

Planning and Consultation Committee Meeting

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 13 April 2021 commencing at 7.00pm.

Agenda

Vince Lombardi
Acting Chief Executive Officer

Thursday 8 April 2021

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777
Website www.nillumbik.vic.gov.au
Email nillumbik@nillumbik.vic.gov.au

Planning and Consultation Committee Meeting seating plan

<p>Cr Natalie Duffy Edendale Ward</p> <p>Cr Karen Egan Bunjil Ward</p> <p>Cr Richard Stockman Blue Lake Ward</p>				<p>Cr Peter Perkins (Mayor) Ellis Ward</p> <p>Cr Frances Eyre (Deputy Mayor) Swipers Gully Ward</p> <p>Cr Geoff Paine (Chairperson Planning Matters) Wingrove Ward</p>
<p>Emma Christensen Senior Governance Officer</p>	<p>Katia Croce Acting Executive Manager Governance, Communications and Engagement</p>	<p>Cr Ben Ramcharan (Chairperson Consultation Matters) Sugarloaf Ward</p>	<p>Vince Lombardi Acting Chief Executive Officer</p>	

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Nillumbik Shire Council

**Agenda of the Planning and Consultation Committee Meeting to be held
Tuesday 13 April 2021 commencing at 7.00pm.**

1. Welcome by the Chair

Members of the public are advised the meeting will be recorded and a recording of the meeting will be made publicly available on Council's website.

2. Acknowledgement of Country

The Acknowledgement of Country to be read by the Chairperson

Nillumbik Shire Council acknowledges the Wurundjeri people who are the Traditional Custodians of this Land. We would also like to pay respect to the Elders both past and present and extend that respect to other Indigenous Australians present.

3. Apologies

Recommendation

That the apologies be noted.

4. Confirmation of minutes

Confirmation of minutes of the Future Nillumbik Committee Meeting held on Tuesday 9 March 2021.

Recommendation

That the minutes of the Future Nillumbik Committee Meeting held on Tuesday 9 March 2021 be confirmed (**Attachment 1**).

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5. Disclosure of conflicts of interest

Committee members should note that any conflicts of interest should also be disclosed immediately before the relevant item.

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6. Officer Reports

PCC.001/21 Postive Ageing Advisory Committee Membership Endorsement

Item: Consultation Matter

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

Author: Fiona Vuong, Positive Ageing Officer

Summary

The Positive Ageing Advisory Committee (PAAC) provides a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in initiatives, policies and strategies concerning older residents of Nillumbik.

On 25 August 2020, Council endorsed the revised PAAC Terms of Reference (TOR) and approved the issue of a public invitation seeking community representatives to nominate to join the committee. Nominees have been sought and received. All nominees have been assessed and interviewed.

Council endorsement of seven new members, and nine standing members, and an amended Terms of Reference is now recommended. This report also recommends that Council acknowledge all submissions received and thank each nominee for their expression of interest.

Recommendation

That the Committee (acting under delegation from Council):


1. Endorses the seven new applications listed (**Attachment 2**) onto the Positive Ageing Advisory Committee:
 - (a) Applicant A _____ for their role as a Positive Ageing Advisory Committee Member
 - (b) Applicant B _____ for their role as a Positive Ageing Advisory Committee Member
 - (c) Applicant C _____ for their role as a Positive Ageing Advisory Committee Member
 - (d) Applicant D _____ for their role as a Positive Ageing Advisory Committee Member
 - (e) Applicant E _____ for their role as a Positive Ageing Advisory Committee Member
 - (f) Applicant F _____ for their role as a Positive Ageing Advisory Committee Member
 - b) Applicant G _____ for their role as a Positive Ageing Advisory Committee Member.

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PCC.001/21 Postive Ageing Advisory Committee Membership Endorsement

2. Reconfirm the nine listed committee members who tendered their reapplication (**Attachment 2**) onto the Positive Ageing Advisory Committee:
 - (a) Applicant L _____ for their role as a Positive Ageing Advisory Committee Member
 - (b) Applicant M _____ for their role as a Positive Ageing Advisory Committee Member
 - (c) Applicant N _____ for their role as a Positive Ageing Advisory Committee Member
 - (d) Applicant O _____ for their role as a Positive Ageing Advisory Committee Member
 - (e) Applicant P _____ for their role as a Positive Ageing Advisory Committee Member
 - (f) Applicant Q _____ for their role as a Positive Ageing Advisory Committee Member
 - (g) Applicant R _____ for their role as a Positive Ageing Advisory Committee Member
 - (h) Applicant S _____ for their role as a Positive Ageing Advisory Committee Member
 - (i) Applicant T _____ for their role as a Positive Ageing Advisory Committee Member.
3. Resolves that the Evaluation table and assessment (**Attachment 2**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
4. Confirms amended Terms of Reference for the Positive Ageing Advisory Committee (**Attachment 1**).
5. Acknowledges and thanks all community members who submitted expressions of interest to the Positive Ageing Advisory Committee.

Attachments

1.  Terms of Reference - updated March 2021
2. Evaluation Table and Assessment - *CONFIDENTIAL*

Discussion

1. In July 2020, current standing members of the Positive Ageing Advisory Committee were invited to renew their membership for a further two year term as per the Terms of Reference. A number of vacancies arose, and in preparing to fill the vacancies, it afforded an opportunity to review the Terms of Reference.
2. On 25 August 2020, Council endorsed the revised PAAC Terms of Reference, and agreed to undertake a recruitment process for vacant committee positions.

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3. Applications for the PAAC opened on Tuesday 25 August and closed on Friday 2 October 2020.
4. A total of 11 applications were received, for seven available positions. Applications and interviews were assessed in January 2021. The selection panel assessed applications according to the selection criteria in Evaluation Table and Assessment - *Confidential (Attachment 2)*.
5. The Selection Panel consisted of two standing members of the committee, and the Positive Ageing Officer, who was elected to be temporary Chairperson of the committee in the interim period, as a Councillor had not yet been appointed to Chair the Positive Ageing Advisory Committee.
6. The evaluation of each application focused on an understanding:
 - a) Of and interest in the issues facing older people in the Nillumbik community
 - b) A commitment to improving the quality of life for older people in Nillumbik
 - c) And a level of contribution and connection to the older adult community.
7. In conjunction with the above, the selection panel took into account the balance of experiences and perspectives across the Committee.
8. An evaluation matrix is attached with results of assessment and interviews will all nominees.
9. Officers recognise the high standard of applications received and commend all applicants on their applications and passion and commitment to supporting older residents in the community.
10. The Terms of Reference was amended in July 2020 and confirmed in August 2020 with minor changes. Another change is being recommended for Council, specifically related to the term of appointment. The change recommended is that members are appointed to a two year term from date of endorsement, instead of a two year term in line with the financial year calendar.

Related Council decisions

11. In 2016, Council committed and signed the State Government's Age-Friendly Victoria Declaration, demonstrating Nillumbik's commitment to working together to create an age-friendly Nillumbik.
12. On 25 August 2020, Council agreed to endorse the revised PAAC Terms of Reference, and agreed to undertake a recruitment process for vacant committee positions.
13. A Councillor Briefing Report was presented to Council on 16 March 2021 advising the above.

Options

14. That Council formally endorses the new members, and endorses re-standing members to allow the advisory committee to complete its duties.
15. That Council formally acknowledges and publically thank all community members who submitted expressions of interest for vacant positions.
16. That Council confirms amended TOR.

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Council plans and policies

- 17 This report directly supports the achievement of Council Plan 2017-2021 strategy:
- Ensure that community services, programs and facilities are inclusive and respond to current and emerging needs.
- 18 This report directly supports the achievement of priority areas in the Ageing Well in Nillumbik Action Plan 2019 – 2022:
- Community connection, resilience and engagement: consult and engage with a diverse representation of older people.

Sustainability implications

17. Not applicable.

Community engagement

19. Expressions of interest were sought via multiple channels including:
- a) Hard copy newsletters: including Nillumbik News Spring 2020, Ageing Well in Nillumbik newsletter Spring 2020.
 - b) Online newsletters: Community Connect e-newsletter, Living & Learning e-newsletter.
 - c) Online: via Council website and social media platforms, on Council's volunteer management system Better Impact. An advertisement was created on Council's Seek Volunteer account.
 - d) Internally – promoted to Council staff and various teams to support promotions.
 - e) Targeted invitations were sent to stakeholders including HealthAbility, to local community group networks.
 - f) Word of mouth: phone calls to Senior Citizens Clubs, attending network meetings.
 - g) Standing committee members were encouraged to share the EOI with their networks and peers.

Innovation and continuous improvement

20. Not applicable.

Collaboration

21. Not applicable.

Budget implications

22. There are no significant budget implications arising from the recommendations in this report. Administrative support for the Committee is provided through the Community Services operational budget.

Relevant law

23. Not applicable.

Regional, state and national plans and policies

24. Not applicable.

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PCC.001/21 Postive Ageing Advisory Committee Membership Endorsement

Conflicts of interest

25. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

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6. Officers' reports

PCC.002/21 Motions to the Municipal Association of Victoria - State Council Meeting 2021

Item: Consultation Matter

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Katia Croce, Governance Lead

Summary

The Municipal Association of Victoria (MAV) State Council meets to consider matters of state-wide significance. The deadline for motions to be submitted for consideration at the 21 May 2021 MAV State Council Meeting is 23 April 2021.

Motions must have state-wide significance or relevance across the Victorian Local Government sector and be related to issues and initiatives that affect the livelihood and wellbeing of the Nillumbik community.

Officers have prepared two motions that are consistent with the items submitted to the National General Assembly.

This report is seeking Councillor endorsement to lodge the motions to the MAV State Council Meeting to be held on 21 May 2021.

Recommendation

That the Committee (acting under delegation from Council):

1. Resolves to adopt the following two motions to the Municipal Association of Victoria's State Council Meeting to be held on 21 May 2021:
 - a) *'That the Municipal Association of Victoria:*
 - i) *Endorses a Notice of Motion from the Nillumbik Shire Council to the 2021 National General Assembly of the Australian Local Government Association requesting the Commonwealth Government to work closely with state and local government to develop appropriate funding mechanisms to enable local governments to establish community hubs for the co-location of key services such as education, youth services, counselling and community health, in order to deliver comprehensive, integrated support to local communities, as they recover from the COVID-19 pandemic; and*
 - ii) *Seeks State Government support and advocacy for this Motion.'*
 - b) *'That the Municipal Association of Victoria:*
 - i) *Endorses a Notice of Motion from the Nillumbik Shire Council to the 2021 National General Assembly of the Australian Local Government Association requesting the Australian Government to work closely with state and local government to develop appropriate implementation frameworks and make available greater funding – either through the extension of its Smart Cities and Suburbs program or a new initiative, to*

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PCC.002/21 Motions to the Municipal Association of Victoria - State Council Meeting 2021

enable local governments and their communities to implement the latest networking and monitoring technology in their efforts to improve bushfire preparedness and climate resilience; and

ii) *Seeks State Government support and advocacy for this Motion.'*

2. Resolves to lodge motions and rationale (**Attachment 1**) to the Municipal Association of Victoria's State Council Meeting to be held on 21 May 2021.

Attachments

1.  Motions for MAV State Council - 2021

Discussion

1. The MAV State Council Meeting provides the opportunity for councils to submit motions on matters of state-wide significance to the Victorian Local Government sector. MAV State Council Meetings are convened twice a year, in May and October.
2. Council has until 23 April 2021 to submit motions to the MAV. The MAV Strategic Plan 2019-2021 also highlights a number of key priorities. It is encouraged that motions relate to the following priorities:
 - Financial sustainability
 - Waste & resource recovery
 - Government relations
 - Transport, freight & infrastructure
 - Societal & social policy changes
 - Sustainable land use
 - Business/digital transformation
 - Climate change & environment
 - Population growth/decline.
3. The resolutions of the MAV State Council Meeting enable issues of significance and strategic importance for the local government sector to be acted upon through a peak organisation. Endorsement at the State Council indicates an issue has state-wide support and strengthens the profile of these issues, which facilitates stronger advocacy with other levels of government.
4. Under the Rules all motions are due to be submitted by no later than midnight on Friday 23 April 2021. Early motions, received by midnight on Thursday 15 April 2021, will be distributed to MAV representatives on Friday 16 April 2021.
5. Submitters may amend their motions up to three weeks before the MAV State Council meeting, the amended motions must be submitted no later than 5pm Friday 23 April 2021.

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6. The business papers for MAV State Council will be emailed to MAV Representatives on Friday 7 May 2021.
7. In preparation for the Mayor's attendance, as Council's endorsed representative to the MAV State Council, a summary of the motions will be circulated to Officers to provide an indication of whether Nillumbik supports the motion presented, provide any necessary commentary and advise if the motions has relevance to Nillumbik.

Related Council decisions

8. At its Future Nillumbik Committee meeting held on 16 April 2019, the Committee resolved the following:

“That the Committee (acting under delegation from Council):

1. *Resolves to adopt the following three motions to the Municipal Association of Victoria's State Council Meeting to be held on 17 May 2019:*
 - i. *'That the Municipal Association of Victoria write to the Prime Minister and the Federal Ministers for Communications and the Arts to take action to develop and support the stability of the domestic recycling industry so that an uninterrupted service is provided.'*
 - ii. *'That the Municipal Association of Victoria:*
 - a. *Endorses a Notice of Motion from the Nillumbik Shire Council to the 2019 National General Assembly of the Australian Local Government Association requesting the Commonwealth Government to secure further Mobile Black Spot funding to increase the safety, well-being and liveability of regional and rural communities.*
 - b. *Seek State Government support and advocacy for this Motion.'*
 - iii. *'That the Municipal Association of Victoria:*
 - a) *Endorses a Notice of Motion from the Nillumbik Shire Council to the 2019 National General Assembly of the Australian Local Government Association requesting the Commonwealth Government to provide direct funding to assist local government to address the risks of climate change through the development of renewable energy facilities and support related community actions.*
 - b) *Seek State Government support and advocacy for this Motion.'*
2. *Resolves to lodge motions and rationale (Attachment 1) to the Municipal Association of Victoria's State Council Meeting to be held on 17 May 2019.”*

Options

9. Officers have identified the two critical areas local government needs to consider now and into the future. Each of which have state-wide significance to the sector that will influence the future direction of many Councils and their communities.
10. These motions have also been submitted to the National General Assembly and officers believe that the MAV State Council endorsement will provide further opportunity of the motions success in Canberra.

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11. It is appropriate that the proposed motions be moved on behalf of Council for the following reasons:

Improve bushfire preparedness and climate resilience

12. Local governments, working closely with the various emergency agencies and the community, must be at the forefront of the response to these increasing threats.
13. Bushfires can have devastating and far-reaching impacts on communities, impacts that can be exacerbated through a lack of mitigation measures and resilience. The evidence is clear that the physical, social and economic effects of such disasters are far greater where communities have been unprepared.
14. Also beyond doubt is that the effects of climate change will increase the frequency and intensity of bushfires as well as that of other extreme weather events.
15. Councils have a key role in the response to these challenges. Nillumbik, as do other Councils, already works in close collaboration with its community, the various emergency service agencies and state government to address these issues collectively. This is particularly the case in bushfire mitigation.
16. To do so effectively however – especially for this approach to be replicated nationally – will require not just the will, but also the resources to boost capability. Technology becomes increasingly important in this context and can assist councils build community resilience in this space.

Establishment of Community Hubs

17. Prior to the onset of the pandemic, Nillumbik Shire Council had identified the establishment of a community hub in one of its Major Activity Centres as one of the priority projects on which to advocate for Federal Government funding.
18. The aim of this purpose-built hub would be to serve to increase community connection and ease of access to a range of Council services. Among its features would include:
- a. Adult learning and registered training facilities;
 - b. a dedicated youth space;
 - c. a library;
 - d. a theatre and performance function space; and
 - e. a community lounge and meeting space.
19. In 2020, in order to ensure a coordinated response, Council formed its own internal Pandemic Recovery Taskforce, drawing on officers from a range of operational areas across the organisation.
20. At the same time, Council conducted an extensive survey Together in Nillumbik to better understand how the pandemic was affecting its community.

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PCC.002/21 Motions to the Municipal Association of Victoria - State Council Meeting 2021

21. The information gleaned in this survey has been invaluable in helping to inform the work of the taskforce. Its results revealed four clear themes or areas in which people had been most affected:
 - a. Inclusion;
 - b. healthy environments;
 - c. healthy behaviours; and
 - d. employment and education.
22. These results and the overarching themes will guide Council's in its current response and in future pandemic planning.
23. Notions of collaboration, increased community connectedness and resilience, with Council playing a key role in providing the underpinning support recur throughout.
24. While again, they align broadly with information gleaned on a state and national level, they also contain elements unique to Nillumbik's demographic profile.

Council plans and policies

25. This report directly supports the achievement of Council Plan 2017-2021 strategy:
 - Advocate effectively for Nillumbik's interests at a state and national level.

Sustainability implications

26. The Shire of Nillumbik recognises that climate change is one of the most serious challenges facing the world today and into the future. Council understands the importance of preserving the Green Wedge, contributing to global efforts to reduce greenhouse gas emissions across all sectors, conserving natural resources and to promoting a healthy, safe and resilient community.
27. The experiences of the past 12-14 months have impacted health – both physical and mental - employment, education as well as family and social relationships. While the advent of the COVID-19 vaccine is a critical primary health intervention, the psychological, social and economic effects will require comprehensive, long-term solutions, involving all levels of government.
28. The subject matter of this report relates to economic, climate change and associated environmental, social and economic implications.

Community engagement

29. Not applicable.

Innovation and continuous improvement

30. The proposed motions represent continuous improvement by increasing opportunities for council to innovate, work together and share resources.

Collaboration

31. The proposed MAV State Council motions have been prepared following endorsement of the National General Assembly motions from Council.

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Budget implications

32. There are no budget implications associated with submitting motions to the MAV.

Relevant law

33. Not applicable.

Regional, state and national plans and policies

34. The MAV State Council is an important opportunity for council to influence actions that support key priorities of the sector that are of state-wide significance.

Next steps

35. Officers have prepared two motions that are consistent with the items submitted to the National General Assembly.

35. This report seeks endorsement to submit motions for consideration at the MAV State Council Meeting on 21 May 2021.

Conflicts of interest

36. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

6. Officers' reports

PCC.003/21 Extension of the Project Area for the Hurstbridge Line Duplication Project - Request for feedback from the LXP

Item: **Consultation**
Distribution: **Public**
Manager: **Rosa Zouzoulas, Executive Manager Planning and Community Safety**
Author: **Paul Fyffe, Senior Strategic Planner**
 Lawrence Seyers, Lead Transport Planner
 Leigh Northwood, Strategic Planning Lead

Summary

This report presents and considers a request to Council from the Level Crossing Removal Project (LXP) to provide feedback on a proposed minor increase in the project area for the Hurstbridge Line Duplication Project.

Subject to the requirements of Clause 52.03 (Level Crossing Removal Project) of planning schemes, the project area defines the area in which planning approval has been provided by the Minister for Planning for certain LXP projects, including the Hurstbridge Line Duplication Project. Further, subject to the requirements of the clause, some prior consultation should be conducted on the proposed boundary of a project area, including with the relevant Council.

On 9 March 2021, Council received a letter from LXP advising that it proposes to extend the existing project area for the duplication project to include a portion of private land located at 203 Main Hurstbridge Road, Diamond Creek (refer to **Attachments 1 and 2**). The purpose of the inclusion is to support work operations by providing for site amenities, storage of materials and machinery etc.

The letter from LXP advises that all trees in the extended project area will be retained and protected and further, traffic management during use of the site will be appropriately managed in consultation with the Department of Transport. In discussions with LXP, Council officers have emphasised that the land in question is green wedge land that contributes to an important visual rural break between the townships of Diamond Creek and Wattle Glen. LXP officers have verbally advised that the land, once no longer required for the project, will be properly re-instated. Council officers consider it prudent that Council's resolution formally requests that this occurs.




Recommendation

That the Committee (acting under delegation from Council) requests the CEO write to LXP advising that Council has no objection to the proposed extension of the project area for the Hurstbridge Line Duplication Project to include part of 203 Main Hurstbridge Road, Diamond Creek, subject to the land being properly re-instated once use of the site by LXP ceases, particularly to retain the contribution the land currently makes to a rural break between Diamond Creek and Wattle Glen.

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PCC.003/21 Extension of the Project Area for the Hurstbridge Line Duplication Project - Request for feedback from the LXP

Attachments

- 1  Letter from LXP to Nillumbik CEO requesting feedback on a proposal to include part of 203 Main Hurstbridge Road, Diamond Creek in the project area for the Hurstbridge Line Duplication Project
- 2  Proposed extension of the project area for the Hurstbridge Line Duplication Project to include part of 203 Main Hurstbridge Road, Diamond Creek
- 3  Location of 203 Main Hurstbridge Road, Diamond Creek in a non-urban break between Diamond Creek and Wattle Glen

Discussion

1. The Hurstbridge Line Duplication Project involves:
 - a) Building a new railway station at Greensborough;
 - b) A major upgrade to the Montmorency Station;
 - c) The duplication of three kilometres of track, within Banyule, between Greensborough station and Sherbourne Road (Sherbourne Road is a western boundary of Eltham and a boundary between Banyule and Nillumbik);
 - d) The duplication of 1.5 kilometres of track in the Shire of Nillumbik between Diamond Creek and Wattle Glen (from the east end of Diamond Creek Station to just before Wattle Glen);
 - e) Improvements to the Diamond Creek Railway Station to upgrade Platform 2 to be used as the platform to service city bound trains; and
 - f) A new pedestrian crossing on the line adjacent to the Diamond Creek East Primary School.
2. Items e) and f) were not included in the original scope of the project, but have been included as a result of Council advocacy for these inclusions. This is discussed further in "Related Council Decisions".
3. There has also been an announcement in the 2020 Victorian Government budget of \$1.5 million for 'development funding' for a Shared Use Path between Eltham and Greensborough. Council in collaboration with Banyule City Council has been advocating for a shared user path.
4. Removal of the level crossing on Main Hurstbridge Road in the centre of Diamond Creek is not included in the scope of the project. Although, Council has advocated that the project enable future removal of the crossing.

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Related Council decisions

5. Council's Ordinary Meetings of 17 December 2019, 28 January 2020, 28 April 2020 and 15 September 2020 have considered matters regarding the project. Two key matters commonly considered by Council at these meetings in relation to the project have been:
 - Whether the scope of the project adequately responds to the needs of the Shire's community (e.g. in relation to safety, services, amenity etc.)
 - The suitability of the State Government's process for providing planning approval to the project, which has been to grant "fast-tracked" approval to itself through Clause 52.03 (Level Crossing Removal Project) in planning schemes.
6. Subject to the requirements of Clause 52.03 (Level Crossing Removal Project) of planning schemes, the project area defines the area in which planning approval has been provided by the Minister for Planning for certain LXP projects, including the Hurstbridge Line Duplication Project. Further, subject to the requirements of the clause, some prior consultation should be conducted on a proposed boundary of a project area, including with the relevant Council.
7. The requirement for consultation does not bestow any authority or third party appeal rights on Council or any other party to oppose a proposal from LXP to apply or extend a project area. LXP is simply required to undertake the consultation and respond to it in a report to the Minister's satisfaction.
8. Council has considered two previous requests for feedback from the State Government on proposals to extend its existing project area for the duplication project, including:
 - Consideration by the Council meeting on 28 April 2020 of a proposed extension to include certain land in vicinity of Silver Street, Eltham
 - Consideration by the Council meeting on 15 September 2020 of proposed extensions to the project area in Eltham (e.g. Eltham Oval) and Diamond Creek (e.g. road reserve on Main Hurstbridge Road) to allow for temporary parking, access and system upgrades.
9. In all of Council's resolutions regarding the duplication project, Council has primarily:
 - a) Advocated for the scope of the project to be widened. For example, as mentioned above, to provide for a safe pedestrian crossing point of the duplicated line near schools in Diamond Creek and to deliver upgrades to Diamond Creek station that are required to support the project; and
 - b) Expressed Council's dissatisfaction with Clause 52.03 as a mechanism to provide planning approval for the project and to raise issue with certain, but not all, of the proposed extensions to the project area.
10. An example of the last point, is that on 15 September 2020, on considering the proposed extensions to the project area in Eltham and Diamond Creek to allow for temporary parking, access and system upgrades, Council resolved to:
 - Not support temporary commuter parking at Library Place Eltham or within the road reserve at Main Hurstbridge Road, Diamond Creek

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PCC.003/21 Extension of the Project Area for the Hurstbridge Line Duplication Project - Request for feedback from the LXP

- Support temporary parking at Eltham Central Park, Eltham and at Coventry Oval, Diamond Creek subject to conditions
 - State no objection to the addition of roads for access to the rail corridor (George Street, Diamond Creek) and rail system upgrades at the corner of Fyffe Street and Main Hurstbridge Road, Diamond Creek.
11. The subsequent extensions to the project area by LXP have partly reflected Council’s resolution of 15 September, except that:
- The project area has been extended to include road reserve at Main Hurstbridge Road, Diamond Creek
 - The approved extension at Coventry Oval is slightly different in configuration to that which was proposed to Council.

Options

12. On 9 March 2021, Council’s CEO received a letter from LXP advising that it proposes to further extend the existing project area for the duplication project in accordance with Clause 52.03 to include a portion of private land at 203 Main Hurstbridge Road, Diamond Creek. The stated purpose of the inclusion is to support work operations by providing:
- site amenities
 - storage of materials and machinery
 - access into the rail corridor; and
 - workforce car parking.
13. The letter to Council’s CEO is provided as **Attachment 1** and a map enclosed with the letter is provided as **Attachment 2**. The map shows the proposed inclusion to the project area as a red boundary. LXP has confirmed separately that the proposed extension is, as expected, with the agreement of the landowner.
14. The letter from LXP also advises that:
- Access to the proposed site will be during standard construction hours of between 7am to 6pm Monday to Friday and 7am to 1pm Saturdays. There will be short periods, for example during rail closures, when 24-hour access to this land will be needed to support the construction works. Traffic management will be in place to ensure safety of road users and pedestrians during works and minimise impacts on local residents.
 - It is proposed to protect and retain all existing trees within and surrounding the sites, including within the road reservation.
 - Council’s submission to the proposal may outline concerns about, or support for, the temporary use and development of this land in the project boundary. This can include environmental and amenity considerations, management or mitigation measures for any impacts identified, or any other matters.
 - All feedback received will be included in a Consultation Report, which will inform the Minister for Planning’s assessment of the Project under Clause 52.03.

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15. The letter requests Council’s feedback by 5 April 2021. However, Council officers have successfully requested an extension until 14 April 2021, so that Council has the opportunity to formally consider the letter and provide a response through a Council resolution.
16. Council officers have identified that LXR’s letter regarding the proposed extension does not respond to one important issue, which is that the land for inclusion at 203 Main Hurstbridge Road is within the green wedge and contributes to a non-urban break between the townships of Diamond Creek and Wattle Glen, one that is particularly evident on the north side of Main Hurstbridge Road. This can be seen in an aerial of the site and immediate surrounds which is provided as **Attachment 3**.
17. Council’s planning policies support the protection of rural or non-urban breaks between the Shire’s townships. For example, objective 2 of 21.05-1 in the MSS is:

To contain urban development and maintain non-urban breaks between existing urban areas and townships and between townships.
18. Upon questioning on this issue from Council officers, LXR officers have verbally advised that the project will re-instate the section of land that LXR wishes to use at 203 Main Hurstbridge. While this is a positive response, it is considered prudent that Council formally request this occurs in its formal response to LXR.
19. Other than the matter of re-instatement of the proposed extension, there are considered to be no other matters of concern regarding the proposed extension to the project area at 203 Main Hurstbridge Road. The officer recommendation is therefore for Council to state that it has no objection to the proposed inclusion of the relevant part of 203 Main Hurstbridge Road within the project area, subject to the condition that the land will be properly re-instated when LXR’s use of it ceases.

Council plans and policies

20. This report directly supports the achievement of Council Plan 2017-2021 strategy:
 - Advocate effectively for Nillumbik’s interests at a state and national level.

Sustainability implications

21. By supporting public transport, the duplication project supports sustainability objectives. Council’s advocacy on the project has and continues to seek to optimise the sustainability outcomes of the project. For example, by advocating for a shared trail link between Greensborough and Sherbourne Road, Eltham and by advocating for improvements to the Diamond Creek railway station.

Community engagement

15. Engagement for the proposed extension to the project and for the project more generally is fully the responsibility of LXR and other relevant sections of the State Government in accordance with the requirements of Clause 52.03 (Level Crossing Removal Project).

6. Officers Reports

PCC.003/21 Extension of the Project Area for the Hurstbridge Line Duplication Project - Request for feedback from the LXP

22. Council is being consulted in accordance with the requirements of Clause 52.03. LXP has advised that apart from Council, it has also consulted landowners in the residential properties across the road from 203 Main Hurstbridge Road and all the neighbouring properties surrounding the site.

Innovation and continuous improvement

23. Council work on the project is improving Council's ability to advocate to the State Government for benefits for the local community, including by doing so in collaboration with officers from adjoining Councils.

Collaboration

24. To optimise benefits for the Shire's community that will be obtained from the duplication project, officers are seeking where appropriate and beneficial to have a collaborative approach with LXP and Banyule City Council.

Budget implications

25. There are no budget implications with this matter.

Relevant law

26. The Planning and Environment Act 1987 is the legislative basis for the Nillumbik Planning Scheme, which contains Clause 52.03 (Level Crossing Removal Project).

Regional, state and national plans and policies

27. The duplication project is accordance with regional, state and national policies to improve service and access in relation to public transport.

Conflicts of interest

28. No officers involved in the preparation of this report have a conflict of interest in the subject matter of this report.

- 7. Supplementary and urgent business**
- 8. Confidential reports**
- 9. Close of Meeting**