

Proposed Local Law 2023

Prepared by i.e. community for City of Port Phillip

Summary engagement report

28 April 2023

Snapshot of activities and participation

163 people participated in the consultation

Online survey and interactive map

Purpose: to seek feedback from a broad cross-section of the community.

155 people provided feedback

Submissions

Purpose: to obtain detailed feedback from interested parties.

13 unique submissions

Stakeholder meetings

Key organisations were contacted and provided with the opportunity to meet with Council staff regarding the proposed Local Law. Not all offers were taken up.

Neighbourhood Engagement Program (pop-ups)

Purpose: to engage with a broad cross-section of the community.

7 pop-ups across the City

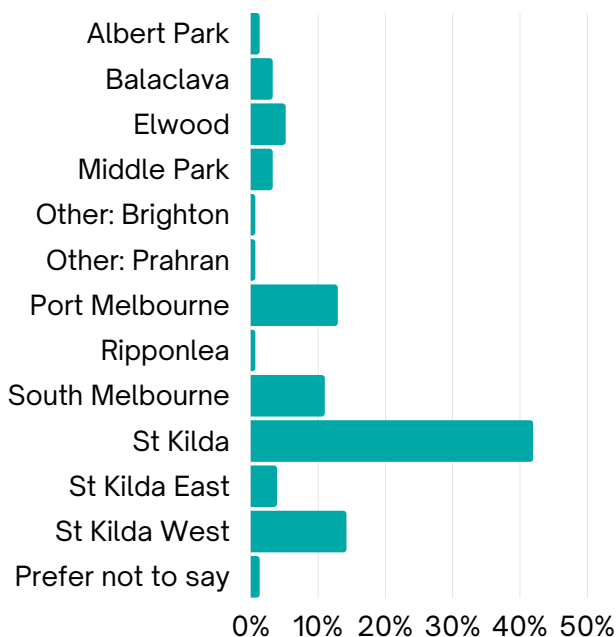
Seven pop-ups where specialist Local Laws team members answered questions and collected feedback. These included:

- South Melbourne Market - 10 March
- Ripponlea - 17 March
- Gasworks Market - 18 March
- Albert Road South Melbourne - 19 March
- Carlisle Street St Kilda - 22 March
- Elwood Market - 25 March
- Sandridge Lifesaving Club - 26 March

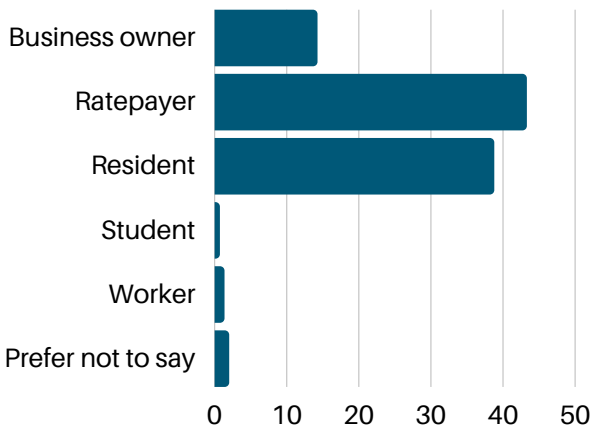
Demographics overview

155 people provided demographic data

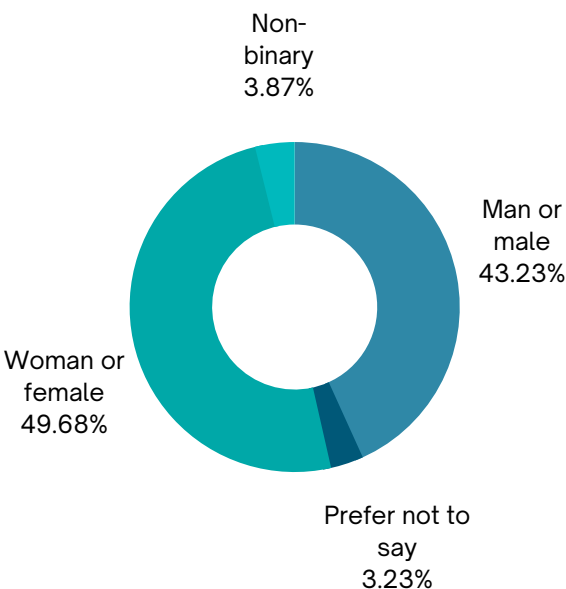
Residential suburb (n=155)



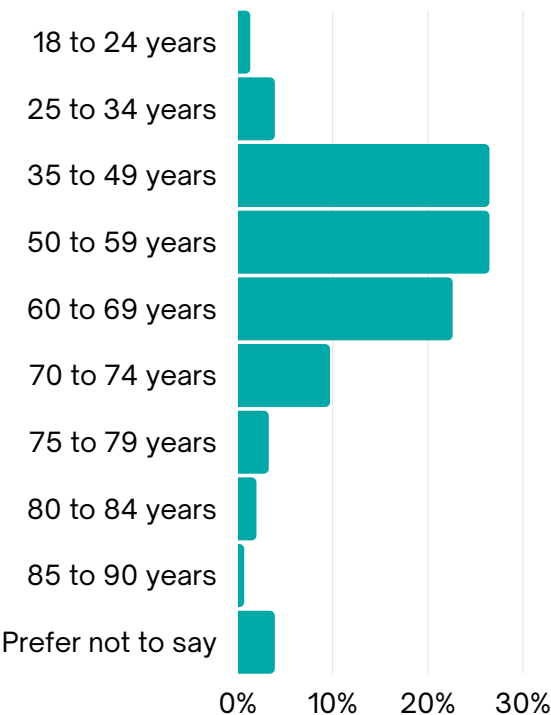
Connection to City of Port Phillip (n=155)



Gender (n=155)



Age groups (n=155)



Note: respondents could choose up to 3 options

Key findings

A summary of the level of support or agreement for each of the clauses and statements are provided below.



Support or strongly support the proposed changes to Clause 9 Connecting into Council Drains, aimed at protecting Council assets and water courses by ensuring that any connection to a Council drain is carried out pursuant to a permit.



Support or strongly support the proposed changes to Clause 15 Asset Protection Permit, aimed at protecting Council assets by making it clear that an owner of land can be held responsible for damages caused by the builder if the builder fails to repair damage.



Support or strongly support the proposed changes to Clause 17 Behaviour on Council Land, aimed at addressing nuisance behaviour in our city to reduce impact on amenity, safety, perceptions of safety and the appeal of our high streets.



Support or strongly support the proposed changes to Clause 23 Shopping Trolleys, aimed at preventing abandoned trolleys on public land causing damage or blocking access. This amendment requires venues with over 30 trolleys to have a perimeter lock system.



Support or strongly support the proposed changes to Clause 35 Special Events, aimed at enabling event organisers to broaden their offer whilst managing risks through a permit process which would allow for furniture, heaters, fire pits or other items on Council land.



Support or strongly support the proposed changes to Clause 43 Furniture and other items on Council Land and Footpaths, aimed at reducing the incidence of dumped furniture or other items on Council land to protect access to businesses, footpaths and public places; and to maintain neighbourhood amenity.



Support or strongly support the proposed changes to Clause 50 Political Signs, aimed at improving transparency and to remove confusion with the Planning Scheme and other legislation.



Support or strongly support the proposed changes to Clause 51 Dangerous or unsightly land, where owners or owners' corporations are to take responsibility for land adjacent to their properties and not allow nature strips to become unsightly or occupied with furniture or other objects. This amendment is aimed at encouraging a joint onus approach to addressing dumped hard waste in our streets.



Support or strongly support the proposed changes to Clause 52 Managing Amenity on Building Sites (hours), where allowable hours on a Saturday are expanded from 9am-3pm to 9am-5pm in response to increasing level of development, growth and construction permit requests.



Support or strongly support the proposed changes to Clause 52 Managing Amenity on Building Sites (tree protection), aimed at protecting Council trees by requiring tree protection barriers for Council trees (including tree root zone) on Council land or nature strips adjoining building sites.



Agree or strongly agree there are issues with hoon driving events.

Key results from the survey

Survey question	Summary of feedback
<p>How would you rate your level of support or opposition for the proposed amended Clause 9 Connecting to Council drains? 7 respondents</p>	<p>57% (4) strongly supported the proposed amendment.</p> <p>28% (2) supported the proposed amendment.</p> <p>14% (1) were neutral about the proposed amendment.</p> <p>3 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 2 respondents supported the interest in waterways and drainage. • 1 respondent would like clearer definitions of creek, gutter, culvert, or stormwater system.
<p>How would you rate your level of support or opposition for the proposed amended Clause 15 Asset Protection Permit? 8 respondents</p>	<p>12% (1) strongly supported the proposed amendment.</p> <p>25% (2) supported the proposed amendment.</p> <p>12% (1) were neutral about the proposed amendment.</p> <p>25% (2) were opposed to the proposed amendment.</p> <p>25% (2) were strongly opposed to the proposed amendment.</p> <p>4 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 2 respondents highlighted the time and cost for Council and applicants. • 2 respondents expressed concerns about the reduction in liability for builders and the increased onus on owners.
<p>How would you rate your level of support or opposition for the proposed amended Clause 17 Behaviour on Council Land? 72 respondents</p>	<p>72% (52) strongly supported the proposed amendment.</p> <p>19% (14) supported the proposed amendment.</p> <p>2% (2) were neutral about the proposed amendment.</p> <p>5% (4) were strongly opposed to the proposed amendment.</p> <p>61 respondents provided a reason for their level of support. Reasons provided:</p>

	<ul style="list-style-type: none"> • 33 highlighted support for a response to address the increase in antisocial behaviour, safety issues and drug and alcohol use. • 7 showed support for this Clause to respond to the camps and homeless issues currently experienced in St Kilda. • 7 respondents highlighted support for this Clause to improve the environment for businesses and traders in the area. • 4 respondents highlighted that the Clause should also include noise related to dogs. • 2 respondents were concerned about council overreach, and that powers would be abused to impact vulnerable people.
<p>How would you rate your level of support or opposition for the proposed amended Clause 23 Shopping Trolleys? 22 respondents</p>	<p>68% (15) strongly supported the proposed amendment.</p> <p>18% (4) supported the proposed amendment.</p> <p>9% (2) were neutral about the proposed amendment.</p> <p>5% (1) was strongly opposed to the proposed amendment.</p> <p>14 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 5 respondents highlighted support for addressing the visual and environmental impact of abandoned trolleys. • 2 respondents highlighted support for the increased responsibility of retailers. • 1 respondent highlighted the cost for supermarkets.
<p>How would you rate your level of support or opposition for the proposed amended Clause 35 Special events? 17 respondents</p>	<p>29% (5) strongly supported the proposed amendment.</p> <p>35% (6) supported the proposed amendment.</p> <p>12% (2) were neutral about the proposed amendment.</p> <p>12% (2) were opposed to the proposed amendment.</p> <p>12% (2) were strongly opposed to the proposed amendment.</p>

	<p>16 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 8 respondents supported permits for special events. • 5 respondents supported enforcement of the permits. • 4 respondents expressed concerns about the laws being overly restrictive. • 4 respondents expressed concerns about the impact on residents.
<p>How would you rate your level of support or opposition for the proposed new Clause 43 Furniture and other items on Council Land and Footpaths? 46 respondents</p>	<p>74% (34) strongly supported the proposed amendment.</p> <p>17% (8) supported the proposed amendment.</p> <p>6% (3) were neutral about the proposed amendment.</p> <p>2% (1) was opposed to the proposed amendment.</p> <p>29 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 19 respondents supported the amendment to improve cleanliness on the streets. • 12 respondents supported the amendment to improve footpath access. • 11 respondents supported the amendment to improve safety. • 9 respondents supported an increased focus on the impact of the homeless and camps, however, concerns about whether this would solve the issues were also raised. • 9 respondents highlighted the importance of enforcement.
<p>How would you rate your level of support or opposition for the proposed new Clause 50 Political Signs? 18 respondents</p>	<p>39% (7) strongly supported the proposed amendment.</p> <p>28% (5) supported the proposed amendment.</p> <p>28% (5) were neutral about the proposed amendment.</p> <p>5% (1) was strongly opposed to the proposed amendment.</p> <p>6 respondents provided a reason for their level of support. Reasons provided:.</p>

	<ul style="list-style-type: none"> • 6 respondents supported the amendment to maintain the impartiality of the Council. • 6 respondents supported the amendment to reduce visual clutter
<p>How would you rate your level of support or opposition for the proposed amended Clause 51 Dangerous or unsightly land? 27 respondents</p>	<p>85% (23) strongly supported the proposed amendment.</p> <p>7% (2) supported the proposed amendment.</p> <p>4% (1) was neutral about the proposed amendment.</p> <p>4% (1) was strongly opposed to the proposed amendment.</p> <p>16 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 13 respondents supported the amendment and how it would improve cleanliness and visual appearance. • 6 respondents highlighted the current risks with enforcement and the need for it to improve.
<p>How would you rate your level of support or opposition for the proposed amended Clause 52 Managing Amenity on Building Sites - revised times for building works? 15 respondents</p>	<p>33% (5) strongly supported the proposed amendment.</p> <p>13% (2) supported the proposed amendment.</p> <p>27% (4) were neutral about the proposed amendment.</p> <p>27% (4) were strongly opposed to the proposed amendment.</p> <p>10 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 5 respondents supported the amendment as it aligned with standard practice. • 4 respondents raised concerns about the impact of increased noise and disturbance on the community.

<p>How would you rate your level of support or opposition for the proposed amended Clause 52 Managing Amenity on Building Sites - protecting Council street trees?</p> <p>15 respondents</p>	<p>67% (10) strongly supported the proposed amendment.</p> <p>20.0% (3) supported the proposed amendment.</p> <p>13% (2) were opposed to the proposed amendment.</p> <p>9 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 7 respondents supported the proposal and the need to protect trees.
<p>Hoon driving events are an issue in Port Phillip (please rate how much you agree or disagree with this statement).</p> <p>60 respondents</p>	<p>87% (52) strongly agreed with the statement.</p> <p>5% (3) agreed with the statement.</p> <p>3% (2) disagreed with the statement.</p> <p>5% (3) strongly disagreed with the statement.</p> <p>55 respondents provided a reason for why they consider hoon driving events to be an issue in Port Phillip. Reasons provided:</p> <ul style="list-style-type: none"> • 85% (47) of respondents stated dangerous driving. • 93% (51) of respondents stated noise. • 29% (16) of respondents stated gathering of people. • 45% (25) of respondents stated roads being blocked / illegal parking. • 5% (3) of respondents stated other. <p>53 respondents provided a reason for their level of support. Reasons provided:</p> <ul style="list-style-type: none"> • 27 respondents raised issues with noise. • 19 respondents raised the need to enforce laws and the role of the police. • 13 respondents raised issues with increased antisocial and loud motorbike usage.

Key results from the submissions

Clause 17 Behaviour on Council land	<p>3 submissions were received in response to Clause 17:</p> <ul style="list-style-type: none"> • 2 submissions highlighted the impacts on the business of antisocial behaviour, including the impact of drug use and camps. • 1 submission from Traditional Owners raised concerns on how the proposed amendments may impinge on the rights of First Nations peoples to sit and gather, which is a common cultural practice. • 1 submission stated the law was skewed heavily to homeless, criminal, and nuisance behaviour, not day-to-day noise from boom boxes and dogs.
Clause 20 Commercial Dog Walkers	<p>1 submission was received in response to Clause 20:</p> <ul style="list-style-type: none"> • 1 submission highlighted the impact on the community from unrestrained dogs.
Clause 23 Shopping Trolleys	<p>2 submissions were received in response to Clause 23:</p> <ul style="list-style-type: none"> • 1 submission from a trolley security operator working for major retailers raised concerns on evidence of the scale of the problem and appropriateness of the solution. Other issues raised were the significant costs, both in the installation of the system and its ongoing maintenance and repair. • 1 submission raised concerns about the impact of First Nations gatherings and the limitations on any cultural practice this caused.
Clause 43 Furniture and other items on Council Land and Footpaths	<p>1 submission was received in response to Clause 43:</p> <ul style="list-style-type: none"> • 1 submission addressed the need to remove the unsightly stools around Fitzroy and Jackson Streets, impacting traders and a hub for drug-related behaviour.