



Melbourne City Council

Activities (Public Amenity and
Security) Local Law 2017

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Activities (Public Amenity and Security) Local Law 2017

Part 1 Preliminary

Title

1.1 This Local Law is called the "*Activities (Public Amenity and Security) Local Law 2017*".

What are the objectives of this Local Law?

1.2 The objectives of this Local Law are to:

- (a) amend the objectives of the *Activities Local Law 2009*
- (b) amend provisions in the *Activities Local Law 2009* in respect to camping and unattended items in a *public place*
- (c) provide for the peace, order and good government of the *municipality*.

What authorizes this Local Law?

1.4 This Local Law is made under the provisions of Part 5 of the *Local Government Act 1989*.

When does this Local Law commence?

1.5 This Local Law commences from the day following its making.

To what part of the *municipality* does this Local Law apply?

1.6 This Local Law applies throughout the whole of the *municipality*.

Definitions

1.7 The words identified in italics throughout this Local Law are intended to have the following meaning:

"*Council*" means the Melbourne City Council.

"*municipality*" means the municipality of the *Council*.

"*Principal Local Law*" means the *Activities Local Law 2009*.

"*public place*" has the same meaning as in the *Principal Local Law*.

1.8 Where a word or phrase has a particular meaning, other grammatical forms of that word or phrase have a corresponding meaning.

Part 2 Amendments to Principal Local Law

Introduction: This Part contains provisions which amend the Principal Local Law.

Amended Objective

2.1 In clause 1.2 of the *Principal Local Law*:

- (a) insert the words “amenity and” before the word “use” in sub-clause (c)
- (b) insert a new sub-clause (d):
 - (d) support the Council’s disability action plan prepared under section 38 of the *Disability Act 2006*;
- (c) renumber the existing sub-clauses (d)-(i) as a consequence of the new sub-clause (d).

Amended Provisions in Part 2 of the *Principal Local Law*

2.2 In the introduction:

- (a) insert the words “use and” after the word “amenity”;
- (b) insert the words “and provide for safety in” before the first reference to “*public places*”;
and
- (c) insert the words “, by providing for security measures to be taken in *public places*”
before the words “and by prohibiting”.

2.3 In clause 2.8, delete the words “in a *vehicle*, tent, caravan or any type of temporary or provisional form of accommodation”.

2.4 Insert a new clause 2.12:

Unattended item in a *Public Place*

- 2.12.1 Unless in accordance with a *permit*, a *person* must not leave any item unattended in a *public place*.
- 2.12.2 If any item is left unattended in contravention of this Local Law, an *authorised officer* may confiscate and impound the item in accordance with this clause.
- 2.12.3 Any item confiscated and impounded under clause 2.12.2 will be returned to its owner on payment of any fee or charge *prescribed* by the *Council* for its release.
- 2.12.4 If the owner of the item has not paid any fee or charge required for its release, the *Council* may sell, destroy or give away the item.
- 2.12.5 Before exercising the power conferred by clause 2.12.4, the *Council* must take *reasonable* steps to notify the owner of the item that the item has been impounded and may be sold, destroyed or given away unless the specified fee or charge is paid within 14 days.

Amendment to the Schedule to the Principal Local Law

- 2.4 In the Schedule to the *Principal Local Law*:
 - (a) immediately after the reference to clause 12.10 and before the reference to clauses 3.1; 3.3, insert:
 - 2.12 Item unattended in a *public place* 2.5