



Ordinary Meeting of Council Attachments

Monday 20 March 2023

Council Chamber Realm

ATTACHMENTS

CHIEF FINANCIAL OFFICER

2. Reports of Councillor Briefings

Attachment 1: 2023 February 20 - Councillor Briefing Public Record3

Attachment 2: 2023 March 06 - Councillor Briefing Public Record.....4

3. Councillor Representation Reports

Attachment 1: 2023 February 16 - Eastern Transport Coalition Draft Minutes6

Attachment 2: 2022 November 15 - Maroondah Environment Advisory
Committee Meeting Minutes 12

DIRECTOR ASSETS & LEISURE

1. Community Facilities Lease Agreement for the German Shepherd Dog Club of Victoria - Eastern Branch

Attachment 1: DRAFT LEASE PARTICULARS - German Shepherd Dog Club -
Jan 2023 17

2. Maroondah Tennis Strategy

Attachment 1: Maroondah Tennis Strategy - March 2023 19

3. Norwood Park Enhancement Plan

Attachment 1: Norwood Park Enhancement Plan - Draft for Endorsement -
March 202344

4. Woodland Park Enhancement Plan

Attachment 1: Woodland Park Enhancement Plan - Draft for Endorsement -
March 202347

DIRECTOR STRATEGY & DEVELOPMENT

1. Draft Community Local Law 2023

Attachment 1: Community Impact Statement - Maroondah Community Local
Law 202348

Attachment 2: Summary of proposed changes to Draft Maroondah Community
Local Law 2023.....54

Attachment 3: Consultation Report - General Local Law Review - July 202262

Attachment 4: Maroondah Community Local Law 2023 - DRAFT79

Attachment 5: Waste Services Guideline - 2023 119

2. Minimum Standards for Canopy Tree Provision

Attachment 1: Maroondah Minimum Standards for Canopy Tree Provision
June 2020 139

Attachment 2: Maroondah Deep Soil Area and Species Tables for Canopy
Tree Provision June 2020 154



COUNCILLOR BRIEFING – PUBLIC RECORD

Briefing Details:

Date: Monday 20 February 2023

Time: 6:00pm

Location: Meeting Rooms 1
& 2

Attendees:

Councillors

Cr Rob Steane (Mayor)
Cr Tasa Damante (Deputy Mayor)
Cr Tony Dib OAM, JPCr Marijke Graham
Cr Linda Hancock
Cr Paul MacdonaldCr Kylie Spears
Cr Suzy Stojanovic
Cr Mike Symon

Council Officers:

Steve Kozlowski
Tony Rocca
Adam Todorov
Marianne Di Giallonardo
Andrew Fuaux
Chloe Messerle
Emma HillsChief Executive Officer
Director/Chief Financial Officer
Director Assets & Leisure
Director People & Places
Director Strategy & Development
Senior Governance Officer
Governance Officer

		Item
Phil Medley	Manager Governance & Performance	2
Tim Cocks	Manager Leisure & Major Facilities	3-4
Kirstie Dench	Sport & Recreation Liaison Officer	3
Heidi Grave	Sport, Recreation & Event Support	3

Apologies:

Councillors:

Nil

Council Officers:

Nil

Conflict of Interest Disclosure:

Councillors:

Nil

Council Officers:

Nil

Items Discussed:

Confidential

1	Council Meeting Agenda
2	ALGA and MAV Motions Process
3	Sporting Facilities Signage Guide
4	Jubilee Indoor Cricket Training Centre - Proposed name
5	Items of a General Nature

Record completed by:

Council Officer
TitleEmma Hills
Governance Officer



COUNCILLOR BRIEFING – PUBLIC RECORD

Briefing Details:

Date: Monday 6 March 2023

Time: 6:00pm

Location: Meeting Rooms 1 & 2

Attendees:

Councillors

Cr Rob Steane (Mayor)

Cr Marijke Graham

Cr Kylie Spears

(entered at 6:10pm)

Cr Tasa Damante (Deputy Mayor)

Cr Linda Hancock

Cr Suzy Stojanovic

Cr Tony Dib OAM, JP

Cr Paul Macdonald

Cr Mike Symon

Council Officers:

Steve Kozlowski

Chief Executive Officer

Tony Rocca

Director/Chief Financial Officer

Adam Todorov

Director Assets & Leisure

Marianne Di Giallardo

Director People & Places

Andrew Fuaux

Director Strategy & Development

Chloe Messerle

Senior Governance Officer

Emma Hills

Governance Officer

Kirsten Jenkins

Manager Community Safety

Item

1

Chris Zidak

Manager Business & Precincts

2

Sulochi Walisinghe

Urban Design Coordinator

2

Heather Burns

Manager Community Services

3

Adam Cooper

Coordinator Youth & Children's Services

3

Steve McIntosh

Manager Projects & Asset Management

4 & 5

Rebecca Pietrzykowski

Coordinator Asset Management

4 & 5

Grant Meyer

Manager City Futures

6

Doug Evans

Strategic Environment Planner

6

Tim Cocks

Manager Leisure & Major Facilities

7

Apologies:

Councillors:

Nil

Council Officers:

Nil

Conflict of Interest Disclosure:

Councillors:

Nil

Council Officers:

Nil

Items Discussed: **## Confidential**

1	Local Law Review
2	Staley Gardens Landscape Masterplan Stakeholder Engagement
3##	Vacation Care Councillor Update
4	Woodland Park Enhancement Plan
5	Norwood Park Enhancement Plan
6	Vegetation-related report for adoption/noting - Minimum Standards for Canopy Tree Provision
7	Proposed Community Facilities Lease & Licences
8	Council Meeting and Briefing Date Changes
9	Community Assistance Fund
10	Councillor Delegates' Meeting Report
11	Items of a General Nature raised by Councillors

Record completed by:

Council Officer	Emma Hills
Title	Governance Officer



EASTERN TRANSPORT COALITION MINUTES OF MEETING

Date: Thursday, 16th February 2023

Time: 6.30pm – 8.30pm

Hosted by: Online

Attendees:

Councillors

- Cr Stuart James, City of Monash (Chair)
- Cr Susan Laukens, Knox City Council
- Cr Tina Liu, City of Whitehorse
- Cr Tomas Lightbody, Manningham City Council
- Cr Andrew Fullager, Yarra Ranges Council
- Cr Anna Chen, Manningham City Council (*observer*)

Officers

- Lucas Sikiotis, City of Greater Dandenong
- Shane Hardingham, Knox City Council
- Daniele Raneri, Manningham City Council
- Dale Bristow, Maroondah City Council
- Terry Tillotson, City of Monash
- Sandra Worsnop, City of Monash
- Chris Hui, City of Whitehorse
- Karen O’Gorman, Yarra Ranges Council
- Kim O’Connor, Yarra Ranges Council

Secretariat

- James McGarvey, The Agenda Group

Apologies

- Cr Tony Dib, Maroondah City Council
- Cr Rhonda Garad, City of Greater Dandenong
- Christopher Marshall, City of Greater Dandenong
- Matthew Hanrahan, Knox City Council
- Frank Vassilacos, Manningham City Council
- Michael Blowfield, Maroondah City Council
- Elissa Merriweather, Yarra Ranges Council

1. Welcome and Apologies

Cr James assumed the chair and welcomed the attendees,

2. Conflicts of Interest

No conflicts of interest were raised.

3. Election of Office Bearers

Councillor representatives met in-camera, and determined the following ETC office holders for 2023:

Chair: Cr Stuart James, City of Monash

Deputy Chair: Cr Susan Laukens, Knox City Council

The group congratulated Crs James and Laukens on their election.

4. Ratify Previous Draft Minutes and Actions Arising

Minutes of the December 2022 ETC meeting:

M: Cr Stuart James

S: Lucas Sikiotis Carried

5. ETC Finance Report

Terry Tillotson, City of Monash provided a finance report as detailed below for the ETC for December 2022 – January 2023 as follows:

Opening balance was \$58,970.91

December Invoice from TAG \$7,500 Paid

Closing balance for January is \$51,470.91

M: Cr Stuart James

S: Lucas Sikiotis Carried

It was agreed that the budget for the ETC should be discussed as an agenda item at the next meeting.

6. 2023 Advocacy Work Plan

Items for consideration in 2023

ETC Secretariat James McGarvey provided an outline of items carried over from 2022 advocacy that may form the starting base of consideration of matters to be addressed in 2023. *(list was circulated prior to the meeting)*

These include:

- Bus network reform
- Rail projects
- Roads
- Pedestrian crossings
- Regional trails

Other issues to consider for 2023 and beyond may include:

- SRL issues
- North East Link project issues
- Opportunities to work with new bus franchisee (Kinetic)

In ensuing discussion, ETC members suggested the following items be considered for attention by the ETC in 2023:

Bus review – Manningham

- Daniele reported that the draft consultation report will be released by DTP early this year, then implementation plan is expected to follow, which will require funding commitments from the State Government. This will require significant advocacy.
- The current study is oriented toward the northern suburbs (Manningham/Whitehorse to Latrobe University), and could support the call for an SRL-mirroring bus service to be established on this corridor.

Rail Projects

- The commencement of the Caulfield-Rowville TRT business case announcement from the Federal and State Governments is expected in the coming month or two. Presuming a positive business case is arrived at, advocacy for funding of implementation will be required in late 2023 and into 2024 by concerned stakeholders.
- The Cave Hill station development and duplication on the Lilydale/Belgrave lines remains a priority for the ETC, and needs over time a constant advocacy voice as it will be considered within a competitive space as the Government continues to eliminate single sections of track on the metropolitan network.

- Service levels, including frequency and span of hours for rail services, should also be a focus for ETC advocacy.
- Consideration of a mass-transit (i.e. mode agnostic) solution for transport needs in the Burwood Hwy, Vermont South, Wantirna Health precinct, Upper Ferntree Gully corridor.

Roads

- Dorset Rd extension – Knox to consider the status of this and provide advice to ETC in light of change in federal funding commitments.
- Small scale works we have proposed, including intersection treatments and safety measures, and public transport-supportive road projects should stay on the table for advocacy.

Pedestrian Crossings

- Each ETC council had contributed two priority pedestrian crossing projects to a list of ETC advocacy asks last year. Some of these were larger scale projects.
- A list of smaller-scale projects may be worth developing, with one project per council, given State Government funding constraints.
- Terry Tillotson, City of Monash to provide guidance on criteria for Councils nominating a project for advocacy, including access to public transport/bus stops.

Regional Trails

- The ETC had adopted the asks developed by the Eastern Region Trails Strategy working group and supported these at the last federal and state elections.

The ETC should seek guidance from the ERTS group on the need to refresh the package, and what further is required to strengthen advocacy.

ETC officers on the ERTS working group have been requested to communicate this request from the ETC.

Other possible issues

- SRL – City of Whitehorse seeking Thurston to Nelson Rd overpass, and would welcome ETC support. Other similar local issues may arise in coming years.
- The new ticketing system – tender will be finalised in coming weeks.
- New Department of Transport and Planning:

- Where is the Victorian Transport Strategy at?
 - How can we support integrated approach to planning and transport
 - What's happening with 'movement and place' strategy
- Electric Vehicles – EAGA has some carriage of this but there may be space for ETC to also consider, particularly around infrastructure, electric bus fleets, etc.
- Bike lanes – most projects are localised to individual councils, and not of a regional nature. Cycling links (and pedestrian and scooter usage more broadly) to public transport points may be worthy of future consideration for the ETC.

Timeframe considerations for the ETC's work planning include:

Elections:

- The next State Election will be held in November 2026
- The next Federal Election is due by May 2025

State and Federal Budget processes:

- Government starts considering first cut of projects by September/October
- Local MPS nominate local projects by late October
- Most decisions made by the following February
- Budgets announced in May.

Mr McGarvey suggested that the hallmarks of good advocacy to guide the ETC's planning are:

- A clear and justified prioritisation of advocacy asks
 - Why this and why now?
- A well argued case
 - Evidence and data
- Demonstrable support from community and stakeholders
 - Who can we engage, and how?
- Early engagement with decision-makers
 - How do we work with Government and local MPs?

This may require further advocacy in the new year from the ETC and partners to get this project underway.

A copy of Mr McGarvey's presentation will be circulated with the meeting minutes

7. General Business

Nil.

8. Next Meeting

The next meeting will be hosted at Knox City Council and online, and will commence at 6.00pm for dinner, and 6.30pm for meeting start on Thursday, 16th March 2023.

Action Summary

Action Items	Owner(s)	Deadline
1. The budget for the ETC should be discussed as an agenda item at the next meeting	ETC Secretariat	March 2022
2. Circulate the ERTS strategy	Monash/Secretariat	March 2022
3. Provide selection criteria for ETC pedestrian crossing projects	Monash/Secretariat	April 2023



Maroondah Environment Advisory Committee – Minutes

Meeting Details:

Date: Tuesday 15 November
2022

Time: 7pm-8:30pm

Location: MS Teams

Attendees:

Councillors

Cr Marijke Graham (Chair)
Cr Paul Macdonald
Cr Suzy Stojanovic

Council Officers:

Dale Bristow, Coordinator Strategic Planning and Sustainability
Doug Evans, Strategic Environment Planner
Karin Wiggins, Coordinator Statutory Planning
Roger Lord, Team Leader Environmental Planning
Chloe Messerle, Senior Governance Office (Minute Taker)

Community Representatives:

Elspeth De Fanti
Howard Elston (Left at 8:20pm)
Liz Sanzaro
Ken Whitney
Tim Malloch
Alicia Lehr
Dennis Zhang

Apologies:

Councillors:

Nil

Community Representatives:

John Senior
Sonia Nuttman
Lisa Keedle

Conflict of Interest Disclosure:

Councillors:

Nil

Council Officers:

Nil

Community Representatives:

Nil

Items Discussed

1. OPENING OF MEETING

Cr Graham read the Acknowledgment of Country.

2. WELCOME

Cr Graham welcomed all to the meeting.

CONFIRMATION OF MINUTES - TUESDAY, 9 AUGUST 2022

ITEM 3

Cr Stojanovic moved the minutes and Liz Sanzaro seconded them.

4. ITEMS

MATTERS ARISING SINCE THE LAST MEETING

ITEM 4.1

Cr Graham introduced the item.

Cr Stojanovic discussed the Business Awards specifically mentioning the 'Reduce, Reuse and Recycle' category. She noted the possibility of a new category referring to a circular economy model. Dale Bristow to pass the information on to the Business and Precincts Department.

Liz Sanzaro requested further information regarding the car park at Heathmont which has since had its funding withdrawn by the Commonwealth Government.

Liz also enquired re the Department of Environment, Land, Water and Planning's (DELWP) role re the 20 minute neighbourhoods approach. Dale advised that work on planning 20 minute neighbourhoods has its origins in Plan Melbourne which is overseen by DELWP. Dale also advised that Victorian Planning Authority assist Councils in the implementation of Plan Melbourne land use and infrastructure policy in strategically important precincts.

Discussion was held in regards to the LXP Project with Cr Graham advising that Directors had been in consultation with the project Managers in terms of how the project would run. Cr Graham advised that if Councillors received any updates, she would circulate what she could onto the group.

Dale spoke about the recent award received from the Planning Institute of Australia for the Planning Excellence Awards for the 'Healthy Streets' work completed in conjunction with Stantec and the community feedback. Dale thanked the committee members of MEAC who also participated in providing feedback.

Cr Graham spoke about Maroondah Festival held recently on Sunday 6 November 2022. She spoke specifically about the Café Consult tents in regards to climate change and the need to see transformational change.

Cr Graham spoke about the question emailed through from Liz in regards to why Maroondah Council is not acknowledging why there is need to action regarding a climate change emergency.

Howard Elston entered the Teams meeting at 7:57pm.

Liz spoke about climate issues such as floods and emergencies and noted that some people feel fearful in regards to the future of climate change.

Dale advised that Council has not called a climate emergency to date. Efforts have focussed on carbon reduction initiatives and securing carbon neutral certification.

Cr Stojanovic advised that she has been on a site visit to the new Bellfield Community Hub to visit the For Change Café which is a social enterprise café facility. Cr Stojanovic spoke about the Hub and provided information on its redevelopment that included:

- Early years rooms
- Community/training rooms
- Planned activity group area for senior citizens
- Maternal and child health centre facilities
- Commercial kitchens
- Community gardens

Cr Graham noted that there were additional social housing homes being built on the other side of Heidelberg on Tarakan Street and off Bell Road.

THE TREE CANOPY COVER OF MAROONDAH

ITEM 4.2

Cr Graham introduced the item.

Doug Evans provided a powerpoint presentation for circulation with the minutes.

Doug provided further information regarding how the canopy cover changes over time and how to measure the cover change. The powerpoint included a slide with an outline of the municipality and an image depicting the tree canopy cover. Further to this, Doug provided a clearer understanding of the locality of the canopy cover with two-thirds of the canopy cover on private land and a sixth of the cover along roads.

Alicia Lehr noted there were no an analysis completed for 2022 to be able to see the comparisons over time seeing as there has been comparisons completed from 2016 through to 2021. The discussion of funding for these types of reporting was discussed and Cr Graham noted Councillors would follow up.

Doug spoke further about the changes in the canopy cover providing additional images of the canopy loss and canopy gain between 2016 and 2021. Discussion was held in regards to the possible reasons for the change including environmental factors such as urban and non-urban areas as well as private and commercial land areas.

Doug provided an update regarding Tree Ledger™:

- Is still a model but estimated to be about 95% accurate in its detection of foliage
- Can help identify where significant changes (losses and gains) are occurring, but not the causes
- Can help understand the rate and extent to which changes (losses and gains) are occurring on different land use types
- Can provide a method for reporting against the Maroondah 2040 Community Vision Community indicator of progress "Tree canopy cover"

TREE PROTECTION AND REMOVAL PERMITS ON PRIVATE PROPERTY **ITEM 4.3**

Cr Graham introduced the item.

Karin Wiggins and Roger Lord provided a powerpoint presentation to be circulated with the minutes.

Karin and Roger provided a background as to their roles at Maroondah City Council.

Karin spoke about Planning and Tree Preservation at Maroondah City Council as well as the characteristics of both the vegetation in the municipality as well as the types of planning applications received. Karin also spoke about the tree and vegetation in the Maroondah Planning Scheme.

Further to that Roger, spoke in more detail in regards to the tree controls in Maroondah and the limitations that were faced across board.

Howard Elston left the meeting at 8:20pm.

Karin and Roger spoke in further detail regarding tree removals and replacement, giving examples of situations where the tree removals were granted and when they were not. There were also examples of times that replacements were required and the types of trees replanted.

Discussion was held in regards to the following examples of building development and issues with trees where the Environmental Planners providing written reports for the recommendation of certain trees:

- 85 Wonga Road Ringwood North
- 78 Mt Dandenong Road Ringwood East
- 51--57 Merrindale Drive Croydon South
- 34-36 The Greenway Heathmont

Karin and Roger also provided examples of illegal tree removals, VCAT cases and the enforcement process that follows. Discussion was also held in regards to the length of time that Officers and Planners spend reading and inspecting applications and proposals, the timeline for VCAT applications and the follow up with residents.

INFORMATION ONLY ITEM **ITEM 4.4**

No questions arising.

OTHER BUSINESS **ITEM 4.5**

No other business.

CLOSE OF MEETING - NEXT MEETING TBC

ITEM 4.6

Cr Graham closed the meeting and advised all members that this was the last meeting for the year. She wished everyone Seasons Greetings and advised that meetings/calendar invites would be distributed in the new year.

The Meeting concluded at 9:12pm.



Particulars

Item 1.	Council: (Clause 1)	Maroondah City Council of 179 Maroondah Highway Ringwood 3134
Item 2.	Tenant: (Clause 1)	German Shepherd Dog Club of Victoria Inc. Eastern Branch Association Number A0018463W ABN 82 246 344 980 PO Box 5521 WANTIRNA SOUTH VIC 3152
Item 3.	Land: (Clause 1)	The land contained in certificate of title volume 9300 folio 032 and known as J.W. Manson Reserve, Selkirk Avenue, Wantirna
Item 4.	Premises: (Clause 1)	That part of the Land shown bounded in red on the plan in Annexure B
Item 5.	Commencement Date: (Clause 1)	1 July 2022
Item 6.	Term: (Clause 1)	Five [5] years
Item 7.	Further Term(s): (Clause 1 & 3.2)	One (1) further term of Five (5) years
Item 8.	First and Last dates for exercising the Option for the Further Term: (Clause 3.2.1)	1 January 2027 1 April 2027
Item 9.	Rent : (Clause 1 & 3)	Year 1: \$971.00 incl GST Year 2: \$995.00 incl GST Year 3: \$1020.00 incl GST Year 4: \$1045.00 incl GST Year 5: \$1071.00 incl GST The Rent is payable annually in advance, within 30 days of Council issuing an invoice for the Rent, commencing on the Commencement Date, and then on each anniversary of the Commencement Date during the Term and any Further Term. This payment obligation also applies to the payment of Rent during any Further Term.



Particulars (continued)

Item 10. Rent During Further Term: (Clause 1 and 5)	To be determined by Council if the option is exercise in accordance with the Community Facilities Pricing Policy Casual & Seasonal Allocation schedule for a category C pavilion.
Item 11. Security Deposit: (Clause 1 & 8.1)	\$1,000 plus GST
Item 12. Community Use: (Clause 1 & 14.1)	The carrying on of Not for Profit activities normally associated with a Dog Club.
Item 13. Hours of Use (Clause 14.4)	Not applicable
Item 14. Special Conditions: (Clause 1 & 22.6)	The Special Conditions in section two of Annexure A form part of this Lease.
Item 15. Changes to Council's standard terms: (Clause 23.6)	The following standard clauses have been amended (as set out in section one of Annexure A): Clause 14.4

Annexure B

Plan of Premises



Maroondah Tennis Strategy 2022 - 2032

Working towards a - **A safe healthy and active community**



Contents

Supporting Tennis to Thrive in Maroondah	3
Executive Summary.....	3
Section 1 - Methodology & Strategic context	4
Section 2 - Tennis Participation & Provision	8
Existing Tennis Opportunities in Maroondah.....	9
Club Governance.....	12
Section 3 – What does the evidence say?	13
Tennis Facility Audit	13
Regional Tennis Governance Project	14
Tennis Victoria Thriving Tennis Communities Project	15
Section 4 – Community Engagement.....	16
Club Consultation	16
.Section 5 – A plan for the future	18
Where we want to be.	18
Our Vision.....	18
Outcome area 1 - Participation & Access	19
Outcome area 2 - Club Governance	21
Outcome area 3 - Infrastructure Planning & Prioritisation	22
Outcome area 4 - Management & Leasing	23
Tracking our progress.....	24
Section 6 – References and Glossary.....	24
References	24
Glossary	24

Supporting Tennis to Thrive in Maroondah

Executive Summary

Tennis is an activity which can be competitive or very social. It can be mixed gender, be multigenerational and can be enjoyed in many different formats. Council would like to strengthen our partnership with Tennis Victoria and local tennis clubs to offer a wide range of opportunities for residents to enjoy tennis in the way that's right for them.

In Maroondah, there are 84 Council owned courts, 11 tennis clubs (10 on Council land and 1 on private land) and four public access facilities. Additionally, Council owns a 6-court complex at Hughes Park, which has been converted to a multipurpose facility for use by the Chin community for multiple sports including tennis.

Tennis clubs within Maroondah have long played a valuable role in the overall sport and recreation options available to the community and have also provided a social hub for local neighbourhoods. Most facilities were constructed between 35 and 50 years ago, with limited renewal or upgraded infrastructure since inception. For Maroondah's Council owned facilities, tennis clubs occupy the facility under a formal Council lease and are responsible for maintenance and renewal of court infrastructure and court fencing, venue operations, club membership and casual public usage. Through an independent audit, it was identified that a significant number of tennis facilities are in need of renewal or upgrade to remain safe, accessible and to maximise participation, including floodlighting, court surfaces, fencing, access paths, and landscape surrounds.

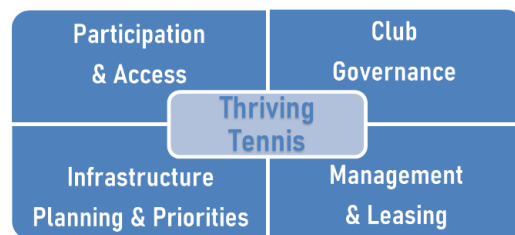
In recent years, with increasing sport options, the work week expanding to 24/7, and many other competing priorities, tennis as an overall sport has seen a decline in membership, volunteers and sport participation. In contrast, the recent global coronavirus pandemic has seen tennis as one of the few sports that has been able to operate with less disruption, due to the ability to social distance and based on it being undertaken in an outdoor environment. **An estimated 185,000 more Australian adults participated in tennis in 2020 compared with 2019¹.** Council would like to support the sport of tennis to capitalise on one of the few positives of this detrimental situation and move forward with a strategic approach to improve sustainability and growth of tennis participation over the next 10 years. **The 10 year duration will align with the forthcoming lease term and allow time for the actioning of key infrastructure priorities.**

¹ Sport Australia, AusPlay-COVID-19-update-June 2021



The development of an evidence based strategic approach involving all key stakeholders, will provide a framework for supporting clubs, improving accessibility to the sport, determining capital priorities, co-ordination of improved maintenance and increasing overall active participation. Furthermore, in instances where facility usage is not to capacity, the strategy will explore and identify opportunities to collocate complementary activities which will maximise use of community facilities and encourage the broadest possible community participation in sport and recreation.

The four key focus areas to guide Council's support are:



Each area will outline a vision for the outcome area, key directions and priority actions that will work towards their achievement over the period of the strategy. Quantifiable measures of progress towards the desired outcomes and the impacts of these actions.

The successful implementation of the Maroondah Tennis Strategy is subject to strong partnerships with local tennis clubs, collaboration with Tennis Victoria, State and Federal grant programs and available funding as part of Council's annual budget process. While investing resources to support the sustainability of tennis clubs will be a key priority of the strategy, supporting opportunities for social and casual play will also be a key priority to ensure that tennis as a sport continues to **thrive** in Maroondah.

Section 1 - Methodology & Strategic context

Methodology

The Strategy development involved the following methodology:

Stage 1 - Research and Data	Stage 2 - Consultation	Stage 3 - Strategy Development
<ul style="list-style-type: none"> Tennis Facility Audit and Situation Analysis Background Research and local provision review Eastern Region Council Collective Community Tennis Club Governance Review Tennis Victoria Thriving Tennis Communities Pilot Project Partner 	<ul style="list-style-type: none"> Maroondah Tennis Club Forum 2021 1:1 Key Stakeholder consultation (Tennis Victoria, local Clubs) Internal stakeholder workshops to address highlighted issues and priorities Assessment of Regional approach 	<ul style="list-style-type: none"> Draft strategy developed and circulated internally Presentation to Maroondah Tennis Forum 2022 Stakeholder feedback sought Public Exhibition Final Strategy for adoption by Council

Strategic Context

The Strategy aligns with a number of key directions from the **Future Outcome Area** - A safe healthy and active community outlined in Council's **Maroondah 2040** visioning document and our Council Plan 2021 – 2025. They are:

Key Direction - A healthy community

- 1.9 Promote community wellbeing by supporting and empowering local community groups, sporting clubs and special interest groups across Maroondah

Key Direction – An Active Community

- 1.14 Work in partnership to increase opportunities and create welcoming, supportive and accessible environments for all community members to undertake physical activity

The Strategy will also support Council's **Equally Active Policy and Strategy** which highlights Council's commitment to creating safe, and welcoming opportunities for women and children to be involved in sport and active recreation and Council's **Physical Activity Strategy** which guides Council's commitment to supporting Maroondah Residents to undertake regular physical activity

Tennis Victoria Strategy 2024

The development of the strategy will be guided by the new **Tennis Victoria Strategy 2024**. This new strategy has been developed in consultation with Tennis Victoria's affiliated clubs, centres, associations together with coaches, Local Government, State Government and Tennis Australia. The strategy closely aligns with the priorities of Tennis Australia and compliments the Victorian State Government's Active Victoria Framework.

The Tennis Victoria Strategy 2024 was released in June 2021 and focuses on four (4) key pillars to achieve their purpose of *creating safe and inclusive thriving Victorian tennis communities, enabling more people to play more often.*²



The strategy makes reference to partnering with local government to drive the overall health of Victorian tennis venues which complements Tennis Victoria's **A Framework for Victorian Tennis Facilities 2020 - 2025** (released in November 2020) and states *"The Facilities Framework 2020 - 2025 strongly reinforces the need for greater engagement with all levels of government, in particular the sport's greatest facility sponsor - local government."*³



The framework has four (4) strategic imperatives, three (3) of which detail a direct collaboration with local government:

Grow Venue Capacity	Build management capacity	Investment and advocacy
<p>We will continue to work in collaboration with local Councils, clubs and venue managers to conduct regular infrastructure, participation and operational audits to identify needs, monitor trends and provide action planning advice.</p> <p>We will continue to promote the benefits of LED lighting technology and support clubs, venues and Councils to implement lighting projects¹⁴</p> <p>We will start completing facility audits of all Victorian tennis venues using the nationally adopted venue audit software.</p>	<p>We will continue to work in collaboration with local Councils, clubs and venue managers to embed aligned management practices and outcomes into occupancy agreements</p>	<p>We will continue to conduct a biennial local government survey to identify and monitor trends and changes in need and priorities</p> <p>We will start development a Local Government engagement plan that clearly articulates our approach to relationship building and communications with local government (as our primary sponsor of community tennis)</p>

² Tennis Victoria Strategy 2024

³ Tennis Victoria A Framework for Victorian Tennis Facilities 2020 - 2025, 2021 p4

Regional Context

Council has recently partnered with Parks & Recreation Consulting and our neighbouring Eastern Councils to undertake an **Eastern Region Council Collective Community Tennis Club Governance Review**. The review highlighted an urgent need to support clubs with governance structures, strategic planning and facility planning to maintain a sustainable future. In addition, in June 2021, Council engaged a consultant to undertake a visual infrastructure audit to obtain a basic understanding of current asset condition and compliance levels and establish a financial estimate of liabilities and future capital priorities. The key findings of the **Tennis Facility Audit and Situation Analysis** are detailed further in section 3 and highlight a need to develop a robust plan for the delivery of tennis infrastructure upgrades and renewal over the next 10 years.

To complete the review, Council has also partnered with Tennis Victoria to pilot their latest initiative the **Thriving Tennis Communities Project**. The Thriving Tennis Communities Project is a health audit tool, that helps Tennis Australia, Tennis Victoria, Council and local Clubs to review their current practices and procedures to identify areas of concern, so that all stakeholders can work together to target direct needs for the respective tennis communities. The project provided Council with a Venue Sustainability Rating report for Maroondah highlighting that significant investment is required to support both tennis infrastructure needs and club sustainability.

The Melbourne East Regional Sport and Recreation Strategy - Updated 2022

The Melbourne East Regional Sport and Recreation Strategy was established in 2016 to be the region's first coordinated and collaborative approach to sport and recreation planning. The regular network of seven (7) Councils has continued to be a strong regional alliance, and the strategy has undergone a recent review and update.



The updated strategy highlights that the North-East Link construction will see the closure of the Boroondara Regional Tennis Centre and relocation to the City of Monash. The move will impact the capacity for tennis events in the Boroondara and Manningham localities and furthermore, may impact Maroondah Clubs who previously provided satellite venues to support the larger Boroondara Regional Tournaments. The two key regional facilities listed in the MERSRS Strategy are the proposed Glen Waverley Sports Hub (18 courts) (to replace the Boroondara Tennis Centre) and the Notting Hill Pinewood Tennis Club (12 courts). Maroondah has two venues with 12court facilities and an 11court facility, however accessibility, lighting constraints and International Tennis Federation (ITF) baseline and safety run off requirements restrict our venues' capacity to host Regional and high-level pennant events.

Yarra Ranges Tennis Plan 2014 - 2024

Not dissimilar to Maroondah, Yarra Ranges reported a steady decline in tennis club membership however strong junior lesson participation. The Plan highlighted an oversupply of courts in some suburbs and some clubs with extremely low membership and utilisation. The recommendation was to consider consolidation of these memberships to support a more sustainable combined club, or a number of small clubs using one venue and/or providing a multiuse surface and line marking to accommodate other sports. The plan also proposed a hierarchy of facilities based on Tennis Australia classifications to support future capital planning and maintenance levels.

Knox City Council - Guidelines for Developing Sports Facilities Policy - March 2019

Policy Section 6.5.1 Tennis - *Tennis facilities located on Council land will be classified as either (local junior or lower-level senior) or municipal (senior level predominantly municipal catchment) level only. There are 6 local and 8 municipal tennis facilities.* There are no regional level facilities within the municipality, due to a total of nine or more same surface courts being required to hold regional tournaments

Manningham Active For Life Recreation Strategy 2010 - 2025

The Recreation Strategy has included the consolidation of a number of sports strategies including the 2003 Tennis Strategy. These strategic documents have been incorporated into the Action Plan. A key action for tennis was to develop a guiding document, however upon review, tennis was incorporated into Manningham's Sports Facility Development Plan (SFDP). Facility Provision Analysis identified a total of 132 tennis courts with 78 being Council owned courts across the 9 local clubs. Participation had decreased significantly, with a 16.97% decline between 2015/16 and 2019/20. Facility provision calculations, endorsed by an independent consultant, considered the need for 1 court per 25 club members, using a 1.61% penetration rate. Furthermore, using a 1:1500 population ratio the report highlighted a need for an additional 16 public access courts by 2036 based on population ratios, however, taking into account private and school facilities a surplus was still evident.

Whitehorse Recreation Strategy 2015 - 2024

Within this strategy, Tennis did not feature as a sport requiring priority actions. The only reference to tennis was the opportunity to collaborate with Tennis Victoria on expanding sport participation pathways.

Monash Tennis Plan 2020

The Monash Tennis Plan highlights 3 key guiding principles which were used to develop actions:

1. Optimising use of tennis facilities *Prioritise bigger and more vibrant tennis venues that have a minimum of 6 courts.*
2. Inclusive and accessible tennis clubs *Provision of inclusive and flexible participation opportunities*
3. High quality and successful tennis venues *Tennis facilities are renewed and maintained to meet minimum standards and ESD design principles.*

Notable financial obligations -

Tennis element	Financial Responsibility	
Court base renewal	100% Council (subject to Council adoption)	NIL Clubs
Court surface renewal	NIL Council	100% Clubs
Court Floodlighting to minimum standards (new installation or upgrade)	50% Council	50% Clubs



Yarrunga Reserve multipurpose public courts - refurbished June 2022

Section 2 - Tennis Participation & Provision

Nationally, Tennis is ranked 8th in the top 20 sports and physical activities, based on the participation of adults 15+ and organised out of school participation of children 0-14 years⁴. In Maroondah, the 2014 resident consultation for the Physical Activity Strategy⁵ highlighted that tennis is the 10th most popular sport or recreation activity, ahead of individual recreation pursuits and the sports of AFL, Golf and Soccer.

The Thriving Tennis Communities Project reported 137,773 total annual visits to Maroondah Tennis Clubs with an average of 1606 visits per court. Data was recorded between mid to late 2021. The breakdown for annual participation was as follows:

COACHING	56%
COMPETITION	29%
SOCIAL	10%
EVENTS	3%
SCHOOL	2%

Note: School visits refers to students attending club courts i.e., holiday programs/before & after school care tennis programs, or schools booking of club courts as school competitions and in-school coaching did not occur during covid.



Tennis is an **intergenerational** sport with families able to participate together and participants generally ranging from 3 years to 80 years. Tennis is also a sport that can be played socially and competitively with mixed gender. Recent AUSPLAY data illustrates that in comparison to many other sports there is a marginal difference between the gender breakdown in participation, particularly in junior participation.⁶



AUSPLAY 2021 - National Tennis Participation by percentage of the population

This trend is similar in Maroondah where most Clubs have a balance of genders across their membership and committee roles. Additionally, in Maroondah tennis has seen huge growth in the number of culturally diverse participants particularly from Chinese backgrounds. This is significant as this cohort has been reportedly somewhat difficult to reach based on feedback from local basketball, AFL, soccer and cricket clubs.

Organised tennis opportunities are available seven days per week with weekday, weeknight and weekend social play, private coaching and club competitive options, as well as four (4) free public access courts.

⁴ SportAus, *The Sport and Physical Activity Landscape*, accessed 1 Nov 2021

⁵ Maroondah City Council *Physical Activity Strategy 2015- 2020 - Consultation & Engagement Report 2014*

⁶ AUSPLAY

Existing Tennis Opportunities in Maroondah

Tennis Victoria has responded to participation data and the needs analysis by developing a number of new products to adapt to the changing needs of their market and have a focus on social, introductory and /or casual participation. Tennis Victoria supports local clubs with both starting up these new programs and ongoing promotion and referral.

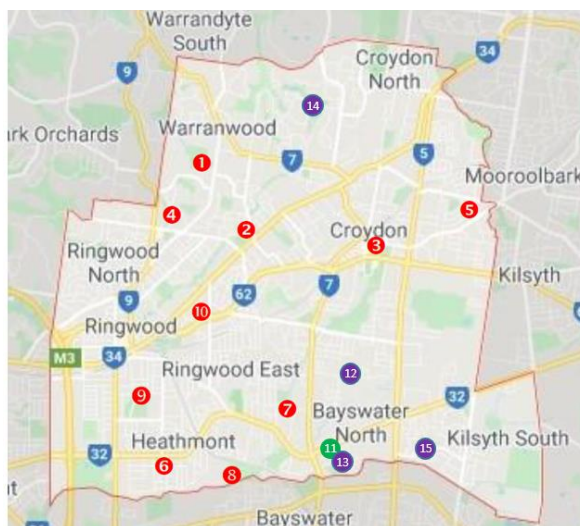
Current opportunities available within Maroondah include the following:

Free public access	Open courts provided and maintained by Council at Canterbury Gardens, Glen Park, Belmont Park and Yarrunga Reserve
Online casual court hire	Online public hire booking systems which provides hirers with a code to a keypad or lock to independently access the courts. Currently offered by five (5) Maroondah Clubs.
Private Coaching	All Maroondah clubs host tennis professionals who provide coaching for all ages in both a group and private setting. Fees are paid directly to the coach through a private business arrangement.
School Holiday Children's Programs	Maroondah City Council offers indoor tennis holiday programs at Maroondah Nets Stadium. Clubs intermittently offer programs through their coaching programs.
Club Membership	Membership enables participants to access social play, junior, senior, midweek and night competitions where offered, and access to courts for independent play when available. Offered by all Maroondah Clubs. Not all clubs require membership for night competition.
Tennis Victoria Hot Shots	A staged introductory program for children ages 3 - 12 years, played on smaller courts with modified equipment, including lighter racquets, lower nets and low compression balls. Currently available at 11 Maroondah clubs and 13 schools with 8 offering Match play.
Tennis Victoria Cardio Tennis	A 45 - 60 min tennis workout program catering to all fitness levels combining a variety of cardio workouts and a range of fun tennis drills. Currently available at 8 Maroondah tennis clubs and 3 primary schools
Tennis Victoria Tennis4Teens	A new social non-competitive program designed by teens, for teens aged 12 - 17 years of all abilities. Sessions typically run for 1 to 1.5 hours for a 6–8-week term. Maroondah clubs did not offer a program in 2022.
Tennis Victoria Open Court Sessions	A social 90-minute session, with social tennis and off court socialisation. Currently offered by 2 Maroondah clubs.
Culturally & Linguistically Diverse Communities (CALD)	Chokhlei Tennis Club in partnership with Croydon Tennis Club has received Council funding to deliver coaching for the Chin community. All tennis clubs have reported an increase in junior players from CALD backgrounds, in particular Chinese.
Disability	Gracedale Park Tennis Club advertises PWII coaching (Players with an intellectual impairment). Hot Shots coaching is offered at Croydon Special Development School and Ringwood Central offer a monthly program for participants with autism and is gauging interest in a special Olympics program.
Night Tennis Competition	Lilydale & District Night Comp. is the second largest night tennis association in outer eastern Melbourne and offer adult night tennis competitions catering for all player standards Monday - Thursday. Participants are not required to be a member of a club to join a team. Knox District Tennis Association has 4 Maroondah clubs currently participating with a total of 17 teams.

Current Tennis Infrastructure Provision

The Tennis Victoria has previously recognised a benchmark for the provision of tennis courts of 1 per 2,000 people. Maroondah has a total population of 115,043 recorded in the 2021 Census highlighting that given this former benchmark Maroondah should have a minimum of 58 courts to cater for our population numbers. Current courts numbers are 88 with 73 of these being lit. Tennis Victoria has shifted away from this benchmark towards use of supply and demand data and region demographics compared to propensity to play tennis demographical data. Greater examination of demographical data is required to fully understand this for the Maroondah population.

Map of Tennis Court Locations



Map Number	Venue location	Suburb & Ward	Venue Type	# Of courts	Surface type	Floodlit courts
1	Quambee Reserve	North Ringwood YARRUNGA	Club & Online Public Hire Parkwood Tennis Club	12	6 x En-tout-cas 6 x Artificial Grass	12 (6 currently not operational)
2	Peter Vergers Reserve	Ringwood MCALPIN	Club & Private Coaching Burnt Bridge Tennis Club	6	En-tout-cas	6
3	Croydon Park	Croydon WICKLOW	Club, Private Coaching Book A Court Public Hire Croydon Tennis Club	8	4 x En-tout-cas 4 x Artificial Clay	8
4	North Ringwood Tennis	North Ringwood WONGA	Club & Private Coaching North Ringwood Tennis Club	11	En-tout-cas	6
5	Charles Allen Reserve	Croydon WICKLOW	Club & Private Coaching East Croydon Kilsyth Tennis Club	6	2 x En-tout Cas 4 x Artificial Grass	6
6	Heathmont Reserve	Heathmont JUBILEE	Club & Private Coaching Heathmont Tennis Club	7	En-tout-cas	7
7	Gracedale Reserve	East Ringwood TARRALLA	Club & Private Coaching Book A Court Public Hire Gracedale Tennis Club	6	En-tout-cas	6 (2 LED)
8	HE Parker Reserve	Heathmont JUBILEE	Club & Private Coaching Heathmont Parker Reserve Tennis Club	6	Synthetic	6 (2 LED)
9	Jubilee Park	Ringwood JUBILEE	Club & Private Coaching Ringwood Central Tennis Club	8	En-tout-cas Synthetic	10 (6 LED)
10	East Ringwood Reserve	East Ringwood WOMBALANO	Club, Private Coaching & Online Public hire East Ringwood Tennis Club	6	En-tout-cas	6
11	Bayswater Nth - Private Land*	Bayswater Nth TARRALLA	Club & Private Coaching Bayswater North Tennis Club	4	En-tout-cas	2 LED
12	Belmont Park	South Croydon TARRALLA	Free Public Access	1	ACRYLIC HARD COURT	0
13	Glen Park	Bayswater Nth BUNGALOOK	Free Public Access	1	ACRYLIC HARD COURT	0
14	Yarrunga Reserve	Croydon Hills YARRUNGA	Free Public Access	2	ACRYLIC HARD COURT	0

15	Canterbury Gardens	Bayswater Nth BUNGALOOK	Free Public Access	2	ACRYLIC HARD COURT	0
----	--------------------	-------------------------	--------------------	---	--------------------	---

Club occupancy of Council owned facilities

Under the existing lease agreements, which are due to expire on 31 December 2022, tennis clubs pay a nominal lease fee under the Community Facilities Pricing Policy lease category - Groups that are responsible for specialised maintenance. Under the policy there are several community groups in Maroondah that are responsible for the specialised maintenance of areas within their Leased or Licensed facility, i.e., tennis courts, bowling greens, and croquet rinks. Council will charge a nominal rental fee for each specialised sporting area and a pavilion rental which is 50% of the total rental for the specialised sporting area. Under the 2020 leases and licences schedule, tennis courts are a \$200 fee per court with a 2.5% increase per annum. This fee structure is similar to most neighbouring Councils, with a nominal charge in exchange for the club taking full responsibility for the maintenance and renewal of court surfaces, court lighting, fencing and other supporting tennis infrastructure.

Court Surfaces

En-tout-cas which is derived from reclaimed red brick, remains the predominant court surface in Maroondah tennis facilities (73%). These porous courts are quite labour intensive to maintain, require significant amounts of water and have high maintenance costs, which is particularly challenging for local clubs, however, the expected asset lifespan remains greater than the newer technologies. Many clubs indicated a continued preference for en-tout-cas, professing that it is the best surface for play both in terms of playability and safety and have offset the high water use by the installation of water tanks. Clubs that have invested in synthetic grass courts or artificial clay have appreciated the improved look of the courts and the reduced weekly maintenance pressures, however, have noted that deep court cleaning costs, required to improve the lifespan of the surface, can be extensive. In discussions with Tennis Victoria, it has been clarified that there is no one size fits all approach to preferred court surfaces, rather the surface should meet the usage needs of the venue. For high level tournament facilities, all courts should be the same surface and recommend a cushioned acrylic hard court surface.

All of Council's public courts are acrylic hard-court surfaces which allow for year-round multi-sport use and require reduced regular maintenance.

Due to mixed feedback through the club engagement process, Council does not wish to take a rigid position on prioritising one type of court surface due to the varying preferences and needs of Maroondah Clubs. It is, however, unlikely that Council would fund the redevelopment of an en-tout-cas surface, given the environmental impact of high water requirements, high initial capital outlay and difficulty in the long-term sourcing of the en-tout-cas clay. There are a range of higher quality red porous surfaces which could be explored however these will incur a premium cost outlay and higher ongoing maintenance costs for the club to incur.



HE Parker Reserve Tennis Club - Synthetic poly clay surface installed in 2008

Court Lighting

Court lighting is essential to the sustainability of tennis. The changing usage patterns for tennis has seen the demand for night tennis continue to build and weekday daytime use decline. The provision of lighting enables a club to schedule tennis participation year-round without light limitations during the winter months.

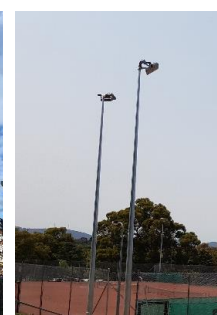
66% of club courts are currently floodlit however ageing infrastructure and cost of maintenance has led to many clubs waiting until multiple lights are inoperable before investing in costly repair or upgrade. Furthermore, the visual condition of ageing poles and footings is a public safety concern and requires a further comprehensive assessment to determine longevity. 53% of court lighting is over 20 years old and are mostly high mast poles with halogen globes. A further 37% are the more recent low mast boxed lighting and 10% of courts (7) have newly installed LED lighting supported through Council's Capital Funding for Community Groups funding scheme. LED lighting has benefits of durability, energy efficiency, and the potential to be programmed via online platforms allowing casual bookings to expand to evening play.



High mast halogen
East Ringwood TC



Low mast halogen
Croydon TC



High mast LED
Ringwood Central TC

Club Governance

Maroondah adopts a similar management model to most Victorian municipalities, with not for profit, incorporated Club Committees occupying and managing tennis facilities with a hybrid of club memberships and private coaching occurring at the facility. In NSW and Queensland, there have been examples of a move towards the creation of larger venues servicing a wider catchment which are directly managed by Council or commercial contract. Consultation with Maroondah clubs indicated a preference to retain the localised club model as it fosters community connectivity and lifelong association.

In a recent report by the Australian Sports Foundation into the Impact of COVID-19 on Community Sport, September 2021, the report revealed that **42% of sporting clubs reported a decline in volunteering** - in large part due to an increase in the workload, pressures and responsibilities of implementing COVID-19 protocols. Consultation with Maroondah Clubs has revealed that this has not been the case with most clubs retaining all committee members. While the long-term effects of COVID-19 on Community Sport are yet to be realised, a strategic approach to volunteer management would be advantageous. As a response to supporting COVID recovery, Council recently ran an optional series of workshops for Maroondah's volunteer-based organisations. 36% of participating clubs attending the Recruitment and Retention of Volunteers workshop were Maroondah Tennis Clubs, demonstrating their desire to learn strategies to address this vital area of governance.

In club consultation findings, the clubs who have developed and follow a strategic plan have reflected that this plan has been the best investment that the club has made, supporting forward planning, capital priorities, cost forecasting and supporting new committee to understand the decisions and vision of the club. All Maroondah clubs without a current plan expressed interest in receiving assistance with the development of a strategic plan.

Section 3 – What does the evidence say?

Tennis Facility Audit

From September to December 2021, a visual review of the ten (10) Council owned tennis club facilities was undertaken by an independent contractor. The key objective was to gain a thorough understanding of current asset condition, compliance levels, participation barriers and club lease condition performance, with the aim of guiding future decision making in relation to planning for asset development and improvement.

Condition assessment criteria

▪ Court surface condition	▪ Pavilion building condition
▪ Fencing condition	▪ Amenities condition (toilets etc)
▪ Support infrastructure condition (taps, seating etc)	▪ Lighting tower condition
▪ Access pathways, surrounds and line of travel condition	

Key Review Findings of the audit

- The Maroondah Tennis Club sites were predominantly established in the 1970's & 1980's
- Whilst there is clear expectations and delineation of responsibilities within the lease agreements, the line between asset maintenance and asset replacement is less clear.
- A wide range of tennis specific assets are at a point where maintenance will not serve to greatly extend the asset life.
- Overall club participation has declined by an estimated 30% since the mid 90's and while junior tennis lessons has remained steady, conversion to club membership and competition has declined, impacting the pool of potential volunteers, membership funds and fundraising opportunities.
- The tennis specific infrastructure at many of the tennis club sites will require significant investment in the next 5–15-year period.
- The cost to replace, repair or renovate the tennis court and lighting infrastructure is estimated in the order of **\$5,615,000** for the next 15–20-year period.
- All of the tennis pavilion buildings are in a functional and structurally sound condition however accessibility limitations are a concern at all facilities, and many will require renewal in the future.
- Subsurface investigation would be required to understand court surface base and lighting pole lifespan.



Regional Tennis Governance Project

Council recently partnered with Parks & Recreation Consulting and our neighbouring Eastern Councils to undertake an *Eastern Region Council Collective Community Tennis Club Governance Review*.⁷ The review was commissioned to obtain a clearer understanding of the mode of governance, decision making and operational issues within the community tennis club setting. The research project involved on site face to face interviews with an eighteen (18) club sample across the six (6) partnering Eastern Region Councils.

The report findings highlighted some particular shortfalls in good governance practices at a number of the surveyed tennis clubs relative to club planning, facility planning, governance process, coach partnership arrangements and facility programming. Most of these shortfalls related to a **lack of process or policy and a lack of documentation to demonstrate accountability and transparency**. The ever more complex requirements placed onto club volunteers, and the challenge in activating new volunteers with key skills, is contributing significantly to the time required to effect good volunteer club governance. The report recommended the provision of governance tools such as templates, process diagrams, standardised policy, shared systems, or comparative information.

The report addressed the notion that the traditional volunteer model for management of community tennis sites will most likely see some change in the future. If club membership and volunteer involvement continue to decline in the tennis club setting, the delegation of responsibilities and of ownership of decisions may shift to the coach, as the person within the environment with the financial motive. The research found coaches held decision making committee roles in a number of the clubs examined. The report recommended that Council review this emerging situation and develop a strategic approach which will positively affect the sustainability of both the facility and the club for the long term.

The report acknowledged that the club and coach partnership is an integral component of club sustainability. The contribution of the coach to membership, to facility occupancy and to competition participant development is vital, however only 20% of interviewed clubs had undertaken a formal advertised and/or evaluated process to engage a club coach. In Maroondah, there were several clubs that did not have a formal agreement in place with the coach and most clubs were yet to seek a reasonable financial contribution towards costs associated with their commercial use. Committees have been encouraged to review costs associated with coach use in order to establish a reasonable fee. To support clubs to determine an **appropriate fee structure for commercial usage**, the Eastern Collective of Councils have continued to meet to discuss the situation and establish a common position as well as liaison with Tennis Victoria. The discussions have led to the development of a tool to help clubs identify costs associated with tennis lessons and usage such as court wear and tear, lighting and loss of community recreation access.

A related area of concern was that in the majority of club managed tennis facilities, the clubs had **no contact points for lesson participants or night tennis participants**. The details for lesson participants are held by the coach and night tennis registrations are held by the association. As lessons and night tennis are the predominant programs at most facilities, this is a problematic situation from both a governance, safety and sustainability perspective. Without a connection to key regular users of the facility, safety and conduct protocols may not be adequately relayed, membership promotion impeded as well as volunteer recruitment and fundraising opportunities. This concern was a key point of discussion between Council and clubs during the club engagement process with clubs acknowledging the deficiencies of this current practice and a willingness to rectify this going forward to improve sustainability and safety.

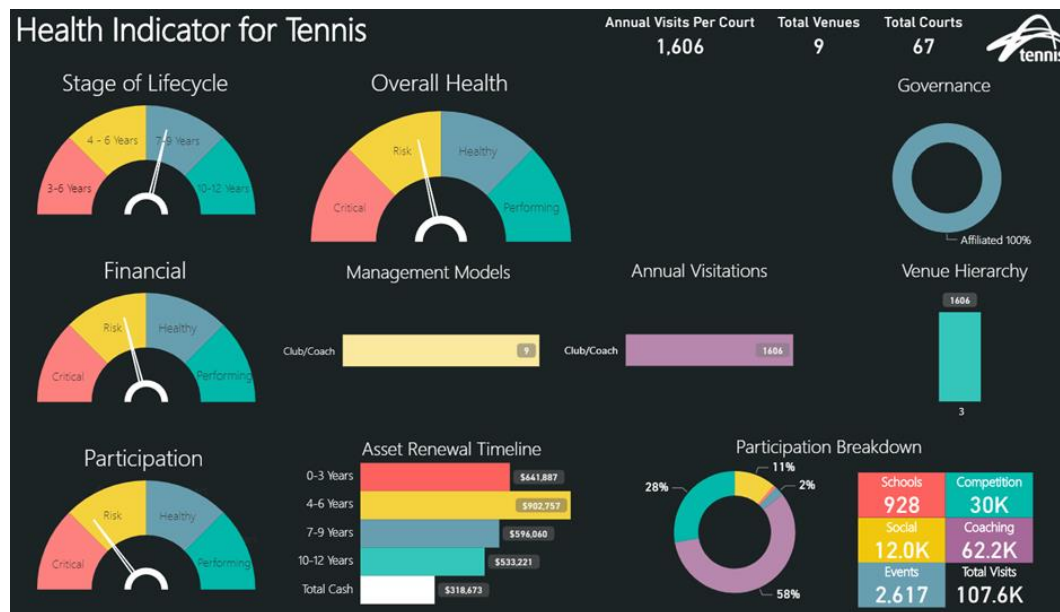
⁷ Parks & Recreation Consulting *Eastern Region Council Collective Community Tennis Club Governance Review*, Oct 2021

Tennis Victoria Thriving Tennis Communities Project

The Thriving Tennis Communities pilot project was coordinated and managed by Tennis Victoria with Maroondah selected alongside Boroondara and Geelong City Councils to trial the audit framework.

Thriving Tennis Communities is an approach by Tennis Victoria to better understand clubs and their local communities and work using a new framework that addresses the specific needs of each club. The data was self-reported by the clubs during 2021. Unfortunately, the bulk of the data was received during COVID19 restrictions which will have had an impact on participation data. Clubs however have been requested to update their data with Tennis Victoria to ensure that decision making is based on current data.

Key Review Findings



Source: Tennis Victoria, October 2022

Of the pilot findings 35% of Maroondah clubs received a sustainability rating of RISK. However, given that the study was undertaken in the height of the pandemic further discussions and work with clubs has seen a more positive outlook and a willingness from clubs to improve their long term sustainability. A key concern and priority area for Tennis Victoria is to work with clubs to address child safety processes and protocols. A clubs' Safeguarding Workshop is in development and all clubs have been provided with resources and support to appoint a safeguarding officer.

It is pertinent to note that usage of the four (4) public courts was not measured as part of this project which would impact the overall participation picture of tennis in Maroondah. Furthermore, the installation of online booking court lock componentry will assist in measuring casual court usage. Increasing the availability of this new technology is a priority of Tennis Victoria as Victorian venues who have invested in the technology have reported an average 25% increase in social tennis visits.

This data, the facility audit results, and governance findings formed the basis of 1:1 Council & Club Committee discussions to establish a clear picture of the status of clubs in Maroondah and key future priorities for investment and support.

Section 4 – Community Engagement

Club Consultation

In February 2022, Council's Sport and Recreation Team met in person with the executive committee of each individual Maroondah tennis club. The meetings provided clubs with an opportunity to express how their club was operating, their concerns and their future plans and priorities. It also provided Council officers an opportunity to discuss lease arrangements, possible Council support and ideas for increasing tennis participation in Maroondah.

Key findings from the club consultation were as follows:

Current Status

Overall, children are in large numbers, continuing to participate in coaching programs to learn the sport of tennis. For most facilities, the junior coaching program was by far the largest component of programmed activities demonstrating that there remains enormous potential for tennis to thrive. Clubs were also planning to expand their social tennis offering to meet the changing needs of current members and to attract new members who are not currently interested in competition.

Key issues and concerns

Lighting maintenance and LED conversion were a key concern for all Maroondah Clubs. Evening coaching, evening social play and night competition are the predominant midweek activities for a tennis club and is when the majority of participation occurs. Clubs are finding it extremely difficult to locate the ballast and globes required for the ageing halogen lights. Additionally, many of the poles were designed to fold down for globe changes however ageing mechanisms and/or surrounding trees have obstructed the folding action therefore requiring an expensive 'cherry picker' or 'scissor lift' to be hired. The expense has led to many clubs waiting until multiple globes are blown to make the cost of the cherry picker hire worthwhile. Additionally, the integrity of poles is deteriorating, exacerbated by both en-tout-cas and the water saving crystals utilised during the droughts of early 2000's. All clubs expressed a desire to install LED lighting to lessen light globe maintenance, improve light coverage and to benefit from the reduced electricity costs, however the current ageing poles are not suitable to carry the LED componentry. Currently, Council requires clubs to invest up to \$5,000 for qualified engineering and electrical investigation to be undertaken prior to consideration of LED conversion.

Fencing upgrades was a key priority for many clubs with fences requiring substantial investment to replace. Clubs that had invested in sections of top and bottom rail fencing remarked on the difference it made to the overall appearance of the facility in addition to the improved safety of the facility.



Accessibility was a priority of all clubs, raising non-compliance with parking, amenities, pavilion access and pathways. Most clubs had accessible components which had been addressed as part of previous capital improvements, but no Maroondah club is currently fully accessible. In relation to wheelchair tennis participation, currently there is no known local demand and Tennis Victoria take a regional approach to this provision. It remains a consideration to be monitored by clubs, Council and Tennis Victoria to ensure facilities are available within the Region and locally should demand arise.

Toilet Amenities was a concern raised by many clubs. Those that ran tournaments did not have the capacity to meet the needs of the increased number of participants and spectators. A number of clubs have only one or two toilets in the women's and a single toilet and a urinal in the men's amenities. While amenities meet building code, no club has an accessible toilet compliant with current standards.

Succession planning was a recognised need in most clubs however most conceded that they did not undertake it or, were having limited success with current initiatives.

Bayswater North Tennis Club (BNTC) recognised that the declining number of members and small committee represented limited long-term sustainability for the private, not for profit club. They indicated that they would continue to liaise with Council over the forthcoming period regarding their future viability and possible options for the creation of a BNTC legacy, should the club decide to wind up operations. Initial, and positive, discussions have centred around sale of the land and the possible distribution of proceeds to upgrade another Maroondah club to support the merge of membership.

East Ringwood Tennis Club discussions highlighted a concerning situation, in which the club has been unable to retain a full executive committee. Club membership has continued to decline to an unsustainable level resulting in no competition play and courts with limited usage outside of private lessons, run by a commercial entity who does not pay a fee for court usage. It is difficult to envisage a sustainable future for the East Ringwood Tennis Club as the current governance structure does not have the required capacity and capabilities to deliver on its purpose.

North Ringwood Tennis Club highlighted a desire to explore possible new locations for the expansion and upgrade of their facilities. The current landlocked facility is not located as part of a larger Council reserve, and a number of residential properties are immediately adjacent to the courts. This creates lighting limitations, ongoing issues with en-tout-cas dust and limited opportunity to expand the footprint of the clubrooms to improve accessibility and functionality.

Aspirations and Key Priorities

All clubs aspired to expand their membership and to achieve greater retention of juniors transitioning into senior age groups. The gap indicated by all clubs was in working age adults, predominantly 18 - 65 years.

Clubs also aspired to reinvigorate their social program recalling previous successful events and how they assisted in connecting members and recruiting volunteers.

Court Surfaces

The surface preference for clubs was varied, with clubs having either a strong position on retaining en-tout-cas or moving to a full synthetic facility. However, several expressed a desire to have a mix of surfaces to cater for the varying needs of the club. Burnt Bridge and Parkwood Tennis Clubs acknowledged that they had several courts with surfaces that were no longer fit for purpose.

Committee Support

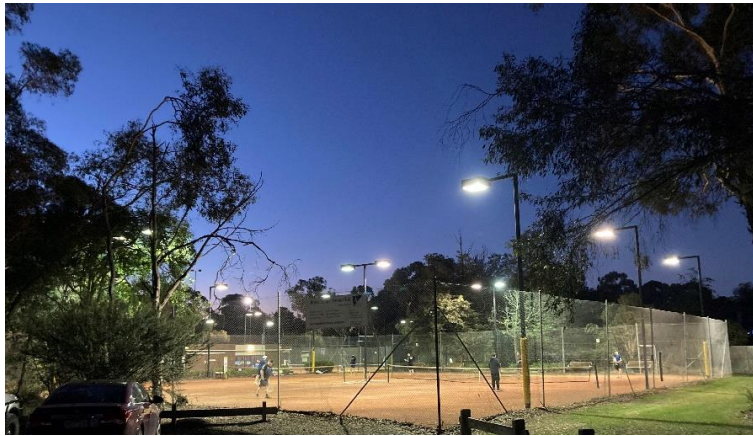
Clubs were predominantly looking to Council for **financial support** to achieve their priority capital upgrades. While many are in the processing of developing sinking funds, the reality of their financial situation is that most club funds will not extend to funding the total cost of the renewal of court surfaces.

Clubs were receptive to attending a **strategic planning** workshop and receiving individual assistance with the development of a Strategic Plan and several clubs also requested assistance with **social media training** indicating that current committee did not have the knowledge to fully utilise social media platforms.

Lease Arrangements

Council Officers discussed with each committee the current lease arrangements and, that given all tennis leases expire on 31 December 2022, there was an opportunity to review the lease model. Clubs were open to exploration of alternative lease arrangements which would see an increased contribution in exchange for Council taking on greater renewal responsibilities. Primarily the conversation centred around fencing and lighting with court surface renewal remaining the responsibility of the tenant club due to the extensive cost. Council would however support clubs in advocacy for external funding to assist court renewal.

Section 5 – A plan for the future



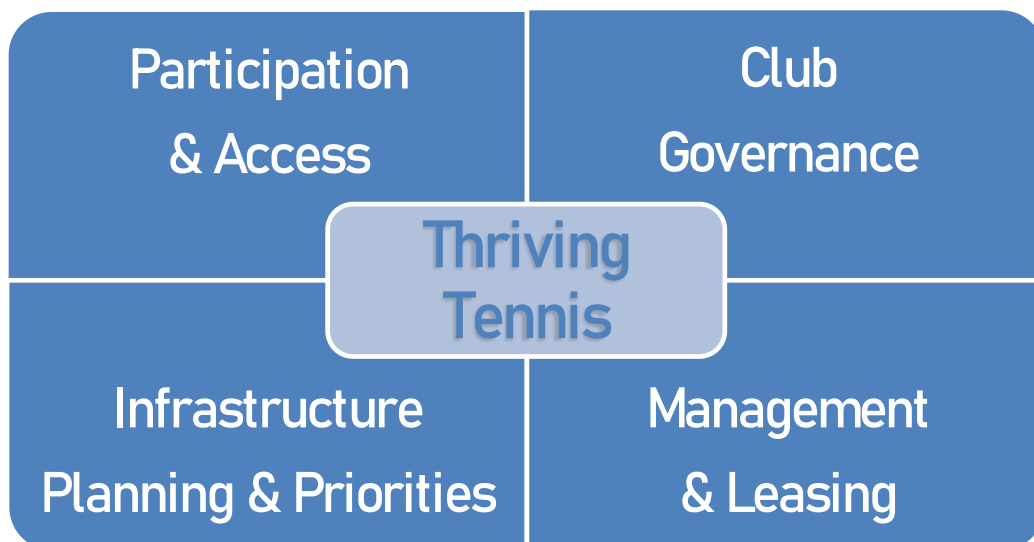
Burnt Bridge Tennis Club, Peter Vergers Reserve

Where we want to be.

Our Vision

Council will support access to informal, organised social and competitive tennis opportunities and support local clubs to develop a long-term sustainable model of operation.

The four (4) key outcome areas to guide Council's support are:



Each area will outline a vision for the outcome area, key directions and priority actions that will work towards their achievement over the period of the strategy.

Outcome area 1 - Participation & Access

Outcome description

Residents of Maroondah, regardless of background, age, gender or ability will be able to access tennis facilities in Maroondah. Tennis opportunities will ensure a mix of casual, social, coaching and competition to suit the interests and proficiencies of all participants.

Key Direction	Priority Actions	Lead Responsibility	Timeframe
1.1 Improve access to opportunities for social play and create flexible participation options	1.1.1 Clubs to establish flexible membership options, to meet the needs of the local community	Clubs	June 2023
	1.1.2 Provide an integrated online booking and payment system, to improve access to casual play opportunities outside of the traditional membership model	Tennis Vic.	Ongoing
	1.1.3 Provide assistance with Local Area Marketing (LAM) tools & resources for clubs to promote broadly	Tennis Vic.	Ongoing
1.2 Support clubs to create safe, welcoming and inclusive environments to engage new participation and retain participants	1.2.1 Digitise promotion of tennis activity at clubs; websites, social media & council communication channels	Clubs	Ongoing
	1.2.2 Provide a range of tennis programs to meet the diverse needs of the local community	Clubs, Tennis Vic	Ongoing
	1.2.3 Develop strategies to ensure that clubs provide safe and inclusive tennis environments such as <i>the Equality in action in our club toolkit</i> , supported use of the club gender self-assessment tool and gender equality action plan template and child safety, workshops and governance support.	MCC Tennis Vic	Dec 2023
	1.2.4 Ensure imagery promoting tennis activity across communication channels will be gender inclusive and challenge age, ability, and cultural stereo types.	MCC	Ongoing
1.3 Improve access to tennis participation for those with a disability	1.3.1 Collaborate with Tennis Vic. to offer inclusive programs.	MCC Tennis Vic	Ongoing
	1.3.2 Create PD opportunities to upskill Maroondah coaches to deliver programs to diverse groups	Tennis Vic. Coaches	Ongoing
1.4 Support clubs to be flexible to the diverse needs of our community, encourage diversity and inclusion.	1.4.1 Invite CALD community leaders and/ or Migrant Information Centre speak at the tennis forum on the experiences and needs of their communities.	MCC Tennis Vic.	Dec 2023
	1.4.2 Develop a Diversity and Inclusion Tennis Plan for Maroondah Clubs	Tennis Vic.	June 2023
	1.4.3 Support clubs to apply for funding for females to become accredited coaches	MCC	Ongoing

Key Direction	Priority Actions	Lead Responsibility	Timeframe
1.5 Encourage greater use of tennis facilities by the wider Maroondah community	<p>1.5.1 Support the implementation of Tennis Vic's Club Spark online bookings, installation of Book a Court or Igloohome online booking lock systems</p> <p>1.5.2 Support clubs to engage with local schools.</p> <p>1.5.3 Support the promotion of Hot Shots and Cardio Tennis in Maroondah</p>	<p>Tennis Vic. MCC</p> <p>MCC Tennis Vic. Clubs</p>	<p>June 2024</p> <p>Ongoing</p> <p>Ongoing</p>
1.6 Greater understanding of usage demographics	1.6.1 Encourage clubs to utilise Tennis Vic's Club Spark resources to collate data to inform future tennis planning at a club, municipal and regional level.	MCC Tennis Vic.	Dec 2022
1.7 Create pathway link between local school to the club & coach	1.7.1 Support transitioning primary and secondary school students from their school to their local club	Coaches Tennis Vic Club	Ongoing

Indicators of progress

Increased club membership, by offering a variety of membership package options to players and high retention rates at all clubs

Ongoing accessible programs available to Maroondah residents

Development of a Maroondah Tennis Clubs Diversity and Inclusion Plan by June 2023

CALD tennis students and their families welcomed as club participants/members

Increased casual usage measured and reported by the online Tennis Victoria systems - uplift in club revenue generated from casual play bookings, via Book a Court/ Igloohome online booking lock systems



Maroondah Festival

Outcome area 2 - Club Governance

Outcome description

Council will seek to establish and foster a partnership between local tennis clubs, Tennis Victoria and Council to develop and support a sustainable model of operation which will see clubs thrive both now and into the future.

Key Direction	Priority Actions	Responsibility	Timeframe
2.1 Improve Council's communication with local clubs and foster collaboration between clubs for the benefit of tennis.	2.1.1 In partnership with Tennis Victoria deliver an annual tennis club forum	MCC Tennis Vic	Ongoing
2.2 Assist clubs to navigate, understand and capitalise on the existing strategic planning resources designed to support clubs to improve and sustain effective governance.	2.2.1 In partnership with Tennis Victoria deliver a strategic planning workshop 2.2.2 Provide 1:1 support to work with individual clubs to draft a strategic plan	MCC Tennis Vic MCC	July 2022
2.3 Support Clubs to improve sustainability/succession planning	2.3.1 In partnership with Tennis Victoria and/or other providers promote and/ or provide access to resources and training for committee roles	MCC Tennis Vic	Ongoing
2.4 Provide guidance to enable mutually beneficial coach / club relationships.	2.3.1 Support all clubs to have a formalised Coach/Club Agreement 2.3.2 All coaches are required to be Tennis Australia Coach Affiliates 2.3.3 Provide guidance on coach agreement structure and key considerations.	Clubs Tennis Vic Coaches MCC Tennis Vic Eastern Council Collective Tennis Vic	Jan 2023

Indicators of progress

All eligible clubs to have a signed lease agreement in place by 1 January 2023

All clubs to have an endorsed strategic plan in place by June 2023

Annual Tennis Forum to occur from 2022, with Tennis Clubs provided with the opportunity to influence the agenda and provide post event feedback

Outcome area 3 - Infrastructure Planning & Prioritisation

Outcome description

Council will adopt an evidenced based approach to the distribution of resources to support Maroondah's tennis participation. Resourcing decisions will be based on priorities in order of safety, access, social and competitive participation, and finally commercial coaching needs.

Key Direction	Priority Actions	Responsibility	Timeframe
3.1 Work towards installation of LED lighting infrastructure at all Maroondah clubs to maximise evening court usage for social and competitive play.	3.1.1 Review Leasing Model to determine if lighting renewal can become a council responsibility	MCC Clubs	Dec 2022
	3.1.2 Advocate for, and source funding opportunities to upgrade lighting infrastructure to support LED.	MCC Clubs	Ongoing
3.2 Continue to review the capital works program to ensure that resources are allocated on evidenced based need.	3.2.1 Add court infrastructure to Council's Proactive Asset Assessment Schedule.	MCC TV	Dec 2023
	3.2.2 Ensure that participant's experiences and views of personal safety are considered when undertaking evidence-based infrastructure planning.		Ongoing
	3.2.3 Continue to progress physical access at all tennis facilities and prioritise works to ensure that Maroondah has a fully accessible tennis facility available to the community		Ongoing
	3.2.4 Develop a strategy for advocacy and funding opportunities		
	3.2.5 Advocate for the needs of tennis in the Quambee Reserve Enhancement Plan.		June 2023 2023/2024
3.3 Support all clubs to develop an appropriate sinking fund to meet capital renewal goals.	3.3.1 Work with Tennis Vic and local clubs to utilise Tennis Aust. tennis infrastructure lifecycle calculator to realise lifecycle longevity and costs.	MCC Tennis Vic Clubs	Dec 2023
3.4 Adopt appropriate best principles in the planning and delivery of tennis infrastructure	3.4.1 Adopt environmentally sustainable principles for the renewal, upgrade and installation of new tennis infrastructure	Clubs MCC TV	Ongoing
	3.4.2 Support clubs to develop an infrastructure plan and seek funding for court surface renewals		
	3.4.3 Consider CPTED (crime prevention) principles in all capital planning.		

Indicators of progress

All clubs have adequate lighting to meet evening demand

Updated capital works program incorporating prioritised tennis requirements with a 5-year comprehensive court infrastructure audit undertaken Dec 2027

Development of an accessibility prioritisation plan for clubs to meet current and future needs of the community by June 2024

Outcome area 4 - Management & Leasing

Outcome description

Maroondah will have a leasing model which supports the sustainability of clubs and allows volunteer committees greater opportunity to focus on club operations.

Key Direction	Priority Actions	Lead Responsibility	Timeframe
4.1 Ensure that there is clear separation between commercial use of facilities and club decision making.	4.1.1 Review lease agreement clause regarding commercial business use of community facilities. Ensure that the amendment reflects that all users provide an equitable contribution towards upkeep of facilities and that commercial providers do not hold executive committee positions.	MCC TV Clubs	Feb 2023
4.2 Provide guidance to clubs on the management of commercial operator usage	4.2.1 Develop an evidenced based guidance table recommending indicative pricing for commercial usage.	Eastern Region Council Collective TV	Aug 2022
4.3 Review the current leasing model to ensure that it fosters sustainability and a safe physical environment	4.3.1 Develop a business case proposal for an increased court lease fee as an offset for transferring fencing and court lighting renewal to become Council responsibility 4.3.2 Support clubs to develop a financial plan to support future investment in facility renewal	MCC Clubs TV	Sep 2022
4.4 Develop new lease agreements with all eligible clubs occupying Council owned facilities	4.4.1 Commence engagement by October 2022 regarding proposed new leasing model options 4.4.2 Gain consensus on most suitable model and develop individual lease agreements	MCC MCC Clubs	Feb 2023
4.5 Facilitate collaboration between clubs to procure bulk quantities of maintenance supplies	4.5.1 Circulate a presurvey to assist facilitate discussions at the annual tennis forum	MCC	1 month prior to forum
4.6 Support Clubs to integrate safeguarding policy and processes into club operations	4.6.1 Support adoption of Tennis Australia Member Protection Policy & Safeguarding Children Code of Conduct 4.6.2 Incorporate Child Safeguarding into occupancy agreements	TV Clubs MCC	2022/2023

Indicators of progress

Finalised updated tennis lease template

All eligible clubs to have endorsed leases by early 2023

Implementation of pre-forum survey

Implementation of annual tennis club forum by end 2022

Completion of a Leasing Options paper.

100% club attendance at the proposed Safeguarding Workshop in 2022/23 and all clubs to have appointed a safeguarding officer

Tracking our progress

The specific priority actions and projects outlined in this Strategy will be monitored as they are implemented and reported to Council on an annual basis. Council will continue to work with Tennis Victoria, local clubs and other key stakeholders to shape the enhancement of tennis in Maroondah and in the implementation of the priority actions outlined in this Strategy.

Section 6 – References and Glossary

References

International Tennis Federation (2020) *ITF Facilities Guide*
 Maroondah City Council (2019) *Equally Active Strategy*
 Maroondah City Council (2014) *Maroondah 2040 Community Vision*
 Maroondah City Council (2019) *Community Facilities Leases and Licence Schedule*
 Maroondah City Council (2015) *Physical Activity Strategy 2015 - 2020*
 Monash City Council (2020) *Monash Tennis Plan 2020*
 Parks & Recreation Consulting (2021) *Eastern Region Council Collective Tennis Club Governance Review*
 SportAus (2021) *AusPlay: A focus on the ongoing impact of COVID-19 on sport and physical activity participation*
 SportAus (accessed 1 Nov 2021) *The Sport and Physical Activity Landscape*,
 Tennis Australia (2017) *National Court Surface Policy*
 Tennis Australia (2018) *Tennis Infrastructure Planning - Planning, Design & Delivery Resource*
 Tennis Victoria (2001) *Tennis Victoria Strategy 2024*
 Tennis Victoria (2021) *A Framework for Victorian Tennis Facilities 2020 - 2025*
 Whitehorse City Council (2015) *Whitehorse Recreation Strategy 2015 - 2024*
 Yarra Ranges Shire Council (2014) *Yarra Ranges Tennis Plan July 2014 - 2024*

Glossary

CALD	Culturally and Linguistically Diverse - Refers to communities that originate from different countries, may speak languages other than English and represent different cultural backgrounds.
Commercial	An organisation, including incorporated body, co-operative, partnership or sole trader conducting activities for the purposes of deriving a financial return to the owner or shareholders.
Child Safeguarding	The Safeguarding Children Code of Conduct has been developed by Tennis Australia to provide clear guidance to all Personnel in relation to the treatment of children within tennis.
CPTED	Crime Prevention through Environmental Design - with four main principles of natural surveillance, access control, territorial reinforcement and space management.
Igloohome	A smart padlock system where the club can grant access PIN codes remotely without Wifi.
Lease	A contract under which a tenant (or lessee) is granted exclusive possession of property for an agreed period, usually in return for rent.
Not for Profit	An organisation that exists exclusively for charitable purposes or as an amateur sporting group, or other special interest group established for the benefit of the community.



To contact Council telephone 1300 88 22 33
visit our website at: www.maroondah.vic.gov.au
or call in to one of our service centres:

Realm Service Centre
179 Maroondah Highway
Ringwood

Croydon Service Centre
Civic Square
Croydon

Translating and Interpreter Service
13 14 50

National Relay Service (NRS)
13 36 77

 www.facebook.com/MaroondahCityCouncil

 [@CityofMaroondah](https://twitter.com/CityofMaroondah)

 www.youtube.com/CityofMaroondah

maroondah@maroondah.vic.gov.au
www.maroondah.vic.gov.au

NORWOOD RESERVE

PRELIMINARY LANDSCAPE CONCEPT



PREPARED FOR
Maroondah City Council

Address: 125a Warrandyte Road,
Ringwood North VIC 3134

Registered Aboriginal Party: Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation

Planning Zone: PPRZ (Public Park and Recreation Zone)

Planning Overlays: HO130 (Heritage Overlay 130: Three rows of *Pinus radiata* - Monterey Pines)
SLO4 (Significant Landscape Overlay 4: Landscape Canopy Protection)

Ecological Vegetation Class/Bioregion: EVC127 Valley Heathy Forest

PROJECT UNDERSTANDING

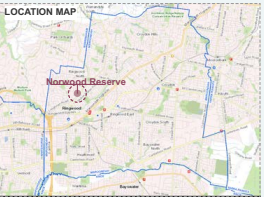
The aim of the project is to undertake the necessary replacement of the tree canopy on the site and landscape integration of the proposed carpark works whilst also proposing broader enhancements at Norwood Reserve. The landscape improvements for the site are intended to improve the use, safety amenity and maintenance for its intended users.

OBJECTIVES:

- To reinstate appropriate tree canopy cover to the perimeter of Norwood Reserve, with appropriate indigenous trees;
- To ensure that the infrastructure (and the Reserve) meet the current and future needs of the community;
- Ensure all changes are environmentally sustainable and aim to be aligned with maintenance schedules and routines;
- Ensure the design integrates with existing infrastructure and site conditions;

PROPOSED DESIGN ELEMENTS:

- Canopy trees and understorey planting to the Warrandyte Road frontage and Reserve boundaries to provide screening for residents and offset the loss of the *Pinus radiata* trees;
- A loop trail around the Reserve;
- Drainage improvements including WSUD elements such vegetated swales to treat runoff and an ephemeral wet area allow for recharge of soil moisture and ground water and habitat values;
- Nature play elements which extend up the embankment and across the swale;
- Landscape treatments and integration of the proposed upgraded carpark within the context of the site, including the establishment of an appropriate indigenous planting palette from the site which is based on suitable species from the local EVCs;
- Drainage and surface improvements to the existing open lawn area to allow for various uses and community events;
- New low planting to define the site and building entrances (with due consideration of CPTED and sight line considerations);
- Consideration of mowing requirements and maintenance access;
- Seating areas including informal seating opportunities around the site;
- Interpretive signage acknowledging the former *Pinus radiata* windbreak plantings;
- Consideration of the proposed improvements to the play spaces within the ELC (separately funded project) ensuring an integrated solution is achieved;
- Nature Play areas with natural materials;
- New site furniture including a drinking fountain, bike hoops, fountains, bins etc;
- Removal of existing weeds from the western and eastern boundaries;
- Accessible paths network for wheelchair users; and
- Consideration of ongoing maintenance requirements.



A north: beam and stormwater line



B open area and slope



C Warrandyte Rd frontage with new opening and reminiscent tree removal organic material



D Southern boundary against carpark



E Warrandyte Rd frontage and *Pinus radiata* planting



F South boundary and vegetation



G Enjoying Planned Retirement Inc. entry and planting



H Senior's Citizens entry & furniture

PRELIMINARY

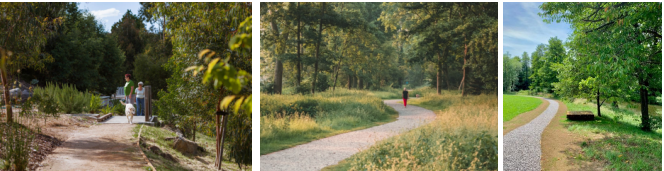
SITE ANALYSIS & EXISTING CONDITIONS SK01



NORWOOD RESERVE

PROJECT THEMATICS:

Enhancement of pathways & connections



accessible and pedestrian friendly gravel loop trail around reserve delineated by existing and proposed trees and site conditions

Activation & integration of embankment for gathering



treatment of the embankment incorporating nature play elements, stepping logs, carved rock bowls, local rocks & pebbles across vegetated swale

Swale & Drainage



bridges and treatment across vegetated swales



water sensitive urban design to integrate proposed carpark upgrade within the landscape characteristics of the site, treating swales with ephemeral indigenous planting palette and extending soil moisture and ground water

Acknowledgement & Site information



interpretative signage acknowledging background levels: indigenous local vegetation; agricultural occupation and planting of windbreaks at early years of settlement; and identification of proposed planting as a reintroduction of indigenous tree planting, possible installation of main sign and secondary markers to identify plant species

wayfinding across site identifying path network and existing building accesses and entrances

SPECIFIC PROPOSED IMPROVEMENTS:

- 01 accessible loop trail (gravel)
- 02 maintenance track (mulch)
- 03 pedestrian access to Warrandyte Road
- 04 dedicated pedestrian connection to Warrandyte Road and bus stop
- 05 nature play elements on embankment and swale
- 06 gathering area to support children and parents activities formalised by log edging and low planting
- 07 bridge and treatment across vegetated swales
- 08 WSLD elements to proposed carpark
- 09 herb break to allow surface water run-off collection into ephemeral planting garden beds & pit
- 10 main interpretative signage and wayfinding
- 11 drainage and surface improvements to existing open lawn area including gentle regrading
- 12 amenity planting: groundstorey and low planting to define and enhance building entrances and interfaces
- 13 formal seating
- 14 vegetated swale
- 15 drinking fountain & bins
- 16 picnic settings
- 17 bike hoops
- 18 avenue tree planting along Warrandyte Road (provision of visual connections and sound mitigation)

- 19 supplemented and integrative tree planting to site boundaries and fences
- 20 maintenance and arboricultural practices to existing trees
- 21 amelioration of soil conditions and composition of softscape areas
- 22 proposed outdoor play area upgrade to North Ringwood Community Children's Centre (by others)
- 23 yarning circle
- 24 native tree grid planting
- 25 native grassland

PRELIMINARY LANDSCAPE CONCEPT

PREPARED FOR
Maroondah City Council



- PROPOSED LANDSCAPE TREATMENTS
LEGEND
- 01 OPEN GRASSLAND AREA
 - 02 AMENITY GARDEN BEDS
 - 03 WILD GARDEN BEDS & VEGETATED SWALE
 - 04 SOIL AMELIORATION & LOW PLANTING
 - 05 GRAVEL PATH & SURFACE
 - 06 MAINTENANCE PATH
 - 07 MULCH SURFACE
 - 08 NATIVE GRASSLANDS
 - 09 EXISTING ASPHALT SURFACING
 - 10 NEW ASPHALT SURFACING
 - 11 EXISTING BUILDINGS AND FACILITIES
 - 12 PROPOSED TREE



CONCEPT PLAN
Scale: 1:350 @A1



WARRANDYTE ROAD

1:10000

LANDSCAPE CONCEPT PLAN SK02

1:10000

PRELIMINARY

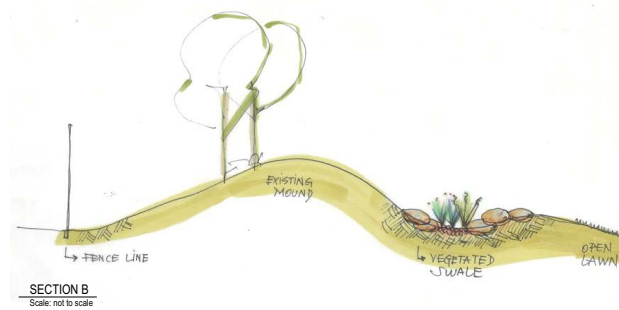
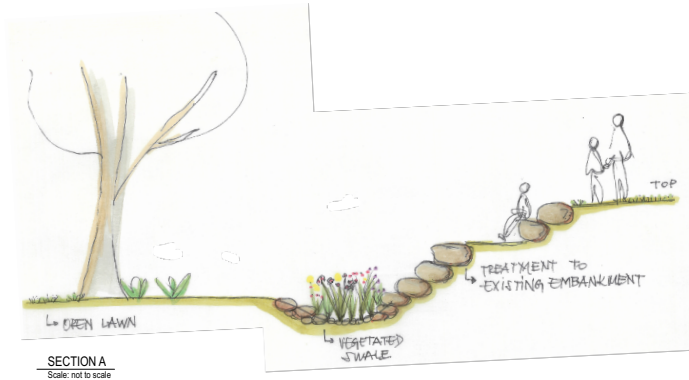


NORWOOD RESERVE

PRELIMINARY LANDSCAPE CONCEPT



SECTIONS



PLANTING PALETTE

TREES



Eucalyptus mellodora
Yellow Box



Eucalyptus gonocalyx
Bundy



Eucalyptus cephalocarpa
Silverleaf Stringbark



Eucalyptus obliqua
Messmate Stringbark



Eucalyptus sideroxylon
Ironbark



Eucalyptus torquata
Coral Gum

SHRUBS & GRASSES



Blandfordia scandinavica
Common Apple Berry



Bossiaea prostrata
Creeping Bossiaea



Cassinia aculeata
Common Cassinia



Daviesia leptophylla
Narrow-leaf Bitter Pea



Dillwynia cinerascens
Grey Parrot Pea



Helichrysum scorpioides
Button Everlasting



Epacris impressa
Common Heath



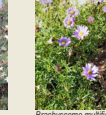
Hovea heterophylla
Common Hovea



Chrysosplenium apiculatum
Everlasting Daisy



Correa alba
White Correa



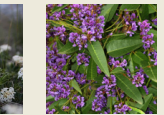
Brachyscome multifida
Cut Leaf Daisy



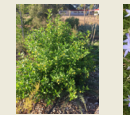
Platylobium obtusangulum
Common Flat Pea



Pimelea humilis
Common Rice Flower



Hardenbergia violacea
Purple Coral Pea

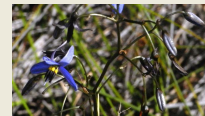


Goodenia ovata
Hop Goodenia



Wahlenbergia communis
Native Bluebell

GRASSES & EPHEMERAL PLANTING



Dianella revoluta
Black-anther Flax-lily



Joycea pallida
Silvering Wallaby-grass



Poa polytricha
Coastal Tussock Grass



Gahnia radula
Thatch Saw-sedge



Fimbristylis diandra
Knobby Club-rush



Lythrum salicaria
Purple Loosestrife



Lomandra filiformis
Wattle Mac-rush



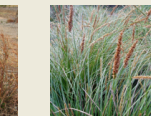
Microlaena stipoides var. *stipoides*
Weeping Grass



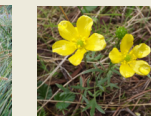
Poa montai
Soft Tussock-grass



Themeda triandra
Kangaroo Grass



Carex appressa
Tall sedge



Ranunculus lapaceus
Buttercup

PRELIMINARY

PLANTING STRATEGY & PALETTE SK03



WOODLAND PARK ENHANCEMENT MASTER PLAN:



Prepared by Urbis for Maroondah City Council - March 2023

PROPOSED ZONES AND FUNCTIONS:

- 1 **Flexible Open Space:**
Open grassed area for casual community recreation.
- 2 **Viewing Area:**
Creation of natural, informal tiered seating using existing topography. Emphasis on maintaining view to distant Dandenong Ranges.
- 3 **Re-vegetation**
Opportunity to re-vegetate the upper reserve with native species and reintegrate local ecologies through-out the site.
- 4 **Buffer Planting:**
Dense planting areas with trees and shrubs to screen adjacent resident's properties, but not obstruct existing resident's views.
- 5 **Nature Play:**
Natural elements (planting, logs rocks etc) underneath existing trees for sensory play opportunities.
- 6 **Picnic Zone:**
Area with formal and informal furniture to allow for a range of social and gathering activities.
- 7 **Wheel Play Zone:**
Junior track to support roll play (bike, scooter, skate etc)
- 8 **Games Area:**
Hardstand area with line-markings for multiple balls sports.
- 9 **Structured Play:**
Combined play elements to support inclusive structured play for all.
- 10 **Ephemeral Area:**
Area to be constructed to capture and direct environmental water flows, and vegetated to support biodiversity. Also interwoven with steppers for informal play and education.
- 11 **Calm Zones:**
Places that promote low sensory engagement, calmness and relaxation. These zones to be designed to encourage safe places to have non-structured, casual conservations.
- 12 **Loop Trail:**
Extended existing path network to promote connection throughout the reserve and encourage physical activity. Trail network to support engagement with the natural environment.
- 13 **Car Parking:**
Opportunities for additional car parking spaces.
- 14 **Upgraded Wayfinding:**
Additional wayfinding and signage at pivotal entrance and access points.
- 15 **Interpretative Signage and Art:**
Elements that create narrative to connect users to place, expression of theme and education.
- 16 **Possible Future Public Toilet Location:**
Possible future location for a public toilet in close proximity to the play space and picnic zone.

LOCAL LAWS COMMUNITY IMPACT STATEMENT *Community Local Law 2023*

PART A – GENERAL COMMENTS

In order to promote the efficient and effective enforcement and administration of municipal activities and protect the amenity of the local community, Council is proposing to repeal the current *General Local Law No. 11* which is due to expire on 31 December 2025 and replace it with the *Community Local Law 2023*.

This Community Impact Statement has been prepared to inform the community about the proposed Local Law and to assist any person who may choose to engage with Council as part of Council's community engagement process.

Under the *Local Government Act 2020*, Local Laws cease to have effect after 10 years, necessitating the adoption of a new Local Law in order to continue to protect and enhance community amenity.

The proposed replacement Local Law has removed unnecessary duplications and administrative matters. Council's enforcement requirements have been refined, creating a user-friendly, 'Plain English' document which does not compromise Council's enforcement powers and functions.

In order to inform the preparation of the proposed Local Law, Council undertook a preliminary community engagement process during April and May 2022. The engagement activities undertaken included face to face pop up listening posts, meetings with Council's Advisory Committees and other external partnership committees (Liquor Accord) and an online survey through Council's Your Say Maroondah webpage. The findings of the engagement are found in the *General Local Law Review Report on Consultation July 2022*, which can be accessed on Council's YourSay webpage.

Areas of concern and emerging issues which have been addressed by the proposed draft Local Law either through the insertion of new provisions or the strengthening of existing clauses include:

- Ensuring footpaths are kept free from obstructions and overhanging branches to improve safety and accessible use;
- Management of donation bins to ensure the surrounding area is kept in a clean condition, irrespective of where the bin is placed;
- The introduction of new clauses and amending existing clauses, to manage the condition of buildings sites, including noise, to ensure that surrounding areas and Council assets are not adversely affected by building works;

- The introduction of Waste Services Guideline 2023 as an incorporated document to better educate and regulate community concerns with domestic waste and hard waste collection in addition to other changes to the waste collection program;
- Increased controls around managing animal behaviour including animal owners not picking up after their animals and injuries caused by animals not under effective control;
- Unoccupied/abandoned properties (commercial and residential) are more likely to be damaged or vandalised and can become a risk to neighbouring properties. New definitions of dangerous, derelict and unsightly have been included to provide clear information concerning landowner's responsibilities.
- The introduction of an additional requirement that owners properly secure an unoccupied property to help prevent these properties from adversely impacting the amenity and safety of neighbours;
- The introduction of a new clause to manage the approval process for commercial filming in Maroondah, specifically in public places. Permits issued under the Local Law to allow for commercial filming will be consistent with the film friendly principles as contained in the *Filming Approval Act 2014*;
- Storage of heavy and long vehicles on residential land will now require a permit, helping to ensure that these types of vehicles on residential properties do not cause amenity issues through noise, fumes, or damage to assets;
- The clauses addressing drinking in public places have been amended to better enable Authorised Officers, including Victoria Police members with powers to confiscate open containers of liquor and regulating nuisance behaviour near licensed premises;
- includes enabling provisions within the Local Law to expand smoke free areas across the municipality; and
- The inclusion of considering extenuating circumstances such as homelessness and other vulnerable situations, providing Authorised Officers with the opportunity to exercise their discretion.

In addition, Council's Local Laws team engaged in extensive internal discussions as to how the proposed Local Law could meaningfully address municipal changes, regulatory concerns and emerging issues.

An internal consultation process was then undertaken where Council departments were invited to provide feedback as to:

- clauses which may no longer be utilised and should be removed;
- clauses which need to be amended because they do not properly address community safety and amenity concerns; and/or
- clauses which need to be introduced in response to new issues which have not been previously regulated by Council.

A number of groups sessions were conducted in addition to online meetings with Council's lawyers to assist in the re-drafting process.

PART B – COMMENTS ON THE PROPOSED LOCAL LAW

Objectives of the Local Law	<p>The objectives of the proposed Local Law are to:</p> <ul style="list-style-type: none">a) protect the health and safety of persons within the municipal district;b) provide for the equitable, orderly and enjoyable use by people of Council Land, Roads and Council Assets;c) protect, maintain and enhance the natural environment of the municipal district;d) provide for the peace, order and good governance of the municipal districte) regulate the management of animals on land and in public places; andf) provide uniform and fair administration of this Local Law.
Measuring Success	<p>Council will measure the success of the Local Law by -</p> <ul style="list-style-type: none">• monitoring the level of compliance;• comparing the level of compliance with the previous monitoring; and• assessing the resources required to administer and enforce the Local Law. <p>Council reports annually to the community on the operation of the Local Law through its Annual Report.</p>
Existing Legislation	<p>The <i>Local Government Act 2020</i> gives Councils broad powers to make local laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under legislation.</p> <p>The Local Law will supplement existing State legislation administered and enforced by Council whilst addressing matters within Council's functions and powers.</p>
State Legislation	<p>In circumstances where State legislation regulates an activity or provides an enforcement pathway, the Local Law does not address</p>

	<p>such matters.</p> <p>The proposed Local Law does not contain any clauses where it is considered that state legislation alone would provide a more appropriate response to the issues concerned.</p>
Overlap of existing legislation	<p>Council does not consider that any provision of the proposed Local Law overlaps with existing State legislation.</p>
Overlap of Planning Scheme	<p>Council does not consider any provision of the proposed Local Law overlaps, duplicates or creates an inconsistency with the Planning Scheme.</p> <p>The proposed Local Law is subordinate to the Planning Scheme.</p>
Risk Assessment	<p>Council has adopted a risk management approach to the review and development of the proposed Local Law. Council does not consider that there are any risks associated with the proposed Local Law.</p>
Legislative approach adopted	<p>Council believes in the minimum imposition on the community with Local Laws. The proposed Local Law reflects this approach by providing for:</p> <ul style="list-style-type: none"> • reasonable penalties; • minimum possible number of provisions which create offences; • where possible, provision for permits rather than prohibition of activities; • reasonable and appropriate permit conditions which will be relied on if a decision is made to issue a permit under the Local Law; and • reasonable enforcement procedures including provision for the giving of warnings where appropriate, the exercise of the officer's discretion and allowing applicants the opportunity to make a submission if a decision to refuse to issue or cancel a permit is being proposed. <p>Council has ensured that the proposed Local Law is expressed plainly and unambiguously and in a manner which is consistent with the language of the enabling Act and in accordance with modern standards of drafting applying within Victoria.</p> <p>The Local Law has also been drafted in compliance with the Local Law requirements contained within s.72 of the <i>Local Government Act 2020</i>. In addition, the proposed Local Law:</p> <ul style="list-style-type: none"> • does not make unusual or unexpected use of the powers conferred by the Act under which the local law is made having regard to the general objectives, intention or principles of that

	<p>Act;</p> <ul style="list-style-type: none"> • does not embody principles of major substance or controversy or contain any matter which principles or matter should properly be dealt with by an Act and not by subordinate legislation; • does not unduly trespass on rights and liberties of the person previously established by law; • does not unduly make rights and liberties of the person dependent upon administrative and not upon judicial decisions; • is not inconsistent with principles of justice and fairness; and • does not duplicate, overlap or conflict with other statutory rules or legislation.
Penalties	<p>The penalties applying to all existing and new Local Law clauses were considered and reviewed.</p> <p>The penalty amounts stated in the proposed Local Law are designed as a deterrent and considered appropriate. They have been intentionally scaled to reflect the impact of the offence on the community and the prevalence of this type of offending.</p> <p>A distinction has been made between offences committed by individuals and bodies corporate with the latter imposing higher penalties where stated.</p> <p>Council is satisfied that the included penalties are consistent in nature and amount with like and neighbouring municipalities.</p>
Permits	<p>A number of provisions in the proposed Local Law require permits for various activities to be obtained. This practice is consistent with the general approach to the issuing of permits within the Local Government sector.</p>
Fees	<p>Council will set any fees that are payable under the Local Law annually as part of the budget process. Council also has the discretion to waive, reduce or defer payment of fees and charges in whole or in part, with or without conditions.</p>
Performance standards or prescription	<p>Where appropriate and possible, Council has adopted a performance-based approach to Local Law provisions.</p>
Comparison with neighbouring Councils	<p>In drafting the proposed Local Law, Council examined the local laws of the following neighbouring Councils:</p> <ul style="list-style-type: none"> • Whitehorse City Council • Manningham City Council • Knox City Council • Shire of Yarra Ranges • Nillumbik Shire Council <p>The purpose of conducting this exercise was to assess the similarities</p>

	and differences between the Councils so as to ensure a best practice approach was adopted in the drafting of Council's proposed Local Law.
Charter of Human Rights & Responsibilities	<p>Council regards the Victorian Charter of Human Rights and Responsibilities as an important reference in the development of local laws to ensure that such laws do not encroach upon a person's basic human rights, freedoms and responsibilities.</p> <p>As a public authority, Council appreciates its obligation to ensure that local laws are interpreted and applied consistently with human rights.</p> <p>Council has assessed the proposed Local Law for compatibility with the Charter and has found no inconsistencies.</p>
Community Engagement	An engagement process will be undertaken in accordance with Council's Community Engagement Policy following the release of the draft Local Law to the community.
New and amended provisions	<p>Refer to the <i>Maroondah Community Local Law 2023 Summary of Proposed Changes</i> document found on Council's YourSay page.</p> <p>New and amended provisions are also highlighted within the Draft Community Local Law itself.</p>

Local Law Review



February 2023

Review of Maroondah Local Law

A summary of the proposed changes to the Draft Community Local Law 2023 are outlined below

Each municipality in Victoria creates a Local Law, designed to protect the local amenity as well as regulate activities on Council land and roads for the safe and accessible use for all residents.

Once adopted, a Local Law can be in effect for a maximum of ten years. In order to promote the efficient and effective enforcement and administration of municipal activities and protect the amenity of the local community, Council is proposing to repeal the current *General Local Law No. 11* which is due to expire on 31 December 2025 and replace it with the *Community Local Law 2023*.

At the outset of the Local Law review, Council undertook an extensive community engagement process during April and May 2022. The purpose was to gain an understanding of what is important to Maroondah residents to enhance the use, access and enjoyment of public places for the community's benefit as well as community expectations regarding compliance and monitoring of these activities.

The engagement activities included face to face pop up listening posts, meetings with Council's Advisory Committees and other external partnership committees (Liquor Accord) and an online survey through Council's Your Say Maroondah engagement portal. The findings of the engagement are found in the *General Local Law Review Report on Consultation July 2022*.

Consultation was also undertaken with internal staff and key external stakeholders, including Victoria Police and Council's Community Advisory Committees, to identify:

- Clauses which may no longer be utilised and should be considered for removal;
- Clauses which may need to be amended because they do not adequately address safety or amenity concerns; and
- Clauses which may need to be introduced in response to new issues not currently regulated by Council.

Many clauses in the Draft Community Local Law 2023 have been retained from Council's current Local Law no. 11. Although the wording or format of some clauses may have changed, the substantive purpose and responsibility imposed by the clause, in many instances, remains the same. These administrative amendments are not included in this summary document.

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered

PART 1 - INTRODUCTION

1.8 Definitions

Some definitions in the current Local Law have been deleted and others have been amended grammatically as required without changing the intent of the definition.

The following definitions have been added:

Building	Noxious Weeds
Camping	Nuisance
Dangerous	Person
Derelict	Person-in-Charge
Dwelling	Road reserve
e-cigarette	Unightly
Film/Filming	Vehicle crossing
Heavy Vehicle	Vegetation
Incorporated Document	Vermin
Land	Wheeled recreational device

The following definitions have been amended to better reflect current practice:

Building works	Smoke
Bulk waste container	Vehicle
Donation Bin	Waste receptacle (changed to mobile garbage bin)

PART 2 - USE OF COUNCIL LAND AND ROADS

Council recognises that our public spaces have a significant impact on the health and wellbeing of our community and enhance the character of our municipality.

To ensure our public spaces can be shared and enjoyed by everybody in the community, the draft Community Local Law includes a number of provisions to protect these areas. Proposed changes include the following:

2.1 Behaviour on Council Land or Road

Current law: Separates the behaviour and conduct into several different clauses and sections, including municipal buildings and reserves.

Proposed change: Condensed and simplified to include conduct on all Council land (including municipal buildings), and administrative changes made. In general, this clause now prohibits certain behaviours and activities (see Draft Local Law for full list) to protect the accessible use and amenity of the area and reduce impact of damage to council property. Those prohibited behaviours and activities include, not to:

- commit any nuisance

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered

- conduct an activity or behave in a manner which interferes with another person's reasonable use and enjoyment
- alter, damage, destroy, remove, interfere with or deface any Council assets
- endanger or causes harm to or injures any person or animal
- damage, destroy, obstruct or interfere with anything
- act contrary to any applicable conditions of use or signage; or
- act contrary to any lawful direction of an Authorised Officer or person in charge of a Council facility.

2.2 Use of Reserves

Current law: there is a section in the current Local Law regarding activities permitted and not permitted on Council reserves.

Proposed change: To highlight specific issues that only relate to Council reserves, this section has been maintained from the current Local Law, but simplified and condensed using simpler language. It also covers what activities are permitted and not permitted in reserves. The specific reference to not permitting drones has been removed. Council considers this appropriate as the role of the Civil Aviation Safety Authority (CASA) is to conduct the safe regulation of air operations across all of Australia, and to ensure that Australian airspace is administered and used safely.

2.4 Filming

Current law: The current Local Law does not regulate filming in public places.

Proposed change: To reflect the possible impact to amenity and traffic that commercial filming may cause, a new clause has been inserted to ensure the appropriate permissions are received prior to engaging in commercial filming in Maroondah.

2.6 Donation Bins

Current law: A person must not place a clothing bin on Council Land or Road unless they have a permit

Proposed change: The term 'clothing bin' has been changed to 'donation bin' to reflect that other materials are accepted. Donation Bins often attract illegal dumping of goods and become unsightly.

While many donation bins are operated by legitimate charities or commercial companies, others are operated by companies which place bins without permission and do not clean up abandoned goods from around the bins. The addition of these clauses will allow better regulation of donation bins and ensure they do not become unsightly.

2.7 Shopping Trolleys

Current law: Conditions relating to the use of shopping trolleys is limited to the Ringwood Activity Centre.

Proposed change: Conditions now apply across the entire municipality. The revised clauses are designed to reduce the amount of shopping trolleys that leave retail premises and to reduce the burden and cost on Council of impounding and holding abandoned shopping trolleys. A person must return their shopping trolley to an area designated for collection. Council officers can impound trolleys left in a public place.

In addition, retailers with more than 25 shopping trolleys must ensure:

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered

- trolleys are fitted with a coin deposit/locking system;
- no trolleys are left on Council land and roadsides;
- they have a regular collection system in place; and
- they collect impounded trolleys when notified.

2.8 Items on Council Land or roads

Current law: Items are not allowed on council land and roads without a permit.

Proposed change: To reflect community feedback regarding obstructions on footpaths and other Council land, this clause has been strengthened to include the words *across*, and *over* Council land, and also reflects the safety or danger aspects to pedestrians and vehicles

2.9 Bulk Waste and Shipping Containers

Current Law: Bulk rubbish containers are not allowed on council land and roads without a permit.

Proposed change: the clause also refers to shipping containers on private land, and other temporary structures on Council land and roads, the definition has been amended for clarity.

2.10 Graffiti

To reflect community feedback a new clause has been inserted.

Proposed change: A person must not write, draw, tag, paint, scribble, scratch or spray on a wall or other surface in a public place.

2.15 Busking and Street Performances

Proposed change: The clause now includes spruiking as an activity requiring a permit.

PART 3 – ENVIRONMENTAL AMENITY & SAFETY

This section reflects community feedback which supports continuing to protect our environmental amenity as well as the general amenity of the municipality.

3.2 Condition of Land

3.3 Condition of Buildings

Current law: Both the condition of land and vacant buildings are addressed in the current Local Law.

Proposed change:

The wording of both clauses has been simplified and amended to ensure property owners are aware of their responsibilities in maintaining their properties. This also includes adding definitions for dangerous, derelict and unsightly. Unoccupied/abandoned properties are more likely to be damaged or vandalised, and can become a risk for potential fire. The addition of a requirement to secure an unoccupied property will help prevent these properties from impacting the amenity and safety of their neighbours. The definition of dangerous land has also been amended to not include vegetation on private land.

3.10 Storage of Vehicles

Current law: Storage of vehicles (such as boats, trailers and caravans) is addressed in the current local law.

Proposed law: The definition has been amended for clarity for any vehicles, excluding motor vehicles, as well as an amended subclause to regulate abandoned vehicles.

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered

3.12 Vehicles in a public place

Current law: Unregistered vehicles and vehicles that are derelict and unable to move on their own accord are not permitted.

Proposed change: The wording of this clause has been simplified, made less conditional and allows Authorised Officers to remove vehicles that affect the nearby amenity. Vehicles that are unregistered, immobile, damaged, dilapidated or causing an unreasonable obstruction or danger are covered.

3.14 Storage of Heavy or Long Vehicles

Current law: A clause relating to the keeping of heavy trucks on residential property was not included in the current Local Law No. 11, as it was considered that the Planning Scheme may be better suited to permit and enforce heavy vehicles on private land.

Proposed change: This clause is included and will help ensure that heavy vehicles on residential properties do not cause amenity issues through noise, fumes, or damage to assets. Heavy vehicle and long vehicle users will require approval from Council if they wish to park their vehicle on privately owned residential land. Both heavy and long vehicles are included as new definitions.

3.16 Camping on Land

Current law: Restricted camping on private land, other than reasonable use and no longer than 28 days provided there is satisfactory access to toilet facilities and proper disposal of waste

Proposed change: Also reflecting community feedback this clause has been revised to focus on instances where camping on private land may become a nuisance, rather than the length of time it takes place. The definition of camping has also been revised to exclude more permanent residential accommodation through temporary structures on private land.

PART 4 - ASSET PROTECTION & BUILDING SITE MANAGEMENT

This part has been revised to better enable compliance for the safety and amenity of the municipality by controlling activities associated with building or construction work and to protect public assets from damage during building works.

The amendment, and addition of these clauses makes expectations clear to builders. The proposed changes allow Council to ensure that building sites do not create safety or amenity issues for surrounding properties and pedestrians, and reduces the likelihood of damaging Council Assets during the building process.

4.1 Obtain Asset Protection Permit

Current law: Outlined the procedure for obtaining an Asset Protection Permit.

Proposed changes: The proposed clause is simplified to only require that an Asset Protection Permit be obtained at least 7 days prior to building works commencing. Some of the procedural matters will be outlined in Part 8 – Permits, outlined as permit conditions or addressed in a proposed procedures manual that will be publicly available.

4.2 Containment of Building Sites

Proposed changes: This clause is very similar in the current Local Law, with the addition of a subclause requiring that the site fencing is contained entirely within the building site and does not obstruct Council

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered

Land. The addition has been introduced to minimise the occurrence of temporary fencing 'feet' obstructing a footpath causing a trip hazard.

4.5 Building Site Waste

Proposed changes: The proposed clause is largely the same as the current Local Law with the addition of a general nuisance subclause.

4.7 Noise from Building Works

Current Law: A person must not carry out Building Works or allow Building Works to be carried out on any land between the hours 8.00 pm and 7.00 am on weekdays, or between the hours of 8.00 pm and 9.00 am on any Saturday, Sunday, or all Public Holidays.

Proposed changes: The proposed clauses reduce the hours that building works can be carried out to better reflect community expectations around noise from construction in order to preserve general amenity.

Work will not be allowed, without a permit, outside the hours of -

- a) 7am - 6pm Monday to Friday;
- b) 9am - 3pm Saturday; and
- c) not at all on Sundays, and Public Holidays.

There is also an addition of an exemption for inaudible work not causing a nuisance.

4.8 Management of Easements

Current Law: The current Local Law does not regulate easements.

Proposed changes: A new clause is proposed to capture all building works on land that may detrimentally affect the function of an easement, or drain or pit within the easement. Currently, the Building Regulations only require report and consent to build over an easement to be obtained from Council where a building permit is required, hence works such as earthworks or constructing a retaining wall under 1.0m in height are exempt yet still have potential to damage Council drainage assets.

4.10 Occupying Road or Council Land for Building Works

Current Law: The current Local Law does not address occupation.

Proposed changes: Addition of a new clause to allow construction zone permits to be issued and enforced under the local law, and to address the increase in safety issues arising from the unauthorised occupation of the road reserve or Council Land for building works.

4.11 Vehicle Crossings

The proposed clause is largely the same as the existing clause 25 with the addition of a clause to allow an Authorised Officer to reasonably direct the construction, repair, reconstruction or removal of a redundant vehicle crossing, whether permanent or temporary, and the reinstatement of kerb, channel or footpath.

PART 5 - WASTE MANAGEMENT

Disposing of waste and hardwaste was highlighted as a very important issue during the community consultation process. It's also integral to ensuring the health, amenity and safety of our community is maintained through the correct placement and removal of waste within properly maintained waste bins.

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered

Under the *Circular Economy (Waste Reduction and Recycling) Act 2021*, Council will be rolling out new services over the next 5-10 years including a Food Organics Garden Organics (FOGO) service in May 2023, and a glass service in 2026/27, also reflecting a changing nature of waste collection streams.

The waste management section of the Local Law has therefore been condensed and simplified to now refer to a document that is incorporated by reference - *Waste Services Guideline 2023*. Educational information on what is required for residents and businesses to meet Council's requirements is also kept up to date on Council's website.

PART 6 - ANIMALS

Council recognises the value of our animals, the overall benefit they give to our health and wellbeing, the importance of animal welfare and the protection of the community and the local environment from nuisances caused by animals.

6.4 Control of dogs and cats

Current Law: This is currently not addressed under the existing Local Law.

Proposed Changes: While the *Domestic Animals Act 1994* (DAA) provides legislation to deal with dog attacks and rushes, Council has had a number of incidences where injuries have been sustained by a dog that is not a result of aggression, or which may not meet the threshold under the DAA of a serious or non-serious injury. This may occur as a result of a dog jumping and causing scratches or where a person is pushed over or knocked off a bike causing more serious injury. This is particularly relevant to children and the elderly. Further to this the DAA also has no provision to deal with injuries caused by a cat.

6.5 Animals at large

Current: This is currently not addressed under the existing Local Law.

Proposed: A new clause has been proposed to better regulate when animals (other than those covered in the DAA) are allowed to wander from where they are usually kept.

PART 7 - LIQUOR AND SMOKE FREE AREAS

7.2 Consumption of liquor in a Public Place

7.3 Behaviour at or near Licensed Premises

Current law: the current local law clauses are limited to not being able to consume Liquor, without a permit; or to possess open containers of liquor.

Proposed change: In consultation with Victoria Police, these clauses have been revised to be more succinct and to enhance the ability of Authorised Officers to confiscate open containers of alcohol. Behaviours around licensed premises has been amended by simplifying the language used. The clause continues to allow reasonable consumption of liquor in Council reserves (such as picnics etc) so long as no nuisance is being caused.

PART 9 – ENFORCEMENT

9.2 Penalties

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered

The full list of penalty amounts are found in the Local Law. The inclusion of higher penalty amount for companies, owner's corporations and body corporates acknowledges that lower penalty units may not provide a significant deterrent for organisations.

All penalties have been intentionally scaled to reflect -

- a) the impact of the offence on the community based on feedback, and
- b) the safety risk, and prevalence of the offence.

The penalty amounts stated in the proposed Local Law are designed as a deterrent and are considered appropriate. The amounts have been benchmarked against neighbouring and like Councils for similar offences.

PART 7 – ADMINISTRATION

This part of the draft Community Local Law provides guidance on how the Local Law is administered. The intent remains unchanged however this part has been significantly condensed to use simple, plain English.

PART 8 – ENFORCEMENT

Breaches to the Local Law may result with enforcement action having to be undertaken.

This part of the draft Local Law provides guidance on how enforcement will be undertaken. The intent remains unchanged however this part has been significantly condensed to use simple, plain English.

9.1 Exercise of discretion

Proposed Changes: Authorised officers have always had the power to exercise discretion in their approach to compliance. However to respond to community feedback and to use simple, plain English the following clause has been added to allow an officer the ability to expressly consider any extenuating circumstances raised. This could include persons who are vulnerable because they are:

- (a) experiencing homelessness;
- (b) socially, culturally or economically marginalised; or
- (c) experiencing chronic physical or mental health issues.

9.4 Operator Onus Offence

Proposed Changes: The operator onus provisions under Part 6AA of the *Road Safety Act 1986* apply to any offence provision of this Local Law which involves the use of vehicles. That is, if the operator of a vehicle that is used in the commission of an offence under this Local Law, cannot be found or it is impracticable to charge the operator with an offence, the registered owner of that vehicle, is guilty of that offence. The registered owner of that vehicle will then be provided with the opportunity to nominate the driver of the vehicle or to provide any other reasonable explanation which may exonerate the owner, such as if the vehicle had been sold or stolen.

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

Active Prosperous Vibrant Sustainable Accessible Thriving Inclusive Empowered



Maroondah City Council

General Local Law Review Report on Consultation

July 2022



Contents

Contents	2
Introduction	2
Our Community Vision	3
Local Law Consultation	5
Community Listening Posts.....	6
Advisory Committees & Emergency Services.....	7
Council Service Areas	7
Community Survey	8
Survey Response.....	8
Use of Public Land	9
Community Safety	10
Neighbourhood Amenity	11
Community Amenity	12
Character of Maroondah	13
Key Themes.....	14
Other Consultations	15
Shaping the General Local Law.....	16
Next steps	16

Introduction

In Victoria, section 71(1) of the Local Government Act 2020 empowers councils to make local laws 'for or with respect to any act, matter or thing in respect of which the council has a function or power'. Councils typically make local laws to address local issues and respond to the needs of their communities.

In Maroondah, the General Local Law is a key mechanism used by Council to protect local amenity, improve community safety and regulate activities on Council controlled land and roads.

Unless revoked or renewed, local laws last for ten years. This helps to ensure local laws are kept up to date, are working as intended, and are responsive to new issues and changing community needs.

To help inform the next review of Maroondah's General Local Law, Council has undertaken a series of consultation activities with the aim of identifying issues relevant to the General Local Law that are important to residents, as well as opportunities to improve the operation of the General Local Law.

This report presents the outcomes of these activities, as well as community input gathered by Council during other consultation activities that will help to guide the General Local Law Review.

Our Community Vision

Maroondah 2040 – Our future together (Maroondah 2040) was endorsed in 2014 and is Council's peak strategic document.

Maroondah 2040 reflects input and ideas from thousands of community members that reflect what residents love about their community; what they would like to see change; and the key factors influencing Maroondah's future.

The long-term strategic vision established in Maroondah 2040 is for *"...a vibrant and diverse city with a healthy and active community, living in green leafy neighbourhoods which are*

*connected to thriving and accessible activity centres contributing to a prosperous economy within a safe, inclusive and sustainable environment."*¹

As shown in Figure 1, Maroondah 2040 identifies eight future outcome areas to provide a roadmap for community, Council and governments to partner together in creating a future that enhances Maroondah as a great place to live, work, play and visit.

Some examples of the contribution Maroondah's General Local Law makes to the achievement of these outcomes are shown in Figure 2.



Figure 1 - Maroondah 2040 – Our future together identifies eight future outcome areas.

¹ Maroondah City Council, *Maroondah 2040 – Our future together*, 2014 (revised June 2021).



Figure 2 – The General Local Law contributes to outcomes established in Maroondah 2040 – Our future together.

Local Law Consultation

Between April and June 2022, Council conducted a series of consultation activities in line with Council's Community Engagement Policy to help inform its review of Maroondah's General Local Law.

These activities included:

- Face-to-face community consultation at pop-up listening posts.
- Targeted meetings with Community Advisory Committees and emergency services, such as Victoria Police.
- Workshops with Council staff.
- An online survey through Council's *Your Say Maroondah* website.

Each activity was aimed at finding out what is important to Maroondah residents and identifying issues that are impacting neighbourhood amenity, community safety and the use of community spaces.

Council's *Your Say Maroondah* survey and pop-up consultation sessions were promoted through online and social media, reaching thousands of residents as shown in Table 1.

Table 1 - Promotional reach using online and social media.

	Posts	Engagements	Interactions
Facebook	6	8083	334
Instagram	4	849	14
Twitter	4	349	13

	Number	Audience	Open rate
eNews	2	7,176	52.6%
Your Say newsletter	2	7,666	44.4%

Homepage banner 8 to 16 May
Article 74 page views



Community Listening Posts

A series of five listening posts was run by Council:

- Civic Square Shopping Centre, Croydon.
Wed 11 May 2022 – 10:15am to 1pm.
- Realm Customer Service Centre, Ringwood.
Thurs 12 May 2022 – 10am to 1pm.
- Main Street, Croydon.
Wed 18 May 2022 – 10.30am to 1.15pm.
- Railway Avenue, Ringwood East.
Wed 25 May 2022 – 10.30am to 1pm.
- Realm Customer Service Centre, Ringwood.
Wed 1 June 2022 – 11am to 1pm.

At each listening post, participants were asked to identify issues of concern to them that related to neighbourhood amenity, community safety and the use of community spaces.

Council staff also provided promotional cards with information about the General Local Law Review and online survey to more than 170 residents.

Key issues

Relevant to the General Local Law Review, listening post participants identified issues related to:

- Pedestrian safety and footpath hazards, including cyclists riding on footpaths and overhanging foliage.
- Waste management, including green waste disposal and burning off.
- Animal management, including pet registration, cat curfews and barking dogs.
- Regulation of construction sites, including noise control and impacts on neighbouring properties.
- Graffiti removal.
- Noise abatement in residential areas.



Advisory Committees & Emergency Services

Maroondah City Council has a number of committees that provide advice and recommendations to on matters relating to the delivery of strategies, services and activities. During May and June 2022, Council Officers conducted targeted meetings with relevant committees, including the Maroondah Liveability, Safety and Amenity Committee; the Maroondah Liquor Accord; and the Maroondah Disability Advisory Committee, as well as with emergency services such as Victoria Police.

These groups include community and stakeholder representatives, as well as Councillors and Council staff. In total, more than 70 participants provided input to inform the General Local Law Review.

Key issues

The groups consulted by Council identified the following key issues relevant to the Local Law Review:

- Graffiti in public places and the impact this has on community amenity and feelings of safety.
- Waste management issues, including hard waste collections.
- Footpath obstructions, including overhanging foliage and temporary fencing around construction sites.
- Animal management issues, including requirements for dogs to be on leads in many parks and reserves and the need to ensure owners pick up after their pets.
- Litter in streets and community spaces.
- Antisocial behaviour, especially related to alcohol consumption in public places.

- Noise abatement issues and the impacts of excessive noise on neighbours.
- While not proposed for inclusion in the General Local Law, participants discussed the need to ensure local law enforcement accounts for issues of mental health.

Council Service Areas

The views of Council service areas including Engineering, Building, Local Laws, Health and Assets and the Open Space Working Group were sought during briefing sessions conducted in April and June 2022.

These sessions afforded staff from across Council the opportunity to share their views about Maroondah's current General Local Law and issues for consideration as part of the General Local Law Review.

Key issues

Council service areas raised the following issues relevant to the General Local Law Review:

- Waste management issues including hard rubbish collection.
- The impacts of litter in public places.
- The need to ensure local law enforcement practices are responsive to the needs of disadvantaged residents and visitors to Maroondah, including developing appropriate special circumstances provisions.
- Ensuring adequate consideration is given to gendered issues through the Local Law Review.
- Animal management issues, including the need to ensure owners pick up after their pets and dog lead requirements in reserves are made clearer and appropriately enforced.

Community Survey

As a major component of the General Local Law Review consultation, Council conducted an online community survey through its *Your Say Maroondah* website.

The survey sought input in relation to:

- Council's role in monitoring the use of public land.
- Issues and activities that should be addressed by the General Local Law.
- Council's role in monitoring activities related to neighbourhood amenity.
- The role of Council in monitoring issued that may impact community amenity more broadly.
- The reasons why people live, work, play or study in Maroondah.

Survey Response

The survey website attracted a total of 391 visitors and 137 survey responses between 2 May and 5 June 2022.

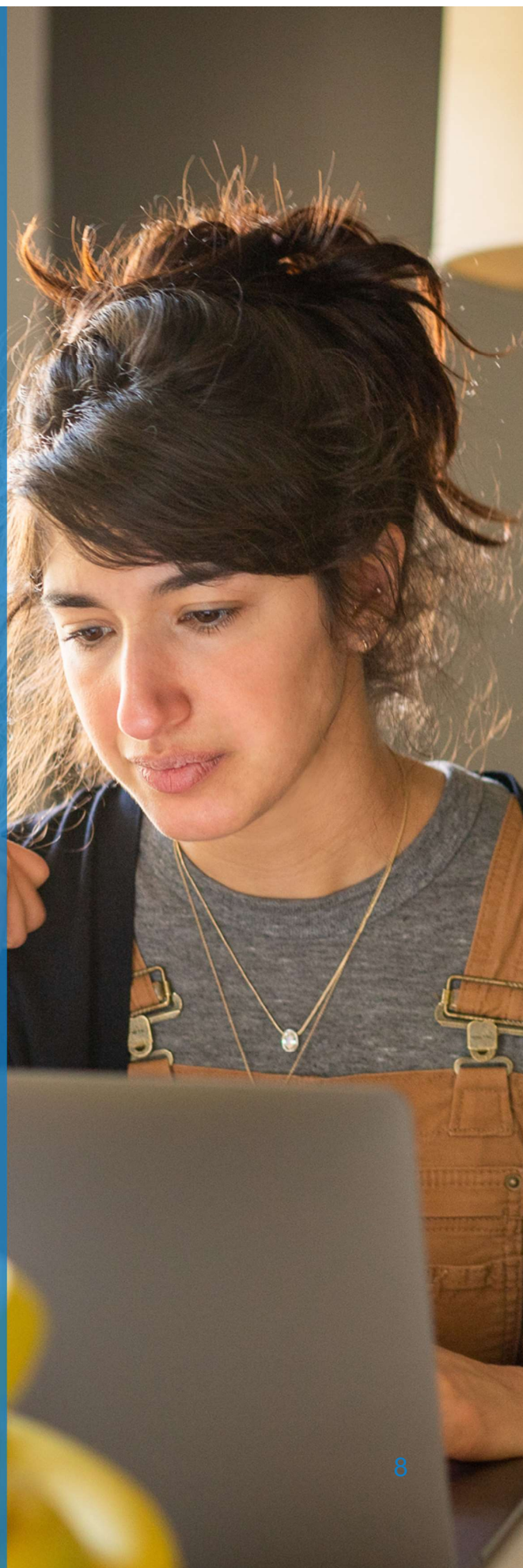
Respondents were 58.4 percent female and 38 percent male. Just over half of all respondents (51.1 percent) were aged 35 to 54 years.

"Smoking and drinking should be banned in public places..."

- Thomas, Croydon North.

"It just seems like there's hard rubbish everywhere, all year..."

- Neil, Ringwood.



Use of Public Land

Survey participants were asked to rate the importance of Council monitoring different types of public land use – from 'Not at all important' to 'Very important'.

The activities surveyed are currently subject to regulation by Maroondah's Local Law no 11.

As shown in Figure 3, survey participants reported an 'important' to 'very important' role for Council in monitoring each of the activities surveyed.

Respondents also expressed the very strong view that Council's role was most important in relation to keeping walkways, footpaths and nature strips

free from obstructions such as overhanging branches, visual obstructions and stored goods.

"There are far too many trailers and vehicles occupying nature strips..."

- Clark, Heathmont.

We walk a lot and there are always overhanging shrubs, trees and other obstacles requiring a move to avoid..."

- Anonymous

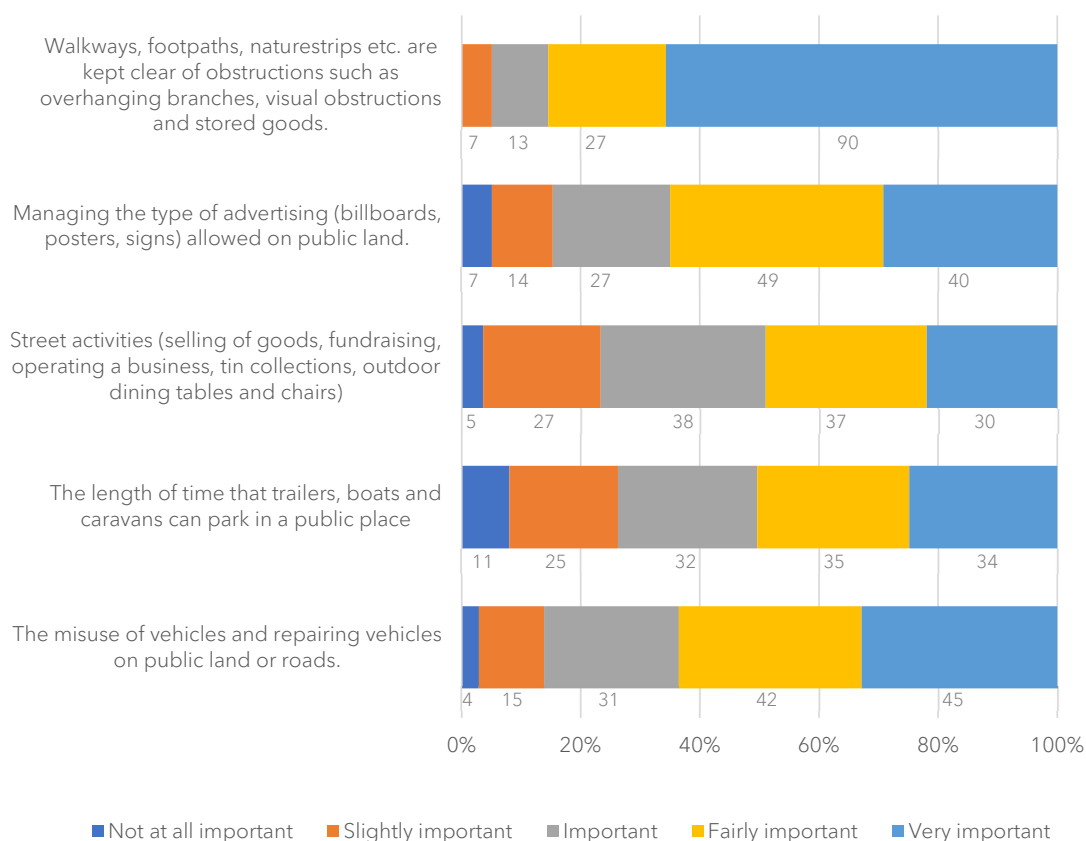


Figure 3 - Importance of Council monitoring public land uses

Community Safety

Respondents were asked to rate how important it is to them – from ‘Not at all important’ to ‘Very important’ – for the General Local Law to address public safety issues associated with a range of different activities that occur on Council land and roads.

As Figure 4 shows, more than half of survey participants believed it was ‘very important’ for the General Local Law to address the safe use of bicycles, scooters and skateboards, as well as extending smoking bans to more public places in Maroondah.

Just over 45 percent of survey respondents reported that it was ‘very important’ for the General Local Law to address alcohol consumption in public places.

“There are more motorised bikes and scooters being used on paths and roads, I think this is an area that needs to be addressed in the local law...”
– Nadine, Ringwood.

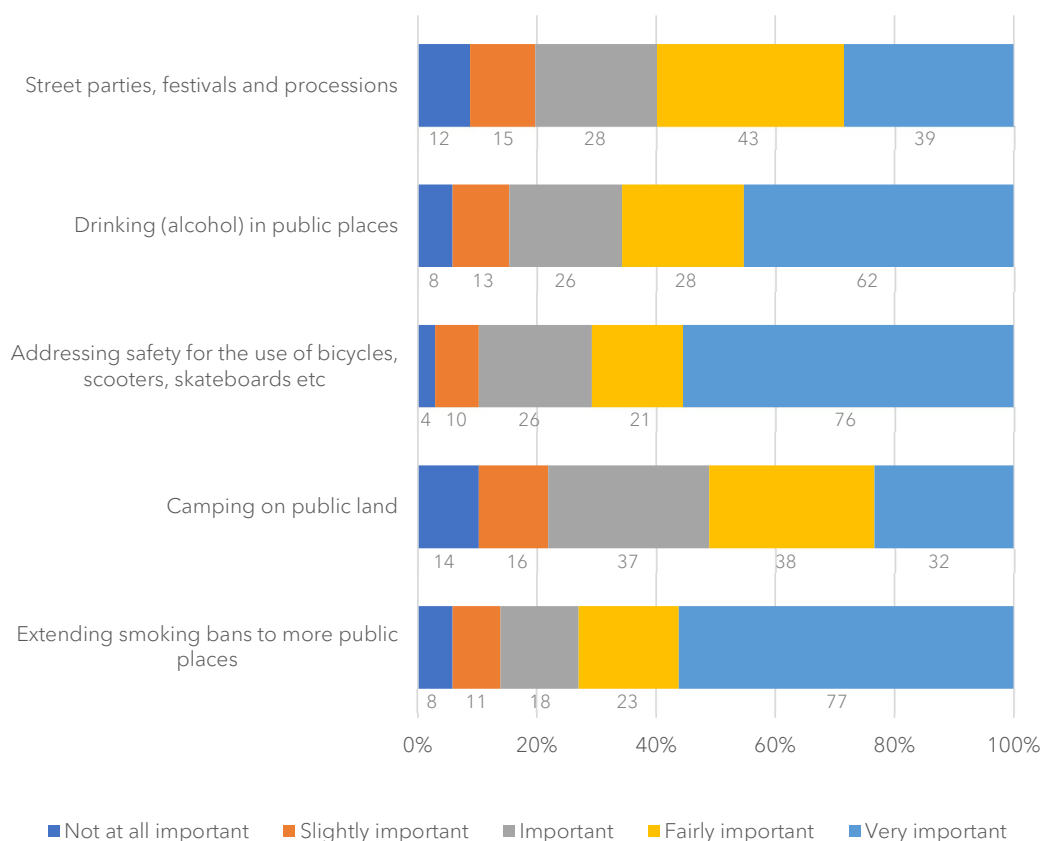


Figure 4 - Importance of addressing public safety issues

Neighbourhood Amenity

Survey participants were asked to rate the importance of Council monitoring a range of activities that may impact neighbourhood amenity – from 'Not at all important' to 'Very important'.

While survey participants identified a role for Council in monitoring each of the activities surveyed, this role was perceived as less important in relation to burning of solid fuels outdoors and the

use of tents and caravans on private land, as Figure 5 illustrates.

"I think the rubbish that is in our streets, freeways, parks really needs to be looked at..."
– Mary, Ringwood East.

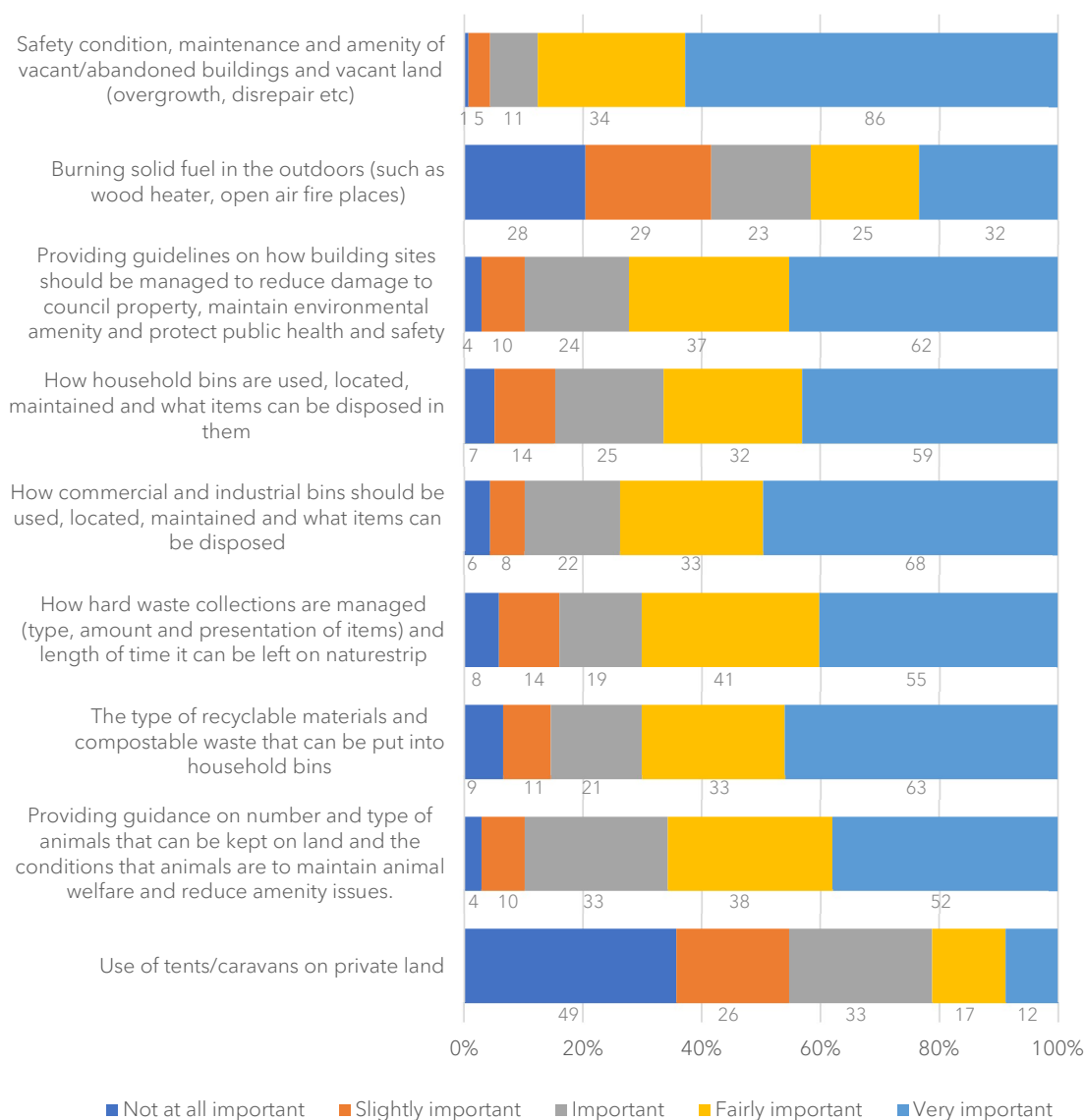


Figure 5 - Importance of monitoring neighbourhood amenity

Community Amenity

Survey respondent rated the importance of Council's role in monitoring activities that may impact community amenity more broadly – from 'Not at all important' to 'Very important'.

Each of the activities surveyed is currently regulated by Council through the Maroondah General Local Law (Local Law no.11).

Respondents identified an 'important' to 'very important' role for Council in monitoring the impact on community amenity associated with each of the activities surveyed.

As Figure 6 shows, more than half of respondents reported that the role of Council in relation to responsible

removal of animal faeces from Council land by pet owners was 'very important', underscoring the strong community sentiment towards this issue.

"Abandoned shopping trolleys are at epidemic proportions..."
- Anonymous, Ringwood.

"Charity bins in particular are in a terrible state..."
- Jenny, Ringwood East.

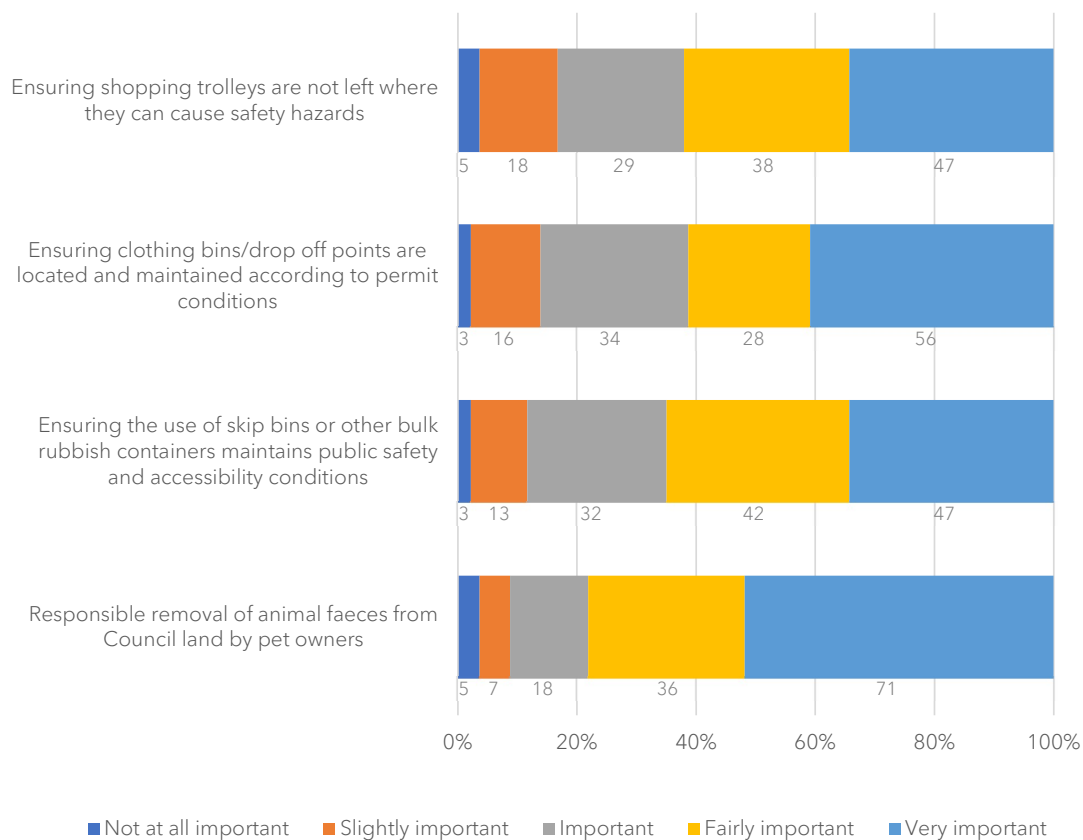


Figure 6 - Importance of monitoring broader community amenity

Character of Maroondah

Survey participants were also asked to identify the top three reasons for them choosing to live, work, play or study in the City of Maroondah.

Relevant to the current review, responses to this question help Council to identify aspects of Maroondah's unique character that are important to the community and should be addressed by the General Local Law.

Figure 7 highlights the importance of protecting our attractive open spaces and suburbs, as well as community safety, opportunities to develop healthy and active lifestyles, and a clean environment.

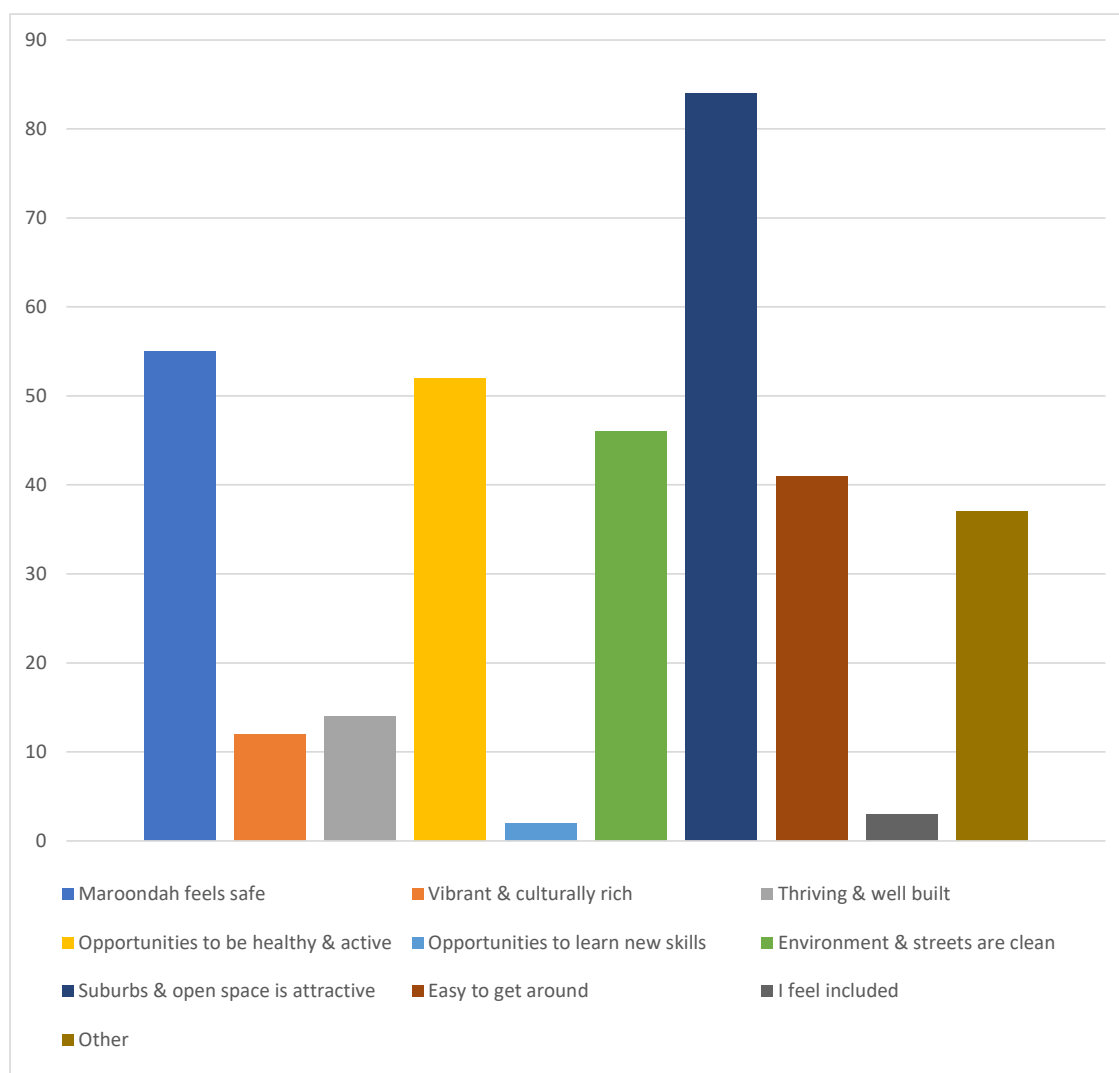


Figure 7 - Reasons why people live, work, play and study in Maroondah

Key Themes

An analysis of comments provided by survey respondents identifies key themes in relation to the issues addressed by the General Local Law and the role of Council.

Animal Management

Animal management issues were the most common issues raised by survey respondents. Comments provided by survey participants identified the need to ensure pet owners are aware of their responsibilities and for rules related to responsible pet ownership – especially picking up after pets in public places – to be enforced by Council.

The need for better signage in relation to the use of dog leads in parks and reserves was also identified.

Respondents were supportive of Council's role in managing nuisance animals, particularly cats straying from their own property and noisy dogs.

Public Safety and Amenity

Survey responses highlighted the importance of measures to promote public safety, particularly the safety of pedestrians on footpaths and in public places.

Issues identified included overhanging vegetation blocking footpaths, as well as the use of bicycles, e-scooters, skateboards and electric buggies/scooters.

The presence of litter, rubbish, weeds, lack of street lighting and graffiti were identified as detracting from feelings of safety in public places, as was alcohol consumption and antisocial behaviour.

Other concerns such as maintenance of nature strips, median strips and footpath

access around building sites were also raised.

Waste Management

Survey responses highlighted the need for ongoing enforcement of rules related to the proper disposal of household waste, litter in public places and the use of bulk waste bins (skip bins).

Parking

Numerous respondents identified issues with access to parking in parts of Maroondah. Areas most frequently associated with parking problems were schools, shopping centres, recreational reserves and building sites.

While parking generally is not related to the Local Law, respondents were supportive of Council continuing to monitor parking issues and enforcing parking restrictions to address impacts on neighbourhood amenity.

"Public areas need to be available for all to feel safe to use..."
– Margaret, Croydon.

"Quambee Reserve oval is not a dog park they don't pick up faeces on the oval..."
– Brian, Ringwood North.

"Vandalism/graffiti to road signs is an ongoing problem..."
– Wendy, Croydon South

Other Consultations

Maroondah's *Community Engagement Policy 2021* confirms Council's commitment to ensuring municipal plans, strategies and activities reflect the views of our community.

To help ensure the General Local Law Review is responsive to Maroondah's needs, Council has considered the broad range of community views gathered during the development of Maroondah 2040, as well as input into other strategies and plans with a direct relationship to the General Local Law including:

- Waste, Litter and Resource Recovery Strategy 2020-2030.
- Domestic Animal Management Plan 2021-2025.
- Maroondah Liveability, Wellbeing and Resilience Strategy 2021-203.
- Maroondah Vegetation Strategy 2020-2030.
- Smoke Free Ringwood Town Square and Croydon Town Square consultation reports.
- Maroondah Disability Action Plan 2022-2026.
- Relevant master plans and precinct plans.

Key issues

A review of Council consultation data identified the following issues for consideration through the General Local Law Review:

- The need to ensure the equitable enjoyment of parks, reserves and community spaces.
- Waste management issues, including the need to address littering, illegal dumping, careless waste disposal practices and business practices that

contribute to the proliferation of litter in community spaces.

- The role of the General Local Law in improving wellbeing by facilitating equitable access to community infrastructure, enhancing community safety and addressing social harms.
- The General Local Law should work to protect the things residents love about living in Maroondah, the municipality's unique character and the quality of our community facilities.

"It would be great if councils undertook more surveillance of buildings works next to public footpaths. Debris, muds and trip/fall hazards are extremely common."
- Anonymous, Ringwood

"Burning off can be bad for the environment and smoke can impact neighbours..."
- Anonymous, Ringwood East.

Shaping the General Local Law

Information gathered by Council through its pop-up community listening posts, workshops, meetings and the online survey will be considered alongside existing consultation data to inform the review of Maroondah's General Local Law.

Next steps

Council will now prepare a draft of its new General Local Law, which will be reviewed by a legal expert.

Further comments and feedback will be sought from the Maroondah community on the draft of the new General Local Law.

Further details about progress developing the new General Local Law can be found at:

yoursay.maroondah.vic.gov.au/local-law





MAROONDAH CITY COUNCIL

COMMUNITY LOCAL LAW 2023

Draft

Dated 20 February 2023



Contents

PART 1 - INTRODUCTION	5
1.1 Local Law	5
1.2 Objectives	5
1.3 Power to make this Local Law	5
1.4 Commencement Date	5
1.5 Revocation and Savings	5
1.6 Application of Local Law	5
1.7 Other Legislation	5
1.8 Definitions	6
PART 2 - COUNCIL LAND AND ROADS	12
2.1 Behaviour on Council Land and Roads	12
2.2 Use of Reserves	12
2.3 Gateways to Reserves	13
2.4 Filming	13
2.5 Camping on Council Land and in Public Places	13
2.6 Donation Bins	13
2.7 Shopping Trolleys	14
2.8 Items on Council Land and Roads	14
2.9 Bulk Waste and Shipping Containers	14
2.10 Graffiti	15
2.11 Advertising Signs	15
2.12 Events	15
2.13 Roadside Trading	15
2.14 Busking and Street Performances	15
2.15 Collections and Fundraising	15
2.16 Signs, Goods and Furniture	15
PART 3 – ENVIRONMENTAL AMENITY & SAFETY	17
3.1 Property Numbering	17
3.2 Condition of Land	17
3.3 Condition of Buildings	17
3.4 Prevention of Fire	17
3.5 Noxious Weeds	17
3.6 Trees and Vegetation	18
3.7 Fires in the open air	18
3.8 Vermin	18



3.9	Keeping of Bees	18
3.10	Storage of Vehicles	18
3.11	Repairing Vehicles	19
3.12	Vehicles in a Public Place	19
3.13	Vehicles and Machinery on Land	19
3.14	Storage of Heavy Vehicles or Long Vehicles	19
3.15	Alarms.....	19
3.16	Camping on Land	20
PART 4 - BUILDING SITE MANAGEMENT & ASSET PROTECTION		21
4.1	Asset Protection Permits.....	21
4.2	Containment of Building Sites	21
4.3	Building Site Safety and Amenity.....	21
4.4	Building Site Access.....	21
4.5	Building Site Waste.....	22
4.6	Soil Stockpiles.....	22
4.7	Noise from Building Works	22
4.8	Management of Easements.....	22
4.9	Direction to Cease Building Works.....	23
4.10	Occupying Council Land or a Road for Building Works.....	23
4.11	Vehicle Crossings.....	23
4.12	Council Assets	23
4.13	Use of Drains and Legal Points of Discharge	23
PART 5 - WASTE MANAGEMENT		25
5.1	Use of Council issued mobile garbage bin.....	25
5.2	Privately arranged Waste Collection	25
5.3	Hard Waste	25
5.4	Interference with waste and mobile garbage bins	25
5.5	Use of Public Bins	25
PART 6 - ANIMALS.....		26
6.1	Animal Numbers	26
6.2	Keeping of Animals.....	26
6.3	Collection and disposal of animal excrement.....	27
6.4	Control of dogs and cats	27
6.5	Animals at Large.....	27
6.6	Animal Nuisance.....	27
6.7	Power to seize additional Animals.....	27



PART 7 - LIQUOR AND SMOKE FREE AREAS	28
7.1 Smoke Free Areas	28
7.2 Consumption of Liquor in a Public Place.....	28
7.3 Behaviour at or near Licensed Premises	28
PART 8 - ADMINISTRATION	29
8.1 Applications	29
8.2 Further requirements	29
8.3 Decision on permit application.....	29
8.4 Correction, suspension or cancellation of permits	29
8.5 Fees and Charges	30
8.6 Bonds	30
PART 9 – ENFORCEMENT	31
9.1 Exercise of discretion.....	31
9.2 Offences and Penalties	31
9.3 Offences by Corporations	32
9.4 Operator Onus Offence	32
9.5 Power to issue a Direction	32
9.6 Notice to Comply	32
9.7 Infringement Notices	33
9.8 Impounding items	33
9.9 Urgent Circumstances.....	33
SCHEDULE 1 - INFRINGEMENT NOTICE PENALTIES	34
SCHEDULE 2 - SMOKE FREE AREAS	37



PART 1 - INTRODUCTION

1.1 Local Law

This Local Law is titled Maroondah City Council Community Local Law 2023.

1.2 Objectives

The objectives of this Local Law are to:

- (a) protect the health and safety of persons within the *Municipal District*;
- (b) provide for the equitable, orderly and enjoyable use of *council land, roads* and *council assets*;
- (c) protect, maintain and enhance the natural environment of the *Municipal District*;
- (d) provide for the peace, order and good governance of the *Municipal District*;
- (e) regulate the management of animals on *land* and on *council land*; and
- (f) provide uniform and fair administration of this Local Law.

1.3 Power to make this Local Law

This Local Law is made under section 71 of the *Local Government Act 2020* and section 42 of the *Domestic Animals Act 1994*.

1.4 Commencement Date

This Local Law commences on {INSERT DATE}.

1.5 Revocation and Savings

- (1) This Local Law will cease to operate on {INSERT DATE} unless revoked sooner.
- (2) On the commencement of this Local Law, Council's Local Law No.11 is revoked, save that any notice or consent given, or any business, matter or thing commenced, made, or done under that Local Law is not affected.

1.6 Application of Local Law

This Local Law operates throughout the *Municipal District* of Maroondah City Council.

1.7 Other Legislation

Anything allowed under any Act, Regulation or Planning Scheme, is not affected by any prohibition, requirement, or restriction under this Local Law.



1.8 Definitions

In this Local Law, words which are not defined will adopt their ordinary meaning, and unless the contrary intention appears, the following words have the meaning given to them, and appear in italics throughout the Local Law:

Act	means the <i>Local Government Act 2020</i> .
Advertising Sign	means any placard, board, poster, banner, sign, card, structure or other similar device, whether portable, affixed or attached to, or over any land, building, vehicle or structure, which: <ul style="list-style-type: none">a. provides information about a business or industry;b. advertises the sale of goods or hire, a service, and event or a competition; orc. contains information or a promotion of a political nature.
Authorised Officer	means a person appointed by Council under sections 224 or 224A of the <i>Local Government Act 1989</i> .
Barbeque	means any structure or device, that is erected or fixed outdoors, portable or mobile which has as its primary purpose, the cooking of food for human consumption.
Building	includes any building or structure, whether temporary or permanent, or any part of a building or structure.
Building Works	means work: <ul style="list-style-type: none">a. or activities for or in connection with the construction, demolition, renovation, alteration, or removal of, or to, any building, structure or land;b. for which a permit is required under the <i>Building Act 1993</i>; orc. required under any legislation, including this Local Law.
Building Site	includes any land on which <i>building works</i> are being undertaken.
Bulk Waste Container	means a bin, skip, or other structure designed or used for holding a substantial quantity of rubbish, or other goods, that is unable to be lifted without mechanical assistance.
Camping	means using a caravan, tent, sleeping bag, <i>motor vehicle</i> , motor home, shipping container, shed or like structure for temporary accommodation by a <i>person</i> and camp has the corresponding meaning.
Donation Bin	means a bin or similar structure used for the placement of donated items.



Council	means Maroondah City Council.
Council Asset	means any road, drain, drainage infrastructure, swale drain, culvert, tree, plant, road sign or any other property vested in or under the control of Council.
Council Land	means any land (including <i>council assets</i> on that land), reserve, building, easement in favour of Council, or road owned, vested in, managed by or under the control of Council, including any building, structure, street sign, street furniture, pole, light, batter, fence, tree or plant situated on that land.
Dangerous	means <i>land</i> kept in a manner which is deemed by an <i>Authorised Officer</i> to be, or is likely to be, dangerous to life, health or property, including the storage of dangerous or hazardous substances and materials on <i>land</i> . This does not apply to any danger to life or property arising from the condition of <i>vegetation</i> , including trees on privately owned <i>land</i> unless such <i>vegetation</i> or trees affect an area other than privately owned <i>land</i> which is utilised, accessed or occupied by members of the public.
Derelict	<p>means a building, structure or infrastructure which in the opinion of an <i>Authorised Officer</i> is in a state of significant disrepair or has deteriorated as a result of damage, age, neglect, poor maintenance, vandalism or misuse.</p> <p>This may be characterised by a state or condition of a building, structure, or other infrastructure which, in the opinion of an <i>Authorised Officer</i>, has:</p> <ul style="list-style-type: none"> (a) missing, broken or deteriorated exterior cladding; (b) been marked with graffiti; (c) deteriorated guttering or downpipes; (d) broken or missing windows, window-awnings, eave lining or doors; (e) damaged, missing or broken roofing materials; (f) deteriorated internal gates and fences; (g) inadequate or no maintenance; or (h) any other condition in a state of significant disrepair or deterioration which is a detrimental to the amenity and appearance of the surrounding area.
e-cigarette	has the same meaning as “e-cigarette” in the <i>Tobacco Act 1987</i> .
Filming	means recording moving images by any means for commercial or other non-personal purposes.



Heavy Vehicle	has the same meaning as “heavy vehicle” in the <i>Road Safety Act 1986</i> .
Incinerator	includes a structure, device or contraption (not enclosed in a building) which is used or designed or is capable of being used for the purpose of burning any material.
Incorporated document	means any document, guidelines, policy, plan or code of practice incorporated by reference into this Local Law.
Infringement Notice	means an infringement notice issued under the <i>Infringements Act 2006</i> .
Land	includes privately owned land, but excludes <i>council land</i> .
Licensed Premises	means any licensed hotel, tavern, bottle shop, bar, nightclub or other premises from which liquor is sold.
Liquor	means a beverage intended for human consumption with an alcoholic content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius.
Long Vehicle	means a vehicle that, together with any load or projection, is 7.5 metres long, or longer.
Mobile garbage bin	means a bin or receptacle supplied by Council for the purposes of waste collection including household waste, organic waste, recyclable materials, or other materials which may be regulated by Council.
Motor Vehicle	has the same meaning as in the <i>Road Safety Act 1986</i> .
Municipal District	means the municipal district of Council.
Notice to Comply	means a written direction issued under this Local Law prepared by an <i>Authorised Officer</i> .
Noxious Weeds	has the meaning ascribed to it by section 3 of the <i>Catchment and Land Protection Act 1994</i> .
Nuisance	includes any behaviour or condition which is dangerous to health, offensive or injurious to personal comfort.
Occupier	means a <i>person</i> : <ul style="list-style-type: none">a. in charge or having the management or control of <i>land</i>, orb. legally entitled to occupy <i>land</i> (including premises)



and includes, in relation to *land* which has a lot entitlement or lot liability in respect of common property, the Owners Corporation created on the registration of a Plan of Subdivision affecting that *land*.

Owner	in relation to <i>land</i> means the <i>person</i> , business, trust or other legal entity that is registered on the Certificate of Title as the owner.
Penalty Unit	has the same meaning as used in the <i>Sentencing Act 1991</i> .
Permit	means a permit, required, or issued under this Local Law.
Person	includes a natural person, corporation, an association incorporated under the <i>Associations Incorporation Reform Act 2012</i> , partnership and an unincorporated association.
Person in Charge	means: <ul style="list-style-type: none">(a) a person in charge of a <i>building site</i>;(b) a person who causes <i>building works</i> to be carried out on a <i>building site</i>;(c) a person who is the holder of a building permit or Council issued permit relating to works being undertaken on a <i>building site</i>; or(d) the owner or occupier of the <i>land</i> upon which <i>building works</i> are being carried out.
Planning Scheme	means the Maroondah Planning Scheme, as approved under the <i>Planning and Environment Act 1987</i> .
Poultry	includes chickens, ducks, geese, pheasants, turkeys, and guinea fowl and excludes roosters.
Public Place	has the same meaning as in section 3 of the <i>Summary Offences Act 1966</i> .
Reserve	means <i>council land</i> which is dedicated or used for outdoor, cultural, environmental, sporting, or recreational purposes and includes sporting reserves, bushland reserves, wetlands, parks and gardens and other like spaces.
Road	has the same meaning as in the <i>Local Government Act 1989</i> and includes: <ul style="list-style-type: none">a) a street;b) a right of way;



- c) any land reserved or proclaimed as a street or road under the *Crown Land (Reserves) Act 1978* or the *Land Act 1958*;
- d) a public road under the *Road Management Act 2004*;
- e) a passage;
- f) a cul de sac;
- g) a by-pass;
- h) a bridge or ford;
- i) a footpath, bicycle path or nature strip; or
- j) any culvert or kerbing or other land or works forming part of the road.

Road Reserve	has the same meaning as used in the <i>Road Management Act 2004</i> .
Schedule	means a Schedule to this Local Law.
Site Fencing	means a fence around the perimeter of <i>land</i> or a <i>building site</i> where <i>building works</i> are being undertaken.
Site Identification Sign	means a sign which is at least 600 millimetres in height and 400 millimetres in width, erected at the entrance to a <i>building site</i> which is clearly visible from the <i>road</i> , and includes the: <ul style="list-style-type: none"> a) lot and street number on the Certificate of Title relevant to the <i>land</i>; and b) name, postal address and 24-hour contact telephone number of the <i>person in charge</i>.
Shopping Trolley	means a wheeled container or receptacle supplied by a retailer to enable a <i>person</i> to transport goods.
Smoke	has the same meaning as in the <i>Tobacco Act 1987</i> and includes the use of <i>e-cigarettes</i> .
Smoke Free Area	means an area: <ul style="list-style-type: none"> a) designated as a Smoke Free Area as shown in <i>schedule 2</i>; or b) prescribed to be a Smoke Free Area in accordance with clause 7.1(4).
Tobacco Product	has the same meaning as in the <i>Tobacco Act 1987</i> .



Unsightly	<p>includes <i>land</i> which contains:</p> <ul style="list-style-type: none"> (a) excessive waste and waste products; (b) uncontained waste products; (c) overgrowth of <i>vegetation</i>; (d) excessive second-hand timber or second-hand building material; (e) discarded, rejected, surplus or abandoned solid or liquid materials; (f) dilapidated structures; (g) graffiti; (h) machinery or machinery parts stored on the <i>land</i> for more than 2 months; (i) unregistered, unroadworthy, disassembled, incomplete or deteriorated <i>motor vehicles</i>, caravans, trailers or similar, visibly stored on the <i>land</i> for more than 2 months; (j) anything being built which is left incomplete and is detrimental to the amenity of the surrounding area; or (k) any other thing making the <i>land</i> visually detrimental to the general amenity of the area, including <i>land</i> which is neglected or unsecured.
Vehicle	<p>has the same meaning as in the <i>Road Safety Road Rules 2017</i> and includes:</p> <ul style="list-style-type: none"> (a) a motor vehicle, trailer and tram; (b) a bicycle; (c) an animal-drawn vehicle, and an animal that is being ridden or drawing a vehicle; (d) a combination; and (e) a motorised wheelchair that can travel at over 10 kilometres per hour (on level ground)— but does not include another kind of wheelchair, a train, a wheeled recreational device, a wheeled toy or an electric personal transporter.
Vehicle Crossing	means a Council approved constructed access point between a privately owned property boundary and a <i>road</i> in order to facilitate vehicular access to that <i>land</i> .
Vegetation	includes trees, grass, shrubs, hedges or other plants, whether dead or alive, standing or not standing, on <i>land</i> or in water.
Vermin	includes cockroaches, feral bees, European wasps, rats or any animal which is destructive or a nuisance.
Wheeled Recreational Device	includes scooters (human-powered and low-powered e-scooters), skateboards, roller blades or roller skates. It does not include high-powered e-scooters with a motor output of more than 200 watts, or which are capable of travelling faster than 10 km/h.



PART 2 - COUNCIL LAND AND ROADS

This Part contains provisions which aim to regulate and enhance the safety and orderly use of *council land* and *roads*.

2.1 Behaviour on Council Land and Roads

[Amended]

A *person* must not, on *council land* or on a *road*:

- (a) commit or cause any *nuisance* or cause any damage;
- (b) act in a manner that threatens, harasses or endangers any *person* or which may interfere with another *person's* reasonable use and enjoyment;
- (c) act contrary to any applicable conditions of use or sign displayed by Council;
- (d) act contrary to any lawful direction of an *Authorised Officer* or *person* in charge of a Council facility;
- (e) alter, damage, destroy, remove, interfere with, or deface any *council asset*;
- (f) enter other than through an entrance provided for that purpose;
- (g) organise a function or event unless prior written approval has been obtained from Council;
- (h) use or interfere with any lifesaving or emergency device unless during an emergency;
- (i) obstruct, hinder or interfere with any *person* employed by, or acting on behalf of Council, including Council contractors and *Authorised Officers*;
- (j) park, drive or ride a vehicle unless the area has been signposted for that purpose;
- (k) keep, train or ride an animal unless the land has been designated by Council for that purpose;
- (l) undertake any unauthorised building or construction related activities, including building any structures;
- (m) enter or remain, while under the adverse influence of alcohol or intoxicating drugs; or
- (n) ride a bicycle or use a *wheeled recreational device* unless the area has been designated for that purpose and not in a manner that:
 - (i) interferes with another *person's* use and enjoyment;
 - (ii) endangers any other *person*; or
 - (iii) causes damage.

2.2 Use of Reserves

[Amended]

(1) A *person* must not, in a *reserve*:

- (a) ride or lead a horse, except in areas designated for horse riding or leading;
- (b) destroy, deface, defile, damage, remove or interfere with a structure, notice, playing arena, playing surface, seat, tree, plant or land;
- (c) camp or pitch, erect or occupy a camp, tent or temporary shelter;
- (d) park, ride, drive or use a *vehicle* except in an area designated for that purpose;
- (e) light a fire or allow a fire to remain alight unless the fire is a *barbecue*;



- (f) engage in playing or practising sports or games or any other organised activity which could be a danger to the safety of a *person* or interfere with the reasonable use and enjoyment of a reserve by another *person*;
 - (g) engage in, play, or practice golf;
 - (h) remain in the *reserve* outside the hours that reserve is open; or
 - (i) act contrary to a lawful direction of an *Authorised Officer* or *person* in charge of the *reserve*, including a direction to leave the *reserve* notwithstanding that a fee or charge for admission may have been paid.
- (2) A *person* must not, without a *permit*, in a *reserve*:
- (a) park, drive, ride or use a vehicle unless the land has been designated and signposted for that purpose; or
 - (b) erect, fix or place a sign, advertisement or advertising material for a personal, commercial, charitable, cultural or community purpose.
- (3) A *person* must not, without written Council approval, in a *reserve*:
- (a) hold a circus, carnival, festival or non-commercial event such as a wedding; or
 - (b) conduct, organise or participate in a game of sport which is a fixture of any competitive sporting program.

2.3 Gateways to Reserves

An *owner* or *occupier* of *land* abutting a *reserve*, must not without written Council approval, install or maintain a pedestrian gateway which enables access to or from that *land* onto a *reserve*.

2.4 Filming

[New]

A *person* must not, without a *permit*, engage in any *filming* on *council land* or in a *Public Place*.

2.5 Camping on Council Land and in Public Places

A *person* must not, without a *permit* on *council land* or in a *Public Place*:

- (a) camp in a tent, *vehicle*, caravan or any other temporary or makeshift accommodation unless in an area prescribed for that purpose; or
- (b) erect a tent, caravan or annexe.

2.6 Donation Bins

[New]

- (1) A *person* must not, without a *permit*, place or cause to be placed a *donation bin* on *council land* or on a *road*.
- (2) A *donation bin* placed in a *Public Place* must be maintained, by the *owner* of that *donation bin*, in a clean and sanitary condition.



2.7 Shopping Trolleys

- (1) A *person* must not leave a *shopping trolley* other than in an area designated for collection.
- (2) The *owner* of a shopping trolley must ensure that their trading name is clearly marked on the *shopping trolley*.
- (3) Where an *owner* provides more than 25 *shopping trolleys*, the *owner* must:
 - a) ensure that the *shopping trolleys* are fitted with either a functioning coin deposit and release mechanism or an alternate, locking mechanism approved by Council;
 - b) demonstrate to Council's satisfaction that they have a regular collection system in place; and
 - c) comply with a direction given by an *Authorised Officer* to collect any *shopping trolleys* left in an undesignated collection area within 24 hours.
- (4) Where an *owner* is served with a Notice of Impoundment, the *owner* must collect any impounded *shopping trolleys* within the time specified in that Notice.
- (5) Council may exempt an *owner* from the application of sub-clause 2.7(3).

2.8 Items on Council Land and Roads

- (1) A *person* must not, without a *permit*, place, authorise to be placed, or allow to remain, any object that is on, over or affecting *council land*, a *road* or a *Public Place*, including items which may:
 - (a) cause an obstruction to pedestrians or vehicles; or
 - (b) constitute a danger.
- (2) An *owner* or *occupier* of any *land* must ensure that any gate, door or other means of access from that *land* does not open outwards onto *council land*, a *road* or a *Public Place*.

2.9 Bulk Waste and Shipping Containers

- (1) A *person* must not, without a *permit*, place or cause to be placed a *bulk waste container* or shipping container on *council land*, a *road* or in a *Public Place*.
- (2) Unless permitted under the Planning Scheme, a *person* must not, without a *permit* place a shipping container on *land* for a period longer than 28 days.



2.10 Graffiti

[New]

A *person* must not write, draw, tag, paint, scribble, scratch or spray any substance, including paint on a wall or other surface in a *Public Place*.

2.11 Advertising Signs

A *person* must not, without a *permit*, on or across *council land* or any *road*:

- (a) write, deface, place or affix any letter, figure, device, poster, sign or advertisement on any building, fence or other property under the control of or vested in Council;
- (b) erect or place an *advertising sign* or cause or authorise another *person* to do so; or
- (c) erect or place any structure, banner or similar item.

2.12 Events

A *person* must not, without a *permit*, hold or participate in a street party, festival, market, event or procession on *council land*, a *road* or in a *Public Place*.

2.13 Roadside Trading

A *person* must not, without a *permit*, sell, promote or offer for sale, any goods or services from *council land* or a *road* from a vehicle parked on or beside that land or *road*, including the placement of tables, stalls or other similar structures, or authorise or allow another *person* to do so.

2.14 Busking and Street Performances

[Amended]

A *person*, with the objective of collecting money must not, without a *permit*, sing, speak, perform, entertain or play any musical instrument, on *council land* or on a *road*.

2.15 Collections and Fundraising

A *person* must not, without a *permit*, solicit, collect or fundraise on *council land*.

2.16 Signs, Goods and Furniture

A *person* must not, without a *permit*, on *council land* or on a *road*, cause or allow another *person* to:

- (a) display or permit to be displayed any goods or services for the purposes of advertising or promotion;
- (b) place, erect, hang or affix or allow to be placed or affixed any *advertising sign* or other item, or



- (c) affix, place, or allow to be placed any street furniture such as a seat, umbrella, table, chair, planter box, barrier or other item.



PART 3 – ENVIRONMENTAL AMENITY & SAFETY

This Part contains provisions which aim to protect the environmental amenity of *land* and the general amenity of the municipality.

3.1 Property Numbering

[Amended]

The *owner* or *occupier* of *land* to which a property number has been allocated by Council, must prominently display and maintain that number in such a manner, so that it is clearly readable and visible from the *road* that the *land* fronts.

3.2 Condition of Land

[Amended]

The *owner* or *occupier* of any *land* must not cause, or allow the *land* to be kept in a manner which, in the opinion of an *Authorised Officer*:

- (a) is *unsightly*;
- (b) is *dangerous* or likely to cause danger to life, health or property; or
- (c) is detrimental to the general amenity of the area in which the *land* is located.

3.3 Condition of Buildings

[New]

(1) The *owner* of a building on *land* must not allow that building to be kept in manner which is, in the opinion of an *Authorised Officer*:

- (a) *derelict*;
- (b) in a state of disrepair;
- (c) damaged or defaced;
- (d) not secured to prevent unauthorised entry; or
- (e) adversely affecting the amenity of the surrounding neighbourhood.

(2) The *owner* of *land* on which there is a vacant or *derelict* building/s must take all reasonable steps to secure the *land* from unauthorised access.

3.4 Prevention of Fire

[Amended]

An *owner* or *occupier* of *land* must not allow to exist on that *land* any material, including *vegetation*, which constitutes or is likely to constitute a fire hazard or a source of fuel for any fire.

3.5 Noxious Weeds

[New]

The *owner* or *occupier* of *land* must take all reasonable steps to prevent *noxious weeds* existing on that *land*.



3.6 Trees and Vegetation

[Amended]

The *owner* or *occupier* of *land* must not allow *vegetation* on that *land* to:

- (a) overhang onto the footpath, *road* or *council land* at a height of not less than 3.0 metres from the surface of the adjacent road or *land*;
- (b) obstruct or impair the vision or clear passage of a *vehicle* using the *road*;
- (c) obstruct or interfere with the safe and accessible use of the footpath or *road* adjacent to or near the *land*;
- (d) encroach upon any adjacent *road* or *council land*;
- (e) cause damage to or interfere with any fixture or structure on *council land*; or
- (f) cause damage to any drain vested in or under the control of Council.

3.7 Fires in the open air

- (1) A *person* must not, without a *permit*, light or allow a fire to be lit or remain alight, on *land*:
 - (a) in the open air; or
 - (b) in an *incinerator*.
- (2) Clause 3.7(1) does not apply to:
 - (a) a well-constructed and safe device constructed of fire-resistant materials for the purpose of outdoor heating;
 - (b) a *barbeque*, grill, pizza oven or similar type structure used for the purpose of cooking food; or
 - (c) a *person* authorised to engage in such an activity for or on behalf of a public authority.
- (3) If an *Authorised Officer* is of the opinion that a *nuisance* has been caused by a fire lit in the open air, the *Authorised Officer* may direct the *owner* or *occupier* of the *land* on which the fire has been lit or the person in charge of the fire to extinguish the fire.

3.8 Vermin

An *owner* or *occupier* of *land* must not allow any *vermin* to exist on that *land*.

3.9 Keeping of Bees

[Amended]

The *owner* or *occupier* of any *land* where bees or beehives are kept must:

- (a) keep those bees in accordance with the relevant Apiary Code of Practice; and
- (b) ensure that the keeping of bees or beehives on that land does not cause a *nuisance*.

3.10 Storage of Vehicles

[Amended]

A *person* must not, without a *permit*, on *council land*, a *road* or in a *Public Place*:



- (a) place or store or allow to be placed or stored a boat, caravan, trailer, or any other vehicle unable to move on its own accord, other than a *motor vehicle*, for longer than 48 hours; or
- (b) store, leave or keep a registered vehicle for longer than 60 days.

3.11 Repairing Vehicles

A *person* must not dismantle, paint, carry out maintenance on or repair a vehicle on *council land*, a *road* or in a *Public Place*.

NOTE: Clause 3.11 does not apply to repairs carried out following a mechanical breakdown.

3.12 Vehicles in a Public Place

[Amended]

A *person* must not leave or allow to be left, a *vehicle* on *council land*, a *road* or in a *Public Place* that is:

- a) unregistered;
- b) immobile;
- c) damaged;
- d) dilapidated; or
- e) causing a danger or an obstruction to other road users or pedestrians.

3.13 Vehicles and Machinery on Land

A *person* must not, without a *permit* use any *land*:

- (a) for the storage of more than 2 unregistered *motor vehicles* or machinery;
- (b) for the dismantling or breaking up of *motor vehicles* or machinery; or
- (c) for the repair or servicing of any *motor vehicle* other than a *motor vehicle* registered at the address of that *land* which is primarily used for residential purposes.

NOTE: Clause 3.13 does not apply if permitted under the Maroondah Planning Scheme

3.14 Storage of Heavy Vehicles or Long Vehicles

[New]

A *person* must not, without a *permit*, store or keep a *heavy vehicle* or *long vehicle* on any *land*.

NOTE: Clause 3.14 does not apply if permitted under the Planning Scheme.

3.15 Alarms

[Amended]

An *owner* or *occupier* of *land* must not install, *permit* to be installed or cause to be retained on that *land* any alarm which emits a noise that is audible beyond the boundary of that *land*, unless:



- (a) when activated the alarm is automatically rendered inaudible beyond the boundary within 10 minutes of it being activated; and
- (b) the alarm cannot re-activate until the device has been re-set.

3.16 Camping on Land

[Amended]

An *owner* or *occupier* of *land* must not allow a *person* to camp on that *land* by occupying a caravan, *vehicle*, shed, tent or any other temporary, makeshift or like structure on the *land* in a manner that causes a *nuisance* or is detrimental to the general amenity of the area.



PART 4 - BUILDING SITE MANAGEMENT & ASSET PROTECTION

This Part aims to ensure the safety and amenity of the municipality by controlling activities associated with building work and to protect Council assets from damage during building works.

4.1 Asset Protection Permits

The *person in charge* of building works on *land*, must obtain an Asset Protection Permit at least 7 days prior to the *building works* commencing.

4.2 Containment of Building Sites

[New]

The *person in charge* of building works on *land*, must ensure that:

- (a) the *building works* are contained entirely within the *building site*;
- (b) the *building site* is provided with secure *site fencing*;
- (c) gates or access points of the *site fencing* do not open outwards onto *council land*; and
- (d) the *site fencing* is contained entirely within the *building site* and does not obstruct *council land*.

4.3 Building Site Safety and Amenity

[Amended]

The *person in charge* of building works on *land* must ensure, at all times:

- (a) that the *building works* do not cause, or are likely to cause a danger or detriment to pedestrian or vehicular traffic safety;
- (b) all building related material is kept within the *building site*;
- (c) any sediment, mud, erosion, stormwater pollutants or other site run off is prevented from leaving the *building site*;
- (d) mud, sediment, slurry or similar material is not deposited in or on any *road* or *Public Place*;
- (e) dust or air pollutants from the *building site* is not detrimental to the amenity of the area;
- (f) that the *building site* displays a clearly legible *site identification sign*;
- (g) that there is on the *land* a toilet system installed and maintained to the satisfaction of an *Authorised Officer*; and
- (h) that the *building works* do not cause detriment to any *council asset*, or the natural or built environment.

4.4 Building Site Access

The *person in charge* of building works must ensure that the point of entry to the *building site* is:

- (a) only by way of a Council approved *vehicle crossing* whether permanent or temporary; and
- (b) maintained to the satisfaction of an *Authorised Officer*.



4.5 Building Site Waste

[Amended]

The *person in charge of building works on land* must ensure that any building waste is:

- (a) contained entirely within the *building site*;
- (b) contained in a receptacle in which the waste cannot escape from;
- (c) stored in a manner that does not cause detriment to the visual amenity of the area or a nuisance; or
- (d) disposed of regularly, and, where that waste is in the form of stormwater, to a legal point of discharge.

4.6 Soil Stockpiles

The *person in charge of building works on land* must ensure that soil stripped from the *building site* is:

- (a) stockpiled on the *building site* for re-use in a manner so as not to cause a *nuisance*; or
- (b) is transported to a legal place of disposal.

4.7 Noise from Building Works

[Amended]

- (1) The *person in charge of building works on land*, must not, without a *permit* cause or allow *building works* or other building related activities to be carried out on *land*:
 - (a) outside the hours of 7.00am and 6.00pm on weekdays;
 - (b) outside the hours of 9:00am and 3:00pm on Saturdays; and
 - (c) on any Sunday and any Public Holiday.
- (2) Clause 4.7 (1) does not apply to *building works* which are inaudible and do not cause a *nuisance*.

4.8 Management of Easements

[New]

Where *land* is encumbered by a drainage easement, a *person* must not, without the prior written consent of Council:

- (a) place any fill within an easement;
- (b) excavate any soil or dirt from within the easement;
- (c) excavate any soil or dirt from the *land* comprising the easement, in a manner which, in the opinion of an *Authorised Officer*, is likely to affect the flow of water over the easement or on or from *land* adjacent to the easement;
- (d) cover any drainage inspection pit or pit lid in a manner which, in the opinion of an *Authorised Officer*, makes it impracticable to conveniently use or access the drainage inspection point or the pit lid for its intended purpose; or



- (e) undertake *building works* on, over or within an easement, that in the opinion of an *Authorised Officer* may damage a Council drainage system, or limit Council's ability to access, maintain or renew a drainage system.

4.9 Direction to Cease Building Works

The *person in charge* of *building works* on *land* must cease *building works* immediately, when directed verbally or in writing to do so by an *Authorised Officer*.

4.10 Occupying Council Land or a Road for Building Works

[NEW]

A *person* must not, without a *permit*:

- (a) occupy any part of a *road* or *council land* for *building works*; or
- (b) alter the traffic flow or any parking provisions affecting *council land* or a *road*.

4.11 Vehicle Crossings

[Amended]

(1) A *person* must not, without a *permit*:

- (a) install, construct, alter, or reconstruct a *vehicle crossing*, whether permanent or temporary; or
- (b) allow any *vehicle* to enter or leave any *land* except by using the *vehicle crossing* servicing that *land*.

(2) Each point of vehicle access to *land* from a *road*, *road reserve* or *council land* must be approved by Council and properly constructed and maintained.

(3) An *Authorised Officer* may direct a *person* to:

- (a) construct, repair or reconstruct a *vehicle crossing*, whether permanent or temporary; or
- (b) reinstate any kerb, channel, footpath or other area.

4.12 Council Assets

A *person* must not, without a *permit*, destroy, damage, connect to, modify or interfere with any *council assets*.

4.13 Use of Drains and Legal Points of Discharge

(1) A *person* must not, without a *permit*:

- (a) connect to;
- (b) alter;
- (c) interfere with;
- (d) excavate;
- (e) damage;



- (f) destroy; or
 - (g) obstruct -
the function of any drain under the control of Council or any water course, ditch, creek, gutter, tunnel, bridge, levee, culvert or fence under Council management.
- (2) The *owner* and *occupier* of *land* or any other *person* involved in the management of *land* must ensure that:
- (a) each building and/or structure on the *land* is connected to a legal point of discharge nominated by Council through a properly constructed and maintained underground drainage system;
 - (b) the *land* is adequately drained to the satisfaction of an *Authorised Officer*; and
 - (c) all drainage servicing their *land* is maintained in sound working order and does not cause damage to any other property, including *council land*.



PART 5 - WASTE MANAGEMENT

This Part aims to manage waste collection to prevent impacts to amenity including the management of hard waste collection. **[Amended]**

5.1 Use of Council issued mobile garbage bin

A *person* supplied with a Council issued *mobile garbage bin*, must ensure that waste is deposited into that bin in accordance with *Council's Waste Services Guideline 2023* being a document incorporated by reference into this Local Law.

5.2 Privately arranged Waste Collection

The *owner* or *occupier* of *land* to which a privately arranged waste collection service occurs, must conduct and facilitate that collection in accordance with *Council's Waste Services Guideline 2023* being a document incorporated by reference into this Local Law.

5.3 Hard Waste

The *occupier* of *land* to which Council provides a hard waste collection must place the approved materials out for collection in accordance with *Council's Waste Services Guideline 2023* being a document incorporated by reference into this Local Law.

5.4 Interference with waste and mobile garbage bins

A *person* must not remove or interfere with any *mobile garbage bin*, refuse, recyclables or any other materials placed out for collection.

5.5 Use of Public Bins

A *person* must not use public bins to dispose of waste or recyclables generated from domestic, commercial or industrial premises.



PART 6 - ANIMALS

This Part contains provisions to manage domestic animals within the municipality and aims to ensure that animals kept on *land* do not cause a nuisance.

6.1 Animal Numbers

An *owner* or *occupier* of any *land* which is less than or equal to 5,000 square metres, must not, without a *permit*, keep or allow to be kept any more than the number for each animal set out in the following table:

Type of Animal	Number	Conditions
Dogs	2	An additional dog can be kept where according to Council records, the dog is 10 years old or more
Cats	2	An additional cat can be kept where according to Council records, the cat is 10 years old or more
Large Birds	0	
Domestic Birds	20	Birds must be kept in appropriate housing
<i>Poultry</i>	5	Does not include a rooster
Rooster	0	A rooster is not permitted
Pigeons	20	Pigeons must be kept in appropriate housing
Ferrets, Guinea Pigs, Rabbits or Rodents	5	
Horse or Donkeys	0	
Cattle, sheep, goats, alpacas or llamas	0	
Pigs	0	
Any other agricultural animal	0	

6.2 Keeping of Animals

The *owner* or *occupier* of *land* on which any animal is kept, must ensure that the animal housing or enclosure:

- is of adequate size to house the number or type of animals;
- is maintained in a clean and sanitary condition that does not cause a nuisance to any other *person*;
- provides adequate shelter for the number of and welfare needs of the animal;
- is maintained in good repair, and the surrounding area is well drained so as to not cause a nuisance;
- is located so as not to cause a nuisance;
- does not form part of the property boundary fence;



- (g) is clear of materials which may harbour and/or attract *vermin*; and
- (h) is adequately fenced to prevent the animal from escaping.

6.3 Collection and disposal of animal excrement

[Amended]

A *person* in charge of any animal in a *Public Place* must:

- (a) carry a suitable litter device for the collection of excrement from that animal;
- (b) immediately collect any excrement deposited by that animal; and
- (c) dispose of the animal excrement in a proper and sanitary manner.

6.4 Control of dogs and cats

[New]

An owner or the *person* in apparent control of a dog or cat must not allow or *permit* that dog or cat to cause injury to a *person* or animal.

Note: *Dog attacks involving serious and non-serious injuries are dealt with under the Domestic Animals Act 1994.*

6.5 Animals at Large

[New]

The owner or person in charge of an animal must not allow that animal to wander from where it is usually kept.

Note: *This clause does not apply to dogs and cats that are dealt with under the Domestic Animals Act 1994.*

6.6 Animal Nuisance

An *owner* or *occupier* of *land* where an animal or bird is kept, must ensure that the animal or bird does not cause a nuisance.

6.7 Power to seize additional Animals

Where a Magistrate has found a *person* to be in breach of clause 6.1 and a *permit* for additional animals has not been granted, Council may enter the *land* on which the animals are being kept and seize and dispose of any such animals.

Note: *Disposal for the purposes of clause 6.7 includes sale, rehoming or destruction of the animal as determined by an Authorised Officer.*



PART 7 - LIQUOR AND SMOKE FREE AREAS

This Part aims to preserve public health and safety by regulating the consumption of alcohol and smoking in *Public Places*.

7.1 Smoke Free Areas

- (1) A *person* must not *smoke* in a *smoke free area* as shown in Part A of *Schedule 2*.
- (2) Where an *Authorised Officer* believes on reasonable grounds that a *person* is contravening or has contravened clause 7(1) the *Authorised Officer* may direct the *person* to:
 - (a) extinguish and dispose of the *tobacco product*; or
 - (b) cease use of the *e-cigarette*.
- (3) A *person* to whom a direction is given under clause 7(2) must comply with that direction.
- (4) In addition to the *smoke free areas*, Council may, by following the guidelines listed in Part B of *Schedule 2*, prescribe any other area within the municipal district to be a *smoke free area*.
- (5) Council may erect, or cause to be erected, appropriate signage indicating that an area is a *smoke free area*.

7.2 Consumption of Liquor in a Public Place

[Amended]

- (1) A *person* must not, without a *permit*, on *council land* or in a *Public Place*:
 - (a) consume any *liquor*; or
 - (b) have in that *person's* possession or control any *liquor* that is in an open container.
- (2) An *Authorised Officer* may impound any open or unopened container of *liquor*.

NOTE: Clause 7(1) does not apply to a *person* who consumes, possesses or has under their control, *Liquor*:

- a) on premises or at a location which is licensed under the *Liquor Control Reform Act 1998*; or
- b) within a *Council Reserve* between the hours of 7.00 am and 10.00 pm, provided that its part of an organised activity with a *Permit* or as part of picnic with family/friends and no nuisance is being caused.

7.3 Behaviour at or near Licensed Premises

[Amended]

- (1) A *person* must not, in the course of arriving at or departing from *Licensed Premises* or any carpark designated for the use of patrons of such *Licensed Premises*, cause a *nuisance* on *council land* or in a *Public Place*.



PART 8 - ADMINISTRATION

This Part contains general provisions regarding the issuing, suspension and revocation of permits issued under this Local Law, including Asset Protection Permits.

8.1 Applications

An application for a *permit* under this Local Law must be:

- (a) in a form approved by Council; and
- (b) accompanied by the fee set by Council.

8.2 Further requirements

Council may require a *permit* applicant to:

- (a) supply more information; or
- (b) give public notice of the application.

8.3 Decision on permit application

After considering all relevant documentation, Council may decide to:

- (a) grant a *permit*;
- (b) grant a *permit* subject to conditions, including the requirement to lodge a bond with Council;
- (c) refuse to grant a *permit*; or
- (d) exempt a *person* or class of *persons* from the requirement to obtain a *permit*.

8.4 Correction, suspension or cancellation of permits

- (1) Council may correct a *permit* if the *permit* contains a clerical mistake, error or omission.
- (2) Council may suspend or cancel a *permit* at any time:
 - (a) if requested to do so by *permit* holder;
 - (b) if it considers there has been;
 - i) a material mis-statement or concealment of fact in relation to the application for the *permit*;
 - ii) a material mistake in relation to the issue of the *permit*;
 - iii) a material change in circumstances which has occurred since the granting of the *permit*; or
 - iv) there has been a substantial failure to comply with the *permit* conditions or a *Notice to Comply*.
- (3) Council must give written notice to a *permit* holder of any correction, cancellation suspension or amendment of a *permit*



- (4) Before it cancels a *permit*, the Council must provide the *permit* holder with an opportunity to make a submission on the proposed cancellation.
- (5) If the *permit* holder is not the *owner* of the *land*, and the *Authorised Officer* determined that the *owner's* consent was required to be given for the application for the *permit*, the *owner* must be notified of any *Notice to Comply* subsequently issued by Council.

8.5 Fees and Charges

- (1) Council may by resolution determine fees and charges for the purposes of this Local Law.
- (2) Council may waive, reduce or defer payment of fees and charges in whole or in part, with or without conditions.

8.6 Bonds

- (1) In deciding to grant a *permit*, Council may require the *permit* holder to lodge with Council a bond for such amount and in such a manner as Council determines.
- (2) If Council is required to remedy a breach of any *permit* condition or repair any damage caused by any work carried out under a *permit*, it may for that purpose, use part or all of any bond associated with that *permit*.
- (3) Where the bond or any part is used pursuant to clause 8(2), the *permit* holder, may be directed to replenish or increase the bond amount.
- (4) On satisfactory completion of any works which required a bond. Council must release any applicable bond or remainder of the bond.
- (5) Council may retain the bond amount and place it into Council's general revenue if the *permit* holder cannot be located or has not collected the bond payment within 12 months of notice being given.



PART 9 – ENFORCEMENT

9.1 Exercise of discretion

- (1) In exercising any discretion contained in this Local Law, an *Authorised Officer* must have regard to:
 - (a) the objectives of this Local Law;
 - (b) any applicable Council Policy; and
 - (c) any other relevant matter, including extenuating circumstances which support a non-punitive response.
- (2) For the purposes of clause 9(1), extenuating circumstances include *persons* who are vulnerable because they are:
 - (a) experiencing homelessness;
 - (b) socially, culturally or economically marginalised; or
 - (c) experiencing chronic physical or mental health issues.

9.2 Offences and Penalties

- (1) A *person* who –
 - (a) contravenes or fails to comply with any provision of this Local Law or any document incorporated by reference;
 - (b) contravenes or fails to comply with any condition contained in a *permit* issued under this Local Law;
 - (c) knowingly supplies false or misleading information in support of an application for a *permit* issued under this Local Law;
 - (d) knowingly supplies false or misleading information to an *Authorised Officer*;
 - (e) fails to comply with a verbal or written direction issued by an *Authorised Officer*;
 - (f) fails to comply with a *Notice to Comply* issued by an *Authorised Officer*;
 - (g) fails to comply with a Notice of Impoundment served by *Authorised Officer*;
 - (h) fails to comply with a sign erected by Council; or
 - (i) makes or attempts to make any agreement with an *Authorised Officer* to induce that *Authorised Officer* to compromise their duty -

is guilty of an offence and is liable to a penalty not exceeding 20 *penalty units*.

- (2) The *penalty units* indicated in this Local Law are maximum penalties which may apply if the offence is found proven by a Court.



- (3) Following a finding of guilt or conviction for an offence against this Local Law in Court, a *person* is liable to a penalty of two penalty units for each day during which the contravention continues.
- (4) If a *person*, after a finding of guilt or conviction by a Court, commits a subsequent offence against the same provision of the Local Law, that *person* is liable to a penalty not exceeding 20 *penalty units*.

9.3 Offences by Corporations

Where a corporation commits an offence under this Local law, any directors or officers of that corporation also commit an offence.

9.4 Operator Onus Offence

[New]

- (1) The operator onus provisions under Part 6AA of the *Road Safety Act 1986* apply to any offence provision of this Local Law which involves the use of vehicles.
- (2) If the operator of a vehicle that is used in the commission of an offence under this Local Law, cannot be found or it is impracticable to charge the operator with an offence, the registered owner of that vehicle, is guilty of that offence.

9.5 Power to issue a Direction

Where an *Authorised Officer* reasonably believes that a *person* has committed an offence against this Local Law, the officer may issue a verbal or written direction, requiring a *person* to stop offending and do anything necessary to rectify the offence.

9.6 Notice to Comply

- (1) An *Authorised Officer* may serve a *Notice to Comply*, directing a *person* to take action to remedy any situation which may constitute a breach of this Local Law.
- (2) A *Notice to Comply* must specify the time and date by which the *person* specified in the *Notice to Comply* must comply with the directions stipulated in the *Notice to Comply*.
- (3) The period of time required to comply with a *Notice to Comply* must be reasonable in the circumstances having regard to:
 - (a) the amount of work required;
 - (b) the degree of difficulty;
 - (c) the availability of necessary materials or other items;
 - (d) climatic conditions;
 - (e) degree of potential risk; and
 - (f) any other relevant factors.



9.7 Infringement Notices

- (1) Where an *Authorised Officer* reasonably believes that a *person* has committed an offence under this Local Law, the *Authorised Officer* may serve on that *person* an *infringement notice*.
- (2) The penalties fixed for *infringement notices* served under this Local Law are set out in *Schedule 1*, or if no amount is set out, 2 *penalty units* is applied.

9.8 Impounding items

- (1) An *Authorised Officer* may immediately move or impound any object, thing or animal which the officer reasonably believes contravenes this Local Law.
- (2) Following impoundment, an *Authorised Officer* must, if practicable, serve a Notice of Impoundment on the *person* whom the officer reasonably believes is the owner of the object, outlining the process for collection.
- (3) An *Authorised Officer* may sell, dispose of or destroy an object that isn't collected in the manner specified in the Notice of Impoundment, with any proceeds from the sale being placed into Council's consolidated revenue.
- (4) An *Authorised Officer* may sell, dispose of or destroy an object, where an owner cannot be established or has laid claim, following 28 days of impoundment, with any proceeds from the sale placed into Council's consolidated revenue.
- (5) An *Authorised Officer* may direct any *person* responsible for causing or permitting an obstruction on *council land* to remove the obstruction.
- (6) An *Authorised Officer* may return the object to its owner on payment of a fee set by Council.

9.9 Urgent Circumstances

In any urgent circumstance arising under this Local Law, an *Authorised Officer* may take any reasonable action to remedy the situation without first serving a *Notice to Comply*.



SCHEDULE 1 - INFRINGEMENT NOTICE PENALTIES

The *infringement notice* penalty for a company or incorporated body is identical to the penalty for a natural person unless indicated otherwise. Unless a sub-clause with a corresponding penalty unit has been referenced, the penalty unit specified relates to all sub-clauses within that clause.

Clause	Activity	Infringement Penalty for Natural person	Infringement Penalty for a Corporation
Part 2 - Use of Council Land and Roads			
2.1	Behaviour on Council Land and on Roads	2	
2.1 (e)	damage to a Council Asset	3	6
2.2	Use of Reserves	2	
2.3	Gateways to Reserves	2	
2.4	Filming	3	6
2.5	Camping on Council Land and in Public Places	1	
2.6	Donation Bins		
2.6 (1)	Donation bins on Council Land	5	10
2.6 (2)	Maintenance of donation bins in Public Places	3	6
2.7	Shopping Trolleys	2	4
2.7(3c)	collection of dumped trolleys	3	6
2.8	Items on Council Land and Roads	3	10
2.9(1)	Bulk Waste Containers	5	10
2.10	Graffiti	3	
2.11	Advertising Signs	1.5	4
2.12	Events	2	
2.13	Roadside trading	2	4
2.14	Busking and Street Performances	1	
2.15	Collections and Fundraising	1	
2.16	Signs, Goods and Furniture	1	
Part 3 - Environmental Amenity & Safety			
3.1	Property Numbering	1	
3.2	Condition of Land (a, b, c)	4	10
3.3	Condition of Buildings	10	20
3.3(2)	Securing of land	4	8
3.4	Prevention of Fire	5	10
3.5	Noxious Weeds	2	
3.6	Trees and Vegetation	2	
3.7	Fires in the open air	3	
3.8	Vermin	1.5	



Clause	Activity	Infringement Penalty for Natural person	Infringement Penalty for a Corporation
3.9	Keeping of Bees	1.5	
3.10	Storage of Vehicles	2	
3.11	Repairing Vehicles	2	
3.12	Vehicles in a Public Place	2	
3.13	Vehicles and Machinery on Land	3	
3.14	Storage of Heavy or Long Vehicles	3	6
3.15	Alarms	2	4
3.16	Camping on land	2	
Part 4 - Asset Protection & Building Sites			
4.1	Asset Protection Permits	5	10
4.2	Containment of Building Sites	3	6
4.3	Building Site Safety and Amenity		
4.3 (a)	pedestrian and vehicular traffic safety	5	10
4.3 (b)	building related material kept on building site	3	6
4.3 (c)	prevention of site run-off	3	6
4.3 (d)	mud deposits	5	10
4.3 (e)	prevention of dust and air pollutants	3	6
4.3 (f)	site identification	2	4
4.3 (g)	approved toilet system	2	4
4.4	Building Site Access	5	10
4.5	Building Site Waste	3	6
4.6	Soil Stockpiles	3	6
4.7	Noise from Building Works	5	10
4.8	Management of Easements	3	6
4.8 (a)	must not place any fill on an easement	3	
4.8 (b)	excavate any soil from easement	3	
4.8 (c)	excavate any soil from easement that can affect water flow	6	
4.8 (d)	cover any drainage inspection pit or pit lid	6	
4.8 (e)	undertake building works	10	
4.9	Direction to Cease Building Works	5	10
4.10	Occupying Road or Council Land for Building Works	10	20
4.11	Vehicle Crossings	5	10
4.12	Council Assets	3	6
4.13	Use of drains and legal points of discharge	10	16
Part 5 - Waste Management			
5.1	Use of Council issued mobile garbage bins	2	



Clause	Activity	Infringement Penalty for Natural person	Infringement Penalty for a Corporation
5.2	Privately arranged Waste Collection	5	10
5.3	Fail to comply with Council's Waste Collection Guidelines	3	6
5.4	Interference with waste and mobile garbage bins	2	4
5.5	Use of Public Bins	3	6
Part 6 - Animals			
6.1	Animal Numbers	1.5	
6.2	Keeping of Animals	2	
6.3	Collection and disposal of animal excrement	2	
6.4	Control of dogs and cats	3	
6.5	Animals at large	3	
6.6	Animal nuisance	2	
Part 7 - Alcohol and Smoke Free Areas			
7.1	Smoke Free Areas	2	
7.2	Consumption of liquor in a Public Place	2	
Part 9 - Enforcement			
9.2 (1)	Offences		
(a)	Fail to comply with an incorporated document	3	6
(b)	Fail to comply with a permit condition	2	4
(c)	Fail to comply with a condition of an Asset Protection Permit	5	10
(d)	Knowingly supplies false or misleading information in support of an application for a permit issued under this Local Law	3	6
(e)	Knowingly supplies false or misleading information to an Authorised Officer	3	
(f)	Fail to comply with a verbal or written direction issued by an Authorised Officer	3	
(g)	Fail to comply with a Notice to Comply issued by an Authorised Officer	3	6
(h)	Fail to comply with a Notice of Impoundment served by Authorised Officer	3	6
(i)	Fail to comply with a sign erected by Council	2	4
(j)	Makes or attempts to make any agreement with an Authorised Officer to induce that Authorised Officer to compromise their duty (NEW)	3	



SCHEDULE 2 - SMOKE FREE AREAS

PART A – SMOKE FREE AREAS

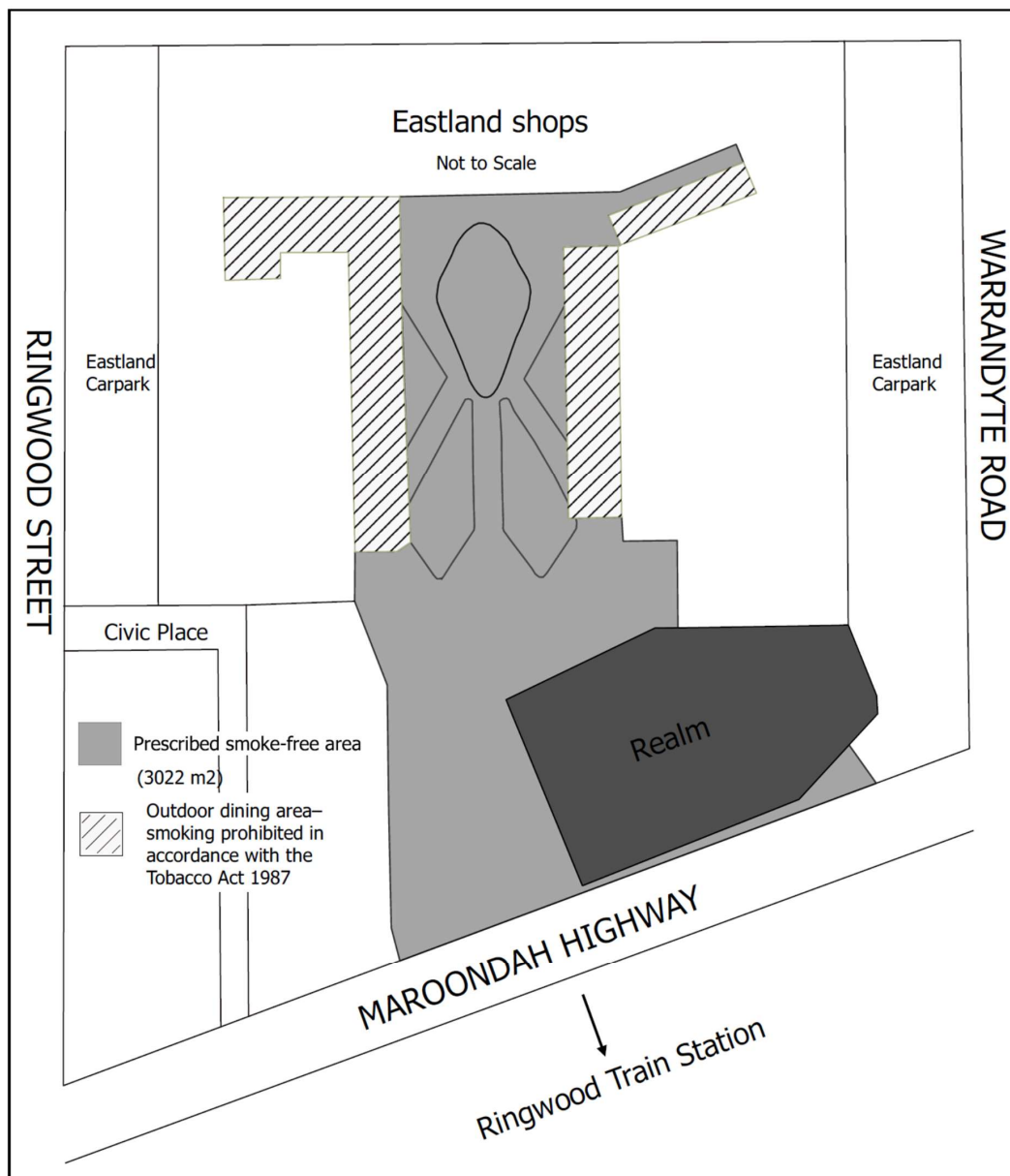
The following areas are *smoke free areas* for the purposes of clause 7 of this Local Law:

1. Ringwood Town Square – being the area more particularly described as such in the appended map.
2. Croydon Town Square – being the area more particularly described as such in the appended map.

Note: to any extent smoking is prohibited in the prescribed *smoke free areas* pursuant to the *Tobacco Act 1987*, the provision of the Local Law in respect to smoking are inoperative



1 - Ringwood Town Square



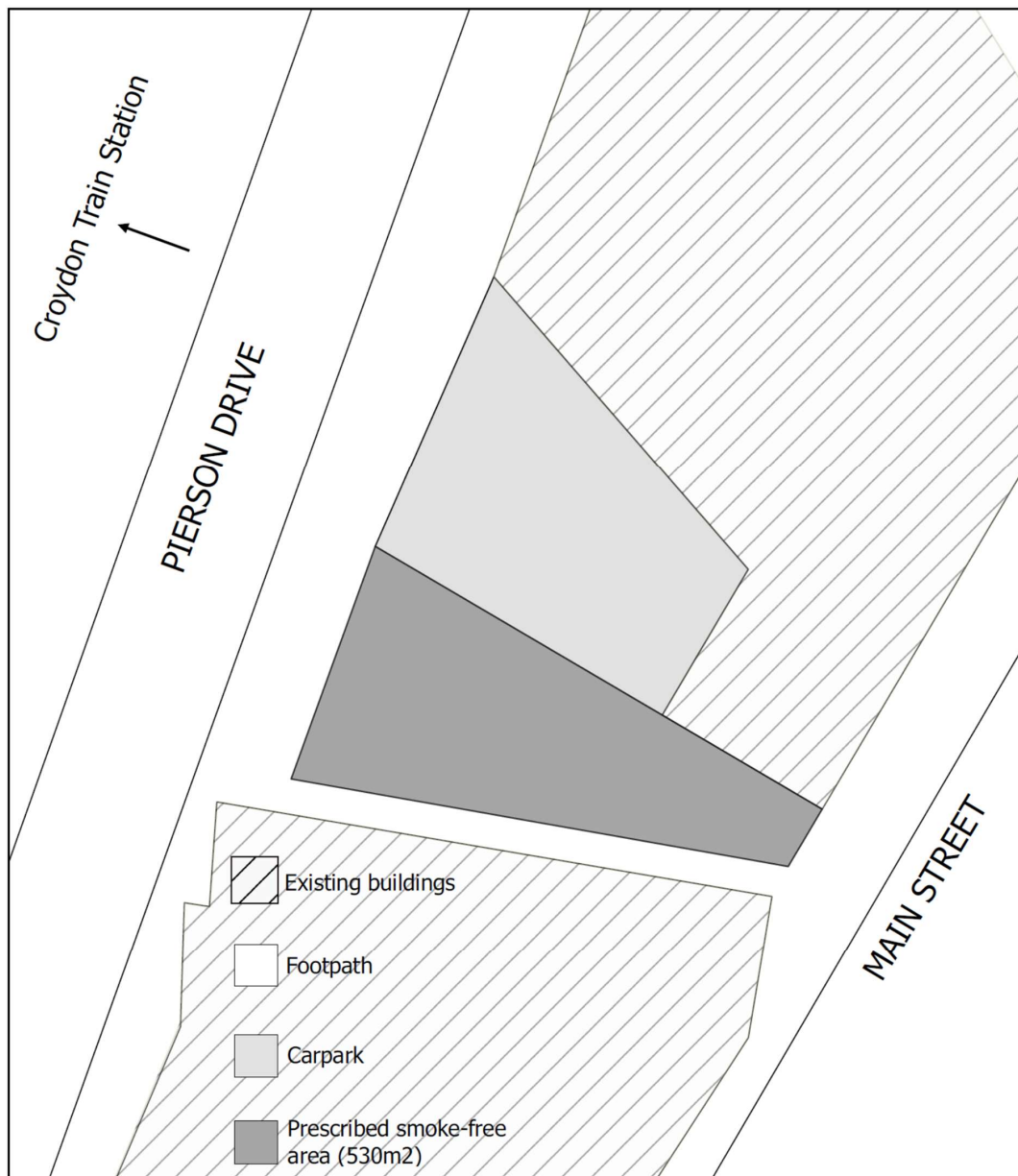
Maroondah City Council
Smoke Free Areas
Ringwood Town Square

Date 17-07-2018

10 0 10 20 30 40 m



2 - Croydon Town Square



Maroondah City Council
Smoke Free Areas
Croydon Town Square

Date	17-07-2018		
10	0	10	20 m



PART B - GUIDELINES FOR PRESCRIBING SMOKE FREE AREAS

When determining whether to Prescribe a *smoke free area* for the purposes of clause 7.1 of this Local Law, Council must have regard to the following factors:

- a) the size of the proposed *smoke free area*;
- b) the opinions of any *person* who is the *owner* or *occupier* of any part of the proposed *smoke free area*;
- c) the proximity of the proposed *smoke free area* to a *Public Place*, part or all of which is not in a *smoke free area*;
- d) the extent and outcome of any public consultation on the proposed *smoke free area*;
- e) any benefits to the community which would be achieved by Council Prescribing the proposed *smoke free area*; and
- f) any detriment to the community which would be caused by Council Prescribing the proposed *smoke free area*.

Waste Services Guideline - 2023



Table of contents

1. Objective	1
2. Relationship with Community Local Law - 2023	1
3. Guideline	2
3.1. Use of mobile garbage bins	2
3.2. Mixed recycling	2
3.3. Food Organics and Garden Organics (FOGO).....	3
3.4. Domestic general waste	3
3.5. Hard waste and bundled prunings management.....	4
3.5.1. Use of hard waste and bundled prunings services	4
3.5.2. General hard waste	4
3.5.3. Bundled prunings	4
3.5.4. Paid hard waste and/or bundled prunings collection	5
3.6. Prohibited contents of mobile garbage bins and hard waste / bundled prunings	5
3.7. Industrial and commercial properties.....	5
3.8. Collection of private waste services	5
3.9. Interference with refuse, recyclable goods, FOGO, hard waste.....	5
3.10. Refrigerators and other compartments	6
3.11. Restriction of use of public bins	6
4. Appendices.....	7
4.1. Appendix 1 - Definitions table	7
4.2. Appendix 2 - Blue-lidded MGB mixed recycling standard list of contents	8
4.3. Appendix 3 - Lime-green-lidded MGB FOGO standard list of contents	12
4.4. Appendix 4 - Red or green lidded MGB general waste standard list of contents	15
4.5. Appendix 5 - Hard waste standard list of contents	19
4.6. Appendix 6 - Bundled prunings standard list of contents	20

1. Objective

The objective of this guideline is to ensure the amenity of Council's municipal district is maintained through the correct placement, removal, and maintenance of Council issued mobile garbage bins (MGB).

As per the Circular Economy (Waste Reduction and Recycling) Act 2021, Council will be rolling out new services over the next 5-10 years including a Food Organics Garden Organics (FOGO) service in May 2023, and a glass service in 2026/27.

2. Relationship with Community Local Law - 2023

These Waste Services Guidelines are made pursuant to Part 5 of Council's Community Local Law 2023 which aims to manage waste collection to prevent impacts to amenity, including the management of hard waste collection and reduce impacts of contamination in the waste stream.

Waste Services Guideline - 2023



While an educational approach is generally used, as a document incorporated by reference into the Local Law, these Guidelines form part of the Local Law and are capable of being administered and enforced in accordance with those enabling provisions.

Any amendments to these Guidelines will be advertised on Council's website.

3. Guideline

3.1. Use of mobile garbage bins

The occupier of land to which Council provides a mobile garbage bin (MGB) must ensure that any Council issued MGB:

- (a) is appropriately maintained in a clean and sanitary condition so as not to be offensive to any person and/or become a health nuisance
- (b) is stored in a safe, clean, and sanitary area within the property boundary
- (c) is stored with the lid closed and not overfilled such that the lid cannot be completely closed down
- (d) is only used for the type of waste permitted
- (e) is only filled with waste generated from the property to which the bin has been issued
- (f) is positioned for collection with the lid closed and without any additional material beside of or on top of the MGB
- (g) is placed out for collection near the kerb or roadside with the wheel's positioned nearest to the house or property
- (h) is placed out for collection no more than one day before scheduled collection
- (i) is placed out for collection no later than 6:00am on the day of collection
- (j) is returned inside the property boundary within 24 hours of collection
- (k) is not left out on Council land outside of the collection times unless permitted to do so by an Authorised Officer
- (l) is placed out for collection at least thirty (30) centimetres away from additional MGB's and at least one (1) metre away from trees or light poles
- (m) is placed out for collection away from parked cars and outside the truck turning zone (e.g., dead end streets, court bowls etc)
- (n) is placed out for collection where otherwise instructed by Council - i.e., some multi-unit developments have special MGB placement instructions
- (o) is placed out for collection with a total weight of no more than forty (40) kilograms
- (p) is not removed from the premises or transferred to other premises except for collection in accordance with 3.1.(n)

3.2. Mixed recycling

The occupier of every premises to which Council supplies a blue-lidded mixed recycling MGB must:

- (a) deposit only loose, not bagged or wrapped, mixed recycling material in the mixed recyclables MGB
- (b) only place mixed recycling material in the mixed recycling MGB

Refer to Appendix 2 for a standard list of accepted and non-accepted items. Additional information bin can be found on Council's website -

<https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/Recyclables-collection>

Waste Services Guideline - 2023



3.3. Food Organics and Garden Organics (FOGO)

The occupier of every premises to which Council supplies a lime-green-lidded FOGO MGB must:

- (a) only deposit loose, not bagged or wrapped, garden organics in the FOGO MGB, specifically, this includes:
 - i. grass clippings and weeds (free of soil)
 - ii. branches and small logs up to 10cm diameter and 40cm in length
 - iii. garden prunings
 - iv. leaves
- (b) only deposit food organics in the FOGO MGB, either loose or contained within a Council supplied liner, specifically, this includes:
 - i. fruit and vegetable scraps
 - ii. tea leaves and coffee grounds
 - iii. pasta, bread, rice, and cereal
 - iv. seafood, meat, and bones
 - v. eggshells, and dairy
 - vi. leftovers and plate scrapings
- (c) only place food organics or garden organics in the FOGO MGB

Refer to Appendix 3 for a standard list of accepted and non-accepted items. Additional information can be found on Council's website -

<https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/Garden-organics-collection>

3.4. Domestic general waste

The occupier of every premises to which Council supplies a red or green lidded general waste MGB must:

- (a) only deposit in the general waste MGB bagged, wrapped, or otherwise securely contained solid waste other than the following:
 - i. vegetation that can be recycled using Council's bin-based garden organics service,
 - ii. recyclable materials that can be recycled using Council's bin-based mixed recycling service,
 - iii. hot or burning ashes,
 - iv. medical or infectious waste,
 - v. volatile, explosive, or flammable substances,
 - vi. dust, fine particle waste, polystyrene beads or similar unless securely wrapped,
 - vii. oil, paint, solvents or any material or item which may damage the MGB
- (b) not deposit waste derived from building construction or demolition activities, or waste created from the operation of a business

Refer to Appendix 4 for a standard list of accepted and non-accepted items. Additional information can be found on Council's website -

<https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/Weekly-rubbish-collection>

Waste Services Guideline - 2023



3.5. Hard waste and bundled prunings management

3.5.1. Use of hard waste and bundled prunings services

The occupier to which Council provides a hard waste and bundled prunings collection service:

- (a) must not place the approved materials to be collected before a collection has been booked with Council and not earlier than the weekend prior to collection
- (b) must place the approved materials to be collected on the nature strip of the booked address or other agreed location as determined by Council
- (c) must place the approved materials to be collected in a neat, safe, and orderly manner
- (d) must only deposit a maximum of two (2) cubic metres for a single booking collection or four (4) cubic metres for a double-booking collection of eligible general hard waste or bundled prunings. If put out together, general hard waste and bundled prunings must be booked separately adhering to the permissible quantities
- (e) can only make a booking if there are allocations available. Allocated quantities are valid for the financial year. Unused allocations will not carry over into the next financial year
- (f) may not cancel or change a hard waste and/or bundled prunings booking once a booking has been made
- (g) remove all non-collected material (either non-conforming or over limits) within two (2) days following the specified collection period as advised by Council at the time of booking the service

Additional information on the use of Council's hard waste and bundled prunings collection can be found on Council's website - <https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/On-call-hard-rubbish-and-bundled-prunings-collection>

3.5.2. General hard waste

In addition to the conditions in Clause 3.5.1., the occupier to which Council provides a hard waste collection service:

- (a) must only place out approved items for collection as listed in Appendix 5 which includes a list of common accepted and non-accepted items

3.5.3. Bundled prunings

In addition to the conditions in Clause 3.5.1., the occupier to which Council provides a bundled prunings collection service:

- (a) must only place out approved items for collection as listed in Appendix 6 which includes a list of common accepted and non-accepted items
- (b) must tie all bundled prunings (green waste) into bundles not exceeding 1500mm long and 300mm wide per bundle using natural string or twine
- (c) must ensure single tree limbs are neatly stacked with no branches attached and are no larger than 1500mm long and 200mm wide
- (d) must ensure bundles and single branches are able to be lifted by two (2) people

Waste Services Guideline - 2023



3.5.4. Paid hard waste and/or bundled prunings collection

The occupier to which Council provides a paid hard waste and/or bundled prunings collection service:

- (a) is eligible for additional paid collections which is subject to the same service inclusions and provisions as stated in Clauses 3.5.1, 3.5.2, and 3.5.3
- (b) is eligible for up to two (2) booked additional paid collections (of two (2) cubic metres each) per financial year. Paid collection arrangements and payment are to be made directly between the resident and the contractor using the online booking portal

3.6. Prohibited contents of mobile garbage bins and hard waste / bundled prunings

Council reserves the right to refuse collection from properties where non-compliant materials are repeatedly found. A comprehensive list of accepted and non-accepted items can be found in Appendices 2 to 6.

3.7. Industrial and commercial properties

- (a) Owners or occupiers of industrial and commercial properties must not leave any commercial or industrial service MGB (whether it be subject to a Council or private service collection) out on Council Property for more than twelve (12) hours before or after a collection day unless permitted to do so by an Authorised Officer
- (b) Exemptions to Clause 3.7.(a) apply to commercial properties which do not have sufficient space to store MGB's on private land (e.g., shopping strips) and commercial and industrial properties where an onsite waste collection is required as part of the planning permit

Refer to Appendices 2, 3, and 4 for a list of accepted and non-accepted items.

3.8. Collection of private waste services

- (a) The occupier of land to which a private waste service occurs on a road, on Council land, or private property must comply with all requirements in Clause 3.1
- (b) The occupier of land to which a private waste service occurs on a road or on Council land, must ensure the area around the bins is kept secured, clean and free of waste spill over
- (c) The occupier of land to which a private waste service occurs within the property boundary must always comply with the site Waste Management Plan requirements

3.9. Interference with refuse, recyclable goods, FOGO, hard waste

- (a) A person must not remove or interfere with any refuse or materials placed out for collection.
- (b) A person must not remove or interfere with a MGB or its contents when the MGB is left on a road, or at any other collection point, without written authority from an Authorised Officer.

Clauses 3.9.(a) and 3.9.(b) do not apply to a person authorised by Council to remove waste, or an employee of such person during their employment, the person placing the waste out for collection or an Authorised Officer in the course of their employment.

Waste Services Guideline - 2023



3.10. Refrigerators and other compartments

A person must not allow the placement of any disused refrigerator, ice chest, ice box, trunk, chest, or other similar article, without first removing every door, lid, lock and/or hinge rendering them incapable of being fastened on a road, public place, or Council Land.

3.11. Restriction of use of public bins

A person must not use public bins to dispose of waste or recyclables generated from domestic, commercial, or industrial premises.

Waste Services Guideline - 2023



4. Appendices

4.1. Appendix 1 - Definitions table

Term	Definition
Act	the <i>Local Government Act 1989</i> and the <i>Local Government Act 2020</i>
Authorised officer	a person appointed by <i>Council</i> to be an Authorised Officer under section 224 of the <i>Act</i>
Double booking	a hard waste or bundled prunings collection booking of four cubic metres (4m ³)
Food Organics and Garden Organics (FOGO)	means waste material from domestic kitchens, meal areas, and gardens. This includes food waste such as: fruit & vegetable scraps; tea leaves & coffee grounds; pasta bread rice & cereal; seafood, meat & bones; eggshells & dairy; leftovers & plate scrapings; and garden waste such as: grass clippings; weeds; leaves; garden prunings; branches and small logs up to ten (10) centimetres in diameter and forty (40) centimetres in length; and includes any other substance prescribed by Council within these Guidelines
Hard waste	means any waste items that cannot fit in an MGB and includes any other item prescribed by Council to be hard waste within these Guidelines
Mixed recycling	means items such as paper, glass and approve plastic materials and includes any other item as prescribed by Council to be 'mixed recyclables' within these Guidelines
Mobile Garbage Bin (MGB)	means a bin or receptacle supplied by Council for the purpose of collecting and disposing of general waste, mixed recycling, or garden organics, or other materials which may be regulated by Council
Occupier	the person or persons in charge, or having the management or control of, or legally entitled to occupy any land (including premises) and includes, in relation to land which has a lot entitlement or lot liability in respect of common property, the Owners Corporation created on the registration of a Plan of Subdivision affecting that land
Owner	in relation to land means the person, business, trust, or other legal entity who is registered on the Certificate of Title as the owner.
Premises	means any land in separate ownership or occupation and includes a shop, dwelling or a factory or part thereof as may be separately owned or occupied
Road	has the meaning ascribed to it by section 3 of the Act (1989) and includes every part of a road
Single booking	a hard waste or bundled prunings collection booking of two cubic metres (2m ³)

Waste Services Guideline - 2023



4.2. Appendix 2 - Blue-lidded MGB mixed recycling standard list of contents

4.2.1. Accepted items

Accepted		
Category	Items	Presentation
Glass bottles and jars for food and drinks Any size Intact or broken	Soft drink, juice, water, milk bottles Beer, wine, spirits bottles Sauce, condiment, oil bottles and jars Food jars (e.g., pasta sauce, jam, pickles, coffee)	Empty, lightly rinsed Lids on No need to remove bottle rings, pourers, or labels
Glass bottles and jars for medicine, toiletries Any size Intact or broken	Medicine bottles Vitamin and supplement bottles Bottles and jars for toiletries and cosmetics (e.g., lotions, oils) – no nail polish, perfume, aftershave bottles)	
Plastic bottles and containers	Beverage bottles (e.g., soft drink, juice) Plastic sauce bottles (e.g., tomato sauce) Toiletry bottles and tubes (e.g., shampoo, shower gel, moisturiser – no toothpaste tubes) Laundry bottles (e.g., laundry detergent) Household cleaning bottles (e.g., dishwashing liquid, bathroom cleaners) Plastic jars and lids (e.g., peanut butter) Plastic food tubs and lids (e.g., yogurt, butter, ice cream) Biscuit and chocolate trays Fruit/vegetable trays and punnets Plastic takeaway containers and lids Plastic plant pots	Empty, lightly rinsed Crush bottles and replace cap No bottle pumps or spray nozzles Remove plastic film/plastic wrapping No need to remove labels
Tins, foil, metal lids	Beverage cans (e.g., soft drink cans, beer cans) Food tins (e.g., tomato tins, pet food tins) Drink powder tins (e.g., instant coffee, hot chocolate) Biscuit and chocolate tins Cooking oil canisters (no need to remove plastic pourer) Aerosol cans (must be empty) Aluminium foil (scrunch into a ball the size of a golf ball or larger), foil trays Metal bottle/jar lids (any size)	Empty, lightly rinsed No aerosol cans that: <ul style="list-style-type: none"> • contain any liquid • have a Schedule 6 rating under the Poisons Standard (empty or full) • are barbeque cleaners (empty or full)
Paper and cardboard	Cardboard boxes (including boxes with sticky tape) Pizza boxes Uncoated cardboard food containers (e.g., burger boxes, coffee cup carry trays, paper plates) Box packaging (e.g., tissue boxes, detergent boxes, cereal boxes) Office paper (not shredded)	Remove solid food (cardboard containers with food stains can be recycled) Remove any plastic wrapping, lining, polystyrene, cutlery, sachets, receipts Flatten cardboard boxes

Waste Services Guideline - 2023



Accepted		
Category	Items	Presentation
	Cardboard tubes (e.g., for toilet paper or paper towel) Moulded cardboard packaging (e.g., egg cartons, produce trays) Greeting cards (without glitter/attached items) Cardboard postal envelopes (without bubble wrap) Brochures, leaflets, and flyers Newspapers, magazines, and catalogues Letters and envelopes (including windowed envelopes) Books, phone books Paper gift wrap (no foil/plastic gift wrap or tissue paper) Butchers paper (no plastic-lined deli paper) Paper bags (e.g., lunch bags, food delivery bags)	
Beverage cartons	Gable-top cartons (e.g., milk, juice) Long-life cartons (e.g., soy milk, long-life milk, soup, stock, juice boxes)	Empty, lightly rinsed Replace caps, leave straws in juice boxes
Soft plastics	Sandwich bags, freezer bags, zip lock bags, cling wrap Food bags (e.g., for bread, produce, rice, cereal) Plastic grocery and shopping bags, netting bags Silver-lined plastic bags/wrappers (e.g., for chips, chocolate) Food pouches (e.g., yogurt pouches, pet food pouches) Bags and wrapping for homewares Plastic sachets and film lids Plastic post satchels, bubble wrap, cellophane Pet food and potting mix bags	Presentation to be determined following soft plastics recycling trials

4.2.2. Non-accepted items

Not accepted	
Category	Items
Lids (loose)	Bottle lids, jar lids
Other closures	Bottle pumps, spray nozzles, droppers, corks
Soft plastics	Bagged recyclables, plastic bags
Bottles or jars with contamination	Bottles/jars with items inside them (e.g., cigarette butts, straws, food, liquid)
Glass kitchenware (intact or broken)	Drinking glasses, glass cookware and containers (e.g., Pyrex), crystal glass Reusable coffee cups and water bottles Crockery and ceramics

Waste Services Guideline - 2023



Not accepted	
Category	Items
Glass household items (intact or broken)	Perfume and aftershave bottles, nail polish bottles Essential oil bottles, candle jars Picture frame glass, mirrors Light bulbs, fluorescent tubes Decorative glass items (e.g., vases) Glass from furniture, appliances, electronics (e.g., microwave turntables)
Other glass (intact or broken)	Medical or laboratory glass Plate glass (window glass and windscreens), fibre glass Eyeglasses/sunglasses
Plastic	Meat trays, deli meat trays Cordial bottles Plastic plates, bowls, cups, cutlery, straws, drink stirrers Items labelled compostable, biodegradable, degradable, oxo-degradable, plant-based, bioplastic Reusable plastic containers (e.g., reusable coffee cups, reusable water bottles, baby bottles, lunch boxes) Household items (e.g., coat hangers, toothbrushes, toys, eyeglasses) CDs, DVDs, video tapes, cassette tapes and their cases Plastic strapping Bank cards, loyalty cards Plastic items under 5cm in diameter (e.g., bottle lids/caps, bread tags, single-serve sauces) Plastic items larger than a 3L bottle (e.g., laundry baskets, water cooler bottles)
Expanded polystyrene (Styrofoam)	Foam trays Plates, bowls, cups Takeaway containers (e.g., clamshells), noodle cups Loose fill packaging (e.g., packing peanuts) Moulded packaging (e.g., for packaging home goods)
Metal	Kitchenware (e.g., pots, pans, cutlery) Reusable metal containers (e.g., stainless steel water bottles, lunch boxes) Metal household items (e.g., coat hangers, tools, screws, keys, magnets, wire)
Paper and cardboard	Tissues, serviettes, napkins, paper towels, tissue paper, toilet paper Coffee cups and lids, smoothie/milkshake cups and lids Frozen food cartons and tubs (e.g., ice cream cartons) Laminated, coated, or lined paper and cardboard (e.g., straws, fish and chips paper, deli paper, plastic-lined takeaway containers) Cardboard with a wax coating (e.g., waterproof fruit and vegetable boxes) Baking paper, wax paper Receipts, photographs, stickers Shredded paper, paper/cardboard items smaller than a business card (e.g., bread tags)
Other fibre	Wood/bamboo containers, cutlery, and straws Sugarcane containers, cutlery, and straws Chopsticks, drink stirrers, skewers, toothpicks, icy pole sticks

Waste Services Guideline - 2023



Not accepted	
Category	Items
	Bamboo household items (e.g., toothbrushes, dish brushes), corks Cat litter
Composite items	Toothpaste tubes, dental floss containers, blister packs Coffee pods, cardboard cans with a metal base (e.g., chip containers, gravy containers) Bottle pumps, spray nozzles
Textiles	Clothing, fabric, rags (natural or synthetic fibres)
Sanitary and personal care items	Wipes (e.g., cleaning wipes, baby wipes, make up wipes) Nappies, sanitary pads, tampons Cotton wool, cotton bud sticks, makeup pads, sponges
Hazardous items and substances	Batteries of any kind Gas cylinders, CO2 canisters Aerosol cans that are not empty Aerosol cans with a Schedule 6 Poisons rating; barbeque cleaner aerosols (empty or full) Paint tins (including empty paint tins), containers used for toxic or corrosive chemicals/oils Printer cartridges E-waste (any item that uses a cord, battery, or charger) Light bulbs, fluorescent tubes, string lights Sharps, medical waste, asbestos
Construction materials, furniture, appliances	Ropes, cables, straps Wood, pipes, wallpaper Bricks, concrete, rubble Drop sheets, tarpaulins Furniture, appliances

Waste Services Guideline - 2023



4.3. Appendix 3 - Lime-green-lidded MGB FOGO standard list of contents

4.3.1. Accepted items

Accepted		
Category	Items	Presentation
Garden organics	Grass and lawn clippings Weeds (e.g., ivy) Leaves, flowers, and plants (including dead and diseased plants) Twigs, sticks, branches and prunings Vegetable waste from the garden Real Christmas trees Hay and straw Small amounts of soil and mulch (e.g., soil attached to dead plants)	Cut to fit in the bin with the lid closed Branches no more than 10cm in diameter (width) and 40cm long
Food organics	Biscuits Bones Bread Butter Cake Cereals Cheese Citrus, onion, chilli, garlic Coffee filter paper Coffee grounds Council provided liners Cream Cream cheese/cottage cheese Custard Deli meats Dips Disposable wooden cutlery Egg shells Eggs Fried foods Fruit and vegetable scraps and peelings Grains Herbs and spices Human or pet hair Lollies, chocolate, and other confectionary Meat, fish, and poultry Mouldy, expired, best-before date food Napkins Newspaper (used for wrapping, lining etc) Noodles Nuts Paper straws	Loose or contained within Council provided liner Remove all packaging, elastic bands, and stickers

Waste Services Guideline - 2023



Accepted		
Category	Items	Presentation
	Paper towel (used for wrapping, lining etc) Pasta Pastries Pet food Plate scrapings Rice Sauces and condiments (tomato, mustard, aioli etc) Seeds Shellfish (soft shells only) Soups, curries, and sauces Spreads (vegemite, peanut butter, jam etc.) Straw and hay Tea leaves Tinned foods Tissues Vacuum dust and dryer lint Wooden items Yoghurt	

4.3.2. Non-accepted items

Not accepted	
Category	Items
Food organics	Shellfish (hard shells, such as oysters) Solid oils / Copha
Liquids	Liquid food products (e.g., milk, cooking oil) unless soaked up with paper towel Other liquids (e.g., cleaning products, fertiliser)
Packaging and food containers	Stickers (e.g., fruit stickers), elastic bands, cling wrap Coffee pods, tea bags Coffee cups Takeaway containers
Plastics and plastic single-use tableware	Soft or rigid plastics Cutlery, straws, and stirrers Dinnerware (e.g., bowls, plates, cups)
Metal, glass, plastic	Metal (e.g., drink cans) Glass (e.g., beer bottles) Plastic items (e.g., plastic cutlery) Soft plastics, plastic bags, netting bags Expanded polystyrene
Wood and bamboo items	Wood/bamboo containers and straws Chopsticks, drink stirrers, skewers, toothpicks, icy pole sticks Bamboo toothbrushes, dish brushes
Paper and cardboard	Coated or uncoated paper & cardboard, shredded paper

Waste Services Guideline - 2023



Not accepted	
Category	Items
Recyclable cardboard items	Cardboard food containers (e.g., pizza boxes, burger boxes, paper plates) Moulded cardboard packaging (e.g., egg cartons, produce trays)
Coated paper and cardboard	Laminated, coated, or lined paper and cardboard (e.g., paper straws, fish and chips paper, plastic-lined deli paper, coated paper plates) Baking paper, wax paper, receipts, cardboard with a wax coating (e.g., waterproof fruit and vegetable boxes)
Items labelled compostable, biodegradable, degradable, oxo-degradable, biobased, bioplastic, plant-based	Coffee cups, smoothie/milkshake cups and lids Compostable plastic containers, cutlery, and straws Sugarcane containers, cutlery, and straws Bags (e.g., grocery/produce bags), coffee bags Postal satchels, packing peanuts Dish brushes, cloths, wipes
Hazardous materials	Batteries, sharps, asbestos, chemicals E-waste (any item that uses a cord, battery, or charger)
Hygiene and sanitary items	Nappies, including compostable or biodegradable nappies Sanitary items (e.g., wipes, sanitary pads), including compostable or biodegradable items Used tissues Cotton balls, cotton bud sticks
Timber, sawdust	Treated, coated, or engineered wood Garden stakes, fence posts, sleepers, furniture Sawdust, wood chips, wood shavings Engineered wood products (e.g., plywood, MDF, particle board)
Building, gardening, and landscaping material	Dirt, sand, mulch, soil Gravel or rocks, bricks, concrete, rubble Ash, charcoal Fencing/screens (e.g., brush fencing, bamboo screens)
Garden implements and pots	Plant pots (plastic or ceramic) Gardening supplies (e.g., fertiliser, weed killer) Gardening tools Hoses, ropes, string, twine Artificial plants, artificial Christmas trees Garden furniture
Litter	Cigarette butts Chewing gum
Animal waste	Animal faeces (e.g., pet poo) Synthetic cat litter (e.g., crystal), biodegradable cat litter (e.g., corn, paper, clay) Deceased animals
Textiles, latex, and wax products	Clothing, fabric, rags (natural or synthetic fibres) Balloons, gloves Candles, beeswax wraps
Bulky garden organics	Large branches (i.e., over 10cm diameter and/or more than 40cm long) Tree stumps Whole real Christmas trees

Waste Services Guideline - 2023



4.4. Appendix 4 - Red or green lidded MGB general waste standard list of contents

4.4.1. Accepted items

Accepted		
Category	Items	Presentation
Glass items not accepted in the recycling stream	Bottles/jars with items inside them (e.g., cigarette butts, straws, food, liquid) Drinking glasses, glass cookware and containers (e.g., Pyrex), crystal glass Reusable coffee cups and water bottles Perfume and aftershave bottles, nail polish bottles Essential oil bottles, candle jars Light bulbs, fluorescent tubes Glass from furniture, appliances, electronics, decorative items (e.g., vases, picture frames, microwave turntables) Mirrors, plate glass (window glass and windscreens), fibre glass Eyeglasses/sunglasses Medical or laboratory glass	Intact or broken
Plastic and packaging items not accepted in the mixed recycling stream	Stickers (e.g., fruit stickers), elastic bands Meat trays, deli meat trays Cordial bottles Plastic plates, bowls, cups, cutlery, straws, drink stirrers Reusable plastic containers (e.g., reusable coffee cups, reusable water bottles, baby bottles, lunch boxes) Plastic strapping, drop sheets, tarpaulins Bank cards, loyalty cards CDs, DVDs, video tapes, cassette tapes and their cases Plastic items under 5cm in diameter (e.g., bottle lids/caps, bread tags, single-serve sauces) Plastic items larger than a 3L bottle (e.g., laundry baskets, water cooler bottles)	
Expanded polystyrene (Styrofoam)	Foam trays Plates, bowls, cups Takeaway containers (e.g., clamshells), noodle cups Loose fill packaging (e.g., packing peanuts) Moulded packaging (e.g., for packaging home goods)	
Composite items	Toothpaste tubes, dental floss containers, blister packs Coffee pods, tea bags Cardboard cans with a metal base (e.g., chip containers, gravy containers) Bottle pumps, spray nozzles, droppers, corks	

Waste Services Guideline - 2023



Accepted		
Category	Items	Presentation
Paper and cardboard items not accepted in the mixed recycling stream	Tissues, tissue paper, toilet paper Coffee cups and lids, smoothie/milkshake cups and lids Frozen food cartons and tubs (e.g., ice cream cartons) Laminated, coated, or lined paper and cardboard (e.g., straws, fish and chips paper, deli paper, plastic-lined takeaway containers) Cardboard with a wax coating (e.g., waterproof fruit and vegetable boxes) Baking paper, wax paper Receipts, photographs Shredded paper, paper/cardboard items smaller than a business card (e.g., bread tags)	
Certified compostable items Items labelled compostable, biodegradable, degradable, oxo-degradable, biobased, bioplastic, plant-based Wood and bamboo items	Compostable bags (e.g., grocery/produce bags, coffee bags) Postal satchels, packing peanuts Compostable/biodegradable coffee cups and lids, smoothie/milkshake cups and lids Compostable/biodegradable plastic containers, cutlery, and straws Sugarcane containers, cutlery, and straws Wood/bamboo containers, cutlery, and straws Wood/bamboo household items (e.g., toothbrushes, dish brushes) Chopsticks, drink stirrers, skewers, toothpicks, icy pole sticks Compostable/biodegradable dish brushes, cloths, wipes	
Liquids	Liquid food products (e.g., cooking oil) – household quantities only	Pour into a container and close lid tightly
Small broken household items	Smoke detectors Toys Coat hangers (any type) Crockery, ceramics, and kitchenware (e.g., cutlery, plates, pots, and pans) Reusable metal containers (e.g., stainless steel water bottles, lunch boxes) Metal household items (e.g., tools, screws, keys, magnets, wire) CDs, DVDs, video tapes, cassette tapes and their cases Hoses, ropes, string, twine Artificial plants	No batteries No toys that use a battery, cable, or cord
Textiles, latex, and wax products	Clothing, bedding, fabric, rags (natural or synthetic fibres) Balloons, gloves Candles, beeswax wraps	

Waste Services Guideline - 2023



Accepted		
Category	Items	Presentation
Sanitary, personal care and cleaning items	Nappies, including compostable or biodegradable nappies Sanitary items (e.g., wipes, sanitary pads, tampons), including compostable or biodegradable items Tissues, face masks Paper towel used with chemicals/cleaning products Cotton wool, cotton bud sticks, makeup pads, sponges Toothbrushes, toothpaste tubes, dental floss First aid items Blister packs (empty) Razors, razor cartridges Makeup products	Nappies: empty contents into toilet Tissues, face masks: double-bagged if unwell
Timber and engineered wood (small pieces), sawdust	Small pieces of timber/engineered wood Sawdust, wood chips, wood shavings	Less than 40 cm long
Dust, lint, and litter	Vacuum dust, washing machine/dryer lint Cigarette butts (put out) Chewing gum	
Ash and charcoal	Wood heater ash Barbeque ash	Must be completely cooled before placing in the rubbish bin
Animal waste	Animal faeces (e.g., pet poo) Synthetic cat litter (e.g., crystal), biodegradable cat litter (e.g., corn, paper, clay)	
Small, deceased animals	Insects, spiders Birds, fish, rodents	

4.4.2. Non-accepted items

Not accepted in any household waste and recycling stream	
Category	Items
Hazardous items, e-waste	Batteries of any kind Any item that uses a cord, battery, or charger (e-waste) Mobile phones, tablets, televisions, computers Printers, printer cartridges Electrical cables, earphones Light bulbs, fluorescent tubes, string lights Aerosol cans that are not empty Aerosol cans with a Schedule 6 Poisons rating; barbeque cleaner aerosols (empty or full) Paint tins (empty or full), containers used for toxic or corrosive chemicals/oils Gas cylinders, CO2 canisters

Waste Services Guideline - 2023



Not accepted in any household waste and recycling stream	
Category	items
	Fire extinguishers Sharps, medical waste, asbestos
Hazardous substances	Medicine Acids and alkalis Ammonia-based cleaners Nail polish remover Petrol, kerosene, turpentine, paint thinners Pesticides and herbicides Automotive products (e.g., car polish, anti-freeze, brake and transmission fluids, body filler) Pool chemicals Aerosol cans containing liquid Barbeque cleaner aerosol cans (empty or containing liquid) Aerosol cans with a Schedule 6 Poisons rating (empty or containing liquid) Items labelled: Corrosive 8, Oxidizing agent 5.1, Toxic 6.1, Flammable liquid 3, Flammable solid 4.1 Cooking oil (commercial quantities)
Bulky garden organics	Large branches (i.e., over 10cm diameter and/or more than 40cm long) Tree stumps Whole Christmas trees
Furniture and appliances Construction and landscaping materials	Carpets, furniture, appliances Large pieces of timber/engineered wood (i.e., more than 40cm long) Bricks, concrete, rubble, Dirt, sand, mulch, soil Gravel or rocks, bricks, concrete, rubble Scrap metal
Large, deceased animals	Deceased dogs, cats Deceased livestock
Commercial waste	Materials from a commercial or industrial business, except where the material is listed as accepted in this Guideline or on Council's website

Waste Services Guideline - 2023



4.5. Appendix 5 - Hard waste standard list of contents

Accepted

- ✓ washing machines, dishwashers, stoves, dryers, fridges, and freezers (with doors removed)
- ✓ electrical appliances
- ✓ metal tools and equipment
- ✓ lawn mowers (empty of petrol and oil)
- ✓ empty paint tins (with lids removed)
- ✓ old tins, scrap iron and other metal items (excluding car parts).
- ✓ securely wrapped and labelled glass from table tops or coffee tables, window glass, mirrors, and shower screens
- ✓ mattresses (max of 3, placed separately from other items)
- ✓ household furniture
- ✓ internal doors (max of 3)
- ✓ carpet and underlay (rolled and tied, max 1.5m long and no more than 2 rooms)
- ✓ kitchenware, pottery and crockery
- ✓ timber (up to 10 pieces, without nails or staples, max 1.5m long)
- ✓ clothes hoists (max 1.5m long, if set in ground remove concrete)
- ✓ patio blinds (max 1.5m long, rolled and tied)
- ✓ home improvement material such as cupboards, solar panels (max 6), toilet fittings (0.5 cubic meter limit)
- ✓ e-waste, including flat screen and cathode ray tube televisions, computers, laptops, keyboards, mice, printers, scanners, cables, cords, hard drives, monitors, tablets, and notebooks.

Not accepted

- × items longer than 1.5 metres (except mattresses, lounge suites and large furniture items such as buffets, bookshelves etc)
- × items that can't be lifted by two people
- × items placed out in plastic bags, including domestic garbage
- × garden waste, including branches, plant materials, soil, concrete pots and garden features, pavers, and rubble
- × gas bottles, helium bottles and fire extinguishers
- × building waste including bricks, concrete, tiles, pavers, rubble, soil, pallets, and insulation
- × cement sheeting, fibro, plasterboard, and asbestos
- × liquid waste, chemicals, and hazardous waste
- × paint cans or oil containers with any residual liquids in them
- × fencing material, including gates
- × vehicle parts including tyres, wheels, rims, body panels, batteries, and engines
- × garage roller doors
- × business waste - even if home based
- × explosive or flammable substances
- × pools or spas, unless broken down to 1.5m long pieces

Waste Services Guideline - 2023



4.6. Appendix 6 - Bundled prunings standard list of contents

Accepted

- ✓ bundles of prunings 1500mm long and 300mm wide.
- ✓ single tree limbs/logs smaller than 200mm wide and 1500m long (no branches attached and neatly stacked).
- ✓ natural string or twine used to bundle and tie prunings

Not accepted

- × unacceptable binding materials, e.g., synthetic, metal or plastic
- × tree stumps
- × untied prunings
- × grass clippings
- × soil
- × other garden waste e.g., concrete, and plastic pots, garden features, pavers, and rubble
- × hard waste materials (A separate hard waste collection must be booked to dispose of any hard waste items)
- × items that can't be lifted by two people

Maroondah City Council

Minimum Standards for Canopy Tree Provision

June 2020

Ian Shears Green Infrastructure + Urban Forestry

26th June 2020

Client

Maroondah City Council
Doug Evans,
Strategic Environment Planner
Tel. 03 9298 4261
doug.evans@maroondah.vic.gov.au

Consultant

Ian Shears
Ian Shears Green Infrastructure + Urban Forestry
ABN 14 461 657 854
75 Cole Street
Williamstown VIC 3016
Tel. 0411 250 818
ian@ianshears.com.au

Subconsultant

Urban Forest Consulting
ABN 24 514 864 213
21 Honeysuckle Street
Bendigo VIC 3550
meg@urbanforestconsulting.com.au

Disclaimer

The information contained in this document has been carefully compiled by Ian Shears who takes no responsibility for any loss or liability of any kind suffered by any party, not being intended recipient of this document, in reliance upon its contents whether arising from any error or inaccuracy in the information or any default, negligence or lack of care in relation to the preparation of the information in this document.

Contents

1. Context
2. Categorisation of tree types
3. Categorisation of tree dimensions at maturity
4. Species selection
 - Selecting species to contribute to desired outcomes for a location
 - For neighbourhood character
 - For biodiversity
 - Selecting species that are well-suited to local and future conditions
5. Reference material for tree selection
6. Above and below ground conditions to provide for healthy maturity
 - Positioning
 - Deep soil areas
 - Minimum dimensions for deep soil surface area
 - Multiple trees sharing deep soil
 - Soil attributes
 - Additional rootable soil zone
7. Consistency with contemporary standards
8. Resources

1. Context

‘In 2040, more people are deriving the health and wellbeing benefits, and more plants and animals are deriving the habitat benefits, of living amongst abundant and diverse vegetation in Maroondah.’

Maroondah Vegetation Strategy 2020–2030.

This is a strong and positive vision for the future Maroondah – a vision that will help to create a resilient and healthy urban forest that contributes to the health and wellbeing of the Maroondah community.

Maroondah City Council has a strong policy framework that aligns with broader statewide policies such as the Victorian Government’s *Plan Melbourne 2017-2050* and Resilient Melbourne’s *Living Melbourne: our metropolitan urban forest*(2019).

Central to achieving this vision will be the contribution of the private realm to retaining and increasing tree canopy cover. An analysis of vegetation cover change between 2014 and 2018 in Melbourne led by RMIT demonstrates a significant decline in tree canopy cover in the private realm between, in particular in the southern and eastern suburbs including Maroondah (Note: in these areas the baseline vegetation cover is high compared to the Melbourne average).

Notably, Maroondah had one of the highest canopy tree cover percentages of the urbanised municipalities included in the study (fourth highest of thirty-one), but also one of the highest canopy tree cover percentage losses (second highest of thirty-one).

(Hurley et al (2019) *Urban Vegetation Cover Change in Melbourne 2014 — 2018*)

Urban Melbourne is facing the cumulative pressures from densification, urban heating, extreme weather events. The establishment, development and growth of a thriving urban forest is essential to increasing resilience and providing a healthy legacy for future generations.

As change takes place through densification, greening of the urban environment is an integral component. The provision of trees that will contribute to Maroondah’s tree canopy cover is fundamental to this, and in order to enable this, it is critical to provide the conditions necessary for these trees to be able to establish, grow and live a long and healthy life at maturity.

Intent of Provision

To ensure that trees have the airspace and underground space that is necessary for it to achieve its full growth and reach its adult dimensions.

The minimum standards described in this document are intended to provide the baseline requirements for healthy canopy tree establishment and growth in the private realm through:

- Categorisation of tree types;
- Categorisation of tree dimensions
- Species selection
- Reference material for size dimensions;
- Above and below ground conditions to provide for healthy maturity;
- Consistency with contemporary standards; and
- Resources and guidance on species selection.

2. Categorisation of tree types

For the purposes of this document, the following categories of tree species origin apply:

- **Indigenous:** indigenous to Maroondah and have been naturally occurring since the recording of flora commenced;
- **Victorian native:** indigenous to Victoria, including trees, shrubs, herbs, and grasses (equates to the definition of 'Native vegetation' in the Victorian Planning Provisions - Operational provision 73.01 - General Terms) and have been naturally occurring since the recording of flora commenced;
- **Australian native:** indigenous to Australia and have been naturally occurring since the recording of flora commenced; or
- **Exotic:** not indigenous to any part of Australia.

3. Categorisation of tree dimensions at maturity

Available space is a critical element in the consideration of what canopy tree to plant. Before you plant, it is important to know the expected mature dimensions of the tree and ensure there is sufficient space above and below ground for the tree to grow to a healthy adult size. It is critical to consider its height, crown spread, and root space.

For the purposes of this document, the following standard industry size categories, based on average mature heights and widths, apply:

Tree height categories

Small Trees - 5m to <9m

Medium Trees - 9m to <15m

Large Trees 15m +

Canopy spread categories

Narrow Trees – 2m to <6m

Average Trees – 6m to <12m

Wide Trees – 12m+

4. Species Selection

Decisions on which species of canopy tree to plant are dependent upon the desired outcomes to be achieved in any given location and their suitability to local and future conditions. In Maroondah the primary factors will include:

- contribution to neighbourhood and landscape characteristics
- contribution to indigenous flora and fauna habitat and wildlife movement
- suitability of a species to local soil and topographic conditions
- suitability of a species for the predicted climate over its expected lifespan

Selecting species to contribute to desired outcomes for a location.

Neighbourhood character

'The character of Maroondah is intrinsically linked to its natural landscape and vegetation cover. These elements are cherished by the local community, provide environmental, aesthetic and health benefits, and unify the otherwise diverse residential neighbourhoods.'

(Scott, C. (2019) *Maroondah Neighbourhood Character Study Review - Recommendations Report*)

Within Maroondah, the natural landscape and vegetation coverage are integral to residential character. And while neighbourhoods may vary in relation to the layout of streets or the era of dwellings, it is the undulating topography, native tree canopy cover, presence of significant waterways and views to the iconic Dandenong Ranges that unifies the community's connection to place.

In locations where the landscape and neighbourhood character is strongly influenced by a canopy cover of predominantly native trees, then it is expected that Victorian or Australian native trees will be prescribed as part of landscaping requirements.

Biodiversity

Within Maroondah, 109 sites of biological significance have been identified (Lorimer, G (2020) *Biodiversity in Maroondah Volumes 1 & 2*) that are predominantly comprised of indigenous vegetation and of primary importance for Maroondah's biodiversity.

The protection, expansion and connecting of these sites will contribute to achievement of the outcome "More nature throughout Maroondah" set out in the Maroondah Vegetation Strategy 2020-2030.

In locations where proximity to sites of biological significance or habitat corridor routes can influence the protection, extension and/or connecting of sites of biological significance, then it is expected that indigenous trees will be prescribed as part of landscaping requirements.

Selecting species that are well-suited to local and future conditions

Different tree species have evolved over time to flourish in particular conditions, particularly the soils, climate and topography they grow in and on, and in some cases have become specialised to thrive in certain localised conditions. With respect to indigenous and Victorian native tree species, they can be explicitly linked to one or more of the Victorian Government's defined Ecological Vegetation Classes (EVCs) based on their natural places of origin within Victoria. As the classification of EVCs is heavily influenced by the underlying topography, geology and soils, they provide a useful surrogate for interpreting these factors for a location. It is expected that landscaping requirements will avoid the use of tree species that are not suitably matched to the location's soils, climate or topography, and in the case of indigenous species, they will be matched to the modelled EVC(s) for the locations they are to be planted.

(<https://www.environment.vic.gov.au/biodiversity/bioregions-and-evc-benchmarks>)

Climate projections for the eastern region of Melbourne suggest that by 2055 the average annual surface temperature will increase by between 0.8°C -1.5°C, and the average annual rainfall will reduce by between 5.1% to 7.5%. In addition, droughts are expected to be more severe and last longer, the number of hot days is expected to increase, and although expected to be fewer in number, rainfall events are expected to be more extreme with more intense floods (CSIRO (2013) *Climate Futures for Eastern Melbourne - study for the Eastern Alliance for Greenhouse Action's Bushland and Urban Biodiversity Management in a Changing Climate*).

Changing climate and urbanisation is resulting in increased urban temperatures, reduced rainfall, reduced infiltration into soils, and increases in extreme weather events. Some tree species are becoming increasingly vulnerable to these changes with temperature being one of the strongest determinants of geographical distribution. Healthy growth of trees occurs within a 'temperature envelope' and the predicted increases in temperature can shift the environment to the edge or outside of some species' envelopes.

Research undertaken at the Clean Air and Urban Landscapes Hub has investigated this issue and provides a means to predict the performance of existing and future trees in urban settings. As we grow the future urban forest, species selection will become increasingly important to ensure we leave a healthy legacy for future generations. (Kendal, D. et al (2017) *Risks to Australia's urban forest from climate change and urban heat*) https://nespurban.edu.au/wp-content/uploads/2018/11/CAULRR07_RisksAustralianUrbanForest_Oct2017.pdf

Regular review and updating of the palette of canopy tree species for Maroondah will be vital to this process. The Which Plant Where research program conducted by Macquarie University in association with Housing Industry Australia, Western Sydney University and the Office of Environment and Heritage (NSW) has developed an interactive online tool containing information about which species of plants will thrive in urban spaces under particular soil, water, aspect and climatic conditions, in specific geographical areas. A key component of the program is to assess species attributes and climatic tolerance to demonstrate species suitability to current and future climates. (<https://www.whichplantwhere.com.au>)

It is expected that canopy tree species that are not suited to future climatic conditions predicted to occur during that species normal lifespan will be avoided in landscaping requirements.

5. Reference material for tree selection

The following references are the preferred sources of information to guide species selection, species growing requirements and mature height and canopy spread dimensions to inform deep soil volumes.

Indigenous to Maroondah and Victoria

Flora of Melbourne: A Guide to the Indigenous Plants of the Greater Melbourne Area (2014)
Marilyn Bull

Leon Costermans, (2009) Native Trees and Shrubs of South-Eastern Australia

Native to Australia and Exotic

City of Melbourne (2011) Urban Forest Diversity Guidelines – Tree Species Selection Guidelines for the City of Melbourne

City of Moreland Tree Finder Tool <https://www.moreland.vic.gov.au/environment-bins/trees/tree-finder/>

Dirr, M & Warren, K S (2019) The Tree Book: Superior Selection for Landscapes, Streetscapes and Gardens. Timber Press.

Dean Nicolle, (2016) Smaller Eucalypts for Planting in Australia. Their Selection, Cultivation and Management.

Dean Nicolle, (2016) Taller Eucalypts for Planting in Australia. Their Selection, Cultivation and Management.

6. Above and below ground conditions to provide for healthy maturity

6.1 Positioning

Newly planted canopy trees should be sited such that the necessary above and below ground space is available to them to enable full growth and reach a healthy mature canopy size. To ensure tree stability and effective root development, trees planted in deep soil require roots to extend through the topsoil. Preferably, the tree should be centrally planted within the available deep soil area to allow the roots to extend in all directions.

Along with soil volume provision, planting areas should be as radially symmetrical as possible to provide ideal growing conditions for development of tree root systems and healthy tree growth.

Buildings and other infrastructure such as fences, pathways and driveways located too close to newly planted canopy trees run the risk of causing damage and other issues both to and from these trees as they grow and mature.

Therefore minimum distances between buildings/infrastructure and a newly planted canopy tree are requirements to be met as part of provision of a canopy tree.

Buildings need to be sited to provide a distance of at least 50% of the minimum mature canopy width (diameter) of the tree between the building and the tree stem.

Other infrastructure such as fences, pathways and driveways need to be sited to provide a distance of at least 25% of the minimum mature canopy width (diameter) of the tree between the building and the tree stem.

To maximise cooling benefits trees should be positioned to shade large areas of hard surfacing exposed to the northern and western sun within the urban environment, such as the walls of buildings, roofing, driveways, roads and footpaths. Shading from trees within secluded private open spaces could extend to walls and ground floor roofing and has the potential to provide shading to hard surfaces on abutting lots.

Where feasible, locate new canopy trees near to existing high-quality trees on site, street trees, or those in adjoining public open space. Tree clusters will provide increased urban cooling and reduction of the urban heat island effect.

6.2 Deep soil areas

The extent to which a tree will grow large and robust depends on a variety of factors including species, soil quality, site hydrology, and more. There is clear evidence that shows that the amount of available soil influences the size of the tree. In urban situations the amount of soil trees can access is critical to their long-term success. (*Grabosky, Bassuk, & Towbridge (2002) Structural soils: a new medium to allow urban trees to grow in pavement*).

Therefore minimum deep soil volumes and areas for a canopy tree species are requirements to be met as part of provision of a canopy tree.

Deep soil area – is a soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of canopy trees and meets a stated minimum dimension.

Calculating minimum deep soil volume and surface area requirements

Minimum soil volume requirements can be derived from the expected dimensions of a tree species at maturity. The two methods described below are recommended for calculating the minimum deep soil volume and surface area for any given tree species.

1. **Crown projection methodology (CP)** is a recognised international approach to determine soil volume requirements for urban trees using the area of tree crown (canopy) spread. It works well for the majority of species that have an average canopy spread but may provide insufficient soil volumes for species with narrow canopy spread, or excessive volumes for species with wide canopy spread. Generally, this approach arrives at a recommendation that equates to around 0.6m³ of soil per m² of crown area.

2. **Field Size Index (FSI)** compensates for variations in form (ie species with narrow or wide canopy spread relative to height) and is a suitable alternative for non-regular tree forms. It uses tree height and trunk Diameter at Breast Height to calculate the volume and area of deep soil needed. However as this method is designed more for existing mature trees rather than newly planted trees, it often requires a calculated estimate of DBH.

Determining Methodology for calculating deep soil volumes

The significant majority of canopy trees have an 'average' canopy spread where the ratio of height to width ranges between 1:1 and 2:1. The DSV requirement for these trees is calculated using the Crown Projection Methodology.

The DSV requirements for 'narrow' canopy trees which have height to width ratio of greater than 2:1 is calculated using the Field Size Index.

The DSV requirements for species with a 'wide' canopy spread with a ratio of less than 1:1 is calculated using the Field Size Index.

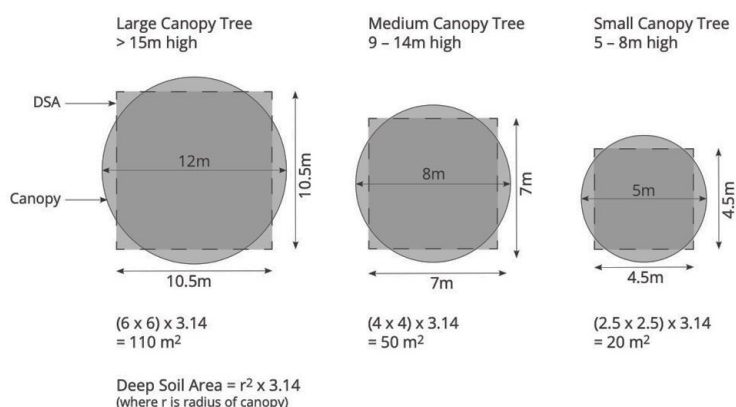


Figure 1 Deep soil areas related to tree canopy (crown) area.

Calculating Crown projection methodology

To calculate how much deep soil needs to be provided for a given size tree, the Urban Horticulture Institute (2003) based at Cornell University in the United States has developed a step-by step methodology. The following is a shortcut version of that methodology that can be used to determine minimum soil volume requirements.

1. Consult a reputable reference source to find the expected average mature canopy (crown) spread range for the tree species you are considering. Take half of the dimension of the average expected canopy width, which is the radius (r).
 2. Calculate $3.1416 \times r^2$. That's the crown projection area, ie, the area under the tree's expected canopy spread, to the outer dripline of the tree.
 3. For every square metre of crown projection, provide at least 0.6m³ of deep soil. Example: *Ulmus procera* (English Elm) has the ability to reach 20m height x 16m canopy width (average).
- The canopy radius ('r') would be 8.0m.
- The crown projection would be $(3.14) \times (8.0 \times 8.0) = 200.96$

The minimum volume of deep soil needed would be $200.96\text{m}^2 \times 0.6 = 120.58$ cubic metres.

Watson & Himelick (1997) (<http://www.hort.cornell.edu/departement/faculty/bassuk/ uhi/walk5.html>) also use the crown projection method and suggest as a general guide that the deep soil within the projected crown area should be at least 60cm deep to provide adequate root space. This method is also supported in part by the notion that fine root density is usually greater beneath the canopy than beyond (Gilman, 1997).

By applying this requirement, the minimum surface area of deep soil for a given crown projection can also be calculated:

For the example above, the minimum surface area of deep soil needed would be $120.58\text{m}^3 / 0.6\text{m} = 200.96\text{m}^2$ (which is the same as the crown projection area)

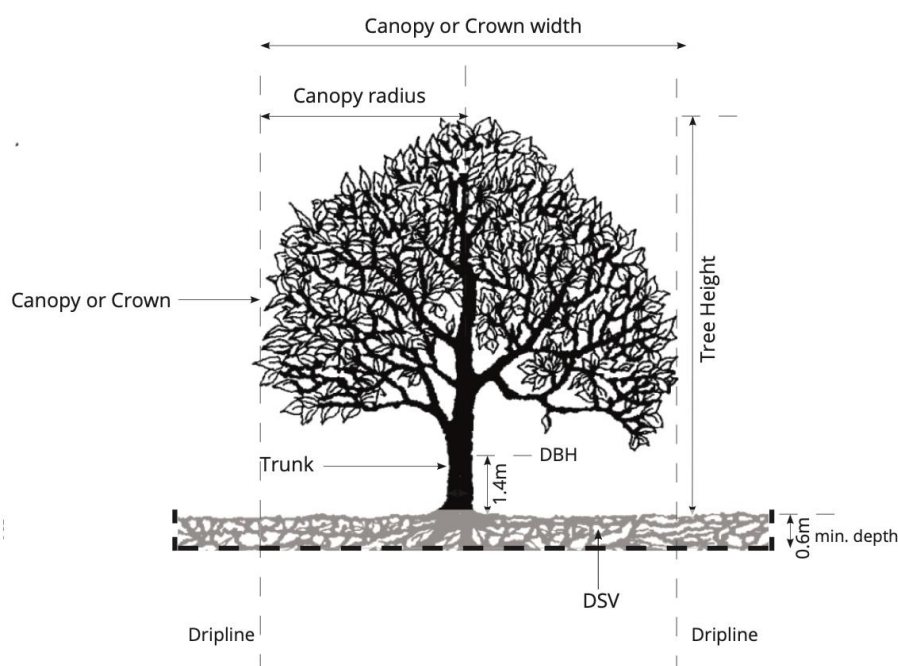


Figure 2 Canopy Tree Structure

Calculating Field Size Index

This index calculates deep soil volume requirements for tree species with non-regular forms, ie species with narrow or wide canopy spread for their height. The Field Size Index: (FSI) where $\text{FSI} = \text{Height (m)} \times (\text{Trunk}) \text{ Diameter at Breast Height (DBH) (mm)}$, compensates for variations in form.

Note: To use the formula above, you will need to consult a reputable reference source to find the expected average dimensions at maturity for that species, and where available the expected average DBH at maturity. In the absence of reliable information on the DBH of a species, use the following calculations for non-regular forms:

- For narrow canopy spread species (ie the ratio of average height at maturity to average width at maturity is $> 2:1$), use 2.5% of minimum height at maturity as the DBH;
- For wide canopy spread species (ie the ratio of average height at maturity to average width at maturity is $< 1:1$), use 5.5% of average height at maturity as the DBH.

Example: Consider a tree species with a wide canopy spread with an estimated average height at maturity of 10m

The estimated (Trunk) Diameter at Breast Height = 5.5% of 10m = 550mm

Required deep soil volume (m^3) = $(10 \times 550)/100$

Required deep soil volume = $55m^3$

Required deep soil surface area (m^2) = $55/0.6$

Required deep soil surface area = $92m^2$

Minimum dimensions for deep soil surface area

As tree roots naturally grow radially outwards from the tree in all directions, providing an area of deep soil that is too long and narrow can restrict root development to the detriment of the tree's development, to the detriment of adjacent infrastructure and also restrict the stability of the tree as it gets larger.

The minimum dimension for deep soil surface area is calculated at half (50%) of the average canopy spread at maturity for any given species, Minimum dimensions for the required deep soil surface area for a canopy tree species is a requirement to be met as part of provision of a canopy tree.

Multiple trees sharing deep soil

For more than one tree sharing the same deep soil, the required deep soil surface area per tree is less, reducing by 5% for every additional tree up to a maximum of 25% for 6 or more trees. The minimum dimension for soil surface area for deep soil shared by multiple trees is the largest of the minimum dimension requirements of the trees to be planted.

No. of canopy trees in shared deep soil	Deep soil surface area reduction
1	0%
2	5%
3	10%
4	15%
5	20%
6 or more	25%

Example:

Three trees are to be planted together in one area of shared deep soil with each tree requiring 100m², 64m² and 36m² of deep soil surface area respectively.

The total deep soil surface area requirement is $100m^2 + 64m^2 + 36m^2 = 200m^2$.

However, as the deep soil is shared, the minimum deep soil surface area required can be reduced by the 10% reduction allowance for three trees (being 20m²).

Therefore the total minimum deep soil surface area required for planting these three canopy trees in shared deep soil is 180m².

The minimum soil surface area dimension is 50% of the average canopy spread at maturity for the largest species.

Soil attributes

For the effective development of a canopy tree, its tree roots require access to a sufficient volume of 'healthy' soil with minimum attributes of:

- non-compacted
- well-drained
- accessible oxygen and water
- a surface area at least that of the minimum required for a given species as described above,
- a depth of at least 600mm.

Sites with natural soil profiles typically provide all these attributes, and the best option for providing deep soil for supporting the establishment and development of canopy trees is to avoid disturbing and damaging the natural soils present.

However excavation, vehicle traffic and other factors can disturb the quality of soils leading to poor soil structure and/or compaction. As a result, these soils may not be able to support healthy tree growth. In such cases, soil amelioration or importing of soils may be needed and should be undertaken as per AS4419:2018 – Soils for Landscaping and Garden Use.

Additional rootable soil zone.

These are areas made up of engineered, load bearing soils under impervious paved areas that support tree root penetration adjacent to the available deep soil. This is achieved by the use of structural soils and structural cells that provide a "rootable soil zone". Where the deep soil area (DSA) is located adjacent to a rootable soil zone (RSZ), the RSZ can contribute to achieving the minimum dimensions of the DSA, provided the RSZ is contiguous.

The provision of RSZ does not contribute to overall DSA requirements.

The RSZ may contribute up to a maximum of 33 per cent of the minimum DSA dimension where it is demonstrated that it is not possible to achieve the required minimum DSA width dimension.

Table 1 Deep Soil Area of Canopy Trees in Supplementary Information provides minimum width dimensions for the DSA to ensure healthy root distribution and provides the minimum width dimension reductions where additional RSZ is contiguous and adjacent to the DSA.

Depth of RSZ shall be a minimum of 0.6m.

7. Consistency with contemporary standards

Development of these standards has considered a range of related standards presented in other documents with the aim to align and provide consistency wherever possible.

Reviewed contemporary standards:

Moreland City Council (2019) Canopy Tree Planting in Residential Areas

Bayside City Council (2016) Landscape Guidelines

https://www.knox.vic.gov.au/files/Planning/Landscape_Guidelines.PDF

https://www.tccs.act.gov.au/_data/assets/pdf_file/0011/796088/Available-Soil-Volume-Context.pdf

[https://sesl.com.au/blog/structural-soil-for-urban-tree-](https://sesl.com.au/blog/structural-soil-for-urban-tree-planting/#:~:text=This%20goes%20some%20way%20to,to%20lift%20and%20crack%20pavements.)

[planting/#:~:text=This%20goes%20some%20way%20to,to%20lift%20and%20crack%20pavements.](https://sesl.com.au/blog/structural-soil-for-urban-tree-planting/#:~:text=This%20goes%20some%20way%20to,to%20lift%20and%20crack%20pavements.)

DELWP (2020) Draft Apartment Design Guidelines for Victoria

8. Resources

- Victorian Planning Provisions - Reformed Residential Zones (2012)
- Victorian Planning Provisions - Amendment VC148
- Maroondah Neighbourhood Character Review 2018
- Maroondah Residential Character Assessment and Identification of Community Values (2018) and Recommendations Report (2019)
- Maroondah 2040
- Maroondah Vegetation Strategy 2020-2030
- Plan Melbourne 2017-2050
- Greening and Cooling Melbourne DELWP (2019)
- Living Melbourne: our metropolitan urban forest strategy (2018)
- City of Melbourne (2011) Urban Forest Diversity Guidelines – Tree Species Selection Guidelines for the City of Melbourne.
- Gilman, E. F. (1997) Trees for urban and suburban landscapes. Delmar Publishing.
- Urban Horticulture Institute – Cornell University <http://www.hort.cornell.edu/departments/faculty/bassuk/uhf/walk5.html>
- Grabosky, Bassuk, & Towbridge (2002). Structural soils: a new medium to allow urban trees to grow in pavement.
- Moreland City Council (2019) Canopy Tree Planting in Residential Areas
- Watson, G. W. & Himelick, E. B. (1997). Principles and Practices of Planting Trees and Shrubs International Society of Arboriculture.
- https://nespurban.edu.au/wp-content/uploads/2018/11/CAULRR07_RisksAustralianUrbanForest_Oct2017.pdf
- <https://www.moreland.vic.gov.au/environment-bins/trees/tree-finder/>
- <https://www.whichplantwhere.com.au/>
- Dirr, M. & Warren, K. S. (2019) The Tree Book: Superior Selection for Landscapes, Streetscapes and Gardens. Timber Press.
- Flora of Melbourne: A Guide to the Indigenous Plants of the Greater Melbourne Area (2014) Marilyn Bull.
- Living Melbourne: our Metropolitan Urban Forest Strategy (2018)
- Lorimer, G. (2020) Biodiversity in Maroondah Volume 1
- Maroondah Neighbourhood Character Study Review 2018 Stage 2: Residential Character Assessment
- Maroondah Neighbourhood Character Study Review 2018 Recommendations Report
- Dean Nicolle, (2016) Smaller Eucalypts for Planting in Australia. Their Selection, Cultivation and Management.
- Dean Nicolle, (2016) Taller Eucalypts for Planting in Australia. Their Selection, Cultivation and Management.

Glossary

Deep Soil Area (DSA)

Deep soil area - soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of small, medium to large canopy trees and meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.

Rootable Soil Zone (RSZ)

Rootable soil zone / space - areas beyond the primary deep soil area under adjacent impervious pavements that are engineered and constructed to support tree root penetration. This is achieved by the use of structural soil and structural cells which are materials for creation of rootable soil zone beneath pavements and other structures. Structural soil involves the use of structural materials, such as rock, that interlock under specified compaction loads while leaving macro spaces that provide rootable soil zone for tree roots. Structural cells are similar but utilise a plastic cell structure to meet the required compaction and loading.

Canopy Tree

This term refers to trees that are specifically grown for their canopy for shade and the myriad benefits provided by trees.

Canopy Cover

The area of ground covered by the canopy of the tree, usually measured in M2, or as a % of coverage of a given area.

Crown or Canopy Spread

A part of tree measurement is measurement of the crown of a tree, which consists of the mass of foliage and branches growing outward from the trunk of the tree. The average crown spread is the average horizontal width of the crown, taken from dripline to dripline as one moves around the crown.

Deep Soil Volume (DSV)

The deep soil volume is the cubic volume of soil required for a canopy tree to grow to a health mature size. It is calculated by multiplying the deep soil area (m2) by the depth of .6m

Diameter at Breast Height (DBH)

Diameter at breast height, or DBH, is a standard method of expressing the diameter of the trunk or bole of a standing tree. DBH is one of the most common dendrometric measurements.

Tree trunks are measured at the height of an adult's breast, which is measured at 1.4m above ground.

Maroondah City Council

Minimum Standards for Canopy Tree Provision Deep Soil Area and Species Tables

30 June 2020

Client

Maroondah City Council
Doug Evans,
Strategic Environment Planner
Tel. 03 9298 4261
doug.evans@maroondah.vic.gov.au

Consultant

Ian Shears
ABN 14 461 657 854
75 Cole Street
Williamstown VIC 3016
Tel. 0411 250 818
ian@ianshears.com.au

Subconsultant

Urban Forest Consulting
ABN 24 514 864 213
21 Honeysuckle Street
Bendigo VIC 3550
meg@urbanforestconsulting.com.au

Disclaimer

The information contained in this document has been carefully compiled by Ian Shears who takes no responsibility for any loss or liability of any kind suffered by any party, not being intended recipient of this document, in reliance upon its contents whether arising from any error or inaccuracy in the information or any default, negligence or lack of care in relation to the preparation of the information in this document.

Contents

1. Deep Soil Area Requirements for Canopy Trees
2. Maroondah Canopy Tree Species

1 Deep Soil Area Requirements for Canopy Trees

The extent to which a tree will grow large and robust depends on a variety of factors including species, soil quality, site hydrology, and more. There is clear evidence that shows that the amount of available soil influences the size and health of the tree. In urban situations the amount of soil trees can access is critical to their long-term success. Therefore minimum deep soil volumes and areas for a canopy tree species are requirements to be met as part of provision of a canopy tree.

Newly planted canopy trees should be sited such that the necessary above and below ground space is available to them to enable full growth and reach a healthy mature canopy size.

Deep soil area (DSA) – is a soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of canopy trees and meets a stated minimum dimension.

Rootable Soil Zone (RSZ) – is made up of engineered, load bearing soils under paved areas adjacent to the DSA that supports tree root penetration.

Table 1 Deep Soil Area of Canopy Trees provides the areas and volumes of deep soil required to provide sufficient below ground growing space for canopy trees. These calculations are based upon the Crown Projection Methodology.

The table provides minimum dimensions for the DSA to ensure healthy root distribution. The minimum dimension is equal to 50 per cent of the average canopy spread at maturity. The table provides minimum dimension reductions where additional RSZ is contiguous and adjacent to the DSA. In this instance the RSZ may contribute up to a maximum of 33 per cent of the minimal DSA dimension when it is demonstrated that it is not possible to achieve the required minimal DSA dimension.

Table 1 Deep Soil Area of Canopy Trees						
Canopy spread at maturity categories	Average canopy spread dimension at maturity	Canopy Area (m²)	DSA (m²)	DSV (m³)	DSA (min dimension) (m)	DSA + RSZ (min width)
Narrow 2-<6 m	2	3	3	1.9	1	0.7m + 0.3m
	3	7	7	4.2	1.5	1.0m + 0.5m
	4	13	13	7.5	2.0	1.5m + 0.5m
	5	20	20	11.8	2.5	2.0m + 0.5m
Average 6-<12 m	6	28	28	17.0	3.0	2.5m + 0.5m
	7	38	38	22.1	3.5	3.0m + 0.5m
	8	50	50	30.0.2	4.0	3.5m + 0.5m
Wide 12 m+	9	64	64	38.2	4.5	3.5m + 1.0m
	10	79	79	47.1	5.0	4.0m + 1.0m
	11	95	95	57.0	5.5	4.5m + 1.0m
	12	113	113	67.9	6.0	5.0m + 1.0m
	13	133	133	79.6	6.5	5.0m + 1.5m
	14	154	154	92.4	7.0	5.5m + 1.5m
	15	177	177	106.0	7.5	6.0m + 1.5m
	16	201	201	120.6	8.0	6.5m + 1.5m
	17	227	227	136.2	8.5	6.5m + 2.0m
	18	254	254	152.7	9.0	7.0m + 2.0m
	19	284	284	170.1	9.5	7.5m + 2.0m
	20	314	314	188.5	10.0	8.0m + 2.0m

DSV calculated using the Crown Projection methodology.

2. Maroondah Canopy Tree Species

For the purposes of this document, the following categories of tree species origin apply:

- **Indigenous:** indigenous to Maroondah and have been naturally occurring since the recording of flora commenced;
- **Victorian native:** indigenous to Victoria, including trees, shrubs, herbs, and grasses (equates to the definition of 'Native vegetation' in the Victorian Planning Provisions - Operational provision 73.01 - General Terms) and have been naturally occurring since the recording of flora commenced;
- **Australian native:** indigenous to Australia and have been naturally occurring since the recording of flora commenced; or
- **Exotic:** not indigenous to any part of Australia.

Decisions on which species of canopy tree to plant are dependent upon the desired outcomes to be achieved in any given location and their suitability to local and future conditions. In Maroondah the primary factors will include:

- contribution to neighbourhood and landscape characteristics
- contribution to indigenous flora and fauna habitat and wildlife movement
- suitability of a species to local soil and topographic conditions
- suitability of a species for the predicted climate over its expected lifespan

Ecological Vegetation Classes (EVCs) are a method of systematic organisation of plant communities into common types that occur in similar environmental conditions throughout Victoria. Each vegetation type is identified on the basis of its floristic composition (the plant species present), vegetation structure (woodland, grassland, saltmarsh), landform (gully, foothill, plain) and environmental characteristics (soil type, climate).

The classification of EVCs is heavily influenced by the underlying topography, geology and soils, and provide a useful surrogate for interpreting these factors for a location. It is expected that landscaping requirements will avoid the use of tree species that are not suitably matched to the location's soils, climate or topography, and in the case of indigenous species, they will be matched to the modelled EVC(s) for the locations they are to be planted.

Table 2 Maroondah Canopy Tree Species

Small Trees 5–<9 metres

Indigenous to Maroondah

Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements EVCs where applicable
<i>Acacia pycnantha</i>	Golden Wattle	5m x 4m	CP	Requires well drained soil EVC 55 61: Plains Grassy Woodland EVC 55 63: Higher Rainfall Plains Grassy Woodland EVC 803: Plains Woodland
<i>Banksia marginata</i>	Silver Banksia	6m x 5m	CP	Can tolerate soils that are wet in winter and dry in summer EVC 175: Grassy Woodland
<i>Melaleuca ericifolia</i>	Swamp Paperbark	6m x 3m	CP	Moist or wet soils, tolerates dryness once established. EVC 83: Swampy Riparian Woodland

Victorian Native

Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Acacia leprosa</i>	Cinnamon wattle	6m x 3m	CP	EVC 23: Herb-rich Foothill Forest
<i>Banksia serrata</i>	Saw-tooth Banksia	8m x 8m	CP	EVC 2: Coast Banksia Woodland
<i>Callitris endlicheri</i>	Black Cypress Pine	6m x 5m	CP	EVC 22: Grassy Dry Forest
<i>Callitris rhomboidea</i>	Oyster Bay Pine	8m x 5m	CP	EVC 3: Damp Sands Herb-rich Woodland
Autralian Native				
Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Allocasuarina torulosa</i>	Forest She-oak	8m x 6m	CP	
<i>Callistemon</i> varieties	Bottle Brush	7m x 5m	CP	
<i>Corymbia ficifolia</i> dwarf cultivars	Red Flowering Gum	5m x 4m	CP	Prefers well drained sandy soils. High drought tolerance
<i>Hymenosporum flavum</i>	Native Frangipani	8m x 3m	CP	
<i>Melaleuca bracteata</i> 'Revolution Green'	Revolution Green Honey Myrtle	4m x 3m	CP	Adaptable to a wide range of soils, high drought tolerance

Exotic Species				
Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Acer palmatum</i>	Japanese Maple	8m x 3m	CP	
<i>Acer</i> varieties	Ornamental Maple	8m x 3m	CP	
<i>Cornus capitata</i>	Evergreen Dogwood	8m x 5m	CP	
<i>Cornus florida</i>	Flowering Dogwood	6m x 4m	CP	
<i>Gleditsia</i> varieties	Honey Locust	6m x 3m	CP	
<i>Lagerstroemia indica</i> cultivars	Crepe Myrtle	6m x 4m	CP	Moderate drought tolerance, adapt-able to a range of conditions, best in well drained, slightly acidic soils
<i>Magnolia</i> dwarf varieties	Magnolia	8m x 5m	CP	
<i>Pistacia chinensis</i>	Chinese Pistachio	7m x 6m	CP	Prefers moist, well-drained soil, will tolerate dry sandy conditions
<i>Prunus x blireana</i>	Double-rose Cherry Plum	4m x 4m	CP	Prefers moist, well-drained soil, will tolerate a range of site conditions
<i>Robinia pseudoacacia</i> 'Frisia'	Golden Robinia	8m x 5m	CP	
<i>Syzygium luehmannii</i>	Riberry	8m x 5m	CP	

Medium Trees 9–<15 metres				
indigenous to Maroondah				
Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Acacia implexa</i>	Lightwood	8m x 4m	CP	EVC where applicable Adaptable, tolerates wet and dry, clay soils EVC 175: Grassy Woodland

<i>Acacia melanoxylon</i>	Blackwood	14m x 9m	CP	Prefers well drained soils, adaptable to a wide range of soils EVC 83 Swampy Riparian Woodland
<i>Allocasuarina littoralis</i>	Black She-oak	12m x 8m	CP	Can perform in poor, stony soils – requires good drainage EVC 48: Heathy Woodland

Victorian Native

Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Acmena smithii</i>	Lilly Pilly	12m x 8m	CP	EVC 32: Warm Temperate Rainforest
<i>Banksia integrifolia</i>	Coast Banksia	10m x 5m	CP	EVC 2: Coast Banksia Woodland
<i>Brachychiton populneus</i>	Kurrajong	12m x 7m	CP	Adaptable to a wide range of soils, can tolerate periods of drought once established EVC 187 Rainshadow Grassy Woodland
<i>Eucalyptus pauciflora</i> cultivars	Snow Gum	10m x 6m	CP	Well drained sites on sandy or rocky soils
<i>Eucalyptus leucoxylon</i> 'Nana'	Yellow Gum (dwarf)	12m x 8m	CP	Tolerant of most soils and conditions.
<i>Eucalyptus mannifera</i> 'Little Spotty'	Brittle Gum	8m x 6m	CP	Prefers well drained soils, adaptable to soil types
<i>Eucalyptus mannifera</i> subsp. <i>maculosa</i>	Red Spotted Gum	12m x 8m	CP	Adaptable to various soils if well drained, mildly drought tolerant EVC 7: Clay Heathland
<i>Melaleuca lanceolata</i>	Moonah	10m x 7m	CP	EVC 858 Coastal Alkaline Scrub
<i>Tristaniopsis laurina</i>	Water Gum	13m x 6m	CP	Prefers moist soils, can tolerate periods of inundation EVC 135: Gallery Rainforest

Australian Native

Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Agonis flexuosa</i>	Willow Myrtle	12m x 8m	CP	
<i>Callistemon salignus</i>	Willow Bottlebrush	8m x 5m	CP	Moderate drought tolerance, can tolerate inundation, young trees can be defoliated by butterfly larvae
<i>Corymbia ficifolia</i>	Red Flowering Gum	10m x 8m	CP	Prefers well drained sandy soils. High drought tolerance
<i>Corymbia eximia</i>	Yellow Bloodwood	14m x 10m	CP	High drought tolerance, new growth sensitive to frost
<i>Elaeocarpus reticulatus</i>	Bluberry Ash	10m x 6m	CP	
<i>Eucalyptus scoparia</i>	Wallangara White Gum	13m x 8m	CP	Prefers well drained soils, grows best with reliable rainfall or irrigation. Moderately drought tender.
<i>Melaleuca linariifolia</i>	Narrow-leaved Paperbark	10m x 6m	CP	High drought tolerance, can tolerate inundation and compaction
<i>Melia azedarach</i>	White Cedar	10m x 8m	CP	Tolerates a range of soils, heavy pruning and moderate drought
<i>Syzygium</i> ssp.	Lilly Pilly	12m x 9m	CP	

Exotic Species				
Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Celtis australis</i>	European Nettle Tree	10m x 10m	CP	
<i>Cupressus sempervirens</i> 'Aurea'	Golden Pencil Pine	14m x 6m	CP	
<i>Cupressus sempervirens</i> 'Stricta'	Italian Cypress	14m x 2m	FI	
<i>Fraxinus</i> varieties	Ash	10m x 9m	CP	
<i>Magnolia x soulangeana</i>	Magnolia	12m x 8m	CP	
<i>Malus domestica</i> varieties	Ornamental Apple	10m x 6m	CP	
<i>Metrosideros excelsa</i>	New Zealand Christmas Tree	12m x 12m	FI	
<i>Pyrus ussuriensis</i>	Manchurian Pear	9m x 7m	CP	Moderate drought tolerance
<i>Ulmus parvifolia</i>	Chinese Elm	10m x 11m	FI	Adaptable to a range of soils, tolerates periods of inundation
<i>Zelkova serrata</i> 'Green Vase'	Green Vase Zelcova	12 m x 8m	CP	Highly adaptable to different soils, requires watering during establishment

Large Trees 15+ metre				
indigenous to Maroondah				
Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
				EVC where applicable
<i>Eucalyptus cephalocarpa</i>	Silver Stringybark	16m x 12m	CP	EVC 127 Valley Heathy Forest
<i>Eucalyptus goniocalyx</i>	Long-leaved Box	20m x 14m	CP	Can tolerate dry and poor soils EVC 127 Valley Heathy Forest
<i>Eucalyptus globoidea</i>	White Stringybark	20m x 14m	CP	Will perform in a wide range of moist soils EVC 169: Dry Valley Forest
<i>Eucalyptus macrorhyncha</i>	Red Stringybark	20m x 15m	CP	Does not tolerate wet soils – requires well drained clay loam soils EVC 22 Grassy Dry Forest
<i>Eucalyptus melliodora</i>	Yellow Box	20m x 9m	CP	Well drained loams and alluvial soils EVC 127 Valley Heathy Forest; EVC 22 Grassy Dry Forest
<i>Eucalyptus obliqua</i>	Messmate	20m x 14m	CP	Moist, well drained soils – can tolerate short dry periods EVC 127 Valley Heathy Forest
<i>Eucalyptus ovata</i>	Swamp Gum	15m x 10m	CP	Moist soils – can tolerate inundation in winter and dry summers EVC 83 Swampy Riparian Woodland
<i>Eucalyptus polyanthemus</i>	Red Box	16m x 10m	CP	Adaptable, can tolerate dryness once established EVC 22 Grassy Dry Forest
<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	16m x 10m	CP	Prefers well drained soils, adaptable to a wide range of soils EVC 83 Swampy Riparian Woodland
<i>Eucalyptus rubida</i>	Candlebark	16 x 10m	CP	Well drained, dryer soils EVC 16: Lowland Forest.

<i>Eucalyptus viminalis</i>	Manna Gum	25m x 15m	CP	Adaptable, performs best in moist, deep loam soils EVC 16: Lowland Forest.
-----------------------------	-----------	-----------	----	---

Victorian Native

Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Corymbia maculata</i>	Spotted Gum	20m x 14	CP	EVC 2: Coast Banksia Woodland Tolerates periodic waterlogging Suited to most soils provided they are well drained EVC 61: Box Ironbark Forest Tolerant of most soils, moderately drought tolerant EVC 20: Heathy Dry Forest Tolerant of most soils, drought sensitive.
<i>Eucalyptus botrioides</i>	Mahogany Gum	18m x 12m	CP	
<i>Eucalyptus cinerea</i>	Argyle Apple	15m x 10m	CP	
<i>Eucalyptus sideroxylon</i>	Red Iron Bark	16m x 10m	CP	
<i>Eucalyptus tricarpa</i>	Ironbark	20m x 10m	CP	

Australian Native

Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Agathus robusta</i>	Queensland Kauri	24m x 12m	FI	Prefers well drained sandy soils. High drought tolerance Can adapt to a wide range of soils and tolerate heavy pruning
<i>Angophora costata</i>	Smooth-barked Apple	18m x 12m	CP	
<i>Araucaria bidwillii</i>	Bunya Bunya Pine	24m x 12m	FI	
<i>Araucaria heterophylla</i>	Norfolk Island Pine	24m x 12m	FI	
<i>Brachychiton acerifolius</i>	Illawarra Flame Tree	20m x 10m	CP	
<i>Corymbia citriodora</i>	Lemon-scented Gum	25m x 14	CP	
<i>Corymbia ficifolia</i>	Red Flowering Gum	17m x 9m	CP	
<i>Lophstemon confertus</i>	Brush Box	17m x 9m	CP	

Exotic Species

Botanical Name	Common Name	Approximate height x width at maturity	DSV calculation method	Requirements
<i>Cinnamomum camphora</i>	Camphor Laurel	16m x 12m	FI	Can adapt to a wide range of soils and moderate drought Can adapt to a wide range of soils and moderate drought
<i>Fagus sylvatica</i>	European Beech	20m x 12m	CP	
<i>Fraxinus excelsior</i> 'Aurea'	Golden Ash	19m x 15m	CP	
<i>Gleditsia triacanthos</i> *	Honey Locust	16m x 12m	CP	
<i>Liriodendron tulipifera</i>	Tulip Tree	18m x 11m	CP	
<i>Liquidambar styraciflua</i>	Liquidambar/Sweet Gum	18m x 10m	FI	
<i>Metasequoia glyptostroboides</i>	Dawn Redwood	16m x 8m	FI	
<i>Picea glauca</i>	White Spruce	16m x 7m	FI	
<i>Quercus canariensis</i>	Algerian Oak	20m x 20m	FI	

<i>Quercus palustris</i>	Pin Oak	18m x 8m	FI	Can adapt to a wide range of soils and moderate drought Can adapt to a wide range of soils and moderate drought
<i>Quercus robur</i>	English Oak	15m x 11m	CP	
<i>Sequoia sempervirens</i>	Californian Redwood	25m x 14m	FI	
<i>Sequoiadendron giganteum</i>	Giant Sequoia	25m x 14m	FI	
<i>Taxodium distichum</i>	Swamp Cypress	20m x 8m	FI	Adaptable, chlorosis occurs at high pH levels, saplings need water
<i>Thuja plicata</i>	Western Red Cedar	16m x 8m	FI	
<i>Tilia cordata</i>	Linden Tree	20m x 10m	CP	
<i>Ulmus procera</i>	English Elm	20m x 16m	CP	