

PROPOSED DRAFT BY-LAWS 2021



Summary of the intent of each By-law and the amendments incorporated

By-Law No. 1 – Permits and Penalties

- The intent of this By-Law is to provide for a permit system, set penalties for breaches of the By-Laws, provide for certain matters pertaining to liability and evidence, set regulatory requirements and clarify the construction of Council's By-Laws.
- The proposed changes include additions to the By-Law definitions and clarifying the process to seek a permit/permission. An additional inclusion in the draft is the liability of vehicle owners and expiation of certain offences provisions. This liability largely reflects the Expiation of Offences Act process, whereby an owner of a vehicle involved in an offence against the By-Laws is considered guilty and liable of the offence unless proof is provided otherwise.

By-Law No. 2 – Moveable Signs

- The intent of this By-Law is to set standards for moveable signs on roads, to provide conditions for and the placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.
- The proposed changes incorporate only minor amendments to the wording of the By-Law and the removal of duplication within the existing By-Law.

By-Law No. 3 – Local Government Land

- The intent of this By-Law is for the management and regulation of the use of and access to local government land vested in or under the control

of the Council and public places (other than roads), including the prohibition and regulation of particular activities on local government land and in public places.

- The proposed changes include an update to the definitions within the By-Law to ensure they are clear and reflective of our current community needs. New inclusions incorporated within the draft document propose the following activities requiring permission, to reflect a range of community concerns being reported to Council over the last number of years:
 - Operation of Model Aircraft, Boats and Cars
 - Fireworks
 - Organised Ceremonies and Events
 - Public Exhibitions and Displays
- It is also proposed that a number of elements are removed, specifically relating to smoking and the consumption of liquor, as they are governed by State legislation and associated processes.
- In addition the requirement for a permit to install or maintain a pontoon, fixed floating jetty, or other jetty in a pond or lake will not apply where public liability coverage (minimum \$20 million) for the structure is maintained and the appropriate development approvals have been obtained.

By-Law No. 4 – Roads

- The intent of this By-Law is for the management, control and regulation of activities on roads.

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- The proposed changes are minor in nature and generally reflect legal advice provided. The Local Nuisance and Litter Control Act 2016 prescribes the process for bill postings, and therefore, this aspect has been removed from Council's By-Laws.
- The following inclusions to reflect consistency in metropolitan By-Law's practice have been incorporated within the draft to prohibit the activities unless permission has been provided:
 - Chain, lock or affix a bicycle where it can cause an obstruction or damage;
 - Use of Council Bins for rubbish from commercial businesses; and
 - Touting for Business.

By-Law No. 5 – Dogs and Cats

- The intent of this By-Law is for the management and control of dogs and cats within the Council's area.

- The proposed changes are minor adjustments to the wording of the By-Law, as per the legal advice provided. The only addition drafted includes the requirement for dogs to be on a lead within 50 metres of a 'Hooded' and 'Red Capped' Plover breeding site which has been identified via signage. This new inclusion is considered important to protect these endangered birds and reflects the feedback received during the recent public consultation on the draft City of Charles Sturt Animal Management Plan 2021-2025.

By-Law No. 6 – Domestic Livestock Management

- The intent of this By-Law is for the management, control and regulation of the keeping of livestock on residential premises, and for related purposes.
- The proposed changes are minor adjustment to the wording of the By-Law as per the legal advice provided.