



Victoria Government Gazette

No. S 149 Thursday 7 August 2003
By Authority, Victorian Government Printer

SPECIAL

PORT PHILLIP CITY COUNCIL
Notice of Intention to Make a Local Law
Community Amenity Local Law No. 3

Port Phillip City Council (Council) proposes to make a new Local Law, to be referred as Community Amenity Local Law No. 3 (the proposed Local Law).

The following information about the proposed Local Law is provided in accordance with section 119 of the **Local Government Act 1989**.

Purpose of the Proposed Local Law

The purpose of the proposed Local Law is to:

- provide for the peace, order and good government of Port Phillip City in a way that is complementary to Council's Corporate Plan;
- manage the uses and activities on roads and Council land so that Council is aware of uses or activities which may interfere with the health, safety and convenience of people, cause damage to Council assets or be detrimental to the amenity or enjoyment of the area;
- manage, regulate and control uses and activities which may be dangerous, cause a nuisance or be detrimental to the amenity of the area or the environment;
- provide for the administration of Council's powers and functions; and
- repeal Council's Community Amenity Local Law No. 1.

General Purport of the Proposed Local Law

The proposed Local Law, will, if made:

- repeal Council's Community Amenity Local Law No. 1;
- incorporate a document titled "Procedures and Protocols Manual" as published from time to time;
- regulate activities and uses by requiring a permit, including a permit for the placement of advertising signs, itinerant trading, itinerant trading from house to house, occupation of a road for works, special events, filming, busking, fund raising, promotional activities and street stalls, placement of bulk rubbish containers, parking during the Australian Formula 1 Grand Prix, occupation of market sites on municipal land, connecting into Council drains, keeping an excess number of animals, placement of illuminated signs on cranes, placement of clothing recycling bins in public areas, carrying out of building work on a building site, construction of a temporary or permanent vehicle crossing and for the removal or cutting of a significant tree;
- create an offence for a person to engage in specified activities and uses requiring a permit and failing to obtain such a permit;
- create an offence for a person who fails to comply with requirements, limitations or conditions of a permit;
- regulate and create requirements or conditions for specified activities and uses including for building works on a dwelling, managing amenity on building sites, protection of Council assets, collection of industrial, trade and commercial waste, operation of commercial premises, transportation of waste, placement of domestic waste and recyclable materials, keeping of poultry, location of trees, plants and signs on a property, display of property numbers, naming of a road, construction of a vehicle crossing, using toy vehicles, parking of vehicles, and the removal, trimming or pruning of a significant tree;

- create an offence for a person who fails to comply with the requirements or conditions applied to any of the specified uses or activities;
- regulate where and when specified activities and uses are not permitted in the municipal district, including trading sites, use of toy vehicle areas in prohibited areas, repair of vehicles on a road, abandonment of vehicles, damage of Council assets, allowing a tree or plant to cause damage to municipal land, camping on Council land, consumption of alcohol in designated areas and during the Australian Grand Prix, use of boats and watercraft, keeping land in a dangerous or unsightly manner, lighting or allowing burning in incinerators, fires or burning in open air, depositing of industrial, trade or commercial waste, animal litter, proprietors' responsibilities in relation to shopping trolleys left on roads or Council land, horse riding and allowing unreasonable noise from vehicles;
- create an offence for a person to engage in the specified activities and uses where and when they are not permitted;
- regulate applications for issuing and the duration of permits under the Local Law;
- empower Council by resolution to determine fees and charges for the purposes of the Local Law;
- regulate the granting of permits subject to conditions under the Local Law;
- regulate the cancellation, correction and register of permits under the Local Law;
- regulate the exemption of persons or class of persons from the requirement to have a permit under the Local Law;
- create an offence if a person makes a false representation or declaration or who intentionally omits relevant information in an application for a permit or exemption;
- create an offence if a person does not comply with the directions of an authorised officer, police officer or emergency service;
- empower an authorised officer to issue a warning, notice to comply or infringement notice and commence legal proceedings if a person is breaching a Local Law;
- empower an authorised officer to impound items, goods or equipment in relation to a breach of the Local Law;
- create an offence for a person who fails to comply with a notice to comply;
- empower an authorised officer to act in urgent circumstances to remove, remedy or rectify a situation without first serving a notice to comply where there has been a breach of the Local Law;
- empower an authorised officer to impound certain things or cause the sale, disposal, destruction or giving away of certain things if satisfied that the relevant person has ignored a request from an authorised officer to remove those things which are in contravention of the Local Law; and
- empower Council to create a fee or charge for release of impounded things.

Submissions

A copy of the proposed Local Law and Procedures and Protocols Manual may be viewed on Council's website at www.portphillip.vic.gov.au or inspected at or obtained from the Council offices at the corner of Carlisle Street and Brighton Road, St Kilda, Port Melbourne Town Hall, Bay Street, Port Melbourne and South Melbourne Town Hall, Bank Street, South Melbourne. Office hours are generally 8:30 am to 5:00 pm Monday to Friday.

Any person affected by the proposed local law may make a written submission on the proposed Local Law to the Council. Submissions received by the Council within 14 days after the publication of this notice will be considered in accordance with section 223 of the **Local Government Act 1989**.

Any person requesting to be heard in support of a written submission is entitled to appear before a meeting of the Council or a Council committee either personally or by a person acting on his or her behalf and will be notified of the time and date of the hearing.

Submissions marked "Community Amenity Local Law No. 3" should be lodged within 14 days of the publication of this notice at the above offices of the Council or posted to Chief Executive Officer, Private Bag No. 3, PO St Kilda, 3182. Enquiries should be directed to Ian Henderson, Health & Amenity Advisor, on 9209 6343.

DAVID SPOKES
Chief Executive Officer

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The *Victoria Government Gazette* (VGG) is published by The Craftsman Press Pty. Ltd. for the State of Victoria and is produced in three editions.

VGG General is published each Thursday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts accepted. Private Notices are also published.

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Subscriptions

The *Victoria Government Gazette* is available by three subscription services:

General and Special — \$198.00 each year

General, Special and Periodical — \$264.00 each year

Periodical — \$132.00 each year.

All prices include GST.

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to

The Craftsman Press Pty. Ltd.

Subscription enquiries:

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood Vic 3125

Telephone: (03) 9926 1233

Fax (03) 9926 1292

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ISSN 0819-5471

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Government Printer for the State of Victoria
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Melbourne 3002
Victoria Australia

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The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood

Victoria, Australia 3125

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Facsimile (03) 9926 1292

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356 Collins Street Melbourne 3000.

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City Graphics

Level 1, 520 Bourke Street

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A