Mansfield Shire Council

Community Local Laws Policy & Procedure Manual

2026



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Explanatory Notes

Purpose of this Policy and Procedure Manual

This Manual is incorporated by reference into the Community Local Law 2026 – 2035 and supports the Community Local Law by explaining the reasons behind certain controls that affect the Shire's amenity. It outlines:

- How Council staff will administer these controls;
- How decisions are made; and
- The purpose of each clause.

Ongoing Review

The Community Local Law review and community consultation process undertaken was extensive. This Manual:

- Supports the Community Local Law and provides procedures which can be updated by a Council resolution; and
- Reflects changing community needs and expectations.

Council intends to keep this Manual under continuous review with input from staff, management, community groups, and individuals affected by the Community Local Law.

Exemptions

The Manual identifies exempt persons or activities.

Additional exemptions may be added by Council if the objectives of the Local Law are still met.

Permits and Permission Tables

Permissions tables are included for all relevant Local Laws where permits may apply. These tables outline for tiers of control as follows:

Tier 0 - No Permit Required

Activities or uses specified in this section do not require any permission. They are considered to have little or no impact and do not need to be considered by Council. Activities or uses that do not meet the Conditions specified are to be included in the next section '*Permit by Notification'*.

Tier 1 - Permit by Notification

Activities or uses specified in this section require a permit to be issued. This process is a matter of the applicant completing an application and a permit will be issued automatically without consideration by Council. These activities or uses are considered to have some impact but must meet the Conditions specified to mitigate these impacts. These Conditions will be shown on any permit issued. Activities or uses that do not meet the Conditions specified are to be included in the next section '*Permit by Application'*.

Tier 2 - Permit by Application

Activities or uses specified in this section require a permit to be issued as they may have higher impact, that needs consideration by Council Officers. Council officers will use the appropriate Decision Guidelines to decide whether the proposal will produce acceptable outcomes in accordance with the purpose of the Community Local Laws. These decision guidelines are included in each procedure. Conditions to mitigate any impacts will be shown on any permit issued and may include conditions not listed in the table. Council may refuse to issue a permit

where impacts cannot be adequately mitigated. Activities or uses that do not meet the Conditions specified are '*Prohibited*'.

Tier 3 - Prohibited

Activities or uses specified in this section are Prohibited. This will include any activities or uses detailed as Prohibited in the Community Local Law as well as any activities or uses which cannot meet the Conditions listed in the Permission tables.

Enforcement

Decisions on different compliance responses will be undertaken in accordance with the Compliance Policy, and the following matrix applied:

		Severity of Offence			
Type of Offence		Negligible No impact to community or environment	Minor May have a minor impact on the wider community or environment.	Moderate Has a moderate impact on community or environment.	Major Has a major impact on the community or environment.
	• Repeated non-compliance. • Past enforcement activity or breaches of related law and no remedial works undertaken.	Infringement Notice	Infringement Notice	Infringement Notice	Infringement Notice with consideration of escalation to court or other legal proceedings
	• Requirements are apparent (e.g., signage in place). • Previous enforcement activity or breaches of related law.	Notice to Comply	Notice to Comply	Notice to Comply	Infringement Notice
	• Non-compliance of medium duration (weeks). • Harm abated and some remedial works undertaken.	Verbal Instruction to comply. May include written follow up.	Notice to Comply	Notice to Comply	Infringement Notice
	• No history of non-compliance. • Non-compliance of short duration (days). • Harm abated and remedied.	Verbal Instruction to comply. May include written follow up.	Verbal Instruction to comply. May include written follow up.	Notice to Comply	Infringement Notice

Document control

The Policy and Procedure Manual is a controlled document, with the following controls in place:

1. One master document will be maintained by an authorised staff member.
2. Updates require Council authority.
3. Subject to internal audit.

Definitions

Terms used in this manual align with the Definitions table in the Community Local Law document unless otherwise specified.

Commencement

The operation of this Policy and Procedure Manual commences on 1 July 2026

10. Conduct on Council Land, Buildings and Reserves

Purpose

To protect community safety, amenity, and equitable access to Council managed land, reserves, and buildings by regulating conduct and ensuring responsible use of public assets.

Applies To

All persons entering, using, or occupying any Council managed land, reserves, and buildings within the municipal district of Mansfield Shire Council.

Exemptions

This clause does not apply to:

a) Council staff or contractors acting under Council authority.

b) Emergency services conducting official duties.

c) Activities otherwise authorised by state or federal legislation.

Land / Places Affected

a) Council buildings.

b) Public reserves and open space.

c) Council managed land including roadsides, car parks, and shared paths.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Ride or drive a vehicle or horse on a Council reserve	• Must be on a designated shared path, bicycle path or parking area • Parking is undertaken in a designated vehicle parking area. • Conducted in a way that does not interfere with others' enjoyment.
1	Permit by Notification	Hold a public event, such as a festival, circus, carnival or fete.	• Sales of goods not to be primary component of use. • Public Liability Insurance of $20 million to be maintained during permit period. • No damage to be caused to Council assets. • Hours of operation not to impact neighbouring properties. • Volume not to impact neighbouring properties.
		Use amplification devices, including PA systems and loudspeakers.	
		Conduct personal training or bootcamps.	

Tier	Permit Status	Activity	Conditions
			• Car parking to be accommodated within defined parking areas.
		Temporary fences and obstructions	• Public Liability Insurance of $20 million to be maintained during permit period. • Any other relevant permits (Building, Planning etc) must be in place. • No damage to be caused to Council assets.
2	Permit by Application	Alter, do works to, or interfere with any Council land, asset or infrastructure	• Public Liability Insurance of $20 million to be maintained during permit period. • No damage to be caused to Council assets. • Hours of operation not to impact neighbouring properties. • Any other relevant permits (Building, Planning, Wastewater etc) must be in place.
		Use or operate a recreational vehicle or unregistered vehicle on Council land	
		Sell or offer goods or services on Council land: for example, food vans	
		Erect or operate any amusement ride, structure, or device on Council land	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form
- Site plan showing all details of use.
- Description of all proposed items
- Proposed placement dates and trading hours
- Public Liability insurance certificate to a value of $20 million, with Council named as an

interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained.
- Whether the safety of road users, passage of vehicles or the safe ingress or egress of vehicles will be adversely affected.
- Where the proposed activity is mobile trading, whether appropriate arrangements can be made for wastewater disposal, customer parking, litter and garbage disposal, lighting and advertising signs.
- Whether the proposed activity makes a positive contribution to the character and amenity of the area.
- The duration of the permit sought and frequency of the proposed activity.
- Potential impacts on the availability of parking for vehicles, including whether the proposed activity is to be conducted within an area where vehicles are usually parked or that is marked for the purpose of parking.
- Whether permits required by any other relevant legislation have been obtained.
- Whether Public Liability Insurance is to be maintained during permit period
- Whether the proposed activity will disturb, annoy or disrupt adjacent property owners or occupiers.
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit.
- Whether the proposed activity is undertaken by a not-for-profit charity or a local community organisation; and
- Any other matters relevant to the circumstances of the application.

11. Street Trading, Signs, Goods and Street Furniture

Purpose

To regulate the placement of advertising signs, goods, mobile billboards, and furniture on public and Council managed land in order to:

a) Protect pedestrian and traffic safety.

b) Maintain accessible and clutter-free public spaces.

c) Preserve the visual amenity of town centres and civic areas.

Applies To

All individuals, businesses, and traders placing or displaying:

a) A-frame signs.

b) Goods for sale or promotion.

c) Tables, chairs, umbrellas, or café furniture.

d) Mobile billboards or portable signage.

Exemptions

This clause does not apply to:

a) Council staff or contractors acting under Council authority.

b) Emergency services conducting official duties.

c) Activities otherwise authorised by state or federal legislation.

Land / Places Affected

All public places and land owned, managed, or controlled by Mansfield Shire Council, including streets, footpaths, open spaces, and commercial zones.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Creative signage, display or casual seating	• Sales of goods not to be primary component of placement. • Positioned at least 500mm from the kerb. • Maintains a minimum 1.8 metre clear pedestrian path. • Constructed from safe, stable, and weather-resistant materials. • Public Liability Insurance of $20 million to be maintained. • Must not impede vehicle sightlines

Tier	Permit Status	Activity	Conditions
		Goods placed for sale or promotion outside a business	• Must maintain 1.8m clear pedestrian path. • Must maintain 1 metre access from parking area. • Public Liability Insurance of $20 million to be maintained • Must not impede vehicle sightlines • Must be during standard Hours a) Monday to Friday- 7.00am till 7.00pm b) Saturday and Sunday – 8.00am till 7.00pm c) Public Holidays - 8.00am till 6.00pm
		Café Furniture – Standard Setup, includes umbrellas	• Must maintain 1.8m clear pedestrian path. • Must maintain 1 metre access from parking area. • Public Liability Insurance of $20 million to be maintained • Must not impede vehicle sightlines • Must be during standard Hours a) Monday to Friday- 7.00am till 7.00pm b) Saturday and Sunday – 8.00am till 7.00pm c) Public Holidays - 8.00am till 6.00pm
1	Permit by Notification	A-Frame sign	• Maximum of 1 A-Frame Sign per premises • Must maintain 1.8m clear pedestrian path. • Must maintain 1 metre access from parking area. • Sign is placed adjacent to the business it advertises.

Tier	Permit Status	Activity	Conditions
			• Positioned at least 500mm from the kerb. • Dimensions do not exceed 900mm high × 600mm wide. • Displayed only during business trading hours. • Not to be illuminated. • Removed during severe weather or when directed by Council. • Public Liability Insurance of $20 million to be maintained during permit period. • Must not impede vehicle sightlines
		Erecting a sign on or above Council Land	• Public Liability Insurance of $20 million to be maintained during permit period. • Must not impede vehicle sightlines
		Placing a mobile billboard on Council Land	• Must maintain 1.8m clear pedestrian path. • Must maintain 1 metre access from parking area. • Public Liability Insurance of $20 million to be maintained during permit period. • Must not impede vehicle sightlines
2	Permit by Application	Café Furniture – Extended Setup or Extended Hours	• Must maintain 1.8m clear pedestrian path. • Must maintain 1 metre access from parking area. • Public Liability Insurance of $20 million to be maintained during permit period. • Must not impede vehicle sightlines

Tier	Permit Status	Activity	Conditions
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing item dimensions and placement.
- Description of proposed furniture, signage or display.
- Proposed placement dates and trading hours.
- Public liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained.
- Whether a minimum footpath width of 1.8 metres is provided in order to meet the accessibility requirements of the *Disability Discrimination Act 1992* and design standards for access and mobility under Australian Standard 1428.2 or such similar standards as published from time to time.
- Whether the safety of road users, passage of vehicles or the safe ingress or egress of vehicles will be adversely affected.
- Whether the proposed sale of goods, sign, chair, table, seat, umbrella, chair, heater, screen, planter box or other item is located directly outside the business of the applicant.
- The proportion of the business's frontage taken up by the proposed display of goods.
- Potential impacts on the availability of parking for vehicles, including whether the proposed activity is to be conducted within an area where vehicles are usually parked or that is marked for the purpose of parking.
- Where the proposed activity is mobile trading, the duration of the permit sought and frequency of the proposed activity, the potential impacts on the availability of parking for vehicles and what other opportunities are available at the time proposed.
- Whether permits required by any other relevant legislation have been obtained.
- Whether the use is prohibited by other legislation (e.g., Food vans in certain Zones)
- Where the proposed activity is the placement of an advertising sign, the nature and dimensions of the sign, as well as the nature and extent of existing signage on the land.
- Whether Public Liability Insurance is to be maintained during permit period

- Whether the proposed activity makes a positive contribution to the character and amenity of the area.
- Whether the proposed activity will disturb, annoy or disrupt adjacent property owners or occupiers.
- Whether the proposed activity will result in unacceptable visual clutter in and around the area.
- Whether the proposed activity promotes the vibrancy of the commercial area in which it is located.
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit. Any other matters relevant to the circumstances of the application.

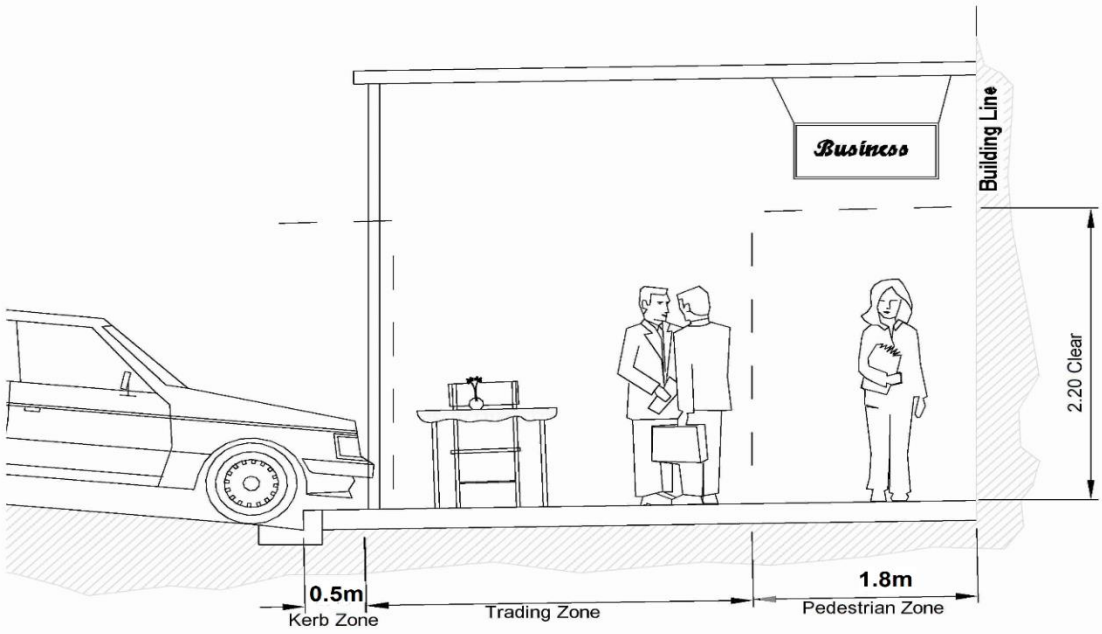


DIAGRAM 1 - ELEVATION OF FOOTWAY SHOWING ZONES

12. Alcohol Consumption and Possession on Council Land

Alcohol free zones are shown in Schedule 1 to this Manual.

13. Events and use of Council Land

Purpose

To provide for events on and use of Council land and public places.

Applies To

All persons entering, using, or occupying any Council managed land, reserves, and buildings within the municipal district of Mansfield Shire Council.

Exemptions

This clause does not apply to:

a) Council staff or contractors acting under Council authority.

b) Emergency services conducting official duties.

c) Activities otherwise authorised by state or federal legislation.

Land / Places Affected

All Council managed land, reserves, and buildings within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Conduct any function, market or event in a Council building or on Council land	• Must be organised and funded by Council.
1	Permit by Notification	Solicit or collect money or any articles from any person	• Must be for a charitable organisation. • All collectors must carry and display appropriate identification.
		Distribute to any person any advertising or promotional items or any printed material in a public place.	• Must not be in a building.
2	Permit by Application	Organise or conduct any function, market or event, in a Council building or on Council land.	• Must not interfere, hinder or impede normal pedestrian traffic. • Must ensure event area remains clear of rubbish at all times. • No signs or structures are to be attached to any trees, poles or road signage. • No stakes or pegs are to be used • Must not impede vehicle sightlines.
3	Prohibited	Any use above which does not meet listed conditions or as listed	

Tier	Permit Status	Activity	Conditions
		in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of use.
- Description of all proposed items.
- Proposed placement dates and trading hours.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The nature of the event;
- The duration of the event;
- The proposed hours of operation;
- The location of the land;
- The suitability of the land for the type of event or use proposed;
- The potential for damage to be caused to Council assets
- The availability of parking;
- The likely effects on traffic in the area;
- The expected number of visitors/patrons;
- The effect on the quiet enjoyment of the proposed event location for those in the locality;
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit; and
- Any other matters relevant to the circumstances of the application.

14. Impounding

For the purposes of 14.1.2, placement of a vehicle or item in a manner that causes a risk of nuisance, vehicle or pedestrian accidents, congestion, distraction or delay to road users will apply to the following,

- An area such as an intersection zone where the size and nature of the illegally parked vehicle impedes drivers' or pedestrians' line of sight;

- Any event, where illegal parking is likely to result in unreasonable congestion;
- Where a clear width of 3 metres has not been left for the passage of vehicles; or,
- Any other place where an illegally parked or abandoned vehicle is causing or may cause a hazardous obstruction.
- Any other place where an item is causing or may cause a hazardous obstruction.

16. Clothing Bins

Purpose

To provide for management of clothing bins in public places.

Applies To

All clothing bins placed in all public places, including streets, footpaths, open spaces, and commercial zones.

Exemptions

None

Land / Places Affected

All public places, including carparks, streets, footpaths, and open spaces.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	To place, allow to be placed or allow to remain in place a clothing bin	• Keep the land free of unsightly refuse in or around the bin • Public Liability insurance certificate to a value of $20 million, with Council named as an interested party. • Must not impede vehicle sightlines
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details.
- Description of proposed bin, including colour.
- Proposed placement dates.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access and vehicle sightlines can be maintained.
- Whether the proposed activity will result in unacceptable visual clutter in and around the area
- Colour or external finish of bin.
- Any other matters relevant to the circumstances of the application.

17. Bulk Waste Containers

Purpose

To regulate the placement of skips bins and other bulk waste containers on public land.

Applies To

All Bulk Waste Containers placed in all public places, including streets, footpaths, open spaces, and commercial zones.

Exemptions

This clause does not apply to:

a) Council staff or contractors acting under Council authority.

b) Emergency services conducting official duties.

c) Activities otherwise authorised by state or federal legislation.

Land / Places Affected

All public places, including carparks, streets, footpaths, nature strips and open spaces.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	Place, or cause to be placed, a bulk waste container (such as a skip bin) on a road, footpath, nature strip, or other Council managed land.	• Must display the operator's business name and current phone number • Must not obstruct vehicle sightlines, driveways, hydrants, public signage or pedestrian access • Have Public Liability insurance certificate to a value of $20 million, with Council named as an interested party. • Can only remain in place for a maximum 30 days. • Must have a cover fitted to the bin to ensure waste is contained at all times. • Be fitted with reflective markers or lights if remaining out at night.
2	Permit by Application	Any use above which does not meet listed access or duration conditions	• Must display the operator's business name and current phone number • Must not obstruct vehicle sightlines, driveways, hydrants, public signage or pedestrian access

Tier	Permit Status	Activity	Conditions
			• Have Public Liability insurance certificate to a value of $20 million, with Council named as an interested party. • Must have a cover be fitted to the bin to ensure waste is contained at all times. • Be fitted with reflective markers or lights if remaining out at night
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of use.
- Description of all proposed items.
- Proposed placement dates.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access and vehicle sightlines can be maintained;
- Whether the proposed activity will result in unacceptable visual clutter in and around the area;
- Whether Public Liability Insurance is to be maintained during permit period;
- Duration of use; and
- Any other matters relevant to the circumstances of the application.

18. Occupation of Road or Public Places for Works

Purpose

To regulate works or structures on public land.

Applies To

All Council managed land, including roads, public places and reserves.

Exemptions

This clause does not apply to:

a) Council staff or contractors acting under direct Council authority.

b) Emergency services conducting official duties.

c) Activities otherwise authorised by state or federal legislation.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	Occupy, obstruct, or fence off any part of a road or public place.	• Public Liability insurance certificate to a value of $20 million, with Council named as an interested party. • Approved Traffic Management Plan in place
		Erect scaffolding or hoardings on a road or public place	
		Operate cranes, towers, or similar equipment over a road or public place	
		Excavate or backfill any part of the road surface.	
		Remove, damage, or interfere with traffic signals, signs, barriers,	

Tier	Permit Status	Activity	Conditions
		or other road safety infrastructure.	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of use.
- Description of all proposed items.
- Proposed placement dates and hours.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained;
- Whether the safety of road users, passage of vehicles or the safe ingress or egress of vehicles will be adversely affected;
- Potential impacts on the availability of parking for vehicles, including whether the proposed activity is to be conducted within an area where vehicles are usually parked or that is marked for the purpose of parking
- The duration of the permit sought; and
- Any other matters relevant to the circumstances of the application.

20. Open Air Performances and Busking

Purpose

To regulate busking and open-air performance in public places.

Applies To

All persons performing, for profit, on any public space or Council managed land or reserve within the municipal district of Mansfield Shire Council.

Exemptions

This clause does not apply to some specific individuals, groups, or types of performances or artworks as approved by Council. Any exemption must be provided in writing and may include conditions.

Land / Places Affected

Any public space or Council managed land or reserve within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	Performance acts such as playing music, singing, reciting, juggling, puppetry, mime, dancing, or similar entertainment.	• Single performer only • Must not obstruct pedestrian access
2	Permit by Application	Creating art such as drawing, painting, or marking any image or message on public walls, footpaths, or pavements.	• Must not obstruct pedestrian access
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of use.
- Proposed performance dates and hours.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained;
- The duration of the permit sought and frequency of the proposed activity;
- Whether there are other opportunities for performing as part of another event being held in or around the time of operation sought by the permit application;
- Whether the proposed activity makes a positive contribution to the character and amenity of the area;
- The effect on the quiet enjoyment of the proposed location for those in the locality;
- Whether the proposed activity promotes the vibrancy of the commercial area in which it is located;
- Whether Public Liability Insurance is required; and
- Any other matters relevant to the circumstances of the application.

21. Fireworks

Purpose

To regulate the use of fireworks in public places.

Applies To

All persons discharging, or allowing to be discharged, any fireworks on any public space or Council managed land or reserve within the municipal district of Mansfield Shire Council

Exemptions

None

Land / Places Affected

Any public space or Council managed land or reserve within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	A permit is required to discharge, or cause or allow to be discharged, any fireworks in a public place.	• Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of use.
- Proposed firework set up and discharge dates and hours.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access will be provided;
- Whether the safety of road users or passage of vehicles will be adversely affected;
- Potential impacts on the availability of parking for vehicles, including whether the proposed activity is to be conducted within an area where vehicles are usually parked or that is marked for the purpose of parking;
- Whether permits required by any other relevant legislation have been obtained;
- Whether the proposed activity will disturb, annoy or disrupt adjacent property owners or occupiers;
- The effect on the quiet enjoyment of the proposed location for those in the locality;
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit;
- Whether the proposed activity is undertaken by a not-for-profit charity or a local community organisation; and
- Any other matters relevant to the circumstances of the application.

22. Protection and use of Council Drains

Purpose

To ensure roads, drains and public places within the municipal district of Mansfield Shire Council remain clear and safe for all users.

Applies To

All persons conducting works on any Council managed drains, or associated infrastructure, within the municipal district of Mansfield Shire Council.

Exemptions

This clause does not apply to:

a) Council staff or contractors acting under direct Council authority.

b) Emergency services conducting official duties.

c) Activities otherwise authorised by state or federal legislation.

Land / Places Affected

All Council managed drains, and associated infrastructure, within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	Alter or interfere with any Council drain.	• The drain must be kept in good order and condition at all times.
		Tap into or connect to a Council drain.	
		Purposefully dispose of any waste products (whether solid or liquid) into a Council drain.	
		Cover, obscure, or obstruct access to a Council drain.	

Tier	Permit Status	Activity	Conditions
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of works.
- Description of all proposed works.
- Details on when works will be undertaken.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained;
- Whether the safety of road users, passage of vehicles or the safe ingress or egress of vehicles will be adversely affected;
- The duration of the permit sought;
- The location of the land;
- The potential for damage to be caused to Council assets;
- Any likely effects on traffic in the area; and
- Any other matters relevant to the circumstances of the application.

23. Protection of Council Infrastructure prior to and during Building Works

Purpose

To protect Council infrastructure during construction and building works by requiring an Asset Protection Permit prior to commencement.

Applies To

All persons conducting any building works adjacent to a Council Road Reserve, which has potential to impact any Council asset.

Exemptions

None

Land / Places Affected

Any Land adjacent to a Council Road Reserve

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	Undertake any building works adjacent to a Council Road Reserve.	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Fee and/or bond as fixed by Council.
- Site plan showing all details of works.
- Description of all proposed works.
- A statement from the Person in Charge of the location and the extend of any pre-existing damage and latent defects in pubic infrastructure assets adjacent the building site.
- Proposed duration of all works.

- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained;
- Any likely effects on traffic in the area;
- Whether safe ingress or egress of vehicles will be adversely affected;
- The duration of the permit sought;
- The location of the land;
- The proximity of the land to a Council Road Reserve;
- The potential for damage to be caused to Council assets; and
- Any other matters relevant to the circumstances of the application.

24. Works within a Road Reserve and Firewood Collection

Purpose

To regulate how works are undertaken, and firewood collected, in a road reserve owned or managed by Council.

Applies To

All persons conducting works, or collecting firewood, within a Council managed Road Reserve.

Exemptions

No permit is required to undertake works in a road reserve for the purposes of utility service connections (e.g., water supply or sewer).

Land / Places Affected

All Council managed Road Reserves within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required		
1	Permit by Notification	Collect any wood	• Must not be on prohibited roads as listed in this clause. • Permit valid for one month from the application date • Limited to 1 cubic metre per load • Must be for personal use only • Must only be from fallen dead wood on the roadside. • No trees, alive or dead, are to be felled nor are branches to be cut from standing trees. • Must not use heavy vehicles. • Not permitted on days of “Total Fire Ban” or on days declared Extreme or Catastrophic fire danger by the Country Fire Authority. • All litter must be taken from site. • Must not cause adverse impact to any living native vegetation.

Tier	Permit Status	Activity	Conditions
2	Permit by Application	Undertake works within a Council Road Reserve	• Must minimise damage to roads and road infrastructure • Ensure that works are conducted as quickly as possible • Minimise any disruption to road users • Minimise any risk to the safety and property of road users • Ensure that the road and any other infrastructure is reinstated as nearly as practicable to the condition existing before works commenced. • Must protect and preserve existing roadside vegetation including native grasses
		Occupy, block, or fence off any portion of a Council Road Reserve. Build landscaping features or retaining walls on a Council Road Reserve.	
		Excavate, bore, or backfill any section of Council Road Reserve	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Prohibited Roads

For the purposes of this clause, the following roads are not permitted to have firewood collection undertaken at any time due to the high conservation value of the roadside vegetation:

Locality	Road
Ancona	• Goldworthys Link Track • Knott Road • North Creek Road • Tallangalook Road
Barjarg	• Glen Creek Road, from Harpers Road to Red Box Court • Harpers Road • Sandy Creek Road • Youngs Road
Bonnie Doon	• Maintongoon Road • Sonnberg Drive

Locality	Road
Bridge Creek	• Blue Range Road • Bretts Lane • Ohalloran Road • Sawpit Gully Road
Delatite	• Monkey Gully Road • Old Tonga Road
Goughs Bay	• Mountain Bay Road, before the entrance • Piries-Goughs Bay Road, after Woods Lane • Walshs Road
Howes Creek	• Howes Creek-Goughs Bay Road
Macs Cove	• Ashwin Road
Mansfield	• Rifle Butts Road
Merrijig	• Buttercup Road, after Greenways Lane • Grammar School Road • Howqua Track, after Wild Dog Road
Merton	• Ancona Road • Finks Road • Knights Road • Kubeils Road • Maklins Road • Merton-Strathbogie Road • Old Gobur Road • Old Strathbogie Road • Penny Lane • Shorts Road
Piries	• Three Chain Road
Tolmie	• Altmans Road • Faithfulls Road • Tolmie-Mahaikah Road

Application Requirements

When a permit is required under this clause, the following information must be provided for all applications:

- Completed Application Form
- Proposed works or collection dates

For Firewood Collection permits only:

- List of collection areas

For Works in Road Reserve Permits only:

- Site plan showing all details of works
- Description of any works
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained;
- Whether the safe ingress or egress of vehicles will be adversely affected;
- Any other effects on traffic in the area;
- The location of the land;
- The duration of the works;
- The potential for damage to be caused to Council assets;
- Environmental suitability of the area for firewood collection; and
- Any other matters relevant to the circumstances of the application.

25. Vehicle Crossovers

Purpose

To regulate how access to properties is created or maintained within council managed road reserves.

Applies To

Any person conducting works to create, relocate, close or repair a vehicle crossover within a Council managed Road Reserve.

Exemptions

This clause does not apply to cleaning debris from crossover culverts.

Land / Places Affected

All road reserves owned or managed by Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	Construct a permanent vehicle crossover.	• Must minimise damage to roads and road infrastructure • Must ensure that works are conducted as quickly as possible • Must minimise any disruption to road users • Must minimise any risk to the safety and property of road users • Must ensure that the road and any other infrastructure is reinstated as nearly as practicable to the condition existing before works commenced. • Must protect and preserve existing roadside vegetation including native grasses
		Relocate a vehicle crossover.	
		Repair or reconstruct a vehicle crossover.	
		Construct a temporary vehicle crossover.	
		Close of discontinue a vehicle crossover	
3	Prohibited	Any use above which does not meet listed conditions or as listed	

Tier	Permit Status	Activity	Conditions
		in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of works.
- Description of all proposed works.
- Proposed dates of works.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- Whether appropriate and safe pedestrian access can be maintained;
- Whether the safety of road users, passage of vehicles or the safe ingress or egress of vehicles will be adversely affected;
- Potential impacts on the availability of parking for vehicles;
- The potential for damage to be caused to Council assets;
- The location of the land; and
- Any other matters relevant to the circumstances of the application.

27. Storage on Land and Condition of Land

Purpose

To regulate the condition of private land within the municipal district of Mansfield Shire Council.

Applies To

All owners and occupiers of private land within the municipal district of Mansfield Shire Council.

Exemptions

None

Land / Places Affected

All private land within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Reasonable storage or use, incidental to residential or agricultural use	• Does not detrimentally impact amenity of others (dust, noise, odour, visual clutter). • Land must be kept in a neat and tidy condition.
1	Permit by Notification	N/A	
2	Permit by Application	Store any substance which is dangerous or is likely to cause danger to life or property	• The land must be kept in a neat and tidy condition. • Does not detrimentally impact amenity of others (dust, noise, odour, visual clutter). • Must comply with Environment Protection Authority guidelines where appropriate.
		Store or use of temporary buildings, or other similar structures	
		Store building materials or machinery	
		Assemble or dissemble machinery, materials or goods other than personal use	
		Store buildings in the process of being	

Tier	Permit Status	Activity	Conditions
		relocated, including removable houses.	
		Use scare guns or similar devices unless in accordance with EPA guidelines	
		Store caravans, boats or trailers that are in a dilapidated condition	
		Store parts of vehicles	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of use and location of items to be stored.
- Description of all proposed items to be stored.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the land;
- The suitability of the land for the type of storage proposed;
- Whether the proposed activity will result in unacceptable visual clutter in and around the area;
- Whether the proposed storage has a negative effect on the amenity of the area;
- The duration of the proposed storage;
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit; and
- Any other matters relevant to the circumstances of the application.

28. Placement of Shipping Containers

Purpose

To regulate the placement of shipping containers on private property.

Applies To

All owners and occupiers of private land within the municipal district of Mansfield Shire Council.

Exemptions

None

Land / Places Affected

All private land within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Placement of Shipping Container to support current building works	• Must meet the requirements of Clause 62.02-1 of the Mansfield Planning Scheme
1	Permit by Notification	Placement of Shipping Container for temporary use	• Must be on property over 40ha in size • Must only be in place for a maximum of 2 years • Must be located entirely within private property • Must not be located over effluent treatment disposal areas or systems • Must be placed in a manner that does not interfere with any other infrastructure • Must not be visible from outside the property • Must not be stacked • Must not be located in flood prone areas • Must be placed on flat, solid ground.

Tier	Permit Status	Activity	Conditions
2	Permit by Application	Placement of Shipping Container for temporary use	• Must be located entirely within private property • Must only be in place for a maximum of 2 years • Must not be located over effluent treatment disposal areas or systems • Must be placed in a manner that does not interfere with any other infrastructure • If visible from outside the property, must be painted in a neutral colour to blend with the surrounding natural environment and built structures or otherwise screened to the satisfaction of Council. • Must not be stacked. • Must not be located in flood prone area • Must be placed on flat, solid ground.
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing location of shipping containers.
- Description of all painting or screening to be undertaken (permit by application only.)
- Proposed placement dates.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the land;
- The current use of the land;
- Whether the painting or screening of the shipping container will be sufficient to address any negative effects on the visual amenity of the area;
- Whether the placement of the shipping container will result in unacceptable visual clutter in and around the area;

- The decision guidelines of the Significant Landscape Overlay as defined by the Mansfield Planning Scheme when within those areas; and
- Any other matters relevant to the circumstances of the application.

29. Protection of Substantial and/or Significant Trees

Purpose

To allow for the protection of substantial and/or significant trees in the municipal district of Mansfield Shire Council.

Applies To

A tree with:

a) a trunk diameter of 60cm or greater measured 1 metre above ground level; or

b) a cumulative trunk diameter of 60cm or greater; or

c) trunk circumference at the base of 2 metres or greater.

Exemptions

This clause does not apply to works undertaken on substantial and/or significant trees where:

a) The action is authorised by a valid planning permit.

b) The tree is located within a designated Bushfire Prone Area or Bushfire Management Overlay (BMO) and removal complies with applicable bushfire exemptions within the Planning Scheme.

c) The action is required by law or directed by an Authorised Officer.

d) Council staff or contractors acting under Council authority.

e) Emergency services conducting official duties.

f) Activities are otherwise authorised by state or federal legislation.

g) The trees have been planted for timber production.

Land / Places Affected

All land within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Lopping or Pruning for maintenance	Must be no more than 1/3 of the foliage of the tree Only applicable where no previous lopping or pruning has been undertaken Must not include the trunk or major branches of a tree
1	Permit by Notification	N/A	

Tier	Permit Status	Activity	Conditions
2	Permit by Application	Remove, destroy, prune, or otherwise interfere with a substantial and/or significant tree	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all substantial and/or significant trees on property.
- Arborist report detailing requirement for works.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the land;
- Any previous tree removal, destruction or lopping;
- Any biodiversity impacts of the removal, destruction or lopping of substantial trees;
- Any cultural significance of the substantial trees;
- Whether any removal, destruction or lopping will cause negative effects on the visual amenity of the area;
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit; and
- Any other matters relevant to the circumstances of the application.

30. Nature Strip Landscaping

Purpose

To allow for landscaping on road reserves and nature strips where appropriate.

Applies To

Any person conducting landscaping works on a road reserve or nature strip.

Exemptions

This clause does not apply to planting or maintaining grass on a nature strip.

Land / Places Affected

Any road reserves and nature strips within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Planting or maintaining grass on a nature strip	Maintain safe pedestrian access Maintain safe ingress or egress of vehicles
1	Permit by Notification	N/A	
2	Permit by Application	Undertake landscaping on a nature strip or road reserve	Must not include the use of loose stones, pavers, artificial turf or other hard surfaces that may pose safety risks. Must be maintained by property owner in a safe condition
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all details of works.
- Site plan showing all details plants to be installed.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the land;
- Whether appropriate and safe pedestrian access can be maintained;

- Whether the safety of road users, passage of vehicles or the safe ingress or egress of vehicles will be adversely affected;
- Whether the proposed landscaping makes a positive contribution to the character and amenity of the area;
- Whether the proposed landscaping will result in unacceptable visual clutter in and around the area;
- Whether any species proposed for plantings is deemed invasive, is a declared weed or has any other detrimental characteristics ie thorns;
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit; and
- Any other matters relevant to the circumstances of the application.

31. Camping and Caravans in a Public Place

Purpose

To regulate the use of public land for camping.

Applies To

Any person camping on land owned, managed, or controlled by Mansfield Shire Council.

Exemptions

Does not apply to designated camping areas under management of other government authorities.

Land / Places Affected

All public places and land owned, managed, or controlled by Mansfield Shire Council, including streets, footpaths, and open spaces.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	Establish or make use of a campsite in a caravan, tent, motor home, or any other temporary or makeshift structure.	Not permitted on days of “Total Fire Ban” or on days declared Extreme or Catastrophic fire danger by the Country Fire Authority. All litter must be taken from site.
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing location of campsite.
- Description of all proposed items to be used in the camping.
- Description of proposed wastewater treatment.
- Proposed camping dates.

Decision Guidelines

- When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:
- The location of the land;
- The suitability of the land for camping;
- The potential for damage to be caused to Council assets;
- The potential risk to campers from bushfire; and
- Any other matters relevant to the circumstances of the application.

32. Camping and caravans on Private Land

Purpose

To regulate the use of private land for camping and caravans.

Applies To

All owners and occupiers of private land within the municipal district of Mansfield Shire Council.

Exemptions

Where a dwelling exists on private land, no permit is required to store any caravan, mobile home or tent, as long as:

1. The caravan, mobile home or tent is not set up for the ready use of an occupant for overnight accommodation; and
2. An annex is not attached to a caravan or mobile home; and
3. The caravan, mobile home or tent is not within 6 metres of the premise's frontage, or if within this setback distance it is stored in a carport or garage.

Land / Places Affected

All private land within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Use accommodation in any caravan, mobile home or tent	• A dwelling exists on the land • Occupation must not exceed more than 28 days either consecutively or in any calendar year • No rent, licence fee or charge is paid to any person in respect of the occupation Toilet, bathing and laundry facilities are made available to the occupants of the caravan, mobile home or tent • The use is managed so that amenity, community safety and noise impacts are minimised.
1	Permit by Notification	Store on any vacant private land (land without a dwelling) any caravan, mobile home or tent.	• The caravan, mobile home or tent is not set up for the ready use of an occupant for overnight accommodation • An annex is not attached to a caravan or mobile home • The land is kept in a neat and tidy condition

Tier	Permit Status	Activity	Conditions
2	Permit by Application	Use accommodation in any caravan, mobile home or tent on vacant private land.	• Must not be in a residential zone. • No rent, licence fee or charge is paid by any person in respect of the occupation. • • Adequate toilet and wastewater facilities are provided and do not cause a health risk, nuisance or offensive condition. • Wastewater disposal from the caravan, mobile home or tent does not cause a health risk, nuisance or offensive condition. • The caravan or mobile home does not have a rigid annex attached.
		Use accommodation in any caravan, mobile home or tent where a dwelling exists on the land, but the no permit required conditions are not complied with	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing location of campsite.
- Description of all proposed items (caravan, tent etc.) to be used.
- Description of proposed wastewater treatment.
- Any supporting documentation eg, Building Permit.
- Proposed number of times per annum.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the land;
- The zoning of the land;
- The suitability of the land for camping including, but not limited to, the size of the land and proximity of nearby dwellings;
- The number of caravans, mobile homes or tents to be located on the land and the number of proposed occupants;
- The proposed length of time the caravans, mobile homes or tents are proposed to be erected on the land;

- The availability of sanitary and toilet facilities on the land;
- Whether the camping is for the purpose of housing for the applicant while a home is being erected on the land;
- The impact on the amenity, including visual amenity, and the quiet enjoyment of the area; and
- Any other matters relevant to the circumstances of the application.

33. Open Air Burning

Purpose

To regulate open air burning in the municipal district of Mansfield Shire Council.

Applies To

All owners and occupiers of private land within the municipal district of Mansfield Shire Council.

Exemptions

No permit is required to undertake Open Air Burning if the fire is lit for the following purposes:

1. Cooking;
2. Heating when contained in a fire-proof receptacle; or
3. If the fire is lit by a member of the Country Fire Authority or other approved agency, in the course of their duty.

Land / Places Affected

All private land within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Undertake Open Air Burning	• The property is greater than 1 acre/4000sqm. • The property is not located in a residential zone (other than a low-density residential zone), commercial zone or industrial zone. • Burning does not take place during the Fire Danger Period on Total Fire Ban days or on days declared Extreme or Catastrophic fire danger by the Country Fire Authority. • The burn is solely for fire prevention purposes. • Notification is made to Fire Permits Victoria. • Neighbours are given at least 24 hours' prior notice. • A minimum 3-metre wide fuel break is maintained around the burn site • Wind speeds at the time and location of the burn do not exceed 19 km/h

Tier	Permit Status	Activity	Conditions
			• Only dry vegetation from the property is burned (no plastic, rubber, treated timber, or other prohibited materials). • Adequate tools and a water supply, to control the fire are available on-site at all times during the burn.
1	Permit by Notification	N/A	
2	Permit by Application	Undertake Open Air Burning	• The property is less than 1 acre/4000sqm. • Burning does not take place during the Fire Danger Period on Total Fire Ban days or on days declared Extreme or Catastrophic fire danger by the Country Fire Authority. • The burn is solely for fire prevention purposes. • Notification is made to Fire Permits Victoria. • Neighbours are given at least 24 hours' prior notice. • Wind speeds at the time and location of the burn do not exceed 19 km/h • Only dry vegetation from the property is burned (no plastic, rubber, treated timber, or other prohibited materials). • Adequate tools and a water supply, to control the fire are available on-site at all times during the burn.
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all buildings on site.

- Site plan showing location, and details, of all fire suppression items.
- Description of proposed fire size and materials.
- Proposed dates.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the proposed burning in proximity to adjoining dwellings and building;
- The zoning of the land on which the burning is to take place;
- Alternative options for the disposal of the material;
- The proposed supervision of the burning;
- The means are proposed to control and extinguish the spread of fire;
- The degree to which the material to be burned may produce offensive, toxic or unpleasant smells or smoke;
- The likely duration of the burning;
- The volume and nature of the material to be burned;
- Whether any fire restrictions are or will be in place at the proposed time of the burn;
- Environmental suitability of the area for fire;
- The location, and details, of all fire suppression items to be available; and
- Any other matters relevant to the circumstances of the application.

34. Use of Recreational Vehicles

Purpose

To regulate the use of recreational vehicles within the municipal district of Mansfield Shire Council.

Applies To

Any person using a recreational vehicle in the municipal district of Mansfield Shire Council.

Exemptions

None

Land / Places Affected

All land within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Use a recreational vehicle on private land in a Rural Zone	• Must be in a rural zone as defined by the Mansfield Planning Scheme. Must be for personal or recreational purposes. Must not cause unreasonable detriment to the amenity of the neighbourhood, including excessive dust or noise. Must not occur during EPA prohibited hours, including late-night hours. Must not pose a safety risk to any person
1	Permit by Notification	N/A	
2	Permit by Application	Use a recreational vehicle on private land in a Residential, Commercial or Industrial Zone	• Must be for personal or recreational purposes. The use must not cause unreasonable detriment to the amenity of the neighbourhood, including excessive dust or noise. Must not occur during EPA prohibited hours, including late-night hours. Must not pose a safety risk to any person
		Organise the use of a recreational vehicle, or vehicles on any private land for commercial purposes	• The use must not cause unreasonable detriment to the amenity of the neighbourhood, including excessive dust or noise

Tier	Permit Status	Activity	Conditions
			• Must not occur during EPA prohibited hours, including late-night hours • Must not pose a safety risk to any person
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all areas of use.
- Site plan showing distances to all adjoining dwellings.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the land;
- Proximity of residential premises on adjoining land;
- Opportunities for mitigation of dust, noise and any other adverse impacts on the amenity of the neighbourhood;
- The suitability of the land for use by recreation vehicles, including but not limited to the size of the land;
- The number of vehicles for which the permit is required;
- The days, times and hours the vehicles are to be use;
- The impact on the amenity and the quiet enjoyment of the area;
- Environmental suitability of the area for recreational vehicle use;
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit; and
- Any other matters relevant to the circumstances of the application.

35. Number of Animals that may be kept on Land

Purpose

To regulate the number of animals that may be kept on land in the municipal district of Mansfield Shire Council.

Applies To

All owners and occupiers of private land within the municipal district of Mansfield Shire Council who keep animals.

Exemptions

No permit is required to keep or allow to be kept or remain, animals on private land in the following instances:

1. On any property with a valid permit under the *Domestic Animals Act 1994* to conduct a Domestic Animals Business.
2. On land in a Rural Zone under the Mansfield Planning Scheme, the following:
3. Any large bird or poultry (excluding roosters) that is less than 12 weeks old.
4. Any dog or cat that is less than three months old.
5. A maximum of two dogs in total declared by Council to be dangerous or menacing.

No permit is required to keep, or allow to be kept, or remain on any land, the following number of animals:

Type of animal *	Land less than 1000m^2 *	Between 1000 – 4000m^2 *	Land greater than 4000m^2 *
Dogs	2	2	4
Cats	2	2	4
Poultry	5	15	Not limited by this Community Local Law
Roosters, peacocks and donkeys	Not permitted	Not permitted	Not limited by this Community Local Law
Pigs	Not permitted	Not Permitted	Not limited by this Community Local Law
Other large birds (excluding peacocks, poultry and roosters)	5	15	Not limited by this Community Local Law
Livestock	Not permitted	Maximum density of one animal every 2000m2 of open land (excluding buildings)	Not limited by this Local Law
Maximum total number of animals of any kind	14	20	Not limited by this Community Local Law

The above limits do not apply to working dogs on rural land where the owner or occupier:

1. Can show the dogs are actively used to herd or manage livestock; and

2. Meets the requirements set out by Agriculture Victoria under the Farm Working Dogs guidelines.

Note: Evidence of eligibility must be provided to an Authorised Officer upon request.

Land/Places Affected

All private land within the municipal district of Mansfield Shire Council

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	N/A	
1	Permit by Notification	N/A	
2	Permit by Application	To keep, or cause to be kept, an amount of animals that exceed animal numbers shown in table above.	
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this clause, the following information must be provided:

- Completed Application Form.
- Site plan showing housing of all animals.
- Description of all proposed items.
- Proposed placement dates and trading hours.
- Any supporting documentation eg, breeder registration.

Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The size of the land on which the animals are to be kept;
- The number and type of animals already kept on the land;
- The type and additional numbers of animals to be kept;
- The zoning of the land;

- The proximity to adjoining dwellings;
- The likely impacts on adjoining owners;
- Potential adverse impacts on the amenity of the area including, but not limited to, potential noise, smell, disposal of faeces, food storage facilities and the location of proposed accommodation for the animals;
- The adequacy of proposed animal shelters;
- History of any complaints received in relation to the keeping of animals or birds on the land to which the application relates; and
- Any other matters relevant to the circumstances of the application.

38. Livestock on Roads

Purpose

To ensure the safe and controlled movement and grazing of livestock in the municipal district, and to prevent hazards, damage, or nuisance arising from livestock on Council roads, reserves, or land.

Applies To

Any owner of stock being driven or grazing on Council managed roads or road reserves within the municipal district of Mansfield Shire Council

Land / Places Affected

All Council managed roads or road reserves within the municipal district of Mansfield Shire Council.

Permissions Table

Tier	Permit Status	Activity	Conditions
0	No Permit Required	Allow livestock to be driven on a roadside	• Must only be on roads during daylight hours. • Must only be used to move stock from one property to another. • Stock must be moved promptly and not permitted to graze • Hazard warning signs “Give Way to Stock” must be in place for the duration of the driving. • Must have a minimum of two adult persons present at all times during the driving of stock. • Must have an amber flashing light on the lead vehicle at all times. • Must only be for cattle, sheep or horses. • Stock must be prevented from entering adjoining properties.
1	Permit by Notification	N/A	
2	Permit by Application	Allow livestock to graze	• Must only be on roads during daylight hours.

Tier	Permit Status	Activity	Conditions
			• Hazard warning signs “Give Way to Stock” must be in place for the duration of the driving. • Must only be for cattle, sheep or horses. • Stock must be prevented from entering adjoining properties. • Must be supervised for the duration of the grazing. • Grazing activity must not damage the carriageway or shoulders of the road
3	Prohibited	Any use above which does not meet listed conditions or as listed in the Community Local Laws	

Application Requirements

When a permit is required under this Clause, the following information must be provided:

- Completed Application Form.
- Site plan showing all roads.
- Details of animal numbers and identification.
- Proposed placement dates of movement.
- Public Liability insurance certificate to a value of $20 million, with Council named as an interested party.

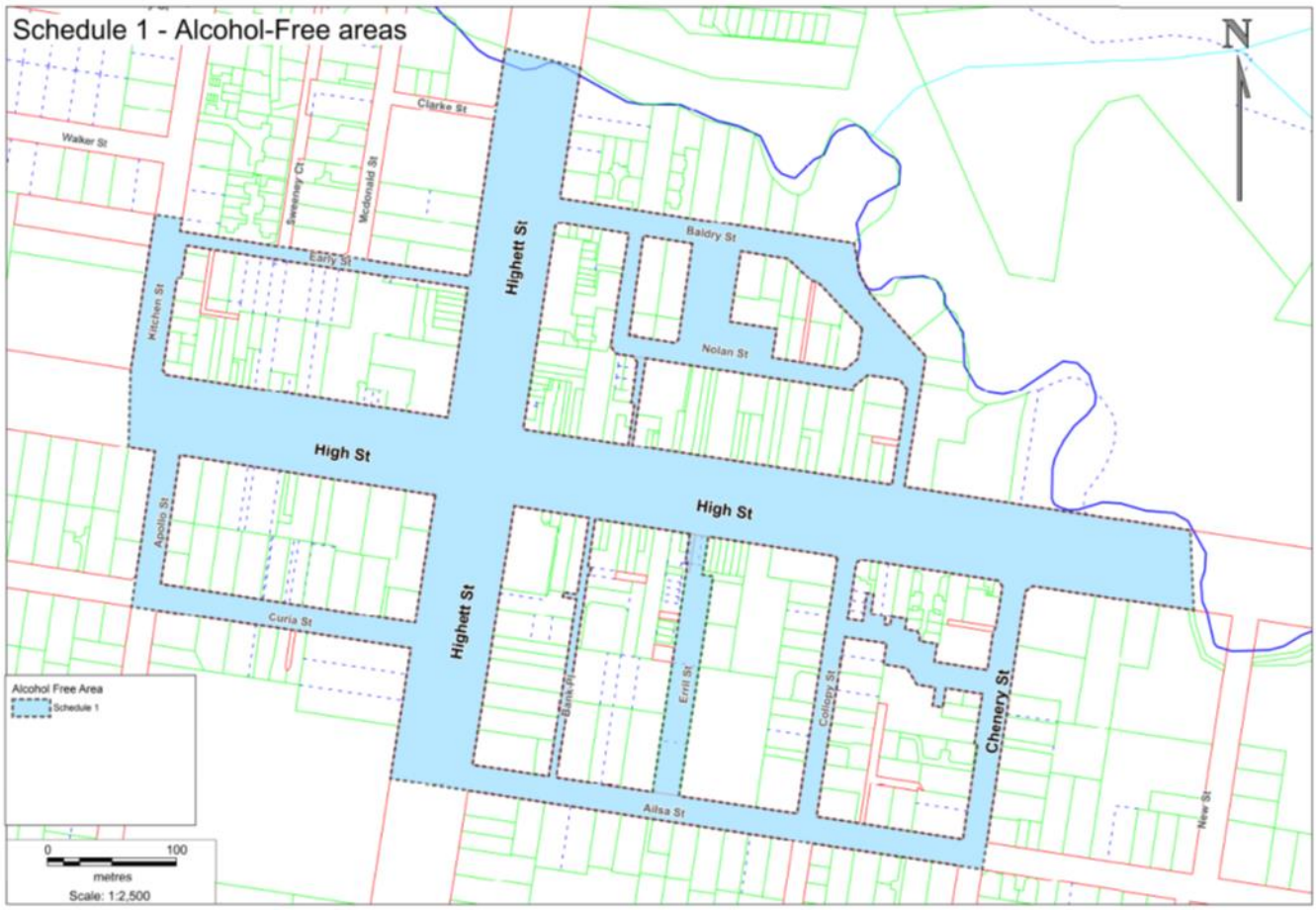
Decision Guidelines

When deciding to issue a permit under this clause, the following guidelines will be considered, as appropriate:

- The location of the land proposed to be used;
- The potential for damage to be caused to Council or private assets;
- Environmental suitability of the area for grazing;
- The likely effects on traffic in the area;
- History of any complaints received in relation to the land to which the application relates;
- The views received by Council during any consultation process it undertakes in relation to the request to grant a permit; and
- Any other matters relevant to the circumstances of the application.

Schedule 1

Map 1 – Designated Alcohol Free Zone – Mansfield Township



Map 2 – Designated Alcohol Free Zone – Jamieson Township

