

Problem or Issue	Rationale for change
Title of Document	Council only has one Local Law and accordingly, Officers view the inclusion of the word “General” to be unnecessary.
Regulation of private land use	Officers believe these items are appropriately regulated through the Melton Planning Scheme and other legislation such as the <i>Food Act 1984</i> and should not be duplicated in the Local Law, as this risks inconsistency.
Unregistered Vehicles on Private Property	Officers view amenity impacts, and intense activities related to unregistered vehicles to be appropriately managed by the Melton Planning Scheme and the unsightly provisions of the Local Law. Inclusion in the Local Law which seeks to regulate unregistered vehicles on private property, risks inconsistency with legislation, and interference with private property rights insofar as they do not breach a provision of the Planning Scheme, other Local Law or legislative provision.
Animal Keeping	In the General Local Law 2015, a property may house a rooster on a property without a permit, larger than 4,000 square metres. This has resulted in complaints from residents, who are impacted from a noise and amenity considerations. Officers recommend that clauses relating to the storage of Roosters be amended such as to restrict housing of a Rooster on a property less than 20,000 square metres which is expected to reduce the amenity impacts on neighbouring properties.
Shopping Trolleys	The General Local Law 2015 regulates the use of shopping trolleys insofar as it beyond its intended use. Officers view the use of shopping trolleys to be a matter beyond the scope of Council to regulate. To the extent that a shopping trolley use constitutes antisocial behaviour, this is a matter appropriately dealt with by Victoria Police. The clause is proposed to be removed in its entirety as a matter beyond the operational remit of Council.
Considerations of Council in decision making	Where Council may have regard to certain considerations when making a decision, for example, in granting a Permit or designating an area as a smoke free area, these are internal policy matters for Council and need not be specified in the Local Law. This ensures that the list is not interpreted to be an exhaustive list of considerations which may be had, and ensures flexibility in consideration of requests for Permits.
Vehicle Sound Equipment	Officer views this as appropriately dealt with by the <i>Environment Protection Act 2017</i> and thus recommend the removal of all relevant clauses.
Inclusion of definition of Responsible Person	A definition of Responsible Person has been included to assist in the application and enforceable of the Asset Protection Permit clauses, ensuring Council can appropriately regulate and enforce breaches of these provisions to the appropriate person, being the builder or owner or specified contractors. This change assists in providing discretion to Council to determine who should be liable for any relevant offence.
Waste Transfer Station	Council may, during the life of the Local Law 2025, wish to nominate another waste transfer station or similar facility, and the wording has been amended accordingly to provide for this flexibility, and ensure

	Council is not restricted to the Melton Recycling Facility in the absence of a Local Law amendment process.
Camping on Roads and Public Places	Council receives complaints and needs the ability to regulate those camping on Roads and Public Places. Officers have determined that it does not support the camping on roads and public places, for any duration of time, and accordingly, the ability for people to camp for up to 24-hours, has been removed.
Removal of provisions which allow an Authorised Officer to serve a notice on a Person directing that a contravention cease	To promote clear understanding of obligations for the community and Officers, these individual provisions have been removed, and Officers recommend that Council adopt the use of Notice to Comply as the mechanism to direct that a contravention cease, and ensure this flows through to appropriate enforcement actions.
Unightly Property	Officers are regularly faced with queries as it relates to the circumstances which may present an unsightly property compliance issue. To promote understanding and clarity on community expectations, a non-exhaustive list of items which <i>may</i> constitute Unightly provided are proposed to be included. This list is non exhaustive to ensure it is not restrictive for unique and unforeseeable circumstances.
Shipping Containers	Placement of shipping containers on Council land, is regulated through a permit system pursuant to the Melton Planning Scheme. To ensure no inconsistency with the planning scheme, Officers recommend its removal. Officers will remain able to enforce the Local Law as required if a shipping container presents an obstruction.
Heavy Vehicles	Parking of heavy vehicles on private property is appropriately managed by the Melton Planning Scheme and Unightly provisions of the Local Law, where required. Inclusion in the Local Law which seeks to regulate heavy vehicles on private property, risks inconsistency with legislation, and interference with private property rights insofar as they do not breach a provision of the Planning Scheme or another Local Law provision if it triggers an unsightly property provision.
Fire Hazards	The provisions related to fire hazards, risks inconsistency with the Melton Planning Scheme and the <i>Planning and Environment Act 1987</i> with respect to native vegetation, and with the <i>Country Fire Authority Act 1958</i> and its regulation and management of fire hazards and are therefore proposed to be removed.
Bees and Wasps	Officers believe activities related to bees and wasps, is regulated by the Apiary Code of Practice and has proposed removing the clause in its entirety.
Recovery of Expenses	Recovery of Expenses from property owners, and former owners, is appropriately managed by section 119 of the <i>Local Government Act 2020</i> and need not be duplicated in the Local Law.
Payment of Penalty	Payment of penalty including payment in accordance with the specified infringement notice, is appropriately dealt with in the <i>Infringements Act 2006</i> and should not be replicated in the Local Law.
Operator Onus	An operator onus provision has been included with similar terms to the <i>Road Safety Act 1986</i> to assist in the enforcement of the

offences set out in Division 1 of Part 2 of the Local Law and to promote greater understanding of onus on the community in relation to vehicle offences under the Local Law. This will ensure Officers are able to enforce vehicle offences, and for clarity for the community on the responsibility for vehicles.