

LOCAL LAWS ISSUE PAPER

COMMUNITY ENGAGEMENT SUMMARY REPORT



PROJECT BACKGROUND:

The Community Amenity Local Law

Each municipality in Victoria creates a Local Law, designed to protect the local amenity as well as regulate activities on council-controlled land and roads.

Once adopted, a Local Law can be in effect for a maximum of ten years. Wyndham's current Community Amenity Local Law was adopted in 2015. As one of the fastest-growing municipalities in Australia, Council recognises that the needs of the community are rapidly evolving and has initiated a Local Law Review with a view to adopt a new Local Law in 2023.

After internal and targeted external stakeholder consultation undertaken as part of the Local Law Review, several new clauses and significant changes to current clauses in the Community Amenity Local Law 2015 were proposed. An Issues Paper was developed and put out for community consultation to understand community feelings and opinions on whether these changes reflect the current and future needs of those who live or work in Wyndham City.

This report presents the outcomes from the community consultation period and the People's Advisory Panel focus group about the issues identified in the Issues Paper, and about the Local Law generally.



METHODOLOGY:

The below table outlines the various methods and techniques used to engage with the community.

Community engagement activities / tools	
Method / technique	Stakeholders engaged
Project page on The Loop	1,151 total visitors to the page 4,471 page views
Online survey	93 surveys completed
People's Advisory Panel – Focus Group	29 panel members participated in a two-hour face to face workshop
Drop in Sessions	4 community members attended drop-in sessions

Communications / marketing activities	
Method / technique	Stakeholders engaged
Online promotion (Facebook, 3 posts)	Engagement: 3,834 engagements for this post Click through to website: 657

SUMMARY OF FEEDBACK:

The following feedback will help to shape the final Draft Local Law. Once complete, the Draft Local Law will go to Council for approval to go to Public Consultation. Below is a summary of the feedback for each issue from 93 survey responses, 29 People's Advisory Panel workshop attendees, and 4 drop-in attendees.

Note: Total answers numbers may vary since some PAP and drop-in attendees did not provide answers all questions.

Nature Strip Maintenance

We Asked	You said	Our response
How would you rate the issue of nature strips in Wyndham (1=not an issue at all to 5- a very big issue), and why?	<p>Respondents gave the following ratings:</p> <ul style="list-style-type: none">1- 8 (6.6%)2- 24 (20%)3- 27 (22.5%)4- 22 (18.3%)5- 39 (32.5%) <p>The key themes that emerged from survey responses were:</p> <p>Overgrown nature strips are unsightly and can be unsafe. (48 related comments)</p> <p>I don't think this is an issue, or it's only an issue in some areas (28 related comments)</p> <p>Areas like parks and roundabouts that are maintained by Council are often overgrown as well (4 related comments)</p> <p>Rental properties seem to more issues with overgrown nature strips (4 related comments)</p>	<p>The majority of respondents agree that overgrown nature strips is a big to really big problem in Wyndham.</p> <p>We acknowledge that there are occasions where Council-controlled properties like parks can have grass growth that than may be considered acceptable. Parks, reserves, and roadsides controlled by Council are maintained on a rotating roster. If a resident feels that a park, reserve, or roadside is overgrown, they can contact Council and the roster will be amended if necessary, to ensure all areas are appropriately maintained.</p>

We Asked	You said	Our response
<p>How do you feel about the current regulation of nature strips?</p> <p>Do you support the proposed provisions for Nature Strip Maintenance?</p>	<p>There should be: Stronger Local Laws- 66 (55%) Fewer or no Local Laws- 17 (14.1%) Current Local Laws are appropriate-27 (22.5%) Current Local Laws are appropriate, but the enforcement should change- 10 (8.3%)</p> <p>Respondents gave the following responses: Yes- 61 (50%) No- 36 (29.5%) Somewhat- 25 (20.4%)</p> <p>The key themes that emerged from survey responses were:</p> <p>Nature Strips are Council Land and Council should be responsible for mowing it <i>(17 related comment)</i></p> <p>It is reasonable for Council to enforce the mowing of nature strips <i>(14 related comments)</i></p> <p>Council should help people who can't mow their nature strip <i>(20 related comments)</i></p> <p>Council and developers should use and encourage use of materials other than grass on nature strips <i>(9 related comments)</i></p> <p>Instead of enforcement, Council should incentivize and reward people who look after their nature strips <i>(4 related comments)</i></p>	<p>The majority of respondents feel that the current Local Law is not strong enough regarding nature strip maintenance and support the proposed provisions.</p> <p>Nature strips are and will remain Council land, and they house significant public infrastructure underneath. We understand that some people do not want to be held responsible for land that does not belong to them, and we will take that into consideration when preparing the Draft Local Law.</p> <p>If nature strip maintenance is included in the Draft Local Law, Council is committed to creating a policy that recognises and assists people who are genuinely unable to carry out nature strip maintenance.</p> <p>The comments about the use of low-maintenance materials other than grass on nature strips and incentives for people who maintain the nature strip are noted and will be explored further.</p>

SHOPPING TROLLEYS

We Asked	You said	Our response
<p>How would you rate the issue of abandoned shopping trolleys in Wyndham (1=not an issue at all to 5- a very big issue), and why?</p> <p>How do you feel about the current regulation of shopping trolleys?</p>	<p>Respondents gave the following ratings:</p> <ul style="list-style-type: none"> 1- 9 (7.5%) 2- 20 (16.8%) 3- 33 (27.7%) 4- 27 (22.6%) 5- 30 (25.2%) <p>The key themes that emerged from survey responses were:</p> <p>I see a lot of abandoned shopping trolleys (54 related comments)</p> <p>I don't think abandoned shopping trolleys are a big issue (32 related comments)</p> <p>There should be:</p> <ul style="list-style-type: none"> Stronger Local Laws- 67 (56.3%) Fewer or no Local Laws- 4 (3.3%) Current Local Laws are appropriate-27 (22.6%) Current Local Laws are appropriate, but the enforcement should change-21 (17.6%) 	<p>The majority of respondents agree that abandoned shopping trolleys are a moderate to very big issue in Wyndham.</p> <p>The majority of respondents feel that the current Local Law is not strong enough regarding shopping trolleys and support the proposed provisions.</p> <p>Council is committed to working with retailers to reduce the amount of trolleys that are removed from the premises, as well as expedite the removal of trolleys that have been abandoned.</p> <p>The current Local Law and the proposed new Local Law both make it an offence for a person to remove a trolley from the retailers premises. Unfortunately, those provisions are difficult to enforce as officers must observe the offenders carrying out the offence, and be able to identify the offender in order to take any action.</p>

We Asked	You said	Our response
<p>Do you support the proposed provisions for abandoned shopping trolleys?</p>	<p>Respondents gave the following responses: Yes- 68 (60.7%) No- 14 (12.5%) Somewhat- 30 (26.7%)</p> <p>The key themes that emerged from survey responses were:</p> <p>More needs to be done to prevent trolleys from being dumped <i>(15 related comments)</i></p> <p>Council should punish the person that dumps the trolley, not the retailer <i>(7 related comments)</i></p> <p>Coin return systems do not work <i>(6 related comments)</i></p> <p>Perimeter locking systems are too inconvenient for shoppers <i>(5 related comments)</i></p> <p>More obligations on retailers will result in high costs for consumers <i>(3 related comments)</i></p>	<p>The limitations of both coin-return and perimeter locking systems are noted. In addition to the above two control systems, the proposed Local Law will include wording similar to “or another system approved by Council that prevents the removal of trolleys” so that as new technologies and options become available, retailers are able to use them.</p> <p>We acknowledge that any costs incurred by retailers may result in higher prices for consumers, however many retailers already use physical trolley control systems, and for those that don’t we anticipate that they will achieve cost savings through having to replace or pay for the collection of fewer abandoned trolleys.</p>

Tree Removal on Private Property

We Asked	You said	Our response
How would you rate the issue of tree canopy loss in Wyndham (1=not an issue at all to 5- a very big issue), and why?	<p>Respondents gave the following ratings:</p> <ul style="list-style-type: none"> 1- 28 (23.7%) 2- 24 (20.3%) 3- 21 (17.7%) 4- 20 (16.9%) 5- 25 (21.1%) <p>The key themes that emerged from survey responses were:</p> <p>The loss of shade and biodiversity is an issue (25 related comments)</p> <p>I don't think this is an issue (19 related comments)</p> <p>Loss of tree canopy is an issue, but more canopy is lost on Council and developer land than on residential properties (26 related comments)</p> <p>There should be:</p> <ul style="list-style-type: none"> Stronger Local Laws- 35 (29.9%) Fewer or no Local Laws- 36 (30.7%) Current Local Laws are appropriate-38 (32.4%) Current Local Laws are appropriate, but the enforcement should change- 8 (6.8%) 	<p>Respondents were varied in their view of tree canopy loss, with the most common response being that tree canopy loss is not an issue in Wyndham, and the next common response being that tree canopy loss is a big issue in Wyndham.</p> <p>It is clear that many respondents are concerned about tree canopy loss, but feel that existing residential properties are not the driver of that loss.</p> <p>Just under one third of respondents agree that there should be stronger laws around tree protection, but more than half of the respondents do not support the provisions as proposed in the Issues Paper.</p>
How do you feel about the current regulation of tree removal on private property?		

We Asked	You said	Our response
<p>Do you support the proposed provisions for tree removal on private property?</p>	<p>Respondents gave the following responses: Yes- 32 (26.6%) No- 64 (53.3%) Somewhat- 24 (20%)</p> <p>Council should not require an expensive permit to do what I want on my own property <i>(40 related comments)</i></p> <p>Requiring permits for tree removal is an appropriate way to lessen tree canopy loss <i>(14 related comments)</i></p> <p>The proposed law will deter people from planting trees and worsen tree canopy loss <i>(12 related comments)</i></p> <p>Council should incentivise/reward people for planting trees instead of punishing them <i>(7 related comments)</i></p>	<p>Many respondents were clear that they feel they should be able to decide whether to remove trees on their own property, and that this clause may disincentivize people to plant trees.</p> <p>Council is committed to increasing tree canopy, however we acknowledge that residents do not want tree protection laws in the form that was presented in the Issues Paper.</p> <p>Tree protection laws will not be included in the upcoming draft Local Law, however we will be doing more work in policy around tree canopy loss and engagement and education of residents, and a tree protection local law may be something that is considered again in the future.</p>

Short Stay Accommodation

We Asked	You said	Our response
How would you rate the issue short stay accommodation in Wyndham (1=not an issue at all to 5- a very big issue), and why?	<p>Respondents gave the following ratings:</p> <ul style="list-style-type: none"> 1- 35 (30.4%) 2- 38 (33%) 3- 20 (17.3%) 4- 11 (9.5%) 5- 11 (9.5%) <p>The key themes that emerged from survey responses were:</p> <p>I haven't had or observed any issues caused by short stay accommodation (52 related comments)</p> <p>Short Stay Accommodation causes amenity issues for neighbours and is a problem that will only get bigger (23 related comments)</p> <p>Short Stay Accommodation benefits the tourism and accessibility of the area and should be encouraged (8 related comments)</p>	<p>The majority of respondents felt that short stay accommodation is no issue or a small issue in Wyndham.</p> <p>Just under half of respondents felt that there should be stronger local laws around short-stay accommodation, while the slight majority felt that either the existing Local Laws are sufficient or that there should be no Local Laws relating to short stay accommodation.</p> <p>Since this Local Law would restrict competition, Council must demonstrate that the benefits of the proposed Local Law outweigh the cost to the community, and that there is no other way the issue can be addressed.</p>

We Asked	You said	Our response
<p>How do you feel about the regulations around short stay accommodation?</p> <p>Do you support the proposed provisions for short stay accommodation?</p>	<p>There should be: Stronger Local Laws- 55 (46.2%) Fewer or no Local Laws- 7 (5.8%) Current Local Laws are appropriate- 39 (32.7%) Current Local Laws are appropriate, but the enforcement should change- 18 (15.1%)</p> <p>Respondents gave the following responses: Yes- 59 (49.5%) No- 20 (16.8%) Somewhat- 40 (33.6%)</p> <p>Out of control parties happen at short stay accommodation <i>(7 related comment)</i></p> <p>Existing noise, litter, and parking regulations are enough to deal with issues at short stay accommodation <i>(3 related comments)</i></p> <p>The issue with short stay accommodation is not big enough to justify the extra administrative costs <i>(5 related comments)</i></p> <p>I don't like different people staying at the short stay accommodation all the time <i>(4 related comments)</i></p>	<p>Just under half of respondents supported the proposed Local Law regarding short-stay accommodation, with 33% somewhat supporting it.</p> <p>Many of the comments concerned about short-stay accommodation were concerned about parties. It is noted that Airbnb and Stayz both prohibit parties from being held at short-stay accommodation properties.</p> <p>Since the majority of respondents do not support the proposed Local Laws in their current form, Council will explore options to regulate short-stay accommodation without significantly increasing the administrative resources required or creating a burden for short-stay accommodation property owners who do the right thing.</p>

Food trucks on private property

We Asked	You said	Our response
How would you rate the issue of food trucks on private property in Wyndham (1=not an issue at all to 5- a very big issue), and why?	<p>Respondents gave the following ratings:</p> <ul style="list-style-type: none"> 1- 65 (47%) 2- 21 (17.6%) 3- 13 (10.9%) 4- 8 (6.7%) 5- 12 (10%) <p>The key themes that emerged from survey responses were:</p> <p>Food trucks are good for the area and should be encouraged (35 related comments)</p> <p>I have not had or observed any issues with food trucks (26 related comments)</p> <p>Food trucks on vacant land cause amenity issues and are unfair to brick and mortar shops (15 related comments)</p>	<p>The majority of respondents feel that food trucks on private property are not an issue in Wyndham.</p> <p>Many respondents felt that food trucks are good for the area, while others felt that they are unfair competition to brick and mortar shops.</p> <p>The majority of respondents felt that current regulations around food trucks are appropriate.</p>

We Asked	You said	Our response
<p>How do you feel about the regulations of food trucks on private property?</p>	<p>There should be: Stronger Local Laws- 32 (27.3%) Fewer or no Local Laws- 18 (15.3%) Current Local Laws are appropriate- 50 (42.7%) Current Local Laws are appropriate, but the enforcement should change- 17 (14.5%)</p>	<p>Since this Local Law would restrict competition, Council must demonstrate that the benefits of the proposed Local Law outweigh the cost to the community, and that there is no other way the issue can be addressed.</p>
<p>Do you support the proposed provisions for food trucks on private property?</p>	<p>Respondents gave the following responses: Yes- 29 (25%) No- 49 (42.2%) Somewhat- 38 (32.7%)</p> <p>Food trucks should have designated areas to operate <i>(6 related comments)</i></p> <p>Issues like traffic problems, litter, and noise should be dealt with at the problem business instead of making everyone get a permit <i>(4 related comments)</i></p>	<p>Council will explore including more effective means of addressing amenity issues caused by food trucks, and determine whether those measures could be included in the Draft Local Law instead of a permit requirement.</p>

We Asked	You said	Our response
<p>Is there anything we might have missed that you think should be included?</p>	<p>Dumping of litter and rubbish (10 related comment)</p> <p>Trucks parking in residential streets (9 related comments)</p> <p>Hoon drivers and bad driving behaviour, e.g speeding and running red lights (8 related comments)</p> <p>Overgrown grass and rubbish on vacant blocks (4 related comments)</p> <p>Stronger enforcement of noise laws (5 related comments)</p> <p>Roaming Cats (3 related comments)</p> <p>Illegal parking around schools (2 related comments)</p> <p>Dog waste in streets and parks (2 related comments)</p> <p>More consideration and transparency from Council about what type of trees are planted on nature strips (2 related comments)</p> <p>Dogs off lead in on-lead areas (2 related comments)</p> <p>Unsightly and overgrown front and back yards (2 related comments)</p> <p>Stronger penalties for damaging or removing street trees (1 related comment)</p>	<p>Many of the issues raised here are planned for inclusion in the Draft Local Law, including:</p> <ul style="list-style-type: none"> • Trucks parking in residential areas • Hoon driving (particularly organised hoon events) • Overgrown & unsightly properties (including vacant land) • Dog waste <p>Other items mentioned are controlled through other legislation including:</p> <ul style="list-style-type: none"> • Illegal Parking (<i>Road Safety Road Rules</i>) • Illegal litter dumping & noise control (<i>Environment Protection Act 2017</i>) • Roaming cats & dogs off lead (<i>Domestic Animals Act 1994</i>) <p>The full Draft Local Law will be made available for public comment in late 2022.</p>

NEXT STEPS:

- The feedback provided by this consultation will inform the Draft Local Law. The Draft Local Law will go to a Council Briefing for approval to seek public comment.
 - The Community Engagement report will be published following the Council meeting.
 - The Draft Local Law will go out for Public Exhibition and comment- tentatively scheduled for December 2022.
 - Feedback received during the Public Exhibition period will be used to update the Draft Local Law where necessary.
 - The final Draft Local Law will go to a Council meeting for adoption in early 2023
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HOW CAN PARTICIPANTS STAY INVOLVED/INFORMED?

Participants can stay informed by visiting the Loop page and selecting to “Follow” the project. Updates will be posted as the project progresses.

Contact details for further information

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