



LOCAL LAW NO. 13

General (Amendment) Local Law

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PART A – INTRODUCTORY

- | | | |
|----|--------------------------------------|--------|
| 1. | Title | Page 3 |
| 2. | Objectives of this local law | Page 3 |
| 3. | Enabling power & commencement | Page 3 |
| 4. | Date this local law ceases operation | Page 3 |
| 5. | Scope and status of this local law | Page 3 |
| 6. | Definitions | Page 3 |

PART B – AMENDMENTS TO PRINCIPAL LOCAL LAW

- | | | |
|----|---|--------|
| 7. | Insertion of new Clause 30.1 (Incinerators and Burning) | Page 4 |
|----|---|--------|

PART A – INTRODUCTORY

1. TITLE

This Local Law is the MAROONDAH CITY COUNCIL “Local Law No. 13 – General (Amendment) Local Law” and is referred to below as “this Local Law”.

2. OBJECTIVES OF THIS LOCAL LAW

The objectives of this Local Law are to:

- 2.1 support provision by *Council* of a safe, clean and healthy environment in areas under its control and management;
- 2.2 amend Local Law No. 11 by clarifying when fires can be lit or remain alight in the open air or in the incinerator; and
- 2.3 provide generally for the peace, order and good government of the *Municipal District*.

3. ENABLING POWER AND COMMENCEMENT

- 3.1 This Local Law is made under section 111 of the *Act*.
- 3.2 This Local Law comes into operation on 1 September, 2016

4. DATE THIS LOCAL LAW CEASES OPERATION

Unless this Local Law is revoked sooner, its operation will cease on the day on which the *Principal Local Law* ceases to operate.

5. SCOPE AND STATUS OF THIS LOCAL LAW

This Local Law operates throughout the *Municipal District*

6. DEFINITIONS

- 6.1 In this Local Law, unless inconsistent with the context:

'Act' means the *Local Government Act* 1989;

'Council' means Maroondah City Council;

'Municipal District' means the area proclaimed under the *Act* to be under the municipal district of *Council*; and

'Principal Local Law' means Local Law No. 11 General Local Law, made by *Council*.

- 6.2 Where a word or phrase has a particular meaning, other grammatical forms of that word or phrase have the same meaning.

PART B AMENDMENTS TO PRINCIPAL LOCAL LAW

7. INSERTION OF NEW CLAUSE 30.1

Clause 30.1 of the *Principal Local Law* is deleted and the following is inserted in its place:

- 30.1 A person must not light, allow to be lit, or allow to remain alight any fire:
- 30.1.1 in the open air or in an *Incinerator* unless the fire is authorised or directed to be lit under the provisions of any Act or Regulations or the Municipal Planning Scheme; or
 - 30.1.2 in an *Incinerator* unless authorised by, and managed under and in accordance with, a Permit issued under *Clause 30.2*; or
 - 30.1.3 in the open air unless the fire is in a permanent or portable *Barbecue* that is being used for the exclusive purpose of cooking food in the open air for human consumption; or
 - 30.1.4 in the open air unless the fire is in a properly constructed and safe device the purpose of which is for outdoor heating, and the device is being used for outdoor heating,

and unless it is appropriately located and managed so as to not cause a nuisance to occupiers of neighbouring properties.

PENALTY: MAXIMUM TWENTY (20) PENALTY UNITS

THIS LOCAL LAW WAS MADE BY RESOLUTION OF MAROONDAH CITY COUNCIL AT A COUNCIL MEETING HELD ON Monday 22 August 2016, and the sealing of the document was authorised.

THE COMMON SEAL of MAROONDAH CITY COUNCIL was hereunto affixed on the _____ in the presence of :



Councillor

Steven Kozlowski
Chief Executive Officer

Council resolved to issue a Notice of Intention to make this Local Law at its meeting on Monday 27 June 2016 and a Notice of *Council's* Intention to make this Local Law was included in the Victoria Government Gazette on 30 June 2016 and Public Notices of *Council's* Intention to make this Local Law were included in the Age newspaper on 30 June 2016 and the Maroondah Leader on 5 July 2016.

Council resolved to make this Local Law at its meeting on Monday 22 August 2016 and a Notice of *Council* having made this Local Law was included in the Government Gazette on 25 August 2016 and Public Notices of *Council* having made this Local Law were included in the Age newspaper on 26 August 2016 and the Maroondah Leader on 20 August 2016.

A copy of this Local Law was sent to the Minister for Local Government on 26 August 2016 and a copy of this Local Law has been available for public inspection at and copies can be obtained from *Council's* Braeside Avenue, Ringwood offices during that office's office hours.