

**MELBOURNE CITY COUNCIL ('Council')**

**PRESCRIPTION UNDER THE ACTIVITIES LOCAL LAW 2024 ('Local Law')**

1. In exercise of:
  - 1.1. an instrument of delegation from the Council (Register no CCL-2020-1) made pursuant to section 11(1) the *Local Government Act 2020* ('the Act')
  - 1.2. an instrument of sub-delegation 2024-22 dated 26 March 2024
  - 1.3. all other powers held by or delegated to me,and having taken into account the local law requirements of the Council pursuant to the *Local Government Act 2020*

**THE COUNCIL PRESCRIBES THAT:**

2. The form of the written notice pursuant to clause 17.19 of Part 17 of the Local Law is that generally in the form annexed.
3. For the avoidance of doubt, the form of the written notice may vary from the form attached, provided that it complies with the requirements in clauses 17.19 of the Local Law.

DATED: this 3<sup>rd</sup> day of April 2024



.....  
**Rushda Halith**  
General Manager Community and City Services

MELBOURNE CITY COUNCIL  
ACTIVITIES LOCAL LAW 2024  
CONFISCATION NOTICE



**COUNCIL REFERENCE:**

**Person to whom this notice applies**

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**YOU HAVE BEEN SERVED WITH THIS NOTICE BECAUSE AN AUTHORISED OFFICER OF THE COUNCIL HAS CONFISCATED AND IMPOUNDED THE ITEMS LISTED BELOW IN ACCORDANCE WITH THE ACTIVITIES LOCAL LAW 2024.**

**Description of items**

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**Date**

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**Name of Authorised Officer**

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**Signature of Authorised Officer**

.....DATED:.....  
**Rushda Halith**  
**General Manager Community and City Services**

ACTIVITIES LOCAL LAW 2024

PART 17 ENFORCEMENT

Power of *authorised officer* to confiscate

- 17.17 Where a *person* owning or responsible for items, *goods*, equipment, *vessel*, *bicycle* or other property or thing has ignored a direction from an *authorised officer* to remove them, the items, *goods*, equipment, *vessel*, *bicycle* or other property or thing may be confiscated and impounded.
  - 17.18 If an *authorised officer* has confiscated anything in accordance with this Local Law, the *Council* may refuse to release it until the appropriate fee or charge *prescribed* by the *Council* for its release has been paid to the *Council*.
  - 17.19 As soon as it is reasonably practicable to do so, the *authorised officer* must serve a written notice in a form that is prescribed by the *Council* from time to time on the *owner* or person responsible for the confiscated item setting out the fees and charges payable and time by which the item must be retrieved.
  - 17.20 If after the time required in a notice a confiscated item is not retrieved, an *authorised officer* may take action to dispose of the confiscated item according to the following principles:
    - (a) where the item has no saleable value, it may be disposed of in the most economical way; and
    - (b) where the item has some saleable value the item may be disposed of either by tender, public auction or private sale but failing sale may be treated as in sub-clause (a);
    - (c) where the *owner* has advised the *Council* in writing that the *Council* may dispose of the *goods* because the *owner* does not intend to retrieve them, the *Council* may dispose of them by the method identified in sub-clauses (a) and (b).
- (a) where the owner has advised the Council in writing that the Council may dispose of the goods because he or she does not intend to retrieve them, the Council may dispose of them by the method identified in sub-clause (a) and (b).

COLLECTION OF GOODS

To arrange for the collection of confiscated items or further information please call the City of Melbourne Call Centre on 9658 9658 between the hours 8:00am – 4:30pm Monday – Friday.

A photographic Identification Document must be produced when collecting the items as well as payment of the fee for retrieval. To obtain the details of any fees and/or charges payable please contact the telephone number above.

Unless otherwise agreed by Council, if any items are not retrieved by the owner or person responsible for the confiscated items within **14 days** after they have been confiscated, the Council may take action to dispose of the items in accordance with clause 17.20 of the Activities Local Law 2024.

.....DATED:.....  
**Rushda Halith**  
**General Manager Community and City Services**