



Victoria Government Gazette

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MOORABOOL SHIRE COUNCIL

Public Notice

Proposal to Make Local Law No. 1 – Community Local Law

Notice is given that Moorabool Shire Council (Council) proposes to make a local law titled ‘Community Local Law No. 1 (2019)’ (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** (Act):

Purpose of the Proposed Local Law

If made, the purposes of the Proposed Local Law will be to:

1. promote a physical and social environment free from hazards to health or public safety, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community;
2. prohibit, regulate and control activities or behaviour which may be dangerous, or detrimental to the quality of life and the environment of the municipal district or which could compromise public safety, council land or assets;
3. preserve and enhance amenity, neighbourhood character, health and public safety within the municipal district by regulating certain activities within the shire;
4. protect assets vested in, controlled or owned by Council;
5. protect the safety of road users and the amenity of the municipal district and provide for the fair and equitable use of Council owned land;
6. control the consumption and possession of alcohol in a public place, where such consumption or possession may interfere with the amenity and enjoyment of the public place by the community;
7. control the impact of the keeping of animals on the community and the environment;
8. regulate the impact of business activities on the environment, public health and amenity; and
9. revoke Council’s General Local Law 2010 – General Local Law.

General Purport of the Proposed Local Law

If made, the Proposed Local Law will:

- provide for the administration and enforcement of the Proposed Local Law and empower Council and authorised officers to issue permits, notices to comply, act in urgent circumstances and impound things;
- provide for infringement notices to be served on those whom an authorised officer has reason to believe is guilty of an offence;
- create offences relating to:
 - a failure to comply with any provision of the Proposed Local Law;
 - a failure to comply with a requirement to obtain a permit under the Proposed Local Law;
 - a failure to comply with a notice to comply issued under the Proposed Local Law;
 - a failure to comply with any conditions of a permit;
 - a failure to comply with any direction of an authorised officer.
 - a failure to maintain a nature strip in a residential area;
 - unsafe dilapidated buildings or vacant land;

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- land and structures on land that is, or are, unsightly or detrimental to the amenity of the locality of the land or dangerous;
 - lighting incinerators and undertaking uncontained and open air burning without a permit;
 - distribution of handbills, advertisements, pamphlets and the like on roads and municipal places without a permit;
 - camping on municipal places without a permit;
 - cutting or removing firewood from a road or Council land without a permit;
 - use of caravans on land for accommodation without a permit;
 - busking and conducting circuses, carnivals and similar events without a permit;
 - installing an audible alarm that can be heard for more than 10 minutes continuously or intermittently in a one hour period;
 - the number of animals that can be kept on any land, including the manner in which they are kept, and removal of animal excrement from roads and municipal places;
 - use, placement and interference with mobile garbage bins provided by Council for the disposal of household waste, recyclables and food or organic waste;
 - placement and use of skips on roads and municipal places without a permit;
 - placement and use of shipping containers without a permit;
 - interference with Council drains without a permit;
 - management of building sites, including run-off and discharge, waste disposal facilities, signage, fencing, containment and disposal of waste, site access, hours of operation and provision of toilets;
 - obtaining and complying with asset protection permits where building work other than minor building work is undertaken;
 - operating septic tank systems and wastewater management systems without a permit;
 - behaviour in municipal places, including committing a nuisance, destroying, damaging, excavating, interfering with or defacing a municipal place or anything on it, using any explosive or flammable matter and acting contrary to the conditions of use of the municipal place without a permit;
 - behaviour in municipal reserves, in addition to behaviour prohibited as a municipal place, including damaging or interfering with a structure or fauna, littering, entering unauthorised areas, engaging in dangerous behaviour, entering an organised sports event or gathering;
 - use of any motor vehicle on any municipal place unless the municipal place has been designated by Council for that purpose;
 - use of any recreational vehicle on Council land without a permit;
 - abandonment of a shopping trolley on any road or Council land, or make a trolley available without a locking device;
 - consumption of alcohol and possession of unsealed containers in any municipal place, or part of a municipal place, which has been designated by Council as a liquor free area without a permit;
 - vegetation that obstructs drivers or pedestrians or otherwise interferes with traffic signs and the like;
 - the placement of signs and fences on any land such that they obstruct the passage and clear view of drivers or pedestrians and interferes with the safe use of the road;
 - display of house numbers;
 - the construction, use and removal of vehicle crossings;

- the control of livestock on roads, including movement and grazing of livestock;
- parking heavy vehicles on private land in a residential area without a permit;
- the display of goods and placement of advertising signs and tables, chairs, barriers and the like on roads without a permit;
- placement of bulk rubbish containers on roads without a permit;
- occupation of roads for works, including the erection of hoardings and use of cranes, forklifts and similar machinery, without a permit; and
- restrictions on engaging in a commercial activity on any road without a permit;
- provide for the protection and management of vehicle crossings more generally; and
- provide for the prescription of certain areas (eg as areas where alcohol or smoking is not permitted or a parking permit is required).

Copies of the Proposed Local Law and the explanatory Community Impact Statement may be inspected at Council's Principal Office at 15 Stead Street, Ballan, during office hours and on Council's website.

Any person may make a written submission relating to the Proposed Local Law. All submissions received by Council on or before 5.00 pm on 17 July 2019 will be considered in accordance with section 223 of the Act. Council will also consider all submissions made during the previous period for submissions. There is therefore no need to repeat a previous submission, although you may do so if you wish.

Submitters should note that all submissions are made available to the public in full (including any personal information). Any person making a submission is entitled to request (in the submission itself) to be heard in support of the submission by appearing before Council (either personally or by a person acting on his or her behalf). The date and location of the Submission Hearing will be notified.

Submissions should be marked 'S.223 Submission on Proposed Community Local Law No. 1' and lodged at the above offices of Council, or sent to Council at Moorabool Shire Council, PO Box 18, Ballan, Victoria 3342, or emailed to info@moorabool.vic.gov.au. Enquiries should be directed to Andy Gaze, on (03) 5366 7100.

DEREK MADDEN
Chief Executive Officer

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