the western side of Nyah Road to Stradbroke Avenue.

Continue heading in a southerly direction parallel to the western side of Stradbroke Avenue to Chapman Street.

Continue heading in an easterly direction parallel to the southern side of Chapman Street to Nyah Road.

Continue heading in a southerly direction parallel to the western side of Nyah Road to Pye Street.

Continue heading in an easterly direction parallel to the southern side of Pye Street to Splatt Street.

Continue heading in a southerly direction parallel to the western side of Splatt Street to Rutherford Street.

Continue heading in an easterly direction parallel to the southern side of Rutherford Street to Beveridge Street.

Continue heading in a southerly direction parallel to the western side of Beveridge Street to Gray Street.

Continue heading in an easterly direction parallel to the southern side of Gray Street over Campbell Street and the railway reserve to Monash Drive.

Continue heading in a northerly direction parallel to the western side of Monash Drive to McCallum Street.

Continue heading in a westerly direction parallel to the southern side of McCallum Street to Curlewis Street.

Continue heading on a northerly direction parallel to the eastern side of Curlewis Street to Nyah Road.

## SWAN HILL CBD

Prescribed areas in the Swan Hill Central Business District 24 hours a day.





## Schedule 10 - Ultima prescribed area

**In the township of Ultima the consumption of alcohol is prohibited between the hours of 9pm to 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Sea Lake-Swan Hill Road and David Street.

Continue heading in a southerly direction down to Culgoa–Ultima Road.

Continue heading along Culgoa-Ultima Road in a southerly direction to the Ultima Recreation Reserve and continue around the whole perimeter of the Recreation Reserve and back to Culgoa-Ultima Road.

Continue heading in a southerly direction along Culgoa-Ultima Road to Taverner Street.

Continue heading in an easterly direction along Taverner Street to Dillon Street.

Continue heading in a northerly direction along the eastern side of Dillon Street to Vernon Street.

Continue in an easterly direction along Vernon Street until it becomes Ultima-Meatian Road and then over the railway reserve.

Stop at Ultima-Meatian Road before the bend and then head north along the eastern side of the railway reserve to the intersection of Lake Boga-Ultima Road and David Street.

Continue along David Street and back to Sea Lake-Swan Hill Road.

## ULTIMA

Prescribed areas in the township of Ultima  
between the hours of 9pm and 10am.



## Schedule 11 – Woorinen South prescribed area

**In the township of Woorinen South the consumption of alcohol is prohibited between the hours of 9pm to 10am.**

The areas of land (including the whole road reserve and any crown land of which Swan Hill Rural City Council is the committee of management) or any public reserve within the land bounded by the intersection of Palmer Street and Harvey Road.

Continue heading in a westerly direction parallel to the northern side of Harvey Road to Woorinen-Vinifera Road.

Continue heading in a southerly direction parallel to the western side of Woorinen-Vinifera Road to the unnamed road.

Continue heading in a southerly direction along the unnamed road and over the railway reserve.

Continue in an easterly direction parallel to the southern side of the unnamed road to Woorinen-Goschen Road.

Continue heading in a northerly direction parallel to the eastern side of Woorinen-Goschen Road to Woorinen Road.

Continue heading in an easterly direction parallel to the southern side of Woorinen Road to the unnamed laneway.

Continue in a northerly direction parallel to the eastern side of the unnamed laneway to Monday Street.

Continue in a westerly direction parallel to the northern side of Monday Street to Palmer Street.

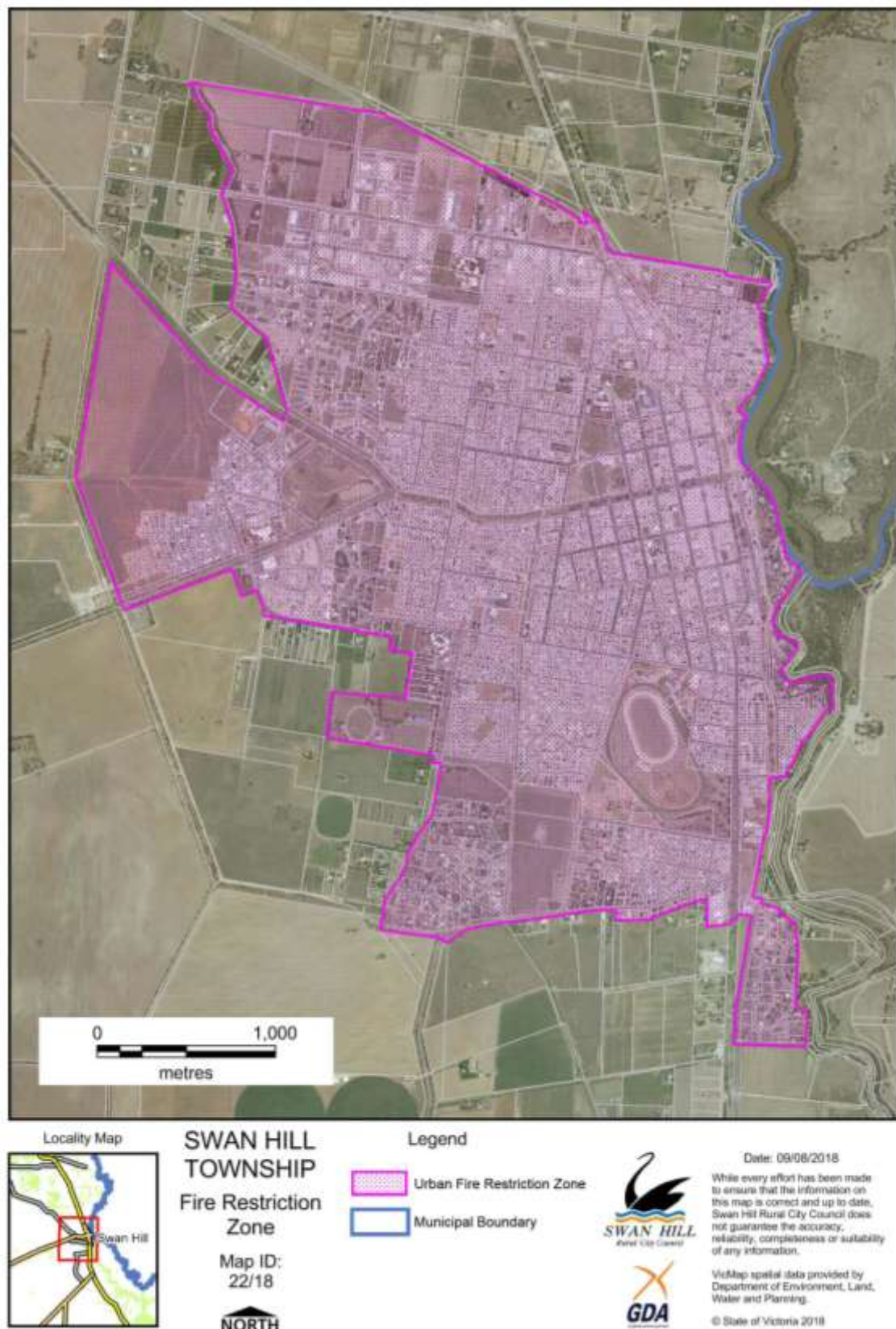
Continue in a northerly direction parallel to the eastern side of Palmer Street to Harvey Road.

## WOORINEN SOUTH

Prescribed areas in the township of Woorinen South  
between the hours of 9pm and 10am.

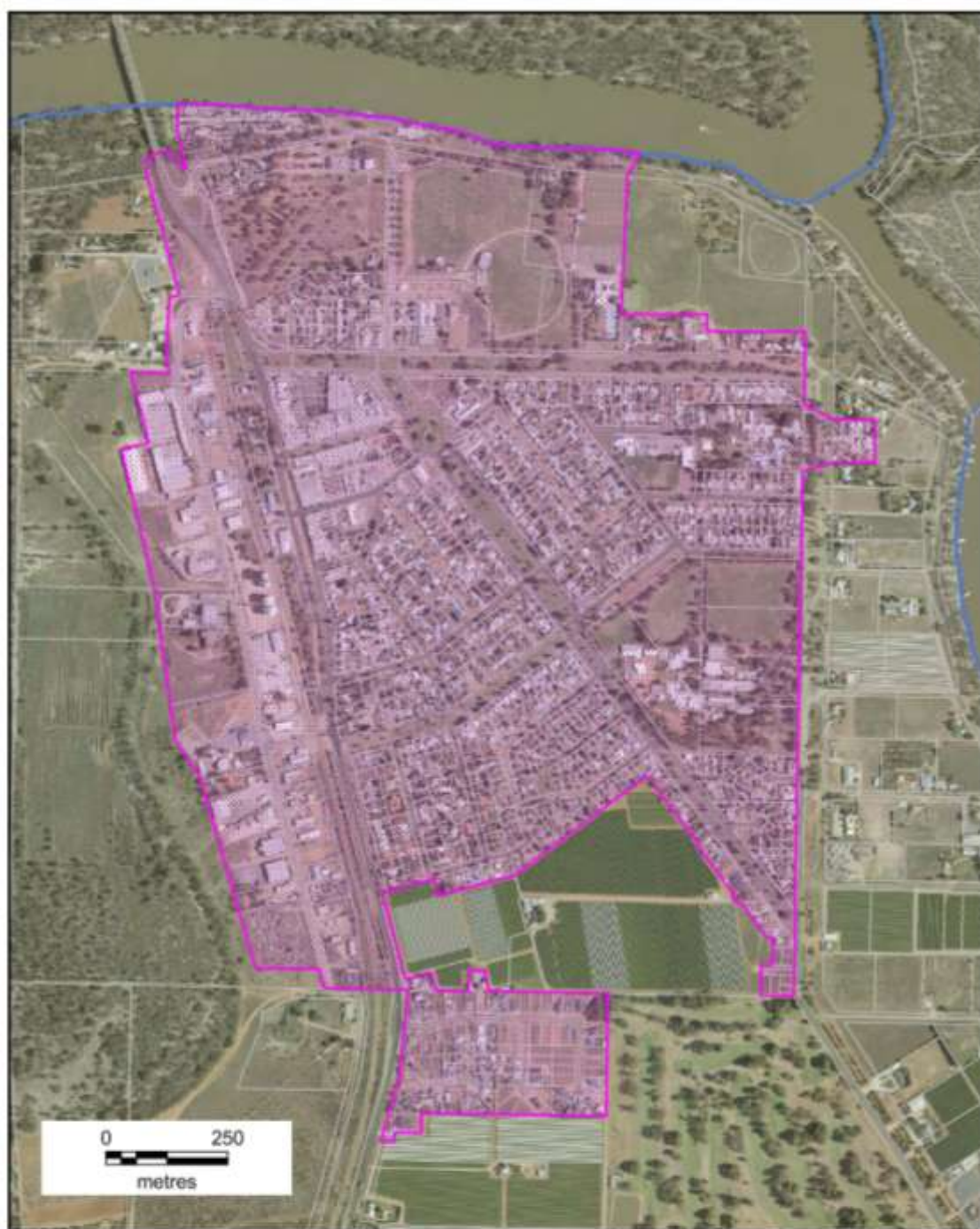


## Schedule 12 – Swan Hill Township fire restriction zone





# Schedule 13 – Robinvale Township fire restriction zone



## ROBINVALE TOWNSHIP Fire Restriction Zone

Map ID:  
23/18



### Legend

- Urban Fire Restriction Zone
- Municipal Boundary



Date: 09/08/2018

While every effort has been made to ensure that the information on this map is correct and up to date, Swan Hill Rural City Council does not guarantee the accuracy, reliability, completeness or suitability of any information.

VicMap spatial data provided by Department of Environment, Land, Water and Planning.

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# Schedule 14 – Ultima Township fire restriction zone



## ULTIMA TOWNSHIP Fire Restriction Zone

Map ID:  
24/18



### Legend

-  Urban Fire Restriction Zone
-  Parcel Boundary Line
-  Municipal Boundary



Date: 20/08/2018

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# Schedule 15 – Lake Boga Township fire restriction zone




## LAKE BOGA TOWNSHIP Fire Restriction Zone

Map ID:  
30/18



### Legend

-  Urban Fire Restriction Zone
-  Parcel Boundary Line
-  Municipal Boundary



Date: 20/06/2018

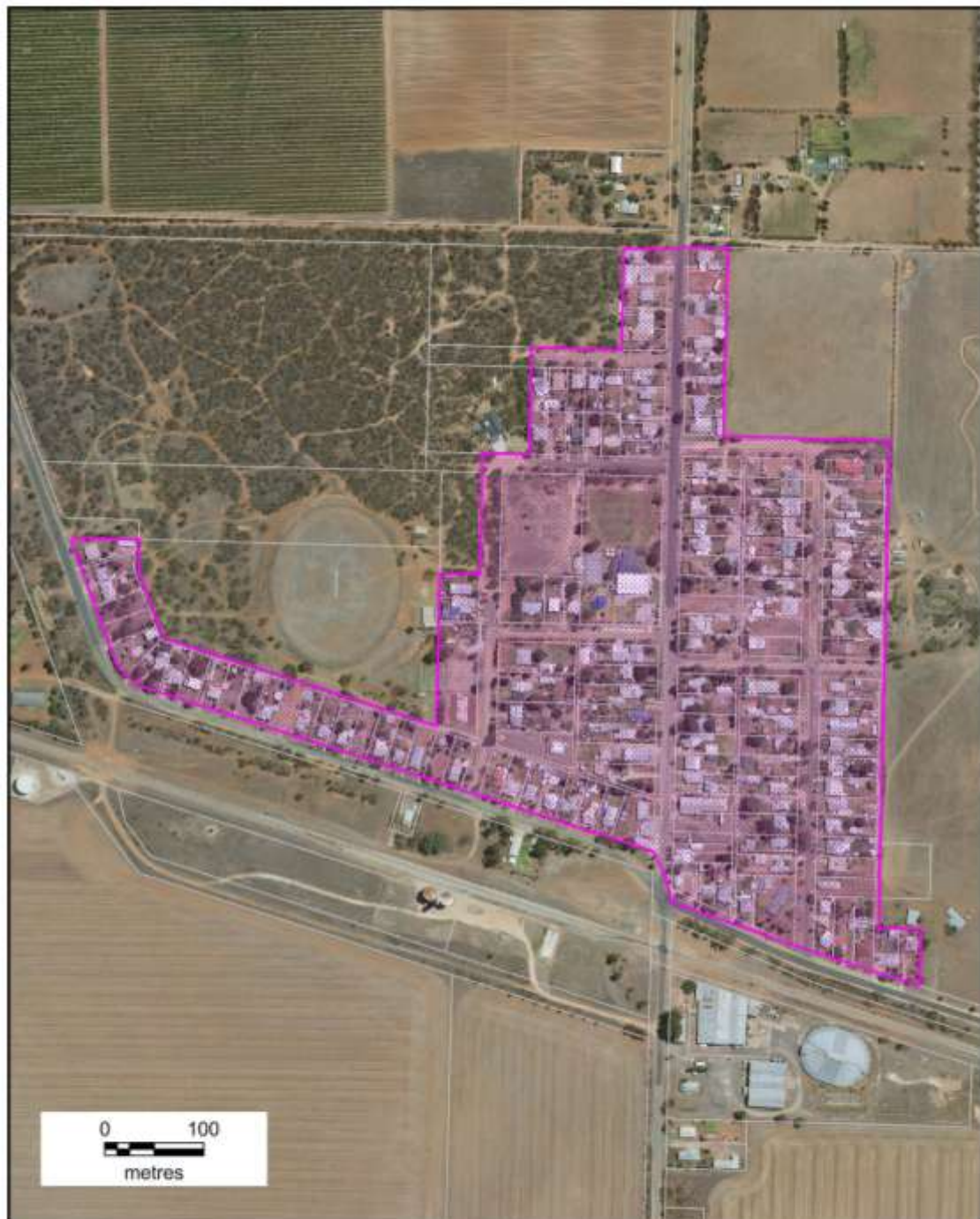
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## Schedule 16 – Woorinen South Township fire restriction zone



**WOORINEN  
SOUTH  
TOWNSHIP**  
Fire Restriction  
Zone  
Map ID:  
25/18  


### Legend

-  Urban Fire Restriction Zone
-  Parcel Boundary Line
-  Municipal Boundary



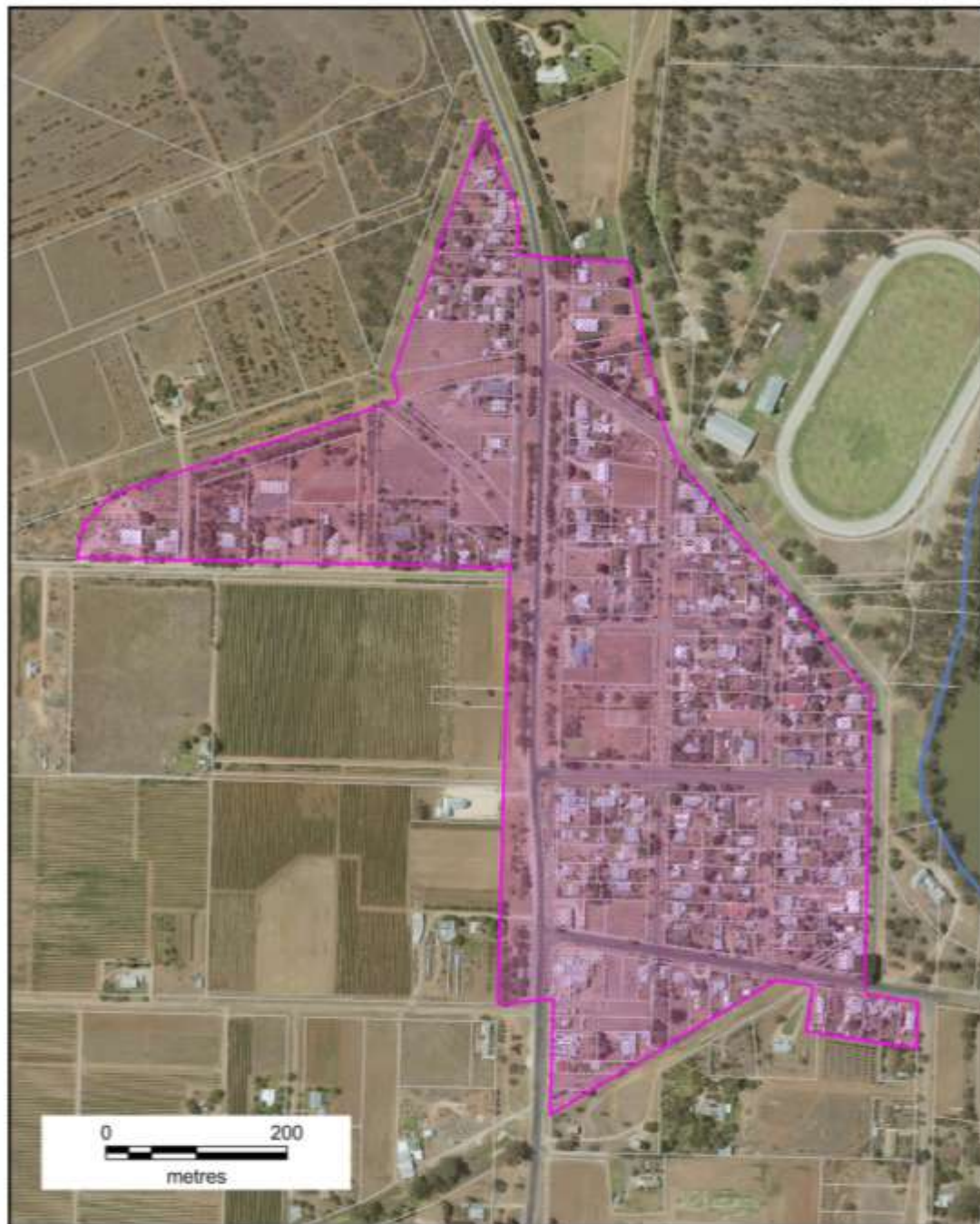
Date: 20/08/2018

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# Schedule 17 – Nyah Township fire restriction zone



## NYAH TOWNSHIP Fire Restriction Zone

Map ID:  
27/18



### Legend

- Urban Fire Restriction Zone
- Parcel Boundary Line
- Municipal Boundary



Date: 20/06/2018

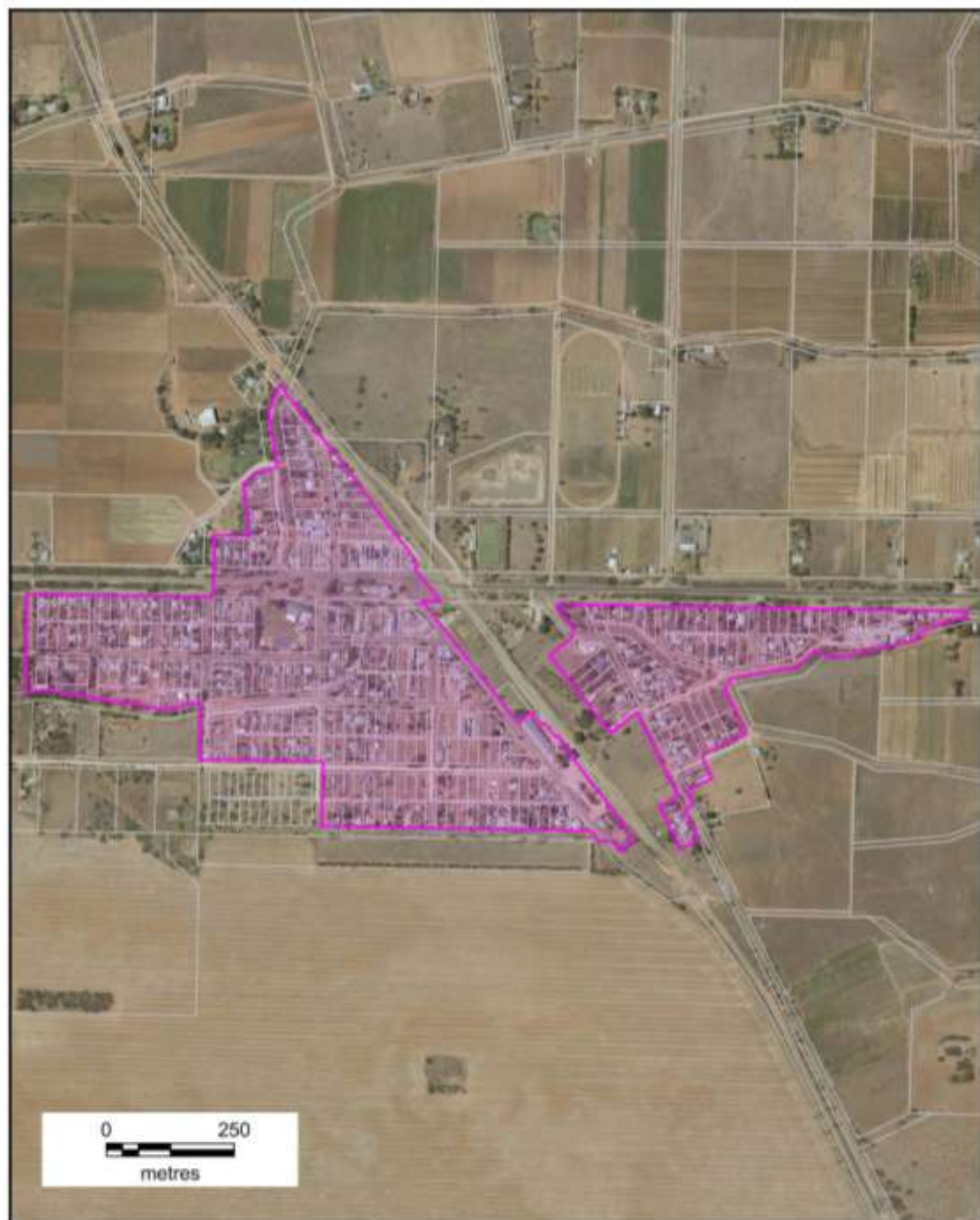
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# Schedule 18 – Nyah West Township fire restriction zone






## NYAH WEST TOWNSHIP Fire Restriction Zone

Map ID:  
29/18



### Legend

-  Urban Fire Restriction Zone
-  Parcel Boundary Line
-  Municipal Boundary



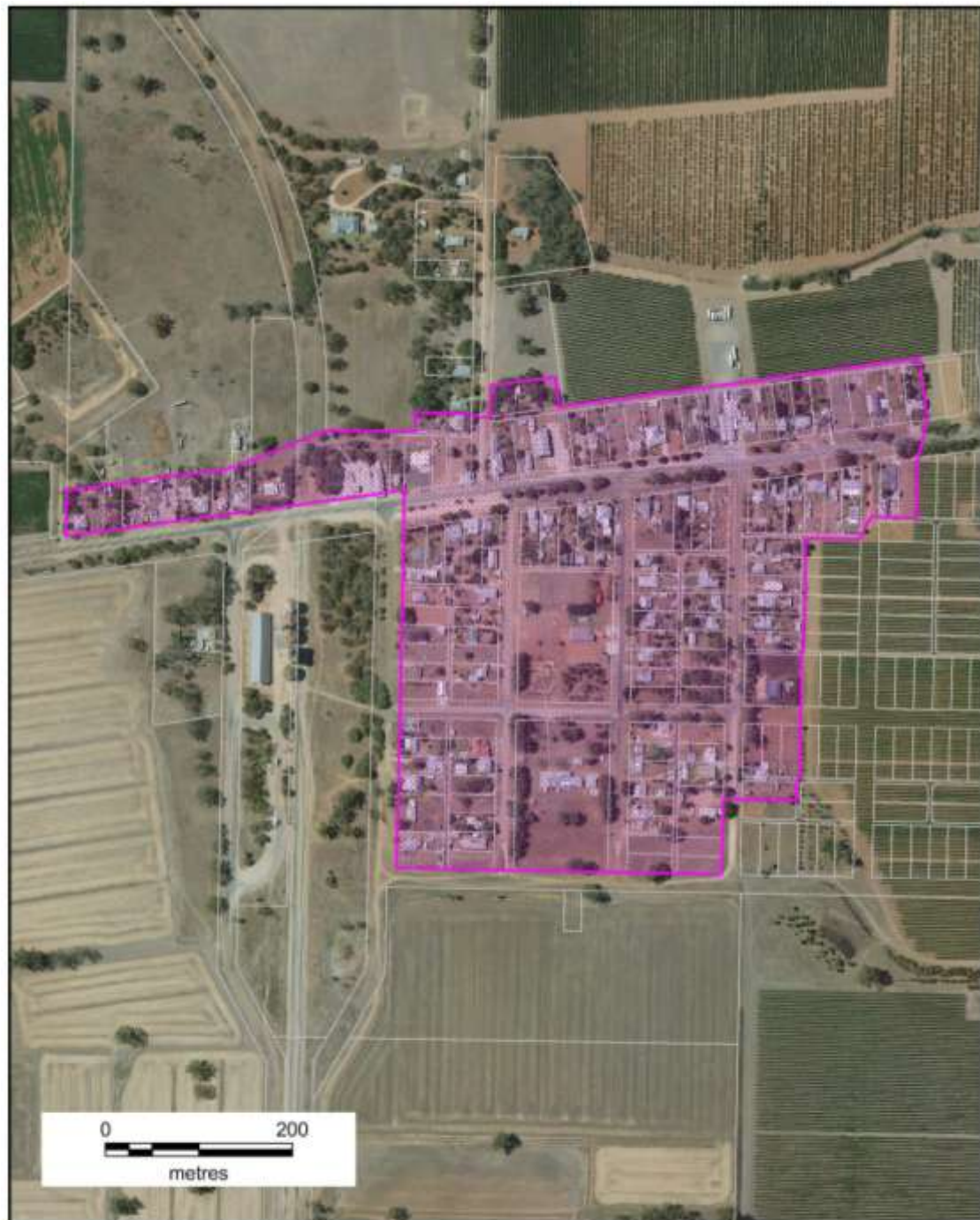
Date: 20/08/2018

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# Schedule 19 – Piangil Township fire restriction zone



**PIANGIL  
TOWNSHIP**  
**Fire Restriction  
Zone**  
Map ID:  
26/18  
**NORTH**

## Legend

- Urban Fire Restriction Zone
- Parcel Boundary Line
- Municipal Boundary



Date: 20/08/2018  
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# Schedule 20 – Manangatang Township fire restriction zone

