

## Appendix 11

### **Policy Review - Dogs in Public Places, Street Stalls and Collections and Zero Tolerance - Illegal Parking Around Schools**

# Dogs in Public Places Policy

2018 Version 0.2



# Dogs in Public Places Policy

## 1 Purpose

To effectively implement measures that will control dogs in public places.

## 2 Background

Clause 26(2)(b) of the *Domestic Animals Act* 1994 enables the Council to impose conditions on the presence of dogs in any public place within the municipality. This policy specifies the locations where dogs are permitted off leash, where time restrictions apply and where dogs are prohibited altogether. The twelve reserves where dogs are currently allowed off leash, and the two reserves where dogs are allowed off leash within designated times are listed below. Dogs are prohibited from the Williamstown and Altona beaches during designated times regardless of if they are on a leash.

Section 111 of the *Local Government Act* 1989 provides the Council with the power to make local laws “for or with respect to any Act, matter or thing in respect of which the Council has a function” provided the local law is not inconsistent with any Act or Regulation.

### **Requirement for dogs to be on leash**

Council has previously resolved to adopt the following clause as part of its Community Local Law, and this clause clearly articulates that dogs must be on a leash at all times in public areas other than in the off leash areas:

#### *Dogs on Leash – Clause 56*

*“The owner or person in charge of a dog in a public place must at all times keep the dog under control by a leash, chain or cord connecting that person to the dog unless the public place is designated by Council signage to be an area where dogs are permitted off-leash or are altogether prohibited.”*

Animal Management officers currently enforce legislation in relation to animal management and promote responsible pet ownership.

## 3 Scope

The scope of this policy is to ensure accordance with the Domestic Animals Act 1994 and inform the provision for the control of dogs in public places.

## 4 Definitions

**Public Place** – a public place is one where a lot of people are.

**Management** – the control and organisation of something.

**Leash** – a piece of rope, chain, etc. tied to an animal, especially to a dog at its collar when taking it for a walk.

## 5 Policy

Dogs need time off the lead to play, socialise, exercise and be trained. Council acknowledges this need by designating public spaces where these activities can occur.

### **Benefits of dog ownership**

Owning a dog can be very fulfilling. Dogs are great company, affectionate and give us unconditional love. Many studies have shown that owning a pet improves your health by encouraging us to exercise. Dog ownership also teaches children responsibility and helps them develop their social and nurturing skills.

Australia has one of the highest rates of pet ownership in the world. About 63% of Australian households own pets. There are an estimated more than 25 million pets in Australia. Dogs are the most common pet, with 39% of households owning a dog.

Responsible dog ownership includes caring for your pet's welfare needs, along with registration, microchipping and adequate confinement of dogs to your property.

Dogs in off-leash areas must be under the control and restraint of their owners at all times to prevent any harm or nuisance to other persons or animals. This means that the dog must be under effective voice or hand control such that a leash can be immediately applied if the need arises.

### **Off leash areas must not be located near and dogs should always be on a leash in these areas as follows:**

- children's playgrounds or alternatively be separated from children's playgrounds by physical barriers
- barbeque areas
- high use sporting areas
- small suburban parks
- high congregation areas
- conservation, bird or wildlife area

### **Off leash areas should be:**

- easily accessible to the community
- provided with wide open spaces suitable for free dog exercise
- varied topography and layout of the park

Council has the authority to delete or add to the list of designated off leash areas by way of Council resolution made at an ordinary meeting of Council.

All off leash areas are well sign posted to adequately inform people entering the area that unleashed dogs may be present. Areas will also be listed and clearly displayed (mapped) on Council's website.

Any review of dog off leash areas will be conducted in accordance with Council's Open Space Strategy and include public consultation.

## Procedural Guidelines

### Take Reasonable Caution in an Off Leash Area

Dog owners should always make an assessment of the activities of other dogs in an off leash area and not release their dog off leash if they consider there might be any risk at that point in time. Dog owners and dog walkers should not have more than two dogs off leash at any given time in an off leash area.

### Animal Management Officers Direction

An Animal Management officer can direct a person to put their dog/s back on a leash in an off leash area if they have concerns about the dogs behaviour or if in the officers opinion it is deemed necessary to do so for safety reasons.

### Dog Off-leash Locations - Unrestricted

Park or Reserve	Area bounded by	Melways Ref
Cyril Curtain Reserve	Thompson Street and Giffard Street, Williamstown	56 D12
Clement Reserve	Ross Road, Mills Street and Gilligan Road, Altona East	55 C5
Hosken Reserve	Kororoit Creek, Grieve Parade and Blackshaws Road, Altona North	40 G12
Doug Grant Reserve	Queen Street, Apex Park, and Melbourne Water Drainage Channel, Altona	209 C1
<a href="#">AB Shaw Reserve (Trial under way)</a> (PDF, 158KB)	Victoria Street, Hall Avenue and Railway Line in Altona Meadows	53 G10
Burns Reserve	Altona Coastal Park, Altona Road and Altona Workers Club Altona	55 B9
Pipeline Reserve	Shane Avenue and Point Cook Road, Seabrook	208 A2
Bladin Street Park	Opposite McCormack Park, south side of the creek to the cyclone wire fence	53 D8
Gloucester Reserve	The Esplanade, Williamstown	55 K11
The Warmies (by The Spit)	Narrow land adjoining the eastern side of The Warmies, Newport	56 B4
Newport Lakes Park	Northwest tip	55 G2
Newport Park	Area of land running east-west at the north side of the athletics track and	56 B3

Park or Reserve	Area bounded by	Melways Ref
	north-south to Douglas Parade and the athletics track	
Park or Reserve	Area bounded by	Melways Ref

### Dog Off-leash Locations - Time Restricted

Park or Reserve	Location	Time
Donald McClean Reserve	The second oval closest to Melbourne Road, Spotswood	Dogs permitted off-leash before 8am and after 9pm every day
Edwards Reserve	Area bounded by Truman, Brunel and Greene Streets, Spotswood	Dogs permitted off-leash before 9am and after 9pm

### Dogs on Beaches

Dogs are restricted from these beaches from 10.00am – 9.30pm from 1<sup>st</sup> November to 30<sup>th</sup> April every year, seven days a week. At all other times, dogs must be on a leash.

- Williamstown Beach – between the Life Saving Club and Sirens Restaurant
- Altona Beach – between Romawi and Mount Street

## 6 Related Documents

Domestic Animal Management Plan 2017-2021

Draft Hobsons Bay Open Space Strategy 2018-2028

## 7 Related Legislation

*Domestic Animals Act* 1994

Community Local Law 2015 – Sect 56

## 8 Further Information

For further information concerning this Policy please contact the Local Laws Department on: 9932 1000

## 9 Document Control

<b>Policy Name</b>	<b>Dogs in Public Places</b>
<b>Object ID</b>	<b>POL</b>
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<b>Responsible Officer</b>	<b>Manager Governance and Local Laws</b>
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<b>0.1</b>	<b>2<sup>nd</sup> August 2011</b>	<b>Manager Health and Regulatory Services</b>
<b>0.2</b>	<b>May 2018</b>	<b>Manager Governance and Local Laws</b>

# Street Stalls and Collections Policy

2018 Version 0.3





# Street Stalls and Collections Policy

## 1 Purpose

This policy aims to provide a consistent, balanced and equitable approach to the approval and conduct of street stalls and fundraising collections within the municipality.

## 2 Background

Council regularly receives requests from various organisations to conduct fundraising activities such as raffles, street stalls, sausage sizzles, pledge programs, “tin shakes” and doorknocks within the municipality.

The community benefits of charity are important. Charities bring people together to support the local area, and can build social capital. They also help to foster a sense of pride and belonging within a community.

Clause 108 of Council’s Community Local Law states that a person must not without a permit solicit or collect gifts of money or subscriptions from any road, footpath, or from house to house.

Clause 112 of Council’s Community Local Law states that a person must not without a permit busk on any road, footway or Council land with the intention of collecting money.

Clause 119 of Council’s Community Local Law states that a person must not without a permit sell or offer for sale any goods or services from any premises or public place.

Council will issue a permit to conduct these activities in accordance with this policy and associated procedural guidelines.

## 3 Scope

To define the requirement for any person or group seeking to conduct street stalls, collection, busking or spruiking in accordance with both legislation and the Community Local Law 2015.

## 4 Definitions

**Stretrader** - Stretrader is an online registration tool for community groups and businesses selling food from food stall, truck, van or cart.

**Stall** – a booth or stand in which merchandise is displayed for sale, or in which some business is carried on.

**Collections** – a sum of money collected, especially for charity or church use.

## 5 Policy

### Criteria for the Issue of Collection Permits

Permits will be restricted to registered charitable, welfare, educational or local community organisations, provided that 100% of the proceeds from the collection are to benefit the organisation or charity.

Approval to conduct a collection will not be given to commercial organisations or individuals whose express purpose is for profit or personal gain – 100% of funds collected must go to the community/charitable organisation. Applicants must provide details that clearly show who will benefit from the proceeds of the fundraising activity and be a registered charity in accordance with the *Fundraising Act 1998*.

Council has the right to refuse or cancel a permit if it is considered to be in conflict with Council's values.

### Street Stalls

In order to achieve an equitable and balanced approach to fundraising activities within the municipality, charitable/community organisations will be restricted to one permit within the municipality per month.

Council will allow the sale of raffle tickets from a table at Council's designated sites subject to the rules of the Victorian Commission for Gambling Regulation.

Council will allow the conduct of street stalls such as sausage sizzles, cake stalls, craft stalls, information stalls and pledge programs from its designated sites.

Applications to conduct a stall for promotional events where funds are not collected, such as a sausage sizzle, will be considered on an individual basis.

Street stalls must be stationary in their nature. No roving or soliciting pedestrians is permitted. The street stall must remain in a stationary position at the designated site for the entire period of the stall.

A Statement of Trade must be submitted to Council's Public Health Department via Streatrader by all operators proposing to sell food.

Organisations must display a sign indicating the name of their organisation. The sign must be in clear view of the general public and easy to read.

All associated signage, displays and rubbish must be removed from the area immediately at the end of the activity.

### Designated Sites

Council will issue a permit for a street stall in accordance with this policy and subject to availability of the site at the designated locations listed below.

- outside Coles - Pier Street, Altona
- outside the Post Office – Pier Street, Altona
- outside Westpac Bank – Douglas Parade, Williamstown
- outside Coles – Douglas Parade, Williamstown

Requests for other one-off sites will be considered on an individual basis in conjunction with Council's Local Laws Department. Permits may be issued provided compliance with Council's Footpath Trading Code can be achieved and neighbouring businesses will not be adversely affected.

Council is not required to issue street stall permits for fundraising activities on private property. Such sites include Bunnings, Altona Gate Shopping Centre, Central Square Shopping Centre, and The Range Shopping Centre. While a permit for the site is not

required, either a Notification Form or Statement of Trade must be submitted to Council's Public Health Department.

### **Doorknocks**

Council will allow up to six doorknocks in the municipality per year.

One doorknock will be allowed per charitable organisation per year.

An organisation must be a recognised state-wide or national charity.

No child under the age of 18 years is permitted to carry out any collection unless accompanied by an adult.

### **Highway and Intersection Collections/Emergency Appeals**

Highway and intersection collections will not be permitted, unless Council approval has been granted for an emergency appeal. Permits to be issued by Victoria Police after Council approval.

Any request to conduct highway and intersection collections during an emergency appeal must be approved by the Council and if approved the organisation must obtain permission from the Chief Commissioner of Victoria Police.

Organisations intending to hold a highway or intersection collection during an emergency appeal must make written application to the Chief Commissioner of Victoria Police at least one month prior to the date on which the collection is intended to be held.

A copy of the approval from the Victoria Police must be forwarded to the Council.

Highway and intersection collections are not permitted at night between sunset and sunrise.

All applications for highway and intersection collections must comply with the Road Safety (Road Rules) Regulations 2009.

### **"Tin Shake" Collections**

Council will allow "tin shake" collections by recognised or national charitable organisations in public streets but not at intersections or on the carriageway.

### **Busking**

Council will not permit private individuals to busk with the object, or apparent object of collecting money. Busking includes a range of activities such as singing, playing music, dancing or performing any like activity. Consideration may be given to busking associated with charitable activities.

### **Spruiking**

Council will only allow spruiking associated with activities that provide a benefit to the community and are charitable in nature.

### **Procedural Guidelines**

Applications for collection permits must be received by Council at least 7 days prior to the proposed event date.

Permission for stalls involving food handling is subject to approval from Council's Public Health Department.

The permit applicant must obtain consent from the occupier of the premises of which they intend to operate.

All footpath furniture must be located kerbside in accordance with Council's Footpath Furniture and Trading Code.

The applicant must provide a public liability Certificate of Currency for a minimum sum of \$10 million.

A permit may be varied or cancelled by the Council on receipt of any complaints regarding the conduct of stallholders or collectors.

Council officers will monitor any illegal fundraising activity by requesting proof of permit. A permit must be produced on request from any of Council's patrolling Parking and Local Laws Authorised Officers. In cases where a permit has not been granted the fundraising activity will not proceed.

## 6 Related Documents

Footpath Furniture and Trading Code

## 7 Related Legislation

*Food Act 1984 (Vic)*

*Fundraising Act 1998*

Road Safety (Traffic Management) Regulations 2009

## 8 Further Information

For further information concerning this Policy please contact the Local Laws Department on 9932 1000

## 9 Document Control

<b>Policy Name</b>	<b>Street Stalls and Collections Policy</b>
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<b>0.1</b>	<b>25<sup>th</sup> July 2006</b>	<b>Manager Organisational Development</b>
<b>0.2</b>	<b>28<sup>th</sup> August 2012</b>	<b>Manager Health and Regulatory Services</b>

<b>0.3</b>	<b>May 2018</b>	<b>Manager Governance and Local Laws</b>
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# Zero Tolerance – Illegal Parking Around Schools Policy

2018 Version 0.2



# Zero Tolerance – Illegal Parking Around Schools Policy

## 1 Purpose

The zero tolerance policy for illegal parking around schools is Council's commitment for improving children's safety.

## 2 Background

The Council has had a zero tolerance policy for illegal parking around schools for the past seventeen years. This originated as a result of requests from school principals within the municipality for more safety around their respective schools. Zero tolerance means that any vehicle observed by Council Parking Officers to have parked illegally will be issued with a penalty infringement notice. The reason for adopting such an approach is to maximise safety around schools. Vehicles stopped in "no stopping zones" create hazardous conditions for children. Council currently receives numerous complaints about drivers dropping children at school which include stopping in the middle of the road and letting children out, stopping on children's crossing to let children out, stopping in bus stops and stopping in no stopping areas. All of these activities create safety risks for children and other drivers. The zero tolerance for illegal parking around schools is aimed at ensuring safety for members of the public. Even stopping for a short period of time in an area other than designated parking creates a safety risk and also a flow on effect where other drivers then follow this approach.

## 3 Scope

The scope of this policy is to ensure safety around schools is a priority. Council has resolved to have a zero tolerance for breaches of parking rules and laws around schools.

## 4 Definitions

**Zero Tolerance** - the policy of applying laws or penalties to even minor infringements of a code in order to reinforce its overall importance.

**Illegal** – forbidden by law or statute, contrary to or forbidden by official rules or regulations.

**Parking** – The act or a person or thing that parks, especially a vehicle, space in which to park vehicles

## 5 Policy

Council is committed to assisting school principals by continuing to support the zero tolerance policy applied to illegal vehicle parking around schools.

### **Procedural Guidelines**

Parking infringements will be issued where a driver parks illegally near a school precinct.

### **Infringement Process**

Issuing an infringement at any time can be difficult and confrontational, in particular within areas of high activity such as during the times that children are delivered and collected from schools. The vehicles are generally only stopped for a short period of time, which makes it difficult for an officer to issue an infringement notice at the time of an offence. It is for these reasons that most infringements are issued via post to owners of vehicles identified as having parked illegally around schools.

Infringement notices will be posted on the next working day where practical. In other cases, officers attach infringement notices to the front windscreen of a vehicle by placing the notice under the windscreen wiper and affixing the notice by means of a sticky label.

Council has penalty issuing devices that have the ability to take photographs. Where possible officers will be required to take a photograph which will assist with the resolution of any dispute.

### **Awareness**

Council will continue to advise school principals to place notices in their school newsletter supporting the zero tolerance to illegal parking around schools approach taken by Council.

## **6 Related Documents**

Road Safety Strategy 2011-13

## **7 Related Legislation**

Road Safety Road Rules 2017

## **8 Further Information**

For further information concerning this Policy please contact the Local Laws Department on: 9932 1000.



## 9 Document Control

<b>Policy Name</b>	<b>Zero Tolerance – illegal Parking Around Schools</b>
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