

By-Laws Review

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City of Salisbury



Power to make by-laws



Council has a general power to make by-laws for:

- the good rule and government of the area,
- the convenience, comfort and safety of its community,

Provided the by-laws:

- are within the contemplation of the *Local Government Act, 1999* or another Act, or
- authorised by the regulations under the *Local Government Act, 1999* or another Act.



"With great power
comes great
responsibility."

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Standard By-Laws



By-Laws cover the same general topics regulated by most Local Councils

Must be reviewed and enacted before previous by-laws expire

Expire 7 years after they are made

Made on the day they are published in the Government Gazette



Six Council By-Laws



By-Law 1 Permits and Penalties

By-Law 2 Moveable Signs

By-Law 3 Roads

By-Law 4 Local Government Land

By-Law 5 Dogs

By-Law 6 Waste Management

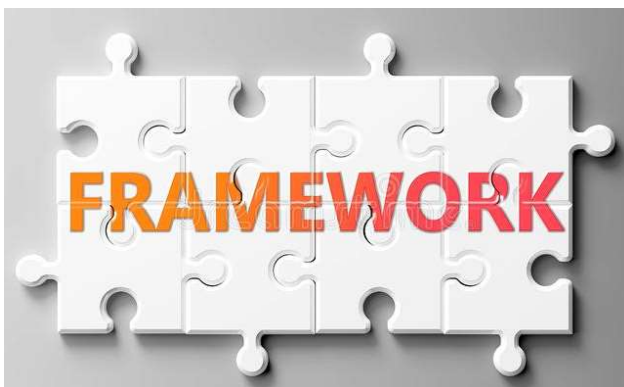
By-Law 1 – Permits and Penalties



What does it do?

- Provides for a permit system
- Fix maximum penalties in Council by-laws
- Evidentiary provisions
- Liability of vehicle owners, and
- Clarify the construction of such by-laws

No changes to this By-Law



By-Law 2 Moveable Signs



What does it do?

- Provides conditions for the size, design and placement of moveable signs
- Protects public safety and enhances the amenity of the area of the Council
- Exemptions for real-estate, garage sales, elections and charity functions
- Permits for other signs

No changes to this By-Law



Current main activities - By-Law 2 Moveable Signs



- **Signs that are contrary to the By-Law**
 - Approx: 30 per annum
- **Illegal signs and or hazardous signs**
 - banners that move
 - overhang pedestrian paths or
 - obstruct traffic.
- **Permits for banners for community events**
 - Approx: 2 per annum



By-Law 3 Roads



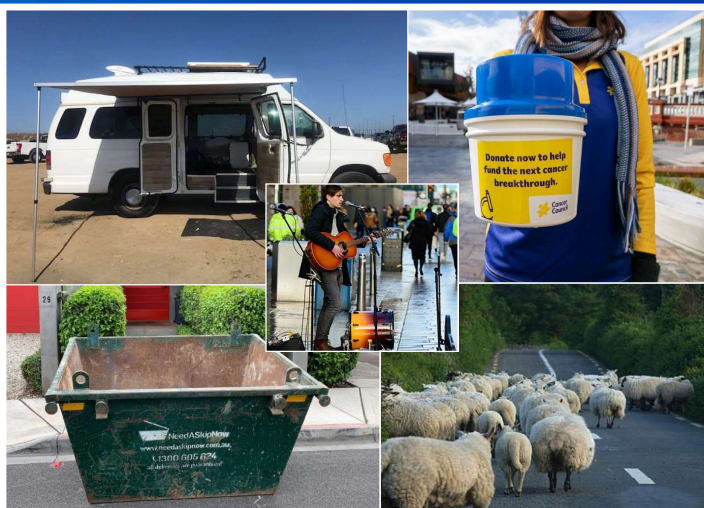
What does it do?

- Regulates certain *activities* on roads in the Council area (that require permission)

What it doesn't do?

- Does not cover
 - driving offences
 - abandoned vehicles
 - parking

No changes to this By-Law



By-Law 3 - Regulates particular activities



A person must not on any road, without the permission of the Council:

Display Advertising (other than moveable signs)	Distribution of Bills
Animals cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road	Obstructions Erect or place obstructions – such as skips or cranes
Selling from a vehicle	Preaching preach, canvass, harangue or otherwise solicit for religious purposes
Amplified sound	Public Exhibitions and Displays sing, busk or play a musical instrument
Bicycles – tie or chain a bike where it causes obstructions	Soliciting ask for or receive or indicate a desire for a donation of money or any other thing;
Bridge jumping – jump dive from any bridge or structure	Touting for Business
Camp or sleep overnight in a tent or RV, caravan or motor home	Use of Council Rubbish Bins deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;
Canvass - for religious purposes	Wheeled Recreational Devices use a wheeled recreational device on a footpath
Seek donations	Work on vehicles

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Current main activities - By-Law 3 Roads



- **Camping**
 - Person(s) sleeping in vehicles or motor homes on roads
 - Approx: 4 per annum
- **Canvassing and Donations**
 - People canvassing and conveying messages or seeking donations
 - Approx: 10 per annum
- **Obstructions**
 - Hoarding Permits, skips or fencing
 - Approx: 30 per annum



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By-Law 4 Local Government Land



What does it do?

- Manages and regulates the use of and access to all land under the control of the Council.
- Prohibits and regulates particular activities:
 - for the health and safety of the community
 - for fair use
 - to prevent nuisances.
- Limits the regulation of a range of activities to a specific location:
 - restrict the activity entirely, or
 - require a permit for the activity.



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By-Law 4 - Regulates particular activities



A person must not on any local government land, without the permission of Council:

Alteration to Local Government Land	Entertainment and busking	Playing Area
Amplification	Equipment	Playing games or sport
Animals on local government land	Fires	Pontoons
Annoyance	Fireworks	Preaching and Canvassing**
Attachments	Fishing**	Public Exhibitions and Displays
Bees	Flora, fauna and other living things	Removing Material
Boats	Foreshore	Selling
Bridge Jumping	Funerals and scattering ashes**	Skateboards and small wheeled devices**
Buildings & Structures	Golf	Swimming
Camping	Lighting	Trading
Canvassing	Marine life	Weddings, functions and special events
Cemeteries	Model aircraft, boats and cars**	Wetlands
Closed lands	Motor vehicles	Wheeled recreational devices
Defacing of property	No liquor	Working on vehicles
Distribution	Overhanging articles or displaying personal items	

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By-Law 4 - Prohibits particular activities



A person must not, on any local government land:

Children's playgrounds	Smoking*
Fishing	Solicitation
Glass	Toilets
Interference with Land	Use of Council rubbish bins
Interference with Permitted Use	Use of equipment
Playing games	

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Changes to By-Law 4 Local Government Land



- Definition of E-cigarettes
- Including drone in the definition of Model aircraft
- Prohibiting commercial waste in any Council rubbish bin



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Current main activities - By-Law 4 Local Government Land



Customer Requests (Approx. 100 per annum)

- Fishing - Nuisances created by fishing
- Boats - requests to kayak on lakes
- Camping - campers from Council reserves
- Golf - golf on reserves creating hazards to other users.
- Removing trees - trees being cut and removed

License and hire agreements (Approx. 290 per annum)

- Events, weddings, parties
- Managed by Property Services team



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By-Law 5 - Dogs



What does it do?

For the management and control of dogs within the Council's area

- Dog free areas
- Dog on leash areas
- Dog exercise areas
- Limit on dog numbers
- Dog faeces management



DOG FREE ZONE

St Kilda Adventure Playspace, as indicated on the map, has been declared a:

DOG PROHIBITED AREA
(penalties may apply)

Ensuring Responsible Pet Ownership

I can't do it ...
Please pick up my poo!

So everyone can play...
Take your dog's
poo away



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Changes to By-Law 5 – Dogs



Dog free areas

- Prohibited on playing fields while sport is occurring.

Dog on leash areas

- Any park or reserve during times when organised sport played
- Within 5 metres of children's playground equipment
- In any wetland area.

2 dogs for all dwellings

- Recognition that the average dwelling size decreasing
- Permit required for more than 2 dogs.



Current main activities - By-Law 5 - Dogs



Dog free areas

- Enclosed play spaces & St Kilda

Dog on Leash Areas

- Responding to off leash complaints
- Approx. 50 p/a

Dog exercise areas

- Dog friendly parks as off-leash areas

Limit on dog numbers

- Permits to keep more two dogs
- Approx. 400 permits



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By-Law 6 Waste Management



What does it do?

Regulates the removal of domestic, recyclable and green organic waste

Defines waste for Household, Recyclables and Green Organics

Must:

- Keep containers clean, sealed and good condition
- Facilitate collection by placing in approved area, and bringing bins in promptly
- Can't interfere with garbage or hard wastes.

No changes to this By-Law



Current main activities - By-Law 6 Waste Management



Keeping containers clean

- Offensive odours from bins
- Required to be cleaned
- Approx. 10 per annum

Collection services

- Bins are not taken back in after collection
- Require order that they be taken in
- Approx. 70 per annum



What By-Laws don't cover



Abandoned Shopping Trolleys

Amendments proposed to *Local Nuisance and Litter Control Act, 2016*

Animal nuisances

Local nuisance under *Local Nuisance and Litter Control Act, 2016*
E.g.

- Noisy roosters and keeping poultry
- Bird feeding
- Cat nuisances (includes wandering, spraying & offensive odours from too many cats)

Parking or Driving Offences

- Australian Road Rules
- Road Traffic Act

Littering

Local Nuisance and Litter Control Act



By-Laws Next Steps



Report to Council with Draft By-Laws

Seek approval to commence public consultation and formal agency consultation

- Dog and Cat Management Board
- Minister for Infrastructure and Transport

Public Consultation 21 days after referral to Dog and Cat Management Board and additional 28 days

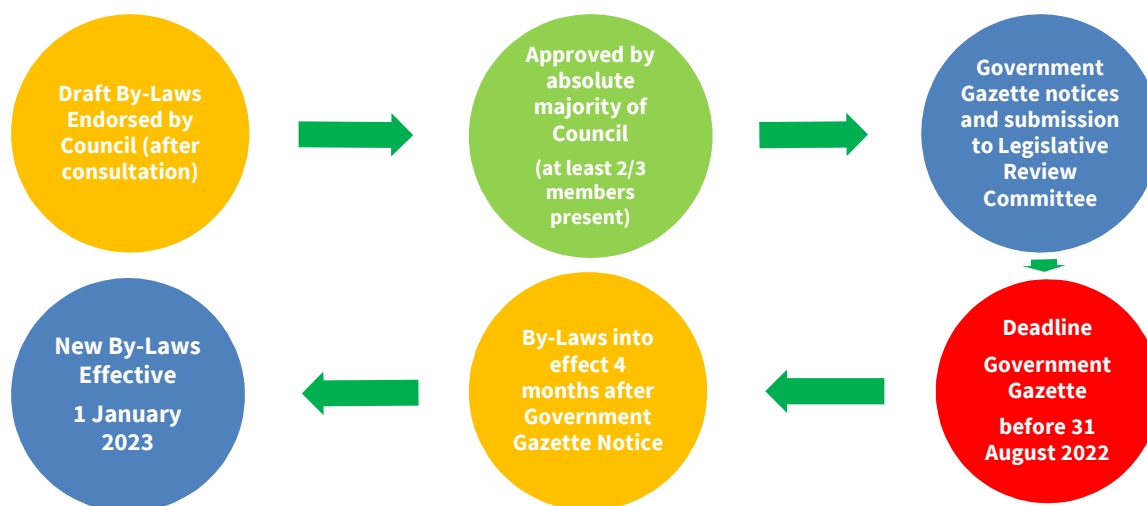
Notice in the Advertiser and on Council's website and social media channels.

- Copies of the draft By-Laws will be available for public inspection without charge

At Conclusion:

- Council will receive a consultation summary
- Where appropriate amendments will be made to the draft By-Laws for Council's consideration.

By-Laws - Approval and Formal Adoption



Thank You and Any Questions



