

Local Law (Neighbourhood Amenity)

Stage 2 - Community Engagement Summary



May 2021

Bayside City Council
Corporate Centre
76 Royal Avenue
SANDRINGHAM VIC 3191
T (03) 9899 4444
F (03) 9598 4474
www.bayside.vic.gov.au



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Overview

Local Laws are designed to secure community safety, protect public assets and enhance neighbourhood amenity. Under the former Local Government Act 1989, Council's Local Laws 'sunset' after ten years and accordingly Council's Local Law No. 2 'Neighbourhood Amenity' was due to sunset in April 2022. Due to community interest and concern over specific issues, in February 2020, Council determined to bring forward the review of the Local Law.

Stage 1 community engagement – new ideas

From 13 August to 21 September 2020 inclusive, Council conducted a five-week community engagement process to gather community and stakeholder organisation feedback on eight new Local Law ideas as well as the existing Local Law. Overall, there were 6,957 individual respondents who provided feedback via a survey (online or hard copy) or email to Council.

The majority of respondents somewhat supported or strongly supported the following new Local Law ideas: Remove dumped shopping trolleys (80% support); Prevent derelict, abandoned buildings (71%); Smoking ban should be extended to cover all foreshore reserve areas (69%); Long term parking of trailers, caravans and boats on Council land needs a permit (55%) and Mobile billboards need a permit (53%). Less than 50% of respondents supported Shared transport services operations (e-bikes) need a permit (48% support); Drones need a permit to fly over Council land (46%) and Ban burning of solid fuel outdoors for cooking and heating (11%). Extensive personalised feedback was also provided regarding the existing Local Law, particularly on trees (308 responses); pets (214); smoking and alcohol (104).

Feedback from Stage 1 consultation, legal advice and local government benchmarking was used to draft a proposed Local Law. The idea to ban burning solid fuel outdoors received minimal support from the community (11%) and was not included in the proposed Local Law; the other seven new ideas did receive support and were included for further consultation.

Stage 2 Section 223 consultation – proposed Local Law

Between 28 January and 5 March 2021 inclusive, Council conducted a five-week statutory Section 223 community consultation process to gather community and stakeholder organisation feedback on the proposed new Local Law.

Overall, there were 216 written submissions (submitted via an online form or by post); including 28 requests from individuals or stakeholder groups to speak to Council in support of their submission (13 individuals spoke). Two Special Committee of Council meetings were held to hear submissions on 31 March and 14 April 2021.

Eighteen Local Law provisions/topics were referenced in submissions received. Submissions were mostly in response to a single provision or issue (88%), with the majority (74.5%) either in response to permits for drones (109, 50%) or for storing vehicles (trailers, boats, caravans, campervans) on roads and Council land (60, 28%).

Proposed Local Laws generally supported in submissions include extending the beach smoking ban to include foreshore reserves (5, 63%); permits for advertising signs (5, 71%); and permits for bike/e-scooter share scheme operators (2, 50%).

Strong opposition was recorded in submissions regarding permit requirements for drones under the model aeroplane provision (105, 96%) and for permit requirements to prevent the long-term parking and storage of boats, trailers, caravans and campervans (42, 70%).

While receiving fewer submissions, there was also opposition to alcohol restrictions (17, 85%), including designating Red Bluff Cliffs at Half Moon Bay an alcohol-free zone (12, 60%). Opposition to vegetation on nature strip guidelines (10, 91%) primarily concerned restricting planting to indigenous species only. Objections to the animal conduct and

excrement provision (8, 89%) were generally in regard to how the impounding provision would relate to this law.

Figure 1: Top 6 topics referenced in submissions and feedback sentiment

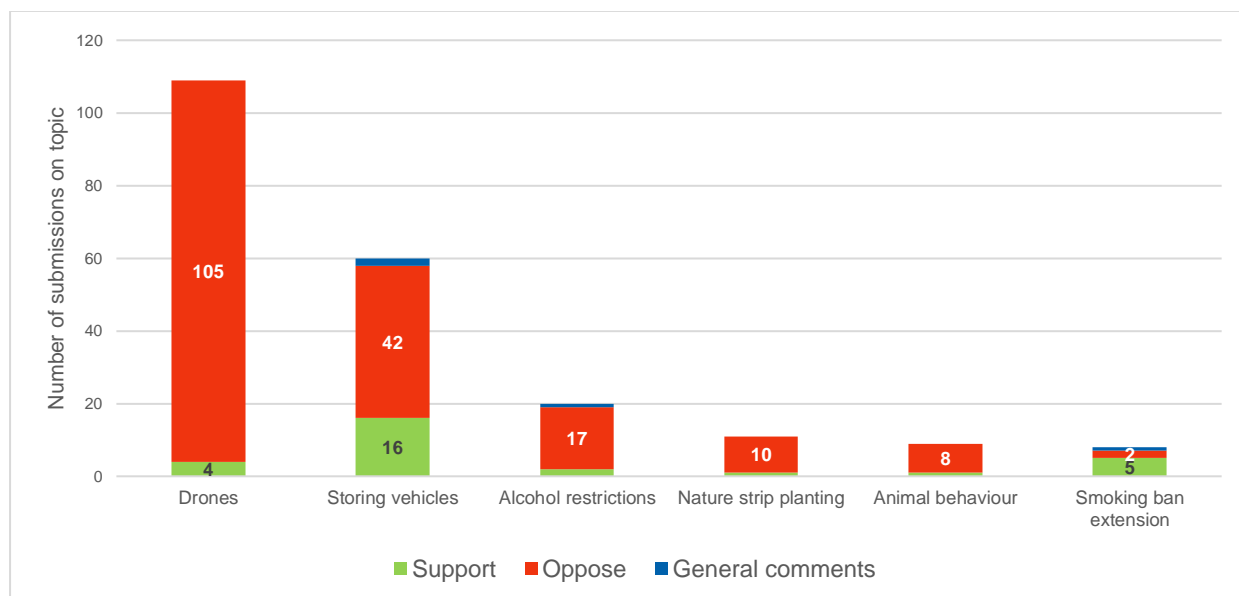


Table 1: Proposed Local Laws referenced in submissions and feedback sentiment

Local Law number & topic	Submissions (% of total)	Support	Oppose	General comments
65: Model Aeroplanes (Drones)	109 (50%)	4 (4%)	105 (96%)	0
35: Storing vehicles	60 (28%)	16 (27%)	42 (70%)	2 (3%)
57/58/59: Alcohol	20 (9%)	2 (10%)	17 (85%)	1 (5%)
24: Vegetation on nature strips	11 (5%)	1 (9%)	10 (91%)	0
27: Animal excrement and conduct	9 (4%)	1 (11%)	8 (89%)	0
60: Smoking (ban extension)	8 (4%)	5 (63%)	2 (25%)	1 (2%)
86: Impounding	7 (3%)	-	7 (100%)	0
45: Advertising signs	7 (3%)	5 (71%)	2 (29%)	0
49,55: Groundwater and building sites	6 (3%)	3 (50%)	3 (50%)	0
12: Unsightly and dangerous properties	5 (2%)	1 (20%)	4 (80%)	0
37,38: Bike and e-scooters share schemes	4 (2%)	2 (50%)	1 (25%)	1 (25%)
15: Removing waste without authority	2 (1%)	0	2 (100%)	0
16: Burning of materials	1 (0.5%)	0	0	1 (100%)
52: Redundant vehicle crossings	1 (0.5%)	0	1 (100%)	0
46: Shopping trolleys	1 (0.5%)	1 (100%)	0	0
33: Derelict and abandoned vehicles	1 (0.5%)	0	1 (100%)	0

Next steps

Amendments to the proposed Local Law will be considered in response to submissions made during the second and statutory stage of consultation.

Council will consider community submissions and adopting a revised proposed Local Law and associated guidelines at its meeting on 18 May 2021. This engagement report will be published on Council's Have Your Say engagement website for reference.

1 Background

Local Laws are designed to secure community safety, protect public assets and enhance neighbourhood amenity. Under the former Local Government Act 1989, Council's Local Laws 'sunset' after ten years and accordingly Council's Local Law No. 2 'Neighbourhood Amenity' was due to sunset in April 2022.

Due to community interest and concern over specific issues, Council determined to bring forward the review to consider a number of issues raised by residents. At the February 2020 Council Meeting, Council determined that a review of the entire Local Law would commence in April 2020. Internal stakeholder consultation with Council staff, and background research commenced in May 2020. The first stage of community consultation commenced 13 August and concluded 21 September 2020.

A proposed new Local Law was developed in response to Phase 1 community feedback and legal advice. In December 2020, Council resolved to commence the statutory process for the making of the Neighbourhood Amenity Local Law 2021 in accordance with Sections 119 and 223 of the Local Government Act 1989. The statutory phase of community consultation on the proposed Local Law (referred to as Stage 2) commenced 28 January 2021 and concluded at 5pm, 5 March 2021. This phase of consultation was timed to encourage participation and avoid the summer holidays and Christmas celebration period.

This document provides a summary of stakeholder and community feedback on the proposed Local Law received during the statutory period of consultation (Stage 2). Where relevant, this report also references community and stakeholder feedback provided on topics/ideas consulted on in Stage 1. The complete Stage 1 engagement report can be downloaded from yoursay.bayside.vic.gov.au/locallaw/what-you-told-us-about-new-local-law-ideas

The proposed new Local Law will provide for:

1. Protection of community safety and neighbourhood amenity;
2. Protection of public assets and infrastructure, and the built and natural environment;
3. Enhanced use, access and enjoyment of public places for the community's benefit;
4. The administration of Council's powers and functions; and
5. The revocation of Council's Neighbourhood Amenity Local Law No. 2 (as amended), made in April 2012.

Project timeline

May 2020:	Analysis of issues raised by residents for Local Law consideration
August-September 2020:	Stage 1 community engagement
October – November 2020:	Community feedback and legal advice considered to draft proposed Local Law
December 2020:	Council resolves to commence statutory community engagement on proposed Local Law
January – March 2021:	Section 223 community consultation on proposed Local Law
March – April 2021:	Two Special Meetings of Council to hear community submissions

April 2021:	Proposed Local Law considered in response to community submissions
May 2021:	Council to consider community submissions and adopting a revised proposed Local Law and associated guidelines

2 Definitions and scope

The statutory phase of the engagement program (Stage 2) was to seek feedback on the proposed Local Law. Influence was limited to the Section 223 consultation process, whereby submissions had to be provided as a written statement and participants could request to be heard in support of their submission at a Special Meeting of Council.

Issues considered 'out of scope' for the first stage of the engagement process remained 'out of scope' in the second stage. Out-of-scope issues included any animal-related actions from the Domestic Animal Management Plan; policies, guidelines and permits; the setting of fines, fees and charges; and the format of the Local Law.

Table 2: Negotiables for Stage 2 community engagement

Non-negotiables	Negotiables
Adoption of a new Local Law by June 30 2021	The proposed Local Law (limited to the Section 223 consultation process)
Look and format of the new Local Law	
Animal actions from Domestic Animal Management Plan (DAMP) including public spaces, off leash areas, Officer patrols and enforcement	
Policy, guidelines, permits	
Fines, fees and charges	
Application and enforcement of the Local Law	

Table 3 lists the identified community members and stakeholders identified as having an interest in the Local Law to be considered in the engagement.

Table 3: Community and stakeholder assessment

Stakeholder	Impact	Interest	Influence
Arborists	L	M	Consult
August/September 2020 survey participants	M	M	Consult
Bathing Box associations	L	L	Consult
Builders and developers	M	M	Consult
Businesses that provide shopping trolleys	M	L	Consult
Councillors in nearby LGAs	L	H	Consult
Drone owners/users	H	M	Consult
Environmental groups/conservation societies	L	H	Consult
Event permit holders	M	L	Consult
Foreshore associations and 'friends of' groups	L	H	Consult
Foreshore traders	M	M	Consult
Friends of Bayside roads	M	M	Consult
Gardeners	M	M	Consult
General Bayside community	L	L	Consult
Graffiti busters	M	H	Consult
Highly-engaged residents	L	H	Consult
Home owners / property owners	M	L	Consult
Hospitality premises	L	M	Consult
Individuals who regularly participate in engagement and governance	L	H	Consult

Lead petitioners for relevant petitions (new Local Laws ideas)	H	H	Consult
Lifesaving clubs	M	L	Consult
Operators of bike and/or e-scooter share schemes	H	M	Consult
Owners of trailers, boats, caravans	H	M	Consult
People who have previously been fined for Local Law offences	L	M	Consult
Registered animal owners / dog walkers	L	M	Consult
Residents' associations	L	L	Consult
Service clubs (Rotary, Lions etc)	L	M	Consult
Smokers	H	M	Consult
Sporting clubs and associations	L	L	Consult
Tenants of Council buildings	L	L	Consult
Traders and traders' associations	L	L	Consult
Users of solid fuel outdoor appliances	L	H	Consult
Victoria Police	H	H	Consult
Victorian Building Authority	L	L	Consult

Level of engagement

For the second phase of engagement on the Local Law, influence was assigned at the 'Consult' level on the IAP2 Public Participation spectrum.

This is consistent with Council's Community and Stakeholder Engagement Policy 2021. Community feedback from Stage 1 engagement is reflected in the proposed Local Law, which was the subject of Stage 2 consultation. The report on Phase 1 engagement results, together with a high-level summary, is published on the Local Law Review project webpage on Council's Have Your Say website.

An Engagement Plan Overview for the Local Law Review (Appendix 7.3) details the engagement process and was published on Council's Have Your Say website.

Stakeholders

Within this document, reference is made to stakeholders. These stakeholders are:

Internal stakeholders

Councillors and the following Council departments – Local Laws (project owner); Open Space, Recreation and Wellbeing; Environmental Health; Commercial Services; Development Services (Building); Sustainability and Transport and Governance.

External stakeholders

These 16 organisations/groups made submissions during Stage 2 consultation: Aerial Photographers Recreation Group, AEV Digital Creative, Animal Justice Party, Bayside Community Nursery Steering Committee, Bayside Dog Alliance, Bayside Residents Group – Ratepayers Victoria, DJI Owners Australia, Housing Industry Association, Marine Care Ricketts Point and Beach Patrol, Melbourne Drone Flyers, Newdiscovery, Pennydale Residents Action Group, Sandringham Foreshore Association, The Drone Studio, Victorian Drone Community, Victorian Drone Flyers.

2.1 Related Council documents and consultations

- Local Law Review Stage 1 Community Engagement Report
- Bayside City Council Governance Rules 2020
- Community and Stakeholder Engagement Policy 2021

3 Consultation process

3.1 Consultation purpose

The purpose of the statutory (Stage 2) engagement process was to seek community and stakeholder feedback on the proposed new Local Law in accordance with Section 223 of the Local Government Act 1989.

The engagement process was open to the Bayside municipal community, including all residents, local business owners and employees, students, and any visitors/tourists to the Bayside area (foreshore users, visitors to reserves and parks).



3.2 Consultation methodology

The *Local Government Act 1989* and the *Local Government 2020* (the Acts) require Council to consult with its municipal community when it proposes to exercise certain prescribed powers, including the review and adoption of a Local Law.

Stage 2 engagement was primarily designed to meet the statutory Section 223 requirements of the 1989 Act, however, due to the adoption of the Community and Stakeholder Engagement Policy 2021 during the Stage 2 consultation period, engagement was also designed to meet the requirements of this Policy.

Methods to receive feedback were limited to written submissions (submitted via an online form or by post), in accordance with Section 223 requirements, with an option for individuals to speak in support of their written submission at a Special Meeting of Council. Due to the number of requests to be heard (28), two Special Meetings were convened.

The project was assessed as being a high priority project. The tools and techniques selected for this project were informed by the project content, stakeholders and type of feedback sought.

The following activities were undertaken:

- Public notice published in *The Age* newspaper, *Government Gazette*, and on Council's website
- Community Impact Statement published on Council's Have Your Say engagement website.
- Project information and question and answer forum hosted on Have Your Say
- Submission form hosted on Council's website
- Special Meetings of Council to hear speakers in support of their submissions on 31 March and 14 April 2021
- Promotion of the project using Council communication channels, including social media and signage.

Due to the unpredictable impacts of COVID-19, digital communication and engagement methods were utilised. The engagement process had to be conducted, in part, during Stage 4 COVID-19 restrictions (12 to 17 February 2021 inclusive), however this had no impact on planned delivery.

The engagement plan for the project considered the project's complexity (language, options), the level of change/impact, and reputational risks. Project information was hosted on Council's Have Your Say engagement website, however submissions were received through a form hosted on Council's website or via post.

Table 4: Engagement activities and participation

Details	Activity
<p>28 January – 5 March 2021</p> <p>11 Contributors 11 Contributions 28 new project followers</p>	<p>Online engagement platform <i>Have Your Say</i></p> <p>Project information on revised and new provisions in the proposed Local Law, including document library with proposed Local Law, Community Impact Statement, Local Law Guidelines, current Neighbourhood Amenity Local Law and maps of the proposed liquor ban area and foreshore smoking ban areas.</p> <p>Instruction on how to provide a written submission (feedback) via a form on Council's website or by post.</p> <p>Engagement Plan Overview explaining project timelines, identified stakeholders and engagement process.</p> <p>Question and Answer forum (11 contributions)</p> <p>Live video-conference information session to provide answers to pre-submitted questions at 6pm 18 February 2021. Video recording and written summary made available after the session. Live session attended by two panelists, five community members.</p> <p>Project history including Phase 1 engagement consultation materials and community survey results.</p>
<p>28 January – 5pm 5 March 2021</p> <p>216 submissions (including 54 identical submissions)</p>	<p>Council's website</p> <p>Online form to make written submission with option to request to be heard at Special Meeting of Council. See Appendix 7.2</p>
<p>31 March 2021, 6pm 14 April 2021, 7pm</p> <p>28 requests to be heard</p> <p>13 speakers over two Special Meetings</p>	<p>Special Meetings of Council</p> <p>Due to the number of speakers, a second hearing date was scheduled (14 April 2021) in addition to the date advertised (31 March 2021).</p> <p>Due to COVID-19 guidance, these meetings were held remotely and live-streamed on Council's website</p> <p>31 March 2021, 6pm</p> <p>13 individuals requested to be heard (1 on behalf of a stakeholder group). Seven community members spoke at this meeting; two requests were withdrawn before the meeting; four did not attend.</p> <p>14 April 2021, 7pm</p> <p>15 individuals requested to be heard (5 on behalf of stakeholder groups). Six community members spoke at this meeting, including three on behalf of stakeholder organisations.</p>

3.3 Communications channels/tools

Due to Council's caretaker period in September 2020/October 2021 ahead of the local government elections, there were no public communications regarding the Local Law Review following close of Stage 1 engagement on 21 September 2020.

Bayside's new Council was briefed on the results of Stage 1 community engagement and the proposed new Local Law on 8 December 2020. The results of Stage 1 community engagement and the proposed new Local Law were published and promoted to the community and project subscribers on 10 December 2020.

3.3.1 Communications: Results of Stage 1 survey (non-consultation period)

This phase of communications from 22 September 2020 to 27 January 2021 was designed to inform Stage 1 participants and the community of the results of Stage 1 engagement, the proposed new Local Law, Community Impact Statement, and promote the forthcoming statutory phase of consultation (Stage 2). Reporting period 22 September 2020 to 27 January 2021.

These communications are estimated to have reached approximately 15,000 community members.

Table 5: Communication tools and reach (non-consultation period)

Details	Activity
Have Your Say engagement website 22 September 2020 – 27 January 2021 2,030 views	<u>yoursay.bayside.vic.gov.au/locallaw</u> Main project page 1,325 visits; 1,059 visitors 2 contributors; 2 contributions (questions); 12 followers News item: Local Law survey results are in Published 10 December 2020 Visits 201, visitors 172 Subpage: What you told us about new Local Law ideas Published 10 December 2020 Visits 134, visitors 107
Online 1,913 views	Council website news stories <u>What you told us about new Local Law ideas</u> bayside.vic.gov.au/news/what-you-told-us-about-our-local-laws Published 10 December 2020 Page views 1,793; unique views 872; Avg. time on page 0.29 <u>Idea to ban burning solid fuel outdoors extinguished</u> bayside.vic.gov.au/news/idea-ban-burning-solid-fuel-outdoors-extinguished Published 18 December 2020 Page views 120; unique views 54; Avg. time on page 0.46
Social media (organic) 5,325 reach <i>Reach refers to the number of unique people</i>	Facebook post results of Stage 1 Local Law survey <ul style="list-style-type: none"> Posted 15 December 2020 Council account 3,941 reach, 728 engagements, 8 comments, 2 shares Facebook post Council to consider Local Law statutory consultation <ul style="list-style-type: none"> Posted 16 December 2020 Council account 1,384 reach, 28 engagement, 0 comments

who viewed a piece of content at least once.

Direct email 1,416 project subscribers	Project subscribers Local Law survey results 10 December 2020 Inform of Phase 1 results and Phase 2 commencement dates. Have Your Say project subscribers (643): 71.5% open rate, 37% clicked Print survey subscribers (773) 67% open rate, 8.5% clicked
7,932 e-newsletter subscribers	This Week in Bayside e-newsletter 10 December 2020 edition 7,932 recipients, 490 news story clicks
7 Councillors and executive team	Inside Word for Councillors 11 December 2020 Email bulletin to update Councillors and executive team on status of project

3.3.2 Communications: Consultation period on proposed Local Law

The statutory period of community engagement on the proposed Local Law was promoted via the following channels and methods. Reporting period 28 January to 5 March 2021.

These communications reached more than 60,000 individuals through direct email (9,356) and targeted social media advertising (50,836).

Table 6: Communication tools and reach (consultation period)

Details	Activity
Have Your Say engagement website 28 January – 5 March 2021 10,144 views	<u>yoursay.bayside.vic.gov.au/locallaw</u> Main project page 10,144 views; 5,907 visits; 4,734 visitors 11 contributors; 11 contributions (questions); 28 followers Subpage: Proposed changes to the Local Law 2,818 visits; 2,389 visitors; visitation from main page 48% Subpage: Phase 1 engagement results (What you told us about Local Law ideas) 181 visits; 168 visitors; visitation from main page 3% Subpage: Ask a question about proposed Local Law 81 visits; 73 visitors; visitation from main page 1% News item: Formal consultation opens Published 28 January 2021 309 visits; 262 visitors; visitation from main page 5% News item: Ask a question about proposed Local Law 81 visits; 73 visitors; visitation from main page 1%
Public notices 28 January – 5 March 2021 >1,964 views	Council's website bayside.vic.gov.au/public-notice 262 views; 104 unique views; Avg time on page 0.34 bayside.vic.gov.au/make-submission-proposal-open-public-comment 1,964 views; 777 unique views; Avg time on page 1.29 The Age newspaper Published 28 January 2021

	<p>Government Gazette Published 28 January 2021</p>
<p>Council website news stories</p> <p>3,830 views 90% positive feedback</p>	<p><u>Bayside's proposed new Local Laws</u> bayside.vic.gov.au/news/baysides-proposed-new-local-laws Published 28 January 2021 2,549 views; feedback (13) 92% positive</p> <p><u>Ask a question about the Local Law</u> Published 10 February 2021 bayside.vic.gov.au/news/ask-question-about-local-law 352 views; feedback (1) 100% positive</p> <p><u>Consultation closes soon on the Local Law</u> bayside.vic.gov.au/news/consultation-closes-soon-local-law Published 23 February 2021 929 views; feedback (7) 86% positive</p>
<p>Direct email</p> <p>> 9,300 recipients</p>	<p>Project subscribers Formal consultation opens on proposed Local Law 28 January 2021 Have Your Say project subscribers (644): 69% open rate, 36% clicked Print survey subscribers (681) 69% open rate, 33% clicked</p> <p>Ask a question about the proposed Local Law 10 February 2021 Have Your Say project subscribers (654): 59% open rate, 19% clicked Print survey subscribers (681) 50% open rate, 8% clicked</p> <p>This Week in Bayside e-newsletter 28 January 2021 edition <i>Bayside's proposed new Local Laws</i> 8,031 recipients, 916 news story clicks</p> <p>11 February 2021 edition <i>Ask a question about the Local Law</i> 8,001 recipients, 143 news story clicks</p> <p>25 February 2021 edition <i>Consultation closes soon on the Local Law</i> 8,018 recipients, 431 news story clicks</p> <p>Inside Word for Councillors 29 January 2021 Inside Word bulletin to update Councillors on commencement of community consultation (7 Councillors and executive team)</p> <p>26 February 2021 Inside Word bulletin to update Councillors on a response to the Bayside Dog Alliance (BDA) regarding enforcement actions relating to Clause 27 of the proposed Local Law (7 Councillors and executive team)</p>
<p>Social media (organic) > 2,110 reach</p>	<p>Facebook post on proposed Local Law consultation Posted 1 February 2021 Council account Impressions 2,259, reach 2,110, comments 23</p> <p>Facebook post on Bayside Community Hub Posted 4 February 2021; group membership approx. 22,000</p>
<p>Social media (paid advertising)</p> <p>50,836 reach 90,540 impressions</p>	<p>Targeted general advertising: Facebook and Instagram Proposed Local Law open for consultation Audience: Bayside residents Published: 3 February – 17 February 2021</p>

Impressions 17,226, reach 7,549, clicks 1,068, comments 16
Engagement rate: 14%

Reach refers to the number of unique people who viewed a piece of content at least once.

Impressions refers to the number of times social media browsers have displayed a specific piece of content. Impressions are not unique to one user.

Targeted advertising on key issues

Preventing long-term parking of boats, trailers, caravans

Audience: Bayside residents with interest in recreational vehicles and hobbies

Published: 10 February – 24 February

Impressions 20,719, reach 13,843, clicks 428, comments 94

Permits for drones

Audience: Bayside residents with interest in drones

Published: 10 February – 24 February

Impressions 20,564, reach 14,108, clicks 310, comments 57

Smoking ban extension to include foreshore

Audience: Bayside residents with interest in smoking and environmental issues

Published: 10 February – 24 February

Impressions 32,031, reach 15,336, clicks 448, Comments 33

Signage

Eight signs promoting the proposed Local Law consultation and specific inclusions were installed at relevant locations from 4 February – 5 March 2021.

Alcohol-free zone signage

Three signs tied to fencing at Red Bluff Cliffs, Half Moon Bay

Permits for drones signage

One freestanding sign at the entrance to Elsternwick Park Nature Reserve

One freestanding sign at Green Point Brighton

Foreshore smoking ban extension

One freestanding sign North Point foreshore reserve

One freestanding sign at Black Rock foreshore (near playground)

One freestanding sign at Sandringham foreshore (near dog off-leash area)

Print media

41,140 copies

Distributed to Bayside properties mid-February 2021

Let's Talk Bayside magazine

Promotion of Have Your Say engagement portal and confirmation that the idea to ban burning solid fuel outdoors would not be considered for the proposed Local Law.

Media coverage

There was limited media coverage on the proposed Local Law consultation with commentary remaining focussed on the idea to ban burning solid fuel outdoors, which was not included in the proposed Local Law. Coverage was limited to:

- Mentions on KIIS radio, Southern FM, Triple M, 3AW
- Two articles in the Herald Sun newspaper (online and print)

4 Participant profile

A total of 216 participants took part in the Stage 2 engagement via a written statement. There were 162 unique submissions, in addition to 1 pro forma submission received separately by 54 individuals.

Participants were required to provide their full name and residential address as part of their submission. Participant age and gender was not recorded for Stage 2 consultation.

Table 7: Participant suburb and population profile

	Demographic	Bayside 2016 Census	Participants (%)
Suburb	Beaumaris	13.5%	29 (13%)
	Black Rock	6.5%	12 (6%)
	Brighton	24.1%	23 (11%)
	Brighton East	15.9%	9 (4%)
	Cheltenham	3.7%	8 (4%)
	Hampton	13.6%	16 (7%)
	Hampton East	5.0%	4 (2%)
	Highett	7.2%	4 (2%)
	Sandringham	10.5%	25 (12%)
	Outside Bayside	-	86 (40%)

As shown in Table 4, there was a spread of participation from all Bayside suburbs. Submissions from Bayside suburbs Beaumaris, Black Rock, Cheltenham, and Sandringham were broadly reflective of the Bayside population suburb profile.

A significant number of submissions (86, 40%) came from individuals or stakeholder groups located outside the Bayside local government area (LGA). The consultation was open to people who reside outside Bayside, as individuals or groups who live, work, play, study, visit, invest in or pass through the municipality are considered part of the Bayside community.

Steps to ensure participants were part of Bayside's municipal community included geographic restrictions on sponsored social media posts and the location of signage.

Only provisions relating to drones (75, 69%), a proposed alcohol-free zone at Half Moon Bay (3, 15%) and building sites (1, 17%) received submissions from non-Bayside residents. The building sites submission was made by the Housing Industry Association located in East Melbourne. Provisions relating to drones and alcohol restrictions were considered both of interest and impact to non-Bayside residents as they relate to local tourism.

Six submissions (24%) providing general feedback were made by people residing outside the municipality and/or state of Victoria. These submissions objected generally to the proposed Local Law as an 'over reach' or as revenue raising.

5 Consultation findings

This section summarises the 216 written submissions received from community members and stakeholders regarding the proposed Local Law. Submissions either directly responded to one or more sections of the proposed Local Law (see sections 5.1 to 5.6) or provided general feedback on the proposed Local Law (see section 5.7).

Support and opposition and key themes emerging from the written statements on proposed Local Laws are presented. In the interest of participant privacy, individual quotes have not been included within this document.

Where applicable, the number of responses or references to a topic is specified in brackets. Themes apparent in the feedback are generally presented as statements in the tables. The statements represent a blending or synthesis of the verbatim submissions.

5.1 Part 2: Your property, trees and pets

5.1.1 Proposed Local Law 12: Unsightly and Dangerous Properties

In the Stage 1 community survey, 71% supported Council including provisions in the Local Law to require owners/occupiers to ensure that a building does not become dilapidated or further dilapidated and to take all reasonable steps to secure the building. Clause 27 in the existing Local Law covers unsightly land but does not reference buildings.

Five submissions were received on Proposed Local Law 12: Unsightly and Dangerous Properties with the majority (80%) opposed. Submissions were made by four individuals, and one stakeholder group, the Steering Committee of the Bayside Community Nursery. There were no speakers in response to this provision.

Table 8: Summary of comments on Proposed Local Law 12

Submissions	Community feedback
Support (1)	Support wholeheartedly
Oppose (4)	Not a focus of Council resources Dangerous makes sense; unsightly is subjective; may penalise poorer residents At odds with Bayside Biodiversity Strategy Impinges on rights of private property owners Prohibiting grass over 300mm prevents people having native grasses Unsightly is not defined and subjective (matter of opinion)

5.1.2 Proposed Local Law 15: Remove waste without authority

This proposed Local Law prescribes that a person must not remove or interfere with any waste (including recyclables and hard rubbish) left out for collection on a road.

Two submissions were received in relation to this item. Both submissions objected to the proposed Local Law, stating that recycling and reuse should be encouraged to prevent items going to landfill. One individual requested to speak to Council in support of their submission but did not speak.

5.1.3 Proposed Local Law 16: Burning of materials

This proposed Local Law prescribes that a person must not burn or cause or allow to be burned any offensive materials, cause offensive emissions of smoke or odour

to enter any neighbouring property; or cause a risk of fire.

One submission was received in relation to this item with a general comment to include indoor fireplaces where smoke enters a neighbour's property within this provision.

5.1.4 Proposed Local Law 24: Vegetation on Nature Strips

Council has existing guidelines for planting on nature strips, which were incorporated into the proposed Local Law to enable Council to respond where nature strip vegetation creates a safety or accessibility issue. This inclusion was promoted as part of Stage 2 consultation.

Eleven submissions were received on Proposed Local Law 24: Vegetation on Nature Strips, with the majority (91%) opposed to some aspects of the proposed guidelines. There was agreement that planting on nature strips should be encouraged but limiting vegetation to indigenous was seen to be too restrictive. One individual spoke in support of their submission.

Table 9: Summary of comments on Proposed Local Law 24

Submissions	Community feedback
Support (1)	Fully support the major changes
Oppose (10)	Too restrictive on types of vegetation permitted (2 mentions) Immaterial as majority of nature strips are grass only Non-indigenous vegetation should be allowed if it meets size and drought criteria (2 mentions) Agree with drought resistance; disagree must be indigenous Should allow vegetables, herbs, fruits (2 mentions) Tree roots do more damage than irrigation systems Allow planting that does not obstruct vehicle access or visibility Allow synthetic grass Bay Trail vegetation height near entrances reduced to 600mm for safety

5.1.5 Proposed Local Law 27: Animal Excrement and Conduct

A new clause was added to the proposed Local Law to hold dog owners/handlers responsible for their dogs damaging Council assets, such as sportsgrounds and municipal reserves.

Nine submissions were received on Proposed Local Law 27: Animal Excrement and Conduct, with the majority (89%) opposed to aspects of the proposed Law – in particular, how it related to impounding provisions. Seven submissions were from individuals and two were made by stakeholder groups – the Bayside Dog Alliance and the Animal Justice Party. Two speakers were heard in support of submissions (Bayside Dog Alliance and one individual).

During the consultation it was clarified to stakeholders and the community via the Have Your Say project webpage that breaches of proposed Local Law 27 (Animal excrement and conduct) may result in fines but not impounding of dogs.

Table 10: Summary of comments on Proposed Local Law 27

Submissions	Community feedback
-------------	--------------------

Support (1)	Enforce rules: keeping dogs on leads reduces amount of dog poo
Oppose (8)	Provisions of Clause 86 (Impounding) needs to be amended to explicitly exclude offences under Clause 27 Not always possible to carry poo bag or stop intrinsic animal behaviour like digging Not always able to pick up poo (runny); unclear definition of disturbing land “Disturb” is vague and not defined Impounding of a pets limited to significant events Exclude beaches from digging clause Who will determine if digging is immediate safety risk? (related to impounding provision) Dogs are not property to be impounded and/or euthanised due to unpaid fines Educate dog owners first and foremost before fining Impounding should only be reserved for the most serious of offences

5.2 Part 3: Vehicles and roads

5.2.1 Proposed Local Laws 37: Bike Share Scheme and 38: E-Scooter Share Scheme

This new proposed Local Law seeks to regulate the operation of bike and e-scooter share schemes by requiring operators to have a permit and bikes to be fitted with a device requiring its return to a designated place. In the Phase 1 community survey, 48% supported this idea and 24% opposed (28% were neutral or did not provide a response). From survey comments, it was clear that some who opposed this idea believed this referred to personal bikes, e-bikes or e-scooters.

Four submissions were made in response to this proposed Local Law, with one request to be heard from an individual who spoke at a Council meeting. Community feedback was generally supportive.

Table 11: Summary of comments on Proposed Local Laws 37 and 38

Submissions	Community feedback
Support (2)	Agree with the bike and e-scooter provisions (2 mentions)
Oppose (1)	If share schemes result in unsightly/ discarded/ dangerous conditions it's a state-wide issue, not a Bayside problem
General feedback (1)	Use of shared bikes/e-scooters should be encouraged

5.2.2 Proposed Local Law 35: Storing vehicles

Proposed Local Law 35 aims to prevent the long-term parking and storage of boats, trailers, caravans and campervans on Council roads. In the Phase 1 community survey, 55% supported introducing permits for the long-term storage on roads of boats, trailers, caravans (23% opposed and 23% were neutral or did not provide a response).

Under the proposed Local Law, a person will require a permit to occupy a road by storing on it any boat, trailer, caravan or campervan for a continuous period of 14 days or more or for more than 28 days in a period of three consecutive months.

Sixty submissions (28%) were made in relation to this proposed Local Law: 16 in support (27%); 42 opposed (70%); and two provided general feedback (3%). This was the second-highest number of submissions made in relation to any proposed Law.

Thirteen individuals, including a representative from one stakeholder group, requested to speak to Council in support of their submission; seven individuals spoke at the 31 March special meeting (six opposed; 1 made a comment of support).

Table 12: Summary of comments on Proposed Local Law 35

Submissions	Community feedback
Support (15)	Extend to any private vehicle Make far more stringent (2 mentions) Permits only in exceptional circumstances Wholly support: street has become dumping ground Restrict trailers, caravans, boats on trailers and campervans that are larger than a standard parking bay No storage on nature strip or street longer than 4 hours Fully support preventing long-term parking of boats, trailers, caravans (2 mentions) Prioritise road safety over parking Some streets dangerous to drive Enforcement will be difficult These vehicles make Weatherall Road a blackspot (2 mentions) Require reflective strips on the covers If you can afford vehicle; you can afford storage Amend so campervans are not included (2 mentions)
Oppose (42)	Revenue raising; difficult to monitor (3 mentions) Registered vehicles should be able to use the road for parking (4 mentions) Misleading survey: marginal support for permits but Law states only in 'exceptional' circumstances People don't have space to store vehicles elsewhere (5 mentions) Remove private property from this law (5 mentions) Clarify messaging: description refers to "Council roads" proposed Local Law reads "'occupy any road or Council Land"; description reads "If you regularly use your... vehicle, this change won't affect you", proposed law requires permit to "occupy any road or Council Land by storing on it any boat, trailer, caravan or campervan for a continuous period of 14 days or more or for more than 28 days in a period of three consecutive months". Guidelines for issuing permit overly restrictive/amount to a ban (4 mentions) Not an issue (2 mentions) Remove these vehicles when a hazard or parked illegally Enforce the permit for vehicles over a certain size No restriction on cars parked long term First-world problems; focus on enjoyment Would support a 'permit-free' period of three months If congestion an issue, use parking restrictions (2 mentions) Permits in exceptional circumstances contrary to registration with VicRoads / state laws

	Allow six months for off-season storage Justification overstated Already have rules in place Restrict parking to outside own house Boats campers trailers etc are quintessentially Australian; Bayside means enjoying sea sports (2 mentions) Allow registered, roadworthy caravans/boats outside own property Isn't an alternative and cost-effective storage option. Put up no parking in areas where an issue) Restrict wide vehicles on narrow streets; allow trailers on nature strips Do not wish to store this inside our property; we are very house and garden proud Will not address the stated aims – focus on off-street car parking Not practical or safe to park these vehicles on driveway Too expensive to store off-site; would have to sell (2 mentions) Remove campervans from this local law; no evidence of support (2 mentions)
General feedback (2)	No definition of 'keep', 'heavy' or 'store' Numerous breeches Council fails to enforce

5.3 Part 4: Business and asset protection

5.3.1 Proposed Local Law 45: Advertising signs

The Bayside Planning Scheme governs permanent/fixed signs, but does not apply to mobile advertisements. In the Phase 1 community survey, 53% supported a requirement for permits for mobile advertising billboards, which included 'for sale' advertisements for cars, caravans, boats and other equipment (17% opposed and 28% were neutral or did not provide a response).

Seven submissions were made in relation to this proposed Local Law, with the majority supportive (71%). There were no speakers in relation to this item.

Table 13: Summary of comments on Proposed Local Law 45

Submissions	Community feedback
Support (5)	Permits only in exceptional circumstances Full support for changes Advertising trailers on South Road abuse of public road As long as cost for permit is low Add vehicle or trailer to definition; define mobile billboard Time periods are too long
Oppose (2)	Not a focus of Council resources Prohibitive cost to small local business that rely on local advertising

5.3.2 Proposed Local Law 46: Shopping trolleys

This proposed law would make operators of any business that provide shopping trolleys responsible for their collection. In the Stage 1 community survey, 80% supported the idea to

enforce the removal of dumped shopping trolleys (4% opposed and 16% were neutral or did not provide a response).

One submission was received in general support of this proposed Local Law.

5.3.3 Proposed Local Law 52: Removing redundant vehicle crossings

A new proposed Local Law clause was created to ensure on street parking is returned through the removal of redundant crossings and reinstatement of the nature strip when a vehicle crossing to a private property is no longer required.

One submission was made in relation to this item, expressing some opposition and commenting that the proposed Local Law should not be retrospective or enforced unless it results in additional parking spaces.

5.3.4 Building site provisions

Proposed Local Law 49: Discharging groundwater

Proposed Local Law 55: Managing amenity on building sites

Extensive provision is made in the proposed Local Law for managing amenity on building sites. This is supported by a high number (78) of comments in the Stage 1 community survey that referenced the need for stronger guidelines for building sites and environmental protections. A proposed new Local Law also requires a person to obtain a permit in order to discharge groundwater into any Council drain or onto any road or Council Land.

Six submissions were made in relation to provisions for buildings sites and asset protection generally, including one submission made by an industry stakeholder group. Three submissions were supportive (50%), and three expressed concerns that the industry was already heavily regulated, and some provisions were unclear in definition. One individual requested to be heard by Council in support of their submission relating to this item.

Table 14: Summary of comments on Proposed Local Laws 49 and 55

Submissions	Community feedback
General support (3)	Support proposed changes (2 mentions) General support with some concerns: groundwater permit should be able to be made with building permit application; clarify if erecting a site fence or preparing a site requires asset protection permit; during daylight savings building works hours extended to 7.30pm weekdays without permit; clarify what is required for keeping 'records of compliance'; noise should remain regulated by the Environment Protection Authority (EPA)
Oppose (3)	Building and Construction industry already heavily regulated by a State and Federal authorities, namely VBA and EPA. Not a focus of council resources Need to better define 'unreasonable' noise; groundwater Repair of damage to Council assets should include notice to owner/builder with sufficient time to respond

5.4 Part 5: Smoking and liquor

5.4.1 Proposed Local Laws 57,58,59: Consumption and possession of liquor on roads, municipal reserves, and exemptions

The proposed Local Law contains the same provisions as the current Local Law, with the exception of a designated alcohol-free zone at Red Bluff Cliffs at Half Moon Bay. This inclusion is in response to dangerous parties held in that area and at the request of Victoria Police.

Twenty submissions were received in relation to this item, with the majority opposed to alcohol restrictions (85%) including 12 specifically opposed to the introduction of an alcohol-free zone at Red Bluff Cliffs (60%). Two submissions were supportive (10%), including one from a local environmental protection group. One submission was unclear. Three individuals requested to speak in support of their submission; one individual spoke.

Table 14: Summary of comments on Proposed Local Laws 57,58,59

Submission	Community feedback
Support (2)	Support alcohol ban at Red Bluff Cliffs (2 mentions)
Oppose (17)	Unnecessary regulation: State laws cover responsible use of alcohol/public drunkenness (5 mentions) For major events only declare zones alcohol-free New signs would be “visually polluting” Apply to base of the cliffs only Rare/no occurrence of any serious danger eg drownings (3 mentions) Parties will move to another location Foreshore and beaches should be a place to have fun Consumption in moderation should be allowed in all public places (2 mentions) Enjoy area for picnic with family Object to alcohol ban (2 mentions) Discriminates against specific community of people Council should not be influenced by Victoria Police (2 mentions) Young people need parties Enjoy drinking with neighbours on street
Unclear (1)	‘Alcohol ban at Red Bluff Cliffs’

5.4.2 Proposed Local Law 60: Smoking in Municipal Places (including Foreshore Reserves)

The proposed Local Law includes that Council may prescribe not only a municipal place (or part of a municipal place) but also a Foreshore Reserve (or part of a Foreshore Reserve) as a smoke free area.

In the Stage 1 community survey, 69% supported extending the smoking ban to cover all foreshore areas (16% opposed and 15% were neutral or did not provide a response).

Eight submissions were made in relation to this item, including from three environmental stakeholder groups. The majority of submissions were in support (5, 62.5%), with two opposed and one question provided. One stakeholder group requested to speak to Council in support of its submission, but did not speak at the meeting.

Table 15: Summary of comments on Proposed Local Law 60

Submission	Community feedback
Support (5)	Hope ban covers parks and beach walking tracks Enforce with Officer patrols Supportive of smoking ban extension (2 mentions)

	Supportive but difficult to enforce, suggest permitting smoking in some areas
Oppose (2)	Too much restriction on personal freedom Already banned on beach; provide more butt bins
General question (1)	Does this include smoking in cars or on bikes? Will Council actively enforce this?

5.5 Part 6: Council land

5.5.1 Proposed Local Law 65: Operation of model aeroplanes (including drones)

Council's current Local Law requires a permit to fly any model aeroplane, aircraft or similar apparatus of any kind, excluding a kite, but including any audible motor-propelled device, from a municipal reserve. The proposed Local Law expands the definition of 'model aeroplane' to include a drone, and expands municipal reserve to Council land.

In the Stage 1 community survey, 46% supported permits to fly a drone over Council land (30% opposed and 24% were neutral or did not provide a response). This item was included in the proposed Local Law as 'strong support' was the most frequent response to the idea in the Stage 1 survey.

The operation of drones is regulated by part 101 of the Civil Aviation Safety Regulations (CASA) 1998 (Cth). Whereas that legislation is concerned with safety the proposed Local Law's clause 65 is concerned only with flying a drone above Council land, and is aimed at protecting the peace and enjoyment of those using the Council Land.

This proposed Local Law received the highest number of submissions (109, 50%) in Stage 2 consultation, with a significant majority opposed to any additional regulation (105, 96%). A high number of submissions were from members of drone stakeholder groups, with 54 identical pro forma submissions provided (49%).

A high percentage of submissions were also provided by non-Bayside residents, (75, 69%), with 12 of these submissions associated with postcodes outside the state of Victoria. These submissions all objected to the proposed permit requirement. However, this proposed Local Law was of interest and would have an impact on people outside the Bayside municipality, as Bayside is likely to be an attractive destination for drone users to visit due to its long and beautiful foreshore and reserves. One stakeholder group (Victorian Drone Flyers) representative spoke in support of their submission and on behalf of eight individuals.

Table 16: Summary of comments on Proposed Local Law 65

Submission	Community feedback
Support (4)	Permit number must be displayed on drone and visible from 25m In favour of permits for drones (2 mentions) Ban on beaches but allow in public reserves
Oppose (105)	CASA is regulatory authority with existing laws (94 mentions) Permit requirement will reduce tourism (51 mentions) Duplication of laws/requirements (3 mentions) Does not have majority support (4 mentions) Council no jurisdiction over airspace Drones must comply with CASA regulations; more education and enforcement needed (54 mentions)

CASA can update laws when required, not every 10 years
 Object to term 'model aeroplane and definition of 'includes a drone': change wording to model aircraft
 Drones not as noisy as a lawn mower or game of football
 No existing privacy laws relating to taking photographs in a public space
 No fees; permit is revenue raising (6 mentions)
 Drone use relatively safe in parks
 Nowhere else to fly drones
 Distance restrictions already protect privacy
 Promote CASA; penalise those breaking CASA rules
 Penalises amateur photographers
 Commercial photography requires a permit
 Allow drones to fly; monitor by Officers
 Most pilots follow CASA rules
 More than 50% opposed or had no opinion. If privacy and noise are the issues, prohibit drones that carry a camera or are noisy
 Register drones like you do with pets
 Responsible operators will register and follow rules
 Council doesn't have resources to enforce this
 Not an issue
 CASA regulations are strict; oppose paying for permit;
 Drone community takes CASA seriously

5.6 Part 9: Enforcement

5.6.1 Proposed Local Law 86: Impounding

The proposed Local Law will contain a broad power to impound anything that is found being used or possessed in contravention of the proposed Local Law. This removes the need for a power to impound items being included within individual clauses of the proposed Local Law.

Seven submissions were made in response to impounding provisions, with six (86%) expressing opposition to how this provision may be used in relation to Local Law 27: Animal Excrement and Conduct. Two speakers on Proposed Local Law 27 also spoke in relation to this clause.

Table 17: Summary of comments on Proposed Local Law 86

Submission	Community feedback
Oppose (7)	<p>Extreme concern about blanket power to seize anything</p> <p>Exclude Local Law 27 Animal excrement and conduct from Local Law 86 Impounding (5 mentions)</p> <p>Animals should only be impounded if there is a cruel owner</p> <p>Impounding/destruction of an animal must not apply for non-payment of fines.</p> <p>Frightened of potential misuse of this law</p> <p>Support for fines for people who do not pick up dog excrement; but not impounding for dogs</p>

5.7 General feedback

Twenty-five submissions provided general feedback on Local Laws, enforcement, new ideas or out-of-scope issues.

Six submissions providing general feedback were made by people residing outside the municipality (including two NSW residents). These submissions objected generally to the proposed Local Law as an 'over reach' or as revenue raising. One representative of a stakeholder group spoke in support of their group's submission.

Table 18: Summary of comments providing general feedback

Submissions	Community feedback
Support (6)	I support all of the proposed laws (4 mentions) Agree with majority All looks very sensible
Oppose (14)	Revenue raising (5 mentions) Government overreach (3 mentions) No law changes (2 mentions) Additional laws unnecessary (2 mentions) Rules useless/ineffective without enforcement (2 mentions) Local Laws cannot apply to private land. Conditions on private land should be removed – particularly tree protection
Local Law ideas (5)	Permit required for flash strobe lights on advertising billboards Feeding of non-indigenous birds, including pigeons and Indian minors banned Jet skis should be banned in Port Philip Bay for environment reasons Need to stop littering and dumping of rubbish
Out of scope (2)	Further development of bike lanes; more electric vehicle charging points More bins and regular collection
Unclear (1)	No permit or charge

5.8 Error corrections

Community and stakeholder feedback, or Council Officers, identified a number of potential errors in the Local Law consultation materials which will be corrected.

Page	Correction
Drones	Stated in Have Your Say consultation materials as Local Law 60. It is Local Law 65.
Storing vehicles	'Permit guidelines incorrectly reference considerations relative to heavy and long vehicles 35(1). Guidelines 35(2) relate to the storage of trailers, boats, caravans, campervans in the proposed Local Law.

6 Project evaluation

6.1.1 Engagement Plan Overview

An 'Engagement Plan Overview' (appendix 7.3) was published as a subpage on the Have Your Say website. The Engagement Overview page was viewed 7 times (6 visitors) from 16 February 2021 when visitor data for this page became available.

6.1.2 Q&A tools

A Q&A tool received two questions during a non-consultation period and 11 questions during Stage 2 consultation. These questions were responded to through a live Q&A Zoom information session on 18 February 2021. The Live Q&A was presented by two Council staff members and attended by five community members. The event was publicised on the Have Your Say webpage and via Council's website and social media. A recording of the Q&A session and summary of the questions and answers were published on the Have Your Say project page following the session.

6.1.3 Data integrity

Submissions were received via a form on Council's website (216). Participants were required to provide their name and address. There were 162 unique submissions, in addition to 1 pro forma submission received separately by 54 individuals regarding the model aeroplane (drone) provision.

Steps to contain participation to members of the Bayside municipal community include:

- Geographic restrictions on sponsored social media posts (i.e. posts will only be seen by people living within the Bayside municipality or its near surrounds)
- Promotion through Council channels and signage installed in relevant locations.

6.1.4 Participant reach and representation

Broad community and stakeholder participation was achieved:

- Participation spread across the municipality
- Participation of key stakeholder groups (16) representing drone users, animal rights and pet owners' groups, environmental groups, the housing industry, and residents' groups.

Have Your Say engagement metrics were not set for Stage 2, as while project information was published on Have Your Say, the contribution method was via a form on Council's website, following the Section 223 process.

Engagement results for the Have Your Say project page are as follows:

- 37% of visits lasted at least one active minute (time spent actively looking at project information)
- 35% of visits had at least two actions performed (moving around project page, clicking on links etc)

6.1.5 Communication

It was proposed that the communication activities would reach at least:

- 15,000 individuals with a connection to Bayside (exceeded 60,000)

The communications campaign, particularly targeted social media advertising, was considered to be very successful in raising awareness of the proposed Local Law and the opportunity to provide feedback via a written statement. Referrals to the Have Your Say project webpage were driven by social media (43%); direct such as via e-mails (42%); websites such as Council's main website (12%); and through search engines (3%).

6.1.6 Outrage

All submissions were received via approved consultation channels.

Community outrage in Stage 1 was significant and focused on the idea to ban burning solid fuel outdoors for heating and cooking, including in barbeques. This idea was opposed by the

community (89%) in the Stage 1 survey and so not included in the proposed Local Law. Consequently, further outrage was mitigated.

During Stage 2, there was one speaker of complaint regarding the engagement process. This concerned a perceived change of approach from the Stage 1 community survey to the Stage 2 Section 223 consultation on the proposed Local Law 35 Storing vehicles. The question asked in the Stage 1 community survey was to state a level of support for the idea that “Long term parking of trailers, caravans and boats on Council land needs a permit”. Consultation materials did not reference the circumstances in which a permit would be issued. The proposed Local Law stated that it is expected that permits will only be issued in exceptional circumstances for the ‘long-term parking of trailers, caravans, boats and campervans’ and detailed the “exceptional circumstances” in which a permit would be issued. It was stated in both Stage 1 and 2 consultations that this idea/proposed Local Law aims to “prevent” the parking of these types of vehicles.

Another speaker referenced that campervans were not included in the Stage 1 consultation materials or community survey but were included in the proposed Local Law.

Two communications (emails) from stakeholder groups escalated to Council management and Councillors.

One email concerned the relationship between Proposed Local Law 27 Animal excrement and conduct and proposed Local Law 86 Impounding. The response was to clarify information and intent through email correspondence and a public update to the Have Your Say project webpage.

The other email communication from a stakeholder group to Councillors concerned social media advertising for the proposed Local Law 65 Operation of model aeroplanes (including drones). The stakeholder group stated it finds it “inappropriate that Council are potentially seeking submissions on a particular section of the proposed local law...” and requested “Council cease all further biased advertising immediately”.

The advertising content read: “What are your thoughts on drones in Bayside’s streets, parks and foreshore? A proposed new Local Law in Bayside means you’ll need a permit to fly a model aeroplane, drone, or similar device, on Council land. While federal aviation regulations concern drone safety, this proposed change aims to protect peace, privacy and enjoyment of public spaces. Consultation is open until 5 March 2021.”

A Council officer responded to the stakeholder group by email and phone. The social media advertising was not ceased as Council is committed to ensuring that stakeholders are informed of how proposed changes may affect them and of the opportunity to provide their feedback.

7 Appendix

7.1 Contents of the proposed Local Law

Part 1 – Preliminary

1. Title of this Local Law
2. Purposes of this Local Law
3. Power to Make this Local Law
4. Commencement of this Local Law
5. Revocation Date of this Local Law
6. Revocation of Earlier Local Law
7. Area of Operation of this Local Law
8. Interpretation of this Local Law
9. Local Law Guidelines
10. Definitions

Part 2 – Your Property, Trees and Pets

Division 1 – Your Property

11. Property Numbers
12. Unsightly and Dangerous Properties
13. Graffiti
14. Waste Collection
15. Removing Waste Without Authority
16. Burning of Materials
17. Fire Hazards
18. Camping on Private Property
19. Audible Intruder Alarms
20. Shipping Containers

Division 2 – Your Trees

21. Tree Protection
22. Trees and Plants Not To Obstruct Or Obscure
23. Trees or Plants Causing Damage To A Municipal Place
24. Vegetation on Nature Strips

Division 3 – Your Pets

25. Keeping Animals
26. Animal Accommodation
27. Animal Excrement and Conduct
28. Wasp Nest(s) To Be Removed
29. Feeding of Birds on Private Property

Part 3 – Vehicles and Roads

30. Placing Bulk Rubbish Containers
31. Motor Bikes and Motorised Recreational Vehicles
32. Repair of Vehicles is Prohibited
33. Derelict, Abandoned and Unregistered Vehicles
34. Heavy or Long Vehicles: Parking on a Road or Private Property
35. Storing Vehicles
36. Heavy Vehicles: Permits For Use on Restricted Use Roads
37. Bike Share Scheme
38. E-Scooter Share Scheme
39. Street Parties & Street Festivals: Permits

Part 4 – Business and Asset Protection

Division 1 – Business

40. Roadside Trading or Performing

- 41. Regulation of Trading Sites
- 42. Displaying Goods for Sale
- 43. Using Council Land for Outdoor Eating Facilities
- 44. Removing the Facility
- 45. Advertising Signs
- 46. Shopping Trolleys
- 47. Collections
- 48. Trade or Commercial Waste Bins and Waste Hoppers (Including all Trade Recycling Bins)

Division 2 – Asset Protection

- 49. Drainage Tapping and Discharging Groundwater
- 50. A Vehicle Crossing is Required
- 51. Constructing Vehicle Crossing
- 52. Removing Redundant Vehicle Crossings
- 53. Temporary Vehicle Crossings
- 54. Asset Protection Generally
- 55. Managing Amenity on Building Sites
- 56. Occupation of Roads

Part 5 – Smoking and Liquor

- 57. Consumption and Possession of Liquor on Roads
- 58. Consumption and Possession of Liquor on Municipal Reserves
- 59. Exemption
- 60. Smoking in Municipal Places (including Foreshore Reserves)

Part 6 – Council Land (including Municipal Places, Parks, The Foreshore and Council Buildings)

Division 1 – Municipal Places and Other Council Land

- 61. Behaviour in a Municipal Place – Prohibitions
- 62. Damaging/Defacing a Municipal Place
- 63. Interference with a Watercourse and Other Areas
- 64. Obstructions on Council Land
- 65. Operation of Model Aeroplanes

Division 2 – Parks and Foreshore

- 66. Behaviour within a Municipal Reserve – Prohibitions
- 67. Activity within a Municipal Reserve – Permitted Activities
- 68. Access to Municipal Reserves
- 69. Camping Prohibited on Council Land
- 70. Lighting Fires
- 71. Filming on Council Land
- 72. Parking on Municipal Reserves
- 73. Riding Animals on Council Land
- 74. Feeding of Birds on Public Land
- 75. Use of Wheeled Non-Motorised Recreational Devices and Wheeled Child's Toys
- 76. Control of Bathing Boxes

Division 3 – Council Buildings

- 77. Behaviour in a Municipal Building – Prohibitions
- 78. Availability and Hire

Part 7 – Fees and Charges

- 79. Setting Fees and Charges
- 80. Waiver of Fees and Charges

Part 8 – Permits

- 81. Grant of Permit
- 82. Scope of Permits

Part 9 – Enforcement

- 83. Exemptions
- 84. Power of Authorised Officers or Delegated Officers to issue a Notice to Comply
- 85. Failure to adhere to a Notice to Comply
- 86. Impounding
- 87. Recovery of Expenses
- 88. Appeals
- 89. Urgent Powers
- 90. Power to Issue a Direction

Part 10 – Offences, Penalties, Infringement Notices and Official Warnings

- 91. Offences and Penalties
- 92. Infringement Notices
- 93. Official Warnings

7.2 Form to make a submission on the Proposed Local Law

Make a submission on a proposal open for public comment

Submission Requirements

Your submission should provide feedback on the proposal and your reasons for holding that view. This is required so that Council can properly consider your submission and provide a written response. If you wish to be speak in support if your submission, please indicate this on the submission form. It should also be noted that requests to speak that are not accompanied by a submission cannot not be accepted as part of this process.

Which proposal would you like to make a submission about? *

Proposal to make Neighbourhood Amenity Local Law 2021

Is your submission over 1000 words (2 A4 pages)? *

- Yes
- No

Your details

Title [Select Dr Mr Mrs Miss Ms Other]

First name *

Last name *

Email *

Contact phone *

Please provide a mobile or landline phone number.

Organisation or group

Let us know if you belong to an organisation or group

Street address *

Please let us know an address to send any correspondence

Suburb *

Postcode *

Do you wish to appear in person or by a person acting on your behalf before a meeting of the Council in support of your written submission? *

- I wish to appear in person
- I wish to have a person acting on my behalf appear
- I do not wish to appear

Do you wish to appear in person or by a person acting on your behalf before a meeting of the Council in support of your written submission? *

- I wish to appear in person
- I wish to have a person acting on my behalf appear
- I do not wish to appear

Read and agree to the terms of submission *

- I understand submissions are made in accordance with section 223 of the Local Government Act 1989. Submissions are not confidential and may be incorporated or summarised (including your first and last name only) into the agenda and minutes of any Council or Committee meeting at which the matter is considered.

7.3 Engagement plan overview published on Have Your Say

Project name

Review of the Local Law

Project objective

Council's Local Law No. 2 'Neighbourhood Amenity' is due to sunset in April 2022. Due to community interest and concern over specific issues, Council is bringing forward the review of this Local Law to be completed before 30 June 2021. This will include all statutory processes required to adopt the Local Law, including community consultation. This Local Law is only comprehensively reviewed every 10 years, so this is an important opportunity for the community to raise any issues for consideration, as well as a mechanism to deal with some petitions presented to Council in recent years.

Project impacts

The proposed new Local Law will provide for:

1. Protection of community safety and neighbourhood amenity;
2. Protection of public assets and infrastructure, and the built and natural environment;
3. Enhanced use, access and enjoyment of public places for the community's benefit;
4. The administration of Council's powers and functions; and
5. The revocation of Council's Neighbourhood Amenity Local Law No. 2 (as amended), made in April 2012.

Specific impacts where the proposed Local Law differs from the existing Local Law, are explained in a [Community Impact Statement](#) and in detail [here](#).

What information do we need from the community?

We want to understand the issues of concern for the community and community support for the proposed Local Law.

The list below refers only to the community engagement process for the Local Law.

What can the community influence?	What can't the community influence?
<ul style="list-style-type: none"> • Fees and charges • Related policies and permits • Look and format of the new Local Law • Application and enforcement • Animal Actions from Domestic Animal Management Plan (DAMP) (including: public spaces, off leash areas, Officer patrols/enforcement) • Adoption by June 30 2021 	<ul style="list-style-type: none"> • The proposed Local Law (influence is limited to the Section 223 consultation process)

Stakeholder assessment

This stakeholder assessment is a generalised understanding of sections of the community that have a connection to the project or matter. This information is used to understand the types of tools and techniques that will achieve the strongest and most effective outcomes for engagement and communication.

Due to the wide-ranging impacts, individuals groups have not been named but listed in categories.

Impact: What level of change will the stakeholder / community segment experience as a result of the project / matter

Interest: What level of interest has been expressed or is anticipated

Influence: Reference to the [IAP2 Spectrum](#). This project has been assigned at the 'Consult' level. This means we will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.

Stakeholder	Impact	Interest	Influence
Arborists	L	M	Consult
August/September 2020 survey participants	M	M	Consult
Bathing Box associations	L	L	Consult
Builders and developers	M	M	Consult
Businesses that provide shopping trolleys	M	L	Consult
Councillors in nearby LGAs	L	H	Consult
Drone owners/users	H	M	Consult
Environmental groups/conservation societies	L	H	Consult
Event permit holders	M	L	Consult
Foreshore associations and 'friends of' groups	L	H	Consult
Foreshore traders	M	M	Consult
Friends of Bayside roads	M	M	Consult
Gardeners	M	M	Consult
General Bayside community	L	L	Consult
Graffiti busters	M	H	Consult
Highly-engaged residents	L	H	Consult
Home owners / property owners	M	L	Consult
Hospitality premises	L	M	Consult
Individuals who regularly participate in engagement and governance	L	H	Consult
Lead petitioners for relevant petitions (new Local Laws ideas)	H	H	Consult
Lifesaving clubs	M	L	Consult
Operators of bike and/or e-scooter share schemes	H	M	Consult
Owners of trailers, boats, caravans	H	M	Consult
People who have previously been fined for Local Law offences	L	M	Consult
Registered animal owners / dog walkers	L	M	Consult
Residents' associations	L	L	Consult
Service clubs (Rotary, Lions etc)	L	M	Consult
Smokers	H	M	Consult
Sporting clubs and associations	L	L	Consult
Tenants of Council buildings	L	L	Consult

Traders and traders' associations	L	L	Consult
Users of solid fuel outdoor appliances	L	H	Consult
Victoria Police	H	H	Consult
Victorian Building Authority	L	L	Consult

Selected tools and techniques

The tools and techniques selected for this project are informed by the project content, stakeholders and type of feedback sought.

The unpredictable impacts of COVID-19 restricts our ability for face-to-face communication, as well as slower distribution of mail.

Key tools for communicating the project

- Social media, especially 'sponsored' posts to reach specific audiences
- Digital advertising targeting key demographics
- Signage in key foreshore locations and long-term parking locations.
- Council's e-newsletter *This Week in Bayside*
- News stories Council website
- *Let's Talk Bayside* magazine
- Direct emails to project subscribers and key stakeholder groups
- Zoom session Q&A 6pm 18 February 2021. Information session only. Video recording and written summary made available after the session.

Key methods for gathering feedback

- [Council website online form](#)
- Written submission to Governance Officer
- Request to be Heard at Special Meeting of Council 31 March 2021
- Online engagement through [Have Your Say](#), including opportunity to ask questions
- Printed project information can be provided by post

Timeline

- **Analysis of issues raised by residents for Local Law consideration**
- **Phase 1 community engagement** 13 August 2020 - 21 September 2020
- **Feedback from first stage of consultation considered**
Read the survey results from this phase of community engagement on the existing Local Law and new ideas.
- **Consultation on proposed new Local Law** 28 January - 5pm 5 March 2021
- **Special Meeting of Council to hear community submissions** 6pm 31 March 2021
- **Special Meeting of Council to hear community submissions** 7pm 14 April 2021
- **Council expected to consider the proposed Local Law** Ordinary Meeting of Council on 18 May 2021
- **Revised Local Law No. 2 adopted** Anticipated by June 2021

Decision-making process

The Local Law is being informed by:

- Requirements from within the Local Government Act 1989
- Community feedback across two phases of engagement
- Consultation with Bayside City Council departments
- Legal advice
- Benchmarking with other Local Government areas

The [first phase of consultation](#) on the existing Local Law and eight new ideas from residents was completed between 13 August – 21 September 2020, with 6,959 people taking part. Ideas which were supported by community members have been included in the proposed new Local Law.


Community consultation on the proposed new Local Law will run from 28 January 2021 until 5pm, 5 March 2021.

A Special Committee of Council meeting will be held at 6pm 31 March 2021 and 7pm on 14 April 2021 to hear any submissions from the community. Council will also receive a report on any submissions received at the Ordinary Meeting of Council on 18 May 2021. Following revisions from community feedback, the proposed new Local Law will be considered by Council for adoption in June 2021.

More information

If you would like more information please contact Andrew Biffin, Service and Efficiency Coordinator, on 9599 4424 or abiffin@bayside.vic.gov.au

7.4 Public notice printed in The Age



Bayside
CITY COUNCIL

Proposal to make Neighbourhood Amenity Local Law 2021

Notice is given that Bayside City Council (**Council**) proposes to make a local law titled 'Neighbourhood Amenity Local Law 2021' (**the Proposed Local Law**).

The following information about the Proposed Local Law is provided in accordance with section 119 of the *Local Government Act 1989 (Act)*:

Purposes of the Proposed Local Law

If made, the Proposed Local Law will provide for:

1. protection of community safety and neighbourhood amenity
2. protection of public assets and infrastructure, and the built and natural environment
3. enhanced use, access and enjoyment of public places for the community's benefit
4. the administration of Council's powers and functions
5. the revocation of Council's Neighbourhood Amenity Local Law No. 2 (as amended), made in April 2012.

General Purport of the Proposed Local Law

If made, the Proposed Local Law will:

- revoke the existing Neighbourhood Amenity Local Law
- create offences relating to:
 - behaviour on Council land, the consumption and possession of liquor on Council land and roads, smoking in prescribed places, trading activities on Council land and roads (including the placement of advertising signs and mobile billboards), the placement of bulk rubbish bins on Council land and roads, obstructions on private land which interfere with Council land or roads (or persons on such land or roads), obstructions on roads, cultivation of vegetation on nature strips, filming on Council land, and the repair and storage and use of certain vehicles on Council land and roads
 - bike share and e-scooter share schemes
 - the use of caravans and like vehicles on private land
 - shopping trolleys
 - the condition of private land
 - open air burning and fires more generally
 - drains, watercourses and the discharge of groundwater
 - waste
 - amenity on building sites and asset protection
 - tree protection
 - the keeping of domestic and other animals and feeding of birds
- provide for the administration and enforcement of the Proposed Local Law, allow for the incorporation of Local Law Guidelines and empower Council and authorised officers and delegated officers to issue permits, notices to comply, act in urgent circumstances and impound things
- provide for infringement notices to be served on those whom an authorised officer or delegated officer has reason to believe is guilty of an offence.

Copies of the Proposed Local Law, accompanying Local Law Guidelines and the explanatory Community Impact Statement may be inspected at Council's Principal Office at Royal Avenue, Sandringham during office hours and on Council's website.

Any person lodging a submission in relation to the Proposed Local Law must do so before **5:00pm Friday 5 March 2021**. All submissions received by this time will be considered by Council in accordance with section 223 of the Act.

Submissions should be submitted via Council's website: <https://www.bayside.vic.gov.au/make-submission-proposal-open-public-comment> or addressed to the Governance Officer, Bayside City Council, PO Box 27, Sandringham VIC 3191. Submissions may also be delivered to the Corporate Centre, 76 Royal Avenue, Sandringham.

If a person wishes to be heard in support of their submission, they must clearly indicate so in their submission. This will entitle them to appear in person, or by a person acting on their behalf, before a **Special Committee of Council** to be held on **Wednesday 31 March 2021 at 6:00pm**. The meeting will proceed if one or more persons request to be heard in support of their submission and will be held at the Council Chamber, Boxshall Street, Brighton, or held remotely via electronic media, and livestreamed on Council's website: <http://stream.bayside.vic.gov.au>

Any person making a written submission under section 223 of the Act is advised that all submissions and personal information will be managed by Council in accordance with the *Privacy and Data Protection Act 2014*. Enquires should be directed to Andrew Biffin, Service and Efficiency Coordinator on (03) 9599 4424 or by email to abiffin@bayside.vic.gov.au

Mick Cummins
Chief Executive Officer