



NOTICE OF INTENTION TO MAKE A LOCAL LAW PORT PHILLIP CITY COUNCIL Footpath Activities Local Law No 7 (2009)

Port Phillip City Council (Council) proposes to make a new local law, to be referred to as Footpath Activities Local Law No 7 (2009). The following information about the proposed local law is provided in accordance with section 119(2) of the *Local Government Act 1989*.

Purpose of the Proposed Local Law

The purpose of the proposed local law is to regulate placement of objects on footpaths in the municipality to:

1. Ensure safe passage for pedestrians and vehicles;
2. Limit impact on the amenity that characterises the municipality whilst promoting a vibrant street life; and
3. Achieve fairness between traders in the use of footpaths.

General Purport of the Proposed Local Law

The proposed local law, if made, will replace Footpath Activities Local Law No 7 of 1999 and will:

1. Specify the uses of the footpath which require a permit from the Council, namely placement of tables and chairs and ancillary equipment for kerbside dining, display of goods and advertising signs;
2. Make it an offence to:
 - 2.1 Place the specified objects on a footpath without a permit or contrary to the conditions of a permit;
 - 2.2 Fail to display a copy of a permit;
 - 2.3 Make a false declaration in applying for a permit;
 - 2.4 Fail to comply with directions in relation to footpath objects; and
 - 2.5 Fail to comply with a Notice to Comply;
3. Specify the factors to be considered by Council in granting a permit; and
4. Authorise Council to make further guidelines for the use of footpaths involving any of the objects listed above.

A copy of the proposed local law may be inspected at or obtained from the Council offices at Port Melbourne Town Hall, 333 Bay Street, Port Melbourne; South Melbourne Town Hall, 208 Bank Street, South Melbourne, and; St Kilda Town Hall, 99A Carlisle Street, St Kilda. Office hours are generally 8.30am to 5pm 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 by 5.00pm on 27 May 2009 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 date and time of the hearing. Submissions should be lodged at the above office of the Council or posted to Council at Private Bag 3, PO St Kilda, 3182, and will then be available for public inspection. Enquiries should be directed to Kirsten Hughes, Coordinator Local Laws, on 9209 6268. Submissions are also invited with respect to the competition aspects of the proposed local law, including the costs or benefits of any restrictions on competition.

DARRELL TRELOAR
Chief Executive Officer (Interim)