

PART 4 SALE OF GOODS, STREET SELLING, COLLECTIONS, DISTRIBUTIONS AND SPECIAL EVENTS

45. INTRODUCTION

This Part contains provisions which aim to manage and facilitate responsible trading and entertainment on Roads, Road Related Areas and Council Land or in Public Places to increase the attractiveness and comfort of these places, by controlling the soliciting of gifts and money, busking, Selling and other behaviour.

46. PERMIT REQUIRED FOR SOLICITING AND COLLECTIONS

A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, solicit or collect a gift of money or subscription or Sell a raffle ticket in or on a Road, Road Related Area, Council Land or a Public Place.

Penalty: 5 Penalty Units

47. SELLING GOODS OR SOLICITING FOR TRADE AND SIMILAR ACTIVITIES

A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, in or on a Road, Road Related Area, Council Land, a Public Place, vacant land or land which he or she does not ordinarily occupy, Sell goods or solicit or try to attract trade or business or Tout or Spruik or allow any Person to solicit or try to attract trade or business or Tout or Spruik.

Penalty: 5 Penalty Units

48. SELLING SERVICES

A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, Sell any services in or on a Road, Road Related Area, Council Land, or a Public Place.

Penalty: 5 Penalty Units

49. HANDBILLS

A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, display or distribute to any Person any Handbill in or on a Road, Road Related Area, Council Land, a Public Place or a Reserve or allow that to occur.

Penalty: 5 Penalty Units

50. SPECIAL EVENTS AND FILMING FOR COMMERCIAL PURPOSES

1. A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, hold a Special Event or allow Commercial Filming in or on a Road, Road Related Area, Council Land or Public Place.

Penalty: 20 Penalty Units

2. Any Person applying for a Permit to hold a Special Event must provide:

a) details of the Special Event in the format required by Council; and

- b) advice of any potential security or emergency issues for the Victoria Police and other emergency service organisations, such as the Country Fire Authority, Ambulance Victoria, State Emergency Service, St John's Ambulance and others; and
- c) advice of any potential police and emergency services personnel resource issues; and
- d) a proposed traffic plan for the event area, with access details for emergency Vehicles and Road closures, proof of notification and approval from any other relevant authorities; and
- e) a copy of any extended liquor licence application; and
- f) a copy of any extending trading hours application; and
- g) a proposed disaster plan for the event area; and
- h) a certificate of currency indicating that the applicant has at least \$10 million cover under a public liability policy of insurance.

51. GARAGE SALES

An Occupier of Residential Land on which a garage sale is being conducted, and any Organisation responsible for the conducting of a garage sale, must comply with the following requirements.

1. Location of Garage sales:
 - a) A garage sale must be held from private Residential Land or, if being conducted by an Organisation (such as a school, a religious group or a community group), on that Organisation's Property.
 - b) A garage sale must be contained to the Residential Land or Property boundary and not extend to the Footpath or nature strip.
2. Frequency of Garage Sales
 - a) The Occupier of Residential Land, or an Organisation responsible for conducting a garage sale, must not conduct or allow to be conducted more than two (2) garage sales from any one parcel of Residential Land or other Property within any one calendar year.
3. Hours/length of Operation of Garage Sales
 - a) A garage sale cannot be held prior to 8.00am or after 7.00pm on any day.
 - b) A garage sale cannot be held for more than two (2) consecutive days.

Penalty: 2 Penalty Units

4. The Occupier of Residential Land, or an Organisation responsible for conducting a garage sale, may erect a sign or signs advertising a garage sale at the garage sale's Property location provided that the sign/s complies with the provisions set out below:
 - a) the sign/s must not be erected any earlier than 48 hours before the commencement of the garage sale; and
 - b) the sign/s must be removed prior to midday of the day immediately following the garage sale; and
 - c) the sign/s must not exceed 297mm x 420mm (A3); and

- d) the sign/s must not contain any offensive language; and
 - e) the sign/s must not be attached to any Council Assets, including Council Buildings, trees and/or street signs; and
 - f) the sign/s must not obstruct any Footpath or walkway, street furniture or Road sign; and
 - g) the sign/s must not be erected on roundabouts or median strips or impact on Road safety in any manner; and
 - h) the sign/s must comply with Roads Corporation requirements for utility poles, so that signs cannot, for example, be displayed on utility poles; and
 - i) no more than three (3) signs relating to a garage sale are to be displayed.
5. Notwithstanding subclause [51.4.e](#)), a sign can be displayed on the nature strip in front of the Residential Land or other Property at which the sale is being held, and on private fences (including a fence at the Residential Land or other Property at which the sale is being held). If the sign is displayed on other fences (eg. on a fence at the end of the Road in which the sale is being held), the fence owner's permission must be obtained prior to displaying the sign.

52. CAUSING OBSTRUCTION

A Person must not invite, encourage or allow the congregation of Persons so as to Obstruct or interfere with the passage of pedestrian or vehicular traffic in or on a Road, Road Related Area, Council Land or a Public Place.

Penalty: 4 Penalty Units