

PORT PHILLIP CITY COUNCIL

COMMUNITY AMENITY (AMENDMENT) LOCAL LAW NO. 2 of 2008

PART A – INTRODUCTORY

1. Title

This Local Law is entitled "Community Amenity (Amendment) Local Law No. 2 of 2008".

2. Objectives of Local Law

The objectives of this Local Law are to:

2.1 provide for the peace, order and good government of the Municipal District;

2.2 amend the Council's Community Amenity Local Law No. 3; and

2.3 to amend the Principal Local Law to:

2.3.1 further regulate, control and prohibit the possession of alcohol on the foreshore;

2.3.2 amend clause 45(3) to extend the times in which the taking, possession and consumption of alcohol on a road or Council Land is prohibited; and

2.3.3 make other amendments.

3. Authorising Provision

This Local Law is made under section 111(1) of the Act.

4. Commencement

This Local Law comes into operation on the day after the day on which it is made.

5. Revocation

Unless revoked earlier, this Local Law ceases to operate on the day on which the Principal Local Law ceases to operate.

6. Application

This Local Law applies and has operation throughout the whole of the Municipal District.

7. Interpretation

Unless the contrary intention appears in this Local Law, the following words are defined as indicated:

"Act" means the *Local Government Act 1989*;

"Council" means Port Phillip City Council;

"Municipal District" means the Municipal District of Council; and

"Principal Local Law" means the Council's Community Amenity Local Law No. 3.

PART B – AMENDING THE PRINCIPAL LOCAL LAW

1. Amendment of Clause 45

- (1) In clause 45 of the Principal Local Law delete the reference to "Part 19 P&PM"
- (2) In clause 45 of the Principal Local law, delete sub-clause "3(c)" and substitute –
 - "(c) on a road or Council land between the hours of 8 pm and 9 am on the following day; and"
- (3) After clause 45(1) of the Principal Local Law, insert-
 - "(1A) Without limiting sub-clause (1), a person must not possess alcohol in a sealed container on the foreshore on New Years Eve between the hours of 12.01 am and midnight and on New Years Day between midnight and 9 am except where the possession is the transport of alcohol to premises referred to in sub-clause (1).
 - (1B) For the purpose of sub-clause (1A) the foreshore means –
 - (i) North of Head Street, Elwood and South of Ormond Esplanade between St Kilda Street, Elwood and Glen Huntly Road, Elwood;
 - (ii) West of Marine Parade between Glen Huntly Road, Elwood and Shakespeare Grove, St Kilda;
 - (iii) West of Jacka Boulevard, St Kilda between Shakespeare Grove and Fitzroy Street;
 - (iv) West of Beaconsfield Parade between Fitzroy Street, St Kilda and Esplanade East, Port Melbourne;
 - (v) West of Beach Street between Esplanade East, Port Melbourne and Princes Street, Port Melbourne;
 - (vi) South of Waterfront Place, Port Melbourne, between the Port of Melbourne Authority and Princes Street, Port Melbourne;
 - (vii) South of Beach Street, Port Melbourne, between Princes Street and Beacon Cove; and
 - (viii) South of the Boulevard, Port Melbourne, between Beacon Cove and Todd Road, including the Perce White Reserve."

This Local Law was made by a Resolution of Council at a meeting held on **24 November 2008**

Date of public notice of the making of this Local Law in the **[name of newspaper]**: **[date]**.

Date of notice of the making of this Local Law in the Victoria Government Gazette: **[date]**.

