



WELLINGTON
SHIRE COUNCIL

Wellington Shire Council Community Local Law (Amendment) Local Law 2025

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PART 1 – INTRODUCTORY

1.1 Title

- 1) This Local Law is the Wellington Shire Council Community Local Law (Amendment) Local Law 2025 and is referred to as this Local Law.

1.2 Authorising Provisions

- 1) This Local Law is made under the provisions of Part 3 of the *Local Government Act 2020*.

1.3 Objectives

- 1) The objectives of this Local Law are to:
 - a) amend the Community Local Law 2021, by removing obsolete provisions and correcting anomalies; and
 - b) provide for the peace, order and good government of the municipal district of Wellington Shire Council.

1.4 Operation Date

- 1) This Local Law comes into operation on Wednesday 17 September 2025.

1.5 Revocation Date

- 1) Unless this Local Law is revoked sooner, its operation will cease when the Community Local Law 2021 ceases to operate.

1.6 Definitions

- 1) In this Local Law, unless the context otherwise requires:

“municipal district” means the municipal district of Wellington Shire Council.

“Principal Local Law” means the Community Local Law 2021.

PART 2 – AMENDMENTS TO THE PRINCIPAL LOCAL LAW

- 2.1 In clause 1.7 2)e. of the Principal Local Law, delete “Part 12 of this” and substitute “This”.
- 2.2 Delete the dot points listed below clause 1.8 1) of the Principal Local Law and substitute:
- Wellington Shire Council Roadside Trading Guidelines March 2023
 - Wellington Shire Council Footpath Trading Guidelines 2011
 - Wellington Shire Council Recreational Vehicle Strategy
- 2.3 In the definition of “Authorised Officer” in clause 1.9 1) of the Principal Local Law, delete “council under Section 313 of the *Act*” and substitute “Council under Section 224 of the *Local Government Act 1989*”.
- 2.4 Delete the definition of “Chief Executive Officer” in clause 1.9 1) of the Principal Local Law and substitute:
- “Chief Executive Officer” means the member of Council staff appointed by the Council to be its Chief Executive Officer or any other person acting in that position.
- 2.5 Immediately after the definition of “Council” and immediately before the definition of “Daylight Hours” in clause 1.9 1) of the Principal Local Law insert:
- “Council Land” means land vested in or owned or occupied by the Council.
- 2.6 Delete the definition of “Disease” in clause 1.9 1) of the Principal Local Law and substitute:
- “Disease” means any contagious or infectious disease or any condition to which livestock is subject, or an exotic disease as declared by the Governor in Council for the purposes of the *Livestock Disease Control Act 1994*.
- 2.7 In the definition of “Environmental Health Officer” in clause 1.9 1) of the Principal Local Law, delete “as amended from time to time”.
- 2.8 In the definition of “Furniture” in clause 1.9 1) of the Principal Local Law, delete “waiter’ stations” and substitute “waiter stations”.
- 2.9 Delete the definition of “Guidelines” in clause 1.9 1) of the Principal Local Law and substitute:
- “Guidelines” are incorporated by reference and may be amended from time to time.
- 2.10 In the definition of “Land” in clause 1.9 1) of the Principal Local Law, delete “land” where it twice appears and substitute “land”.

- 2.11 In the definition of “Municipal Waste Facility” in clause 1.9 1) of the Principal Local Law, delete “outside” and substitute “aside”.
- 2.12 In the definition of “Nuisance” in clause 1.9 1) of the Principal Local Law, delete “as amended from time to time”.
- 2.13 In the definition of “Penalty Unit” in clause 1.9 1) of the Principal Local Law, delete “as amended from time to time”.
- 2.14 Delete the definition of “Road Rules” in clause 1.9 1) of the Principal Local Law and substitute:

“Road Rules” means the *Road Safety Road Rules 2017*.

- 2.15 In the definition of “Vehicle” in clause 1.9 1) of the Principal Local Law, delete “*Road Safety*” and “*2017*”.
- 2.16 Delete the definition of “Wellington Planning Scheme” in clause 1.9 1) of the Principal Local Law and substitute:

“Wellington Planning Scheme” means the planning scheme which applies to Council at the relevant time.

- 2.17 In clause 2.3 1) of the Principal Local Law, delete “his” and substitute “their”.
- 2.18 In clause 2.7 2) of the Principal Local Law, delete “from time to time”.
- 2.19 In clause 2.7 3) of the Principal Local Law, delete “from time to time”.
- 2.20 In clause 3.2 4) of the Principal Local Law, delete “and the policy” and “Wellington Shire” wherever those words appear.
- 2.21 Delete clause 3.4 6) of the Principal Local Law.
- 2.22 In clause 3.5 1) of the Principal Local Law, delete “his or her” and substitute “their”.
- 2.23 In clause 3.8 4) of the Principal Local Law, delete the words “or works which a permit under the Road Management Act 2004 has been issued”.
- 2.24 In clause 3.9 3) of the Principal Local Law, delete “he or she” and substitute “they”.
- 2.25 Delete clause 4.1 5) e. of the Principal Local Law and substitute:

enter or remain in a municipal facility if that person is exhibiting impairment due to any intoxicating substance;

- 2.26 Delete clause 4.1 6) of the Principal Local Law.
- 2.27 In clause 4.3 1) of the Principal Local Law, delete “his or her” and substitute “their”.
- 2.28 Delete the heading to and text of clause 4.4 of the Principal Local Law and substitute:

No Smoking/Vaping in Smoke/Vape Free Areas

- 1) The Council may by resolution, or as a condition of a permit, declare any part of a road reserve or municipal place to be a smoke/vape free area.
 - 2) Where a declaration is made by resolution, the Council must erect and maintain, or cause to be erected or maintained, appropriate signage indicating the boundaries of the declared smoke/vape free areas.
 - 3) A person must not smoke/vape on a road reserve or municipal area that has been declared as a smoke/vape free area and has appropriate smoke/vape free signage displayed.
- 2.29 In clause 4.5 1) b. of the Principal Local Law, delete “his or her” and substitute “their”.
- 2.30 In clause 4.5 2) a. of the Principal Local Law, delete “his or her” and substitute “their”.
- 2.31 In clause 4.5 3) b. of the Principal Local Law, delete “his or her” and substitute “their”.
- 2.32 In clause 5.9 1) of the Principal Local Law, delete “*Environment Protection Amendment Act 2018*” and substitute “*Environment Protection Act 2017*”.
- 2.33 In clause 5.16 3) a. of the Principal Local Law, delete “his or her” and substitute “their”.
- 2.34 In clause 5.17 1) of the Principal Local Law, delete “ice-box, trunk, chest or any other similar article” and substitute “icebox, trunk, chest or any other similar article having a compartment which has a capacity of 0.04 cubic meters or more”.
- 2.35 In the Table within clause 6.1 1) of the Principal Local Law, in the second row (commencing “Cats”) delete “5” in the final column and substitute “2”.
- 2.36 In clause 6.4 1) a. of the Principal Local Law, delete “- except to the extent that s32 of the Domestic Animals Act applies”.
- 2.37 In clause 7.4 2) of the Principal Local Law, delete “he or she is” and substitute “they are”.
- 2.38 In clause 9.2 1) of the Principal Local Law, delete “his” and substitute “this”.
- 2.39 In clause 9.6 1) e. of the Principal Local Law, delete “he or she considers” and substitute “they consider”.
- 2.40 In clause 9.7 2) of the Principal Local Law, delete “he or she” and substitute “they”.
- 2.41 In clause 9.8 1) of the Principal Local Law, delete “he or she” and substitute “they”.
- 2.42 In clause 9.9 1) b. of the Principal Local Law, delete “his or her” and substitute “their”.
- 2.43 In clause 9.10 1) of the Principal Local Law, insert “a maximum of” immediately before “twenty”.
- 2.44 In clause 9.11 1) of the Principal Local Law, immediately after “Local Law” insert “, requiring the person to pay the penalty for that offence within a time specified on the issue of the infringement notice”.
- 2.45 In clause 9.11 3) of the Principal Local Law, delete “, as amended from time to time”.

- 2.46 In clause 10.1 1) of the Principal Local Law, delete “may from time to time” and substitute “will”.
- 2.47 In the heading to clause 10.3 of the Principal Local Law, delete “Waive” and substitute “Waiver” and delete “to” and substitute “of”.
- 2.48 In clause 10.3 1) of the Principal Local Law, delete “Council” and substitute “Council”.
- 2.49 Delete the heading to and text of clause S.3 of the Principal Local Law and substitute the following heading:
- [Blank]**
- 2.50 In clause S.9 4) b. of the Principal Local Law, delete “Licensing” and substitute “Control Victoria”.
- 2.51 In clause S.9 4) c. of the Principal Local Law, immediately after “planning permit” insert “.”.
- 2.52 In clause S.27 3) a. ix. of the Principal Local Law, delete “he or she complies” and substitute “they comply”.
- 2.53 In clause S.28 2) k. of the Principal Local Law, delete “his/her” and substitute “their”.
- 2.54 In clause S.28 3) h. of the Principal Local Law, delete “he or she complies” and substitute “they comply”.
- 2.55 Delete the text of Schedule 1 to the Principal Local Law and substitute the text in Attachment 1 to this Local Law.
- 2.56 Delete the text of Schedule 2 to the Principal Local Law and substitute the text in Attachment 2 to this Local Law.
- 2.57 Delete the text of Schedule 3 to the Principal Local Law and substitute the text in Attachment 3 to this Local Law.
- 2.58 Delete the text of Schedule 4 to the Principal Local Law and substitute the text in Attachment 4 to this Local Law.
- 2.59 Delete the text of Schedule 5 to the Principal Local Law and substitute the text in Attachment 5 to this Local Law.
- 2.60 Delete the text of Schedule 8 to the Principal Local Law and substitute the text in Attachment 6 to this Local Law.

Attachment 1

SCHEDULE 1: NOTICE TO COMPLY



Notice to Comply

Community Local Law 2021

Name: (full name or Organisation/Business)		
Name:	Surname:	
Address:	Town:	Postcode:

I, as an authorised officer of Wellington Shire Council, reasonably suspect that you are contravening the *Community Local Law 2021*.

The particulars of the contravention are as follows:

You are required to cease this contravention, by taking the following action:

Compliance with this notice must occur by (insert date & time)

If you fail to comply with this Notice, you may be guilty of an offence.

You may contact Wellington Shire Council Local Laws Staff on 1300 366 244 between the hours of 9:00am and 5:00pm for any further information about this notice.

[NAME OF AUTHORISED OFFICER]
Authorised Local Laws Officer

Date:

Attachment 2

SCHEDULE 2: NOTICE OF IMPOUNDMENT



Notice of Impoundment

Schedule 11 Local Government Act 1989

Details
Date of Notice:
To:
Of:

Pursuant to sections 3 and 5, Schedule 11 of the *Local Government Act 1989*, you are hereby notified of the impoundment of:

Description of vehicle/items impounded:
From:

The vehicle/items are currently located at Wellington Shire Council's Works Depot, Landy Street, Maffra and unless the vehicle/items are claimed by you and fees associated with the impounding, moving, keeping and releasing the vehicle/items (and anything on or attached) paid within fourteen days of this notice, the vehicle/items may be sold, destroyed or given away.

Schedule of Fees:	
Transport from (Location details) to Landy Street Maffra	\$
Impound Release Fee (\$340.00 per item):	\$
TOTAL FEES:	\$

Payment can be made in person at Wellington Shire Council Customer Service Centre, 18 Desailly Street SALE VIC 3850 by either cash or EFTPOS (cheques not accepted) prior to claiming the impounded items.

For further information, please contact Wellington Shire Council's Local Laws Department by phoning 1300 366 244.

[NAME OF AUTHORISED OFFICER]
Authorised Local Laws Officer

Date:

Attachment 3

SCHEDULE 3: APPLICATION FOR A LOCAL LAW PERMIT



Application for a Local Law Permit

Community Local Law 2021

If you have questions concerning your application or the permit conditions, please contact our Local Laws Department on 1300 366 244.

i How to complete this form

- Step 1** **Complete**
Complete all sections of the form
- Step 2** **Sign**
Check all information and sign the declaration
- Step 3** **Submit**
Submit a completed application form including any additional documentation and payment to Council
Note: Application of a Local Laws Permit is not complete until payment is made unless the fee is waived.
DO NOT USE THIS FORM FOR COMPLETING AN APPLICATION FOR KEEPING ANIMALS PERMIT

i How to submit this form

In person	Sale Service Centre 18 Desailly Street, Sale Monday-Friday 8:30am – 5:00pm	Yarram Service Centre 156 Grant Street, Yarram Monday, Tuesday, Thursday, Friday 10:00am – 2:00pm (closed Wednesday)
	Wellington Shire Council, PO Box 506, Sale Victoria 3850	
By Post	Wellington Shire Council, PO Box 506, Sale Victoria 3850	
Email	enquiries@wellington.vic.gov.au	

i What happens next?

Council's Local Laws Department will process the application. A Council staff member may contact you if any additional information is required.

How long does this process take?

- Allow up to 10 business days for your application to be assessed and processed.
- If you have not heard anything after this time, please contact our Local Laws Department on 1300 366 244.

What happens next?

- Once the application is processed, you will be informed in writing that your permit is active.
- Some permits are required to be renewed yearly or every 3 years, if you are applying for this type of permit you will be notified by Council asking if you still need the permit.

i Privacy

Information requested on this form is collected for the purpose of applying and obtaining a permit for a related register. Any personal information will be used solely by Council for that primary purpose or directly related purposes. Council may disclose part or all of this information as required to do so by law (including third parties and/or other agencies). The applicant understands that the personal information provided is for the purpose of obtaining a permit, and they may apply to Council for access to/or amendment of the information.

Sale Service Centre 18 Desailly Street (PO BOX 506), Sale VIC 3850 Telephone 1300 366 244
Yarram Service Centre 156 Grant Street, Yarram VIC 3971 Telephone (03) 5182 5100

Web www.wellington.vic.gov.au
Email enquiries@wellington.vic.gov.au

▼ S 1 Please tick one			
Endorsement / Establish an Alfresco dining facility (Complete S2, S4, S6, S7 & S8)		Roadside Grazing Permit (Complete S2, S3, S4, S6 & S7)	
Roadside Trading (S2, S4, S6, S7 & S8)		Movement of Livestock (Complete S2, S3, S4, S6 & S7)	
Lighting an Outdoor Fire (Complete S2, S5, S6, S7 & S8)		Display Portable Advertising /Goods on Footpath (Complete S2, S4, S6, S7 & S8) (Complete S2, S4 & S5)	
Occupation of Caravan during Construction of Dwelling (S2, S6, S7)		Other please specify (please see our local laws for details)	
▼ S 2 Details of applicant			
Name/Organisation			
Trading name (if different from above)			
Residential/business address			
Address/roads the permit applies to			
Postal Address (if different from above)			
Telephone		Email	
To opt out of having this permit issued to you by email please tick this box ☐			
▼ S 3 Livestock Details (if applicable)			
Type & number of Livestock (eg cows 600)			
Description & Identification (eg Angus, farm PIC Number)			
Name & Address of owner of Livestock			
Name & Address of person in charge of Livestock Movement or Droving			
Proposed point of commencement			
Point of destination			
Date of commencement			
▼ S 4 Public Liability Insurance (if applicable)			
If you are required to complete this section of the form, please attach to this application a Certificate of Currency OR a copy of your current public liability insurance.			
▼ S 5 Adjoining Neighbour details (if applicable)			
Neighbour Detail 1		Neighbour Detail 2	
Name		Name	
Address		Address	

S 6 Form of indemnity (if applicable)

This deed is made on the day of 20

Between: (the permit holder)

And the Wellington Shire Council ('the Council')

The Permit holder indemnifies and releases the Council, its officers, employees and agents ("those indemnified") from and against all actions, claims, demands, losses, costs and expenses for which those indemnified shall or may become liable in respect of and arising from any loss, damage or injury from any cause whatsoever to property or persons caused or contributed to by the exercise of the rights granted to the Permit holder by the permit or any purported right arising as a consequence of the grant of the permit and without limiting the generality of the foregoing including any actions, claims, demands, losses, damages or injury alleged to arise as a consequence of: a) the grant of the permit; b) the permitted conduct activities or actions; c) the failure of the Permit holder to observe or perform any of the conditions subject to which the permit was granted.

EXECUTED as a Deed

SIGNED SEALED AND DELIVERED by _____

Signature of Applicant

In the presence of:

Signature of Witness

Name and address of Witness

S 7 Declaration of person completing this form

I declare that the information I have given is true and correct. I agree to abide by all conditions specified in the permit and Local Law and any relevant Guidelines. I have attached the relevant documentation that this form requires.

Name

Signature

Date

S 8 Site Plan

A full-page view of a blank sheet of graph paper. The grid consists of small squares formed by thin gray lines. A thicker vertical line runs down the left side, creating a margin. There are also thicker horizontal lines near the top and bottom edges. The entire page is covered by the grid pattern.

OFFICE USE:

Receipt number	1 Year	3 Year	Processed by	Date:	Sent:
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Sale Service Centre 18 Desailly Street (PO BOX 506), Sale VIC 3850 Telephone 1300 366 244
Yarram Service Centre 156 Grant Street, Yarram VIC 3971 Telephone (03) 5182 5100

Web www.wellington.vic.gov.au
Email enquiries@wellington.vic.gov.au

Attachment 4

SCHEDULE 4: APPLICATION FOR A KEEPING ANIMALS PERMIT



Application for a Keeping Animals Permit

Community Local Law 2021

If you have questions concerning your application or the permit conditions, please contact our Local Laws Department on 1300 366 244.

How to complete this form

- Step 1 Complete**
Complete all sections of the form
- Step 2 Sign**
Check all information and sign the declaration
- Submit**
Submit a completed application form including any additional documentation and payment to Council
- Step 3**
- Note:** Application of a Local Law Permit is not complete until payment is made unless the fee is waived.

How to submit this form

In person	Sale Service Centre 18 Desailly Street, Sale Monday-Friday 8:30am – 5:00pm	Yarram Service Centre 156 Grant Street, Yarram Monday, Tuesday, Thursday, Friday 10:00am – 2:00pm (closed Wednesday)
	Wellington Shire Council, PO Box 506, Sale Victoria 3850	
By Post	Wellington Shire Council, PO Box 506, Sale Victoria 3850	
Email	enquiries@wellington.vic.gov.au	

What happens next?

Council's Local Laws Department will process the application. A Council staff member may contact you if any additional information is required.

How long does this process take?

- Allow up to 10 business days for your application to be assessed and processed.
If you have not heard anything after this time, please contact our Local Laws Department on 1300 366 244.

What happens next?

- Once the application is processed, you will be informed in writing that your permit is active.
- Some permits are required to be renewed yearly or every 3 years, if you are applying for this type of permit you will be notified by Council asking if you still need the permit.

Privacy

Information requested on this form is collected for the purpose of applying and obtaining a permit for a related register. Any personal information will be used solely by Council for that primary purpose or directly related purposes. Council may disclose part or all of this information as required to do so by law (including third parties and/or other agencies). The applicant understands that the personal information provided is for the purpose of obtaining a permit, and they may apply to Council for access to/or amendment of the information.

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Yarram Service Centre 156 Grant Street, Yarram VIC 3971 Telephone (03) 5182 5100

Web www.wellington.vic.gov.au
Email enquiries@wellington.vic.gov.au

S 2 Details of applicant							
Name							
Residential address							
Address that the permit applies to (if different from above)							
Postal Address (if different from above)							
Telephone				Email			
To opt out of having this permit issued to you by email please tick this box ☐							
Do you currently have any domestic animals				Yes	☐	No	☐
Provide details of animals already registered with please use bottom of page if you require further room							
Animal Number (can be found on your animal registration papers)	Type of Animal i.e. dog/cat	Breed				Age	
What additional animals are you applying for please use bottom of page if you require further room							
Type of animal i.e. dog/cat	Name		Breed			Age	
Are these animals for breeding and rearing purposes? Yes ☐ No ☐							
Are these animals for training purposes (eg Greyhounds)?				Yes	☐	No	☐
Will your premises be used as a boarding establishment?				Yes	☐	No	☐
S 7 Declaration of person completing this form							
I declare that the information I have given is true and correct. I agree to abide by all conditions specified in the permit and Local Law and any relevant Guidelines. I have attached the relevant documentation that this form							
Name		Signature				Date	
OFFICE USE:							
Rec Number/		\$	1Year ☐	3 Year ☐	Date:		CSO

Attachment 5

SCHEDULE 5 – FIXED PENALTIES FOR INFRINGEMENT NOTICES

Clause	Offence	Penalty Units
9.1 (c)	Engages in an activity without a current permit where the activity requires a permit	2
9.1 (d)	Breaches or fails to comply with permit conditions	2
9.4	Fail to remedy situation in accordance with a Notice to Comply	2
9.9	Fail to give correct name and address to authorised officer on request	2
2.1	Trees and plants interfering or obstructing	1
2.2	Interfere with or obstruct signpost	1
2.3 (1)	Discharge irrigation water on to road	2
2.3 (2)	Discharge irrigation water on to road (continuing)	3
2.4	Not displaying property number	2
2.5	Access land other than over council approved crossing	2
2.6	Leave shopping trolley on roads or municipal land	0.5
2.7	Toy vehicle offences	0.5
2.8	Stationary, heavy or long vehicles	2
3.9	Repair vehicle/deposit substances on a road	2
4.1	Behaviour in municipal place offence	2
4.2	Park/drive vehicle on a municipal reserve	2
4.3	Allow tree/plant to damage/interfere with municipal place	1
4.4	Smoke/vape in a smoke/vape free area	1
4.5	Consume/possess alcohol on a road	1
4.6	Camp in a municipal place	1
5.1	Allow dangerous/unsightly land	2
5.2	Outdoor fires	2
5.3	Burning of offensive materials	2
5.4	Recreational vehicles	2
5.6	Camping on vacant private land	2
5.7	Camping or caravans on roads	2
5.9	Deposit wastewater on land/watercourse	2
5.10	Domestic waste collection	1
5.11	Depositing household/commercial waste in public litter bins	2
5.12	Hard waste and recycling collections	2
5.13	Trade waste and waste hoppers	3
5.14	Transportation of waste	2
5.15	Depositing waste at municipal waste facilities	2
5.16	Scavenging at municipal waste facilities and other places	2
5.17	Dumping of refrigerators, trunks or similar containers	2
5.18	Prohibited waste	2
6.3	Animal excrement	1
6.4	Animal nuisance	1
6.5	Ride/lead horse on reservation	2
7.4	Right of way (livestock)	2
7.5	Warning signage	2
7.6	Relocation of livestock other than in daylight hours	2

Where no penalty is specified, two (2) penalty units apply

Note: Section 110 of the *Sentencing Act 1991* describes the meaning of penalty units

Attachment 6

SCHEDULE 8: DESIGNATED AREAS FOR USE BY RECREATIONAL VEHICLES
(Dirt Bikes)

- Area abutting South Gippsland Highway, known as the Old Sale Common



Sale Service Centre

18 Desailly Street, Sale Victoria 3850

Telephone 1300 366 244

Yarram Service Centre

156 Grant Street, Yarram Victoria 3971

Telephone 03 5182 5100

www.wellington.vic.gov.au

enquiries@wellington.vic.gov.au