

PUBLIC NOTICE
Port Phillip City Council

Community Amenity (Amendment) Local Law No. 1 of 2008

Port Phillip City Council (**Council**) is considering an amendment to its Community Amenity Local Law No. 3 (**Principal Local Law**). Public submissions about the proposed amendment are now invited.

Council proposes to make an amending local law, to be known as “Community Amenity (Amendment) Local Law No. 1 of 2008”. 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 amend the Principal Local Law in order to further regulate certain activities which may affect the quality of life and the environment of the municipal district of Council.

General Purport of the Proposed Local Law

The proposed local law, if made, will amend the Principal Local Law as follows:

1. amend the definition of significant tree and insert a new definition of significant tree.
2. addition of a new clause (6B), to allow permits under the Road Management Act 2004 to be evidenced by granting of a permit under the Local Law.
3. amend clause 7, to include a requirement for an asset protection permit.
4. amend the persons who may be in breach of clause 8, which regulates the placement of advertising signs, and therefore guilty of an offence.
5. amend clause 11 to include occupation of the road for works and other activities.
6. increase the penalty for filming in breach of clause 13.
7. amend clause 16, which regulates Parking during the Australian Formula 1 Grand Prix to include requirements on the permit holder regarding possession and placement of the permit.
8. amend clause 19, restricting the number and type of animals that can be kept at a property without a permit, and making it an offence to keep roosters.
9. amend clause 24, which concerns amenity relating to building sites, by limiting the hours that building sites can operate without a permit, making it an offence to do building works on a public holiday and requiring that deliveries to building sites do not cause damage to adjoining land.
10. amending clause 25, to require a Council permit in order to access a building site via a laneway.

11. amend clause 26, which stipulates the requirements applying to industrial, trade and commercial waste, to restrict the times in which collections can occur, when unreasonable noise occurs.
12. amend clause 27 by rewording the additional requirements on commercial premises, making it an offence for an owner or occupier of a commercial premise to detrimentally affect the amenity of the area.
13. amend clause 29, to include the conditions that an owner or occupier of a residential premise must comply with in relation to domestic waste management.
14. amend clause 34, to make it an offence to use a vehicle to enter a property without using a vehicle crossing, and to stipulate the process that a Council officer may take to require the removal of a vehicle crossing or the reinstatement of any other parts of a road.
15. amend clause 37 to include restrictions on the use of a parking permit.
16. amend clause 38 to extend the restriction with respect to significant trees, to include a requirement to have a permit to lop a significant tree.
17. amend clause 38 to increase the penalty for a breach in relation to a significant tree.
18. Insert new clause 38A, restricting the use of Council Reserves by sporting clubs unless permitted.
19. Insert new clause 38B, requiring an owner of land to maintain stormwater pipes that flow from their property.
20. amend clause 45, to include the list of designated areas and times when the consumption of alcohol is restricted, and to make it an offence to consume alcohol in public on New Years Eve.
21. amend clause 48A to include a definition of a barbeque.
22. amend clause 51, relating to shopping trolleys, increasing the penalty.
23. amend clause 55 to stipulate the form of a permit.
24. amend clause 57 to include the conditions applicable to permits.
25. amend clause 67, to clarify the power of the authorised officer to act in urgent circumstances, to include after a Notice to comply has not been complied with and there are urgent circumstances.
26. amend clause 70, by deleting it, as it is obsolete.
27. amend clause 71, by deleting it, as it is obsolete.
28. amend Schedule 2 to reflect changes in infringement penalties mentioned above.

There are also proposed changes to Council's Procedures and Protocols Manual.

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 222 Bank Street, South Melbourne. Office hours are generally 8:30am to 5:00pm Monday to Friday.

Any person affected by the proposed local law may make a submission relating to it to the Council. All submissions received by the Council within 14 days of 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 committee established for this purpose either personally or by a person acting on his or her behalf and will be notified of the date and time of the hearing.

Submissions marked "Community Amenity (Amendment) 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 Kirsten Hughes, Coordinator Local Laws, on 9209 6268.

DAVID SPOKES
Chief Executive Officer