

Planning and Consultation Committee Meeting

to be held virtually on Tuesday 16 November 2021 commencing at 7:00pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 11 November 2021

Distribution: Public

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Planning and Consultation Committee Meeting

Councillors

Cr Peter Perkins (Mayor) – Ellis Ward

Cr Richard Stockman – Blue Lake Ward

Cr Karen Egan – Bunjil Ward

Cr Natalie Duffy – Edendale Ward

Cr Ben Ramcharan (Chairperson Consultation Matters) – Sugarloaf Ward

Cr Frances Eyre (Deputy Mayor) – Swipers Gully Ward

Cr Geoff Paine (Chairperson Planning Matters) – Wingrove Ward

Officers

Carl Cowie – Chief Executive Officer

Blaga Naumoski – Executive Manager Governance, Communications and Engagement

Katia Croce – Governance Lead

Nillumbik Shire Council

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Nillumbik Shire Council

**Agenda of the Planning and Consultation Committee Meeting to be held
Tuesday 16 November 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 YouTube and Council's website.

2. Acknowledgement of Country

The Acknowledgement of Country to be read by the Chairperson

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, and we value the significance of the Wurundjeri people's history as essential to the unique character of the shire. We pay tribute to all First Nations People living in Nillumbik, give respect to Elders past, present and future, and extend that respect to all First Nations People.

We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge the ongoing impacts of past trauma and injustices from European invasion, massacres and genocide committed against First Nations People. We acknowledge that sovereignty was never ceded.

Wurundjeri Woi-wurrung people hold a deep and ongoing connection to this place. We value the distinctive place of our First Nations People in both Nillumbik and Australia's identity; from their cultural heritage and care of the land and waterways, to their ongoing contributions in many fields including academia, agriculture, art, economics, law, sport and politics.

3. Apologies

Recommendation

That the apologies be noted.

4. Confirmation of minutes

Confirmation of minutes of the Planning and Consultation Committee Meeting held on Tuesday 12 October 2021.

Recommendation

That the minutes of the Planning and Consultation Committee Meeting held on Tuesday 12 October 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. Officers' reports

PCC.029/21 Amdendment C142nill to Apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty

Item: Planning Matter

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

The purpose of this report is to seek Council's approval to seek authorisation from the Minister for Planning under Section 8A of the *Planning & Environment Act 1987* to prepare and exhibit Amendment C142nill to the Nillumbik Planning Scheme to apply the Heritage Overlay (HO) to 50 Oatland Road, Plenty on a permanent basis.

Officers have received a Section 29A demolition consent application pursuant the *Building Act 1993* to demolish the dwelling located on the property.

The property is included on Council's *Priority List for Stage B Heritage Review* as adopted by Council at its June meeting, noting the Council report identified that a future planning scheme amendment to apply the HO to implement Stage A and Stage B Heritage Reviews would be prepared subject to adoption of Stage B (early 2022).

The citation for the property identifies a recommendation for inclusion in the Heritage Overlay for 'local significance'.

Given threat of demolition, officers have sought approval (under delegation) from the Minister for Planning for Amendment C141nill to introduce the HO to the property on an interim basis pursuant to Section 20(4) of the *Planning & Environment Act 1987* providing protection for the property and allowing Council time to seek approval and progress a further planning scheme amendment to introduce the HO permanently.

The application of the HO to the property is compliant with Section 4 of the *Planning and Environment Act 1987* which implements the Victorian Planning Provisions (VPP), State planning policy at Clause 15.03-1S Heritage conservation identifies the objective 'to ensure the conservation of places of heritage significance', and Planning Practice Note 1 in *Applying the Heritage Overlay* identifies that '*places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay*' should be included in the HO.

It should be noted the application of the Heritage Overlay does not mean that the dwelling cannot be renovated or restored, it does mean however that the dwelling cannot be demolished, and that any plans to renovate or restore would require a planning application with the Heritage Overlay as a planning permit trigger.

Subject to Council resolution of 26 October where Council deferred a decision in regard to this matter and directed officers to further engage with the property owners to discuss the amendment and process, officers have continued to liaise (email and phone) with the owners/applicants in regard to a suitable time for a face to face pre application meeting to discuss not only the amendment, but other plans they have in regard to development of the subject site (not just related to the heritage matter).

6. Planning Matters

PCC.029/21 Amendment C142nill to Apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty

Council have two options; Council can choose:

1. to seek authorisation from the Minister to prepare and exhibit Amendment C142nill to apply the HO to the property on a permanent basis; or
2. not to seek authorisation from the Minister as noted above, with acknowledgement that this decision would not be supported by the intent of the Victorian Planning Provisions, State policy and the intent as identified in Council's resolution to adopt Stage A Heritage Review, and prepare Stage B Heritage Review in protecting identified local heritage in Nillumbik.

Public exhibition of the proposed planning scheme amendment would be undertaken should authorisation to apply the permanent control be granted from the Minister for Planning.

Recommendation

That the Committee (acting under delegation from Council):

1. Notes Amendment C141nill requested under delegation pursuant to Section 20(4) of the *Planning & Environment Act 1987* to seek application of the Heritage Overlay on an interim basis to 50 Oatland Road, Plenty;
2. Requests the Minister for Planning, under Section 8A of the *Planning and Environment Act 1987*, to authorise the preparation and exhibition of Amendment C142nill to the Nillumbik Shire Planning Scheme; and
3. Undertakes public exhibition of Amendment C142nill which will apply permanent planning controls through the use of the heritage overlay should authorisation be granted.

Attachments

1. Citation 50 Oatland Road, Plenty
2. C142nill Instruction Sheet Authorisation
3. C142nill Explanatory Report Authorisation
4. C142nill HO Mapping Authorisation

Discussion

Background to the amendment

1. Officers have received a Section 29A demolition consent application under the *Building Act 1993* to demolish the dwelling located the property.
2. The property is included on Council's *Priority List for Stage B Heritage Review* as adopted by Council at its June meeting, noting the Council Report identified that a future planning scheme amendment to apply the HO to implement Stage A and Stage B Heritage Reviews would be prepared subject to adoption of Stage B.

6. Planning Matters

PCC.029/21 Amdendment C142nill to Apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty

3. The finalised citation for the site identifies the property is of local historical and representative significance to the Shire of Nillumbik (see **Attachment 1** for citation) and meets Criterion A and D in assessment of heritage value pursuant to Planning Practice Note 1 – *Applying the Heritage Overlay*.
4. 50 Oatland Road, Plenty, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for William Charles and Priscilla Mary Lierse in c1928, originally on a 30 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 or 30 acres. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920s, the town centre included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248). The Lierse family were early residents in the Diamond Creek and Plenty area involved in a variety of agricultural and other pursuits. They were heavily involved in the development of community life in Plenty from the mid-1920s (Criterion A).
5. Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines, as well as tending their fruit trees. This was the case for William Charles Lierse, who was an orchardist and sanitary contractor prior to establishing a poultry farm on the property by 1943. 50 Oatland Road provides important tangible evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains its street frontage and setback to Oatland Road (Criterion A).
6. The subject site is a largely intact representative example of a timber interwar bungalow. It has had very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with its projecting front room below a dominant Dutch gable roof, and an extensive wrap-around verandah under the sweep of the main roof line. The extant c1920s garage, poultry shed, and open setting evidence the use of the site as a poultry farm complex (Criterion D).
7. Council officers under delegation have sought authorisation from Minister pursuant to Section 20(4) of the *Planning and Environment Act 1987* for the Minister to apply an interim heritage overlay to the property through Amendment C141nill. If needed, the interim planning controls can be extended. This allows immediate protection for the property, and subject to authorisation from the Minister, allows council to prepare and undertake a full amendment process including exhibition and potentially panel to apply the HO permanently.
8. It should be noted the application of the Heritage Overlay does not mean that the dwelling cannot be renovated or restored, it does mean however that the dwelling cannot be demolished, and that any plans to renovate or restore would require a planning application with the Heritage Overlay as a planning permit trigger.

6. Planning Matters

PCC.029/21 Amdendment C142nill to Apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty

Related Council decisions

9. At Council’s meeting of 26 October 2021, Council resolved to:
 - a) *Defer consideration of CM.155/21 Amendment C142nill to Apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty.*
 - b) *Requests officers to undertake consultation with the owners of 50 Oatland Road, Plenty to advise:*
 - i) *the reasons for the proposed Planning Scheme Amendment and*
 - ii) *Of the Planning Scheme Amendment process.*
 - c) *Requests officers to prepare a report for the 16 November 2021 Planning and Consultation Committee meeting for consideration and determination.*
10. Subject to the above resolution officers have continued discussions with the owners of 50 Oatland Road, and at the preparation of this report were identifying in collaboration with the owners a suitable time to for a face to face pre application meeting (the owners requesting face to face) to discuss not only the amendment but other proposed plans for development of the parcel.
11. At Council’s Meeting of 29 June 2021 Council resolved:

That Council:

 - a) *Adopts the Final Draft Citations (Attachment 1) for Stage A of the Nillumbik Heritage Review. This property being in this list that was adopted.*
 - b) *Adopts the Priority Lists for Stage B of the Nillumbik Heritage Review (Attachment 2).*
 - c) *Publishes the Final Draft Citations (Attachment 1) for Stage A of the Nillumbik Heritage Review on Council’s website.*

Options

12. Council can choose to seek authorisation from the Minister to prepare and exhibit Amendment C142nill to apply the HO to the property on a permanent basis (refer **Attachment 2** Instruction Sheet, **Attachment 3** Explanatory Report and **Attachment 4** Amendment Map); or
13. Council can choose not to seek authorisation from the Minister as noted above, with acknowledgement that this decision would not be supported by the intent of the Victorian Planning Provisions, State policy and the intent as identified in Councils resolution to adopt Stage A Heritage Review, and prepare Stage B Heritage Review in protecting identified local heritage in Nillumbik.

6. Planning Matters

PCC.029/21 Amendment C142nill to Apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty

Council plans and policies

14. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We celebrate and prioritise the protection of our heritage, arts and culture, places and spaces by focusing on the diversity of experiences that have shaped our shared history.
15. The amendment links directly to Council's Heritage Strategy (2011) which aims to:
- a) To identify, document and care for heritage places in the Shire of Nillumbik in ways which fulfil legal obligations and adopt best practice; and
 - b) To involve communities and to promote awareness, knowledge and enjoyment of heritage places.

Sustainability implications

16. The conservation of Nillumbik's heritage places plays an important role in the strengthening of both personal and community identity. This work aids in the social sustainability of Nillumbik's various communities.

Community engagement

17. Public exhibition of the proposed planning scheme amendment would be undertaken should authorisation to apply the permanent control be granted from the Minister for Planning.
18. Officers have also engaged with the property owners and applicants to assist them in understanding the amendment process and also to identify a pathway given their specific needs for other development plans they are investigating in regard to the parcel (not related to the heritage matter), having identified the opportunity (via email and phone calls) to undertake a pre application meeting to discuss (prior to the Council meeting of 26 October 2021).
19. Subject to the resolution of the Council Meeting of 26 October 2021, officers have continued to liaise with the property owners in regard to scheduling a suitable time for face to face pre application meeting, which at the time of the writing of this report was tentatively a date to be scheduled in the week of 8 November.

Innovation and continuous improvement

20. N/A

Collaboration

21. There has been discussion with DELWP on this matter.

Budget implications

22. The cost of preparing the amendment is provided for within the 21/22 Financial Year Strategic Planning budget.

6. Planning Matters

PCC.029/21 Amdendment C142nill to Apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty

Relevant law

- 23. The *Building Act* (1983)
- 24. The *Planning and Environment Act* (1987)
- 25. The application of the HO to the property is compliant with Section 4 of the *Planning and Environment Act 1987* which implements the Victorian Planning Provisions (VPP).

Regional, state and national plans and policies

- 26. Plan Melbourne (2017-2050) Outcome 4
 Policy 4.4.1 Recognise the value of heritage when managing growth and change.
 With all three levels of government sharing responsibility for protecting Melbourne’s post settlement cultural heritage, decision-making must be consistent and credible and be based on clear and widely accepted heritage conservation principles and practices.
- 27. The application of the HO to the property is consistent with State planning policy at Clause 15.03-1S Heritage conservation identifies the objective ‘*to ensure the conservation of places of heritage significance*’ with key strategies being to ‘*identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme*’ and ‘*to provide for the protection of natural heritage sites and man-made resources. Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance*’. Planning Practice Notes 1 in Applying the Heritage Overlay
- 28. Planning Practice Note 1 (2018) *Applying the Heritage Overlay* sets out the criteria and standards required for current citations to apply the heritage overlay. The application of the HO in this matter is consistent with the Practice Note where ‘*places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay*’ should be included in the HO.

Conflicts of interest

- 29. 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.030/21 Special Rate Renewal for Diamond Creek - Hearing of Submissions

Item: Consultation Matter

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Danielle Phyland, Economic Development and Tourism Lead
 Rania Mullins, Economic Development and Tourism Officer

Summary

This report outlines the consideration of submissions received from the public regarding the renewal and declaration of the special rate for Diamond Creek activity precinct.

The current special rate for Diamond Creek expires on 30 June 2022. Following the receipt of written request from the Diamond Creek Traders Association to renew the special rate to fund the marketing and promotion of Diamond Creek, Council at its Ordinary Meeting on 24 August 2021, commenced the statutory process and gave notice of its intention to declare a special rate for that purpose.

In accordance with the requirements of the *Local Government Act 1989* formal notification of the proposed special rate was undertaken, with a public notice published in the Herald Sun on Friday 27 August 2021 and written notification being sent via mail to owners of properties upon which the special rate would be levied.

Notice has also been provided to the Diamond Creek Traders Association with a copy of the public notice forwarded on to occupiers/businesses (relevant in cases where the owner obliges the tenant pay the special rate) and available on Council's website.

In response to the public notice, Council received 5 written submissions (**Attachment 6**) of a total of 137 properties liable to pay the special rate. 4 business owners in support of the special rate and 1 property owner opposing its renewal.

Given the important role that the special rate plays in supporting local businesses through marketing and promotion, it is recommended that Council hear any submissions on the Special Rate. Based on this information, Council shall then resolve to declare, modify or abandon the special rate at a Council Meeting in February 2022.

This report recommends that the Planning and Consultation Committee receives and notes the contents of the submissions and hears from submitters.

Recommendation

That the Committee (acting under delegation from Council):

1. Receives and notes the contents of submissions received in response to Council's formal notification of its intention to declare a special rate for marketing and promotion of Diamond Creek.
2. In accordance with section 223(c) of the *Local Government Act 1989*, refer the matter for declaring, modifying or abandoning the special rate to the February 2022 Council Meeting.
3. Notifies the submitters accordingly.

6. Consultation Matters

PCC.030/21 Special Rate Renewal for Diamond Creek - Hearing of Submissions

4. Resolves that the *Notice of Intention to declare a special rate in Diamond Creek - Public Notice - submissions (Attachment 7)* remains confidential in accordance with section 3(1) of the *Local Government Act 2020*.

Attachments

- 1  Letter from the Diamond Creek Traders Association requesting Council commence statutory process - Special Rate Renewal 2022-2027
- 2  Diamond Creek Traders Association Promotional Flyer for Special Rate Renewal
- 3  Proposed Map of Diamond Creek Business Precinct 2022-2027
- 4  Herald Sun - Public Notice - Intention to Declare - Diamond Creek Traders Association
- 5  Notice of Intention to Declare a special rate in Diamond Creek - letter sent to property owners
- 6  Notice of Intention to declare a special rate in Diamond Creek - Public Notice - submissions - redacted
7. Notice of Intention to declare a special rate in Diamond Creek - Public Notice - submissions - *CONFIDENTIAL*

Discussion

1. A Special Rate proposal involves a proportional or fixed rate levied on properties included in the Special Rate area. The Special Rate enables the implementation of an ongoing program and it will fund the ongoing engagement and paid employment of a Centre Marketing Manager/Coordinator.
2. The current Special Rate for Diamond Creek commenced on 1 July 2017 for a period of five years and is due to expire on 30 June 2022. The Special Rate has been successful in funding a range of promotional and business development activities over the past five years.
3. The Diamond Creek Traders Association have formally requested Council to renew the Special Rate for another five years, commencing 1 July 2022 (**Attachments 1 and 2**) for the proposed Special Rate area (**Attachment 3**).
4. The (137 properties) businesses affected by the proposed 2022 - 2027 Special Rate renewal reflects the existing 2017 - 2022 Special Rate (137 properties).
5. This Special Rate would raise an amount of \$120,000 in year one of the agreement based on the total of the levies collected. This charge is calculated based on the contribution of each property depending on the Capital Improved Value (CIV) of the property and is increased by CPI each year.

6. Consultation Matters

PCC.030/21 Special Rate Renewal for Diamond Creek - Hearing of Submissions

What has happened so far?

6. At the Council Meeting on 24 August 2021, officers recommended that Council give notice of intention to declare a Special Rate for Diamond Creek.
7. Public Notice of Council's intention to declare the Special Rate advertised publicly for a minimum of 28 days as required by section 163 *Local Government Act 1989* (**Attachment 4**).
8. Individual letters with a copy of the public notice were sent within five working days of the Public Notice to all property owners and property occupiers who will be made liable for the Special Rate (**Attachment 5**).
9. Any persons affected by the Special Rate were able to provide a written submission (which may include in it a request to be heard at the Planning and Consultation Committee meeting) to the Council within 28 days of the publication of this notice. These will be considered in accordance with section 223 *Local Government Act 1989* (**Attachment 6**).

Current and next steps

10. Council hears and considers submissions at this Planning and Consultation Committee meeting. Council will then resolve to declare, modify or abandon the special rate at its Council meeting to be held in February 2022.
11. If the Special Rate is renewed, notice of the Special Rate will be sent to affected businesses and property owners after this date. Property owners and businesses have 30 days to appeal to the Victorian Civil and Administrative Tribunal (VCAT) from the date of this notice.
12. If there are no valid appeals or any appeals are dismissed by VCAT, Council will finalise the Special Rate Agreement with Diamond Creek Traders Association and will commence collection of the Special Rate in 2022-23 financial year for the following 5 years.
13. Diamond Creek Traders Association will enter into a formal agreement with Council that confirms its role in expending the Special Rate funds in an administrative nature only and at all times under the direction of, and for Council. Payment of the Special Rate funds to the Diamond Creek Traders Association is conditional on entering into such an agreement.

Related Council decisions

14. Special Rates have been declared in the past for Nillumbik precincts. For Diamond Creek the declaration was made at the 27 March 2018 Ordinary Council Meeting.
15. Most recently, Council resolved at its meeting on 24 August 2021 to give notice of its intention to declare a Special Rate for Diamond Creek.

6. Consultation Matters

PCC.030/21 Special Rate Renewal for Diamond Creek - Hearing of Submissions

Options

16. Special Rates for marketing, promotion and business development are an important strategy for retail centres such as Diamond Creek to revitalise and maintain marketing activities.
17. Without a Special Rate, trader's groups must seek funding from external bodies and/or Council. Alternatively, they could resort to a 'pay to play' model for marketing and promotion activities for the precinct.
18. As part of a renewed Special Rate Agreement clear key performance indicators will be stated and templates created for reporting to ensure the annual reporting is timely, simple and effective.
19. As part of considering the submissions and objections received, Council will be presented an officer recommendation at the February 2022 Council Meeting. This recommendation may consider (but is not limited to) the following options:
 - a) Declare a Special Rate for Diamond Creek.
 - b) Modify the declaration of a Special Rate for Diamond Creek.
 - c) Abandon the declaration of a Special Rate for Diamond Creek.

Council plans and policies

20. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We support businesses, industries and events, and encourage investment within Nillumbik.
 - We promote Nillumbik's unique offerings; supporting a vibrant local economy and encouraging tourism.

Sustainability implications

21. Without a Special Rate the Diamond Creek Traders Association would be required to generate their own funds for marketing activities.
22. Without the Special Rate in place traders may look to Council to fund marketing and promotional campaigns on their behalf. No funding is currently allocated or available for such activities.

Community engagement

23. Engagement with the Diamond Creek Traders Association about the Special Rate renewal process began in December 2020 and is ongoing as part of this process.
24. Affected owners and occupiers have been provided the opportunity to make a submission on the proposed special rate following the public notice advertised in the Herald Sun on 27 August 2021.
25. Copies of the proposed declaration of the Special Rate and a detailed plan of the proposed area were available for inspection during normal office hours at the Council offices in Greensborough for a period of 28 days after the date of the public notice, until 24 September 2021.

6. Consultation Matters

PCC.030/21 Special Rate Renewal for Diamond Creek - Hearing of Submissions

26. Owners and occupiers were also provided with an alternative option to inspect detailed plans of the proposed special rate and make online submissions for a period of 28 days after the date of the public notice via Council's website.
27. The Council report with all attachments was also available on the Council website.

Innovation and continuous improvement

28. Council has offered specialist advice in regards to best practice approaches the Association could consider.
29. This is based on decisions made in other business main streets throughout the State where a Special Rate was either declared, modified or abandoned.
30. The Special Rate intention to declare was shared via Council's Business in Nillumbik e-newsletter to raise awareness of the process and inviting submissions from affected parties.
31. An alternative submission option was made available to affected owners and occupiers on Council's website via a simple online form.

Collaboration

32. The Special Rate encourages collaboration between Traders Associations and Council and provides opportunities for partnerships.
33. Monthly reminders have been sent to the Diamond Creek Traders Association, in person meetings with the Marketing Coordinator in March 2021 and regular sharing of templates, other Special Rate examples and information from Mainstreet Australia.

Budget implications

34. There will be no impact on Council's budget. The funds collected through the Special Rate are levied by Council and then used to fund the Diamond Creek Traders Association for its expenditure on marketing and promotion for the Diamond Creek business precinct.
35. There is significant officer time dedicated to managing the special rate and supporting the Diamond Creek Traders Association to administer the levy.

Relevant law

36. A special rate may be declared by Council under section 163 of the *Local Government Act 1989*. In declaring a Special Rate, Council must consider:
 - a) That the proposal relates to the performance of a function authorised by the Act.
 - b) That there will be a special benefit to the persons liable to pay the Special Rate.
 - c) That there is a proportional distribution of the rate amongst those persons liable to pay the Special Rate.
 - d) The total cost of the Special Rate including the annual amount, which the Diamond Creek Traders Association has budgeted to spend on various marketing and other activities.
37. The Act requires Council to give public notice of a proposed declaration of the special charge and write to all people who will be liable to contribute. The proposed declaration for this special charge has been prepared in accordance with the Act.

6. Consultation Matters

PCC.030/21 Special Rate Renewal for Diamond Creek - Hearing of Submissions

38. Owners (or occupiers who would pay the charge as a condition of their lease) may object to the proposal within 28 days. If objections are received from more than fifty percent of personas liable, Council will be prevented from making the declaration and the special rate cannot proceed.

Regional, state and national plans and policies

39. Not applicable.

Conflicts of interest

40. No conflict declared.

6. Officers' reports

PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

Item: Consultation Matter

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

**Author: Paul Fyffe, Senior Strategic Planner
 Leigh Northwood, Strategic Planning Lead**

Summary

This report summarises the community response to the first round of public engagement for Council's Wattle Glen Public Realm Framework Plan Project.

The project will plan enhancements to public spaces in the heart of Wattle Glen to improve connectivity, particularly for non-motorists, and to better support Wattle Glen's preferred character.

The first round of engagement was recently conducted to explore issues and opportunities for the project with the community. The response which has been provided by the community clearly indicates a desire to retain Wattle Glen as a distinctive rural community, but also highlights key concerns and issues regarding connectivity and the safety of travelling, particularly for non-motorists, between key points within the township.

The response provided not only clearly supports the need for the project, but also will greatly assist officers to prepare a first draft of a Public Realm Framework (PRF). The first draft is expected to be presented to a Council meeting in early to mid-2022 with a recommendation that it be endorsed for a round of public engagement.

Recommendation

That the Committee (acting under delegation from Council):

1. Notes the public response, as outlined in this report, to the first round of consultation for the Wattle Glen Public Realm Framework Project.
2. Resolves that the confidential un-redacted copy of submissions to the exhibition of the public engagement for Council's Wattle Glen Public Realm Framework Plan Project (**Attachment 3**) remains confidential on the grounds specified in the definition of confidential information in section 3(1)(g)(ii) of the *Local Government Act 2020*.
3. Notes that a first draft of the Public Realm Framework Plan is scheduled to be presented to a Council meeting in early to mid-2022 with a view to Council endorsing it for public engagement.
4. Writes to all respondents to the community engagement to express Council's gratitude for their contribution and to advise them of the Committee's resolution and the next steps in the project.

6. Consultation Matters

PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

Attachments

- 1  Focus area for Wattle Glen Public Realm Framework Project
- 2  Survey responses by question - First engagement for the Wattle Glen PRF - redacted
3. Submissions - First engagement for the Wattle Glen PRF - non-redacted - *CONFIDENTIAL*
- 4  Submissions - First engagement for the Wattle Glen PRF - redacted
- 5  Summary of submissions - First engagement for the Wattle Glen PRF - redacted
- 6  Consultant report on the community workshops - First engagement for the Wattle Glen PRF Project

Discussion

1. The project responds to an action in the 2017-2021 Council Plan which is to revisit the township plan for Wattle Glen.
2. The project's focus area, shown in **Attachment 1**, is the heart of Wattle Glen and includes land in vicinity of the Wattle Glen Roundabout i.e. the intersection of Heidelberg-Kinglake and Kangaroo Ground-Wattle Glen Roads. Within the focus area are key local features and amenities such as the community park (Pepper's Paddock), the general store, the primary school, station and the Diamond Creek Trail.
3. The boundary of the focus areas is designed to be flexible and matters outside that boundary will also be considered where relevant to the objectives of the project.
4. The project was developed in response to the following initial considerations:
 - There appears to be significant constraints on pedestrians and cyclists moving between different destinations in Wattle Glen.
 - There is no clear presence of Wattle Glen, or its preferred character, when travelling from Diamond Creek to Hurstbridge.
 - There is locally significant holdings of public land, such as road reserves and park (Council and Crown), which could be used to respond to such issues.
 - The planning policy settings for Wattle Glen are fixed by application of the Urban Growth Boundary and enhancements must work within those settings.

6. Consultation Matters

PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

5. Based on these considerations and others, the project is designed to:
- Develop a Public Realm Framework (PRF) for the locality, which will:
 - Propose enhancements in the public realm that will contribute to the preferred sense of character for Wattle Glen and will strengthen connectivity, particularly for non-motorists, between key destinations.
 - Comprise a plan and an accompanying written report that will recommend improvements to support the purpose of the project.
 - Develop the PRF with regular and effective engagement with the community and other stakeholders.
 - Produce an implementation plan for the PRF, including to prioritise opportunities to advocate for State Government action or funding.

First Round of Public Engagement

6. The first round of public engagement was designed to:
- Test and explore with the community regarding:
 - What is the community's preferred character for Wattle Glen.
 - What barriers exist to easy movement, particularly for non-motorists.
 - What aspirations do the community and other stakeholders have for the project.
 - Assist the project by developing links with the community and relevant stakeholders.
 - Provide the project with guidance to prepare the first draft of the PRF.
7. The following actions were conducted for the first round of public consultation:
- A number of Council's advisory committees were personally consulted, including The Recreation Trail Advisory Committee, the Youth Council, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, Positive Age Advisory Committee and the Arts and Cultural Advisory Committee.
 - Written feedback was sought from the community, either by completing a survey or lodging a submission on Council's Participate Nillumbik website.
 - Two 90 minute community workshops were conducted in September 2020, which was done with the assistance of a professional facilitating consultant. Due to on-going COVID restrictions, these workshops had to be conducted virtually.
 - Notification of the engagement was posted to all residents and owners of land in Wattle Glen and to all other relevant stakeholders, such as the local primary school, the Wattle Glen Residents' Association, local sporting groups, the Wattle Glen store and relevant State Government departments.
 - Public posters were placed in local locations advising of the engagement.
 - The engagement was promoted through Council's social media platforms.

6. Consultation Matters

PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

8. The engagement was conducted between 12 July and 29 September 2020 (11 weeks), noting the engagement period was significantly extended to compensate for the on-going COVID situation and to try to facilitate face to face workshops (unfortunately continued COVID restrictions prevented such).
9. In numerical terms, Council received the following response:
 - 68 written responses were provided (59 survey responses and 9 submissions)
 - 22 people attended the workshops
10. More importantly, officers consider that the quality of input provided has been excellent, particularly noting:
 - The response was overwhelmingly from members of the Wattle Glen community.
 - Both workshops were highly successful in allowing officers to discuss and explore relevant issues with the participants and the discussions were very constructive.
 - The written responses have also provided significant insights and other information that will assist the project.

Key Messages from the Engagement

11. The responses provided to the survey are provided (with one redaction) as **Attachment 2**, an un-redacted (confidential) copy of the submissions received is provided as **Attachment 3**, a redacted version of the submissions is provided as **Attachment 4**, a summary of the submissions received is provided as **Attachment 5** and a consultant report on the outcomes of the workshops is provided as **Attachment 6**.
12. A snapshot of key messages distilled from the engagement is presented by the following dot points:

Feedback on Local Character

- Pepper's Paddock, with the store adjacent, is a focal point for the community.
- Wattle Glen has a rural and bushland character that is clearly distinct from Hurstbridge and Diamond Creek.
- A number of elements particularly contribute to the locality's distinctive character, such as the hilly landscape, the level of indigenous vegetation, the presence of significant environmental features (e.g. Watery Gully Creek and Reserve), large and attractive outdoor spaces (e.g. Pepper's Paddock), a particular style of development (e.g. low-scale and eclectic), a notable sense of community, the local heritage and the locality's strong connection to the Nillumbik Green Wedge.
- Rural breaks around Wattle Glen are important to setting the locality as distinct from Hurstbridge and Diamond Creek.
- Much of the heart of Wattle Glen is rather "tucked away" from view from Heidelberg-Kinglake Road, which also adds to the distinctiveness and character of the locality.

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PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

- Whilst a clearer and more positive presence for Wattle Glen on Heidelberg-Kinglake Road should be considered, any such proposal needs to be sensitive to not undermining the distinct, non-suburban character of Wattle Glen.
- Whilst there is significant local pride in the distinctive rural and bushland character of Wattle Glen, the liveability of the locality is significantly impacted by certain issues, particularly issues with the road and footpath network (outlined below).

Issues Raised Regarding Connectivity and Movement

- The heart of Wattle Glen is significantly affected by the arterial road network provided by Heidelberg-Kinglake and Kangaroo Ground-Wattle Glen Roads. Examples of particular issues, include:
 - The volume, noise and speed of traffic on these roads is considerable and both impacts the amenity of the area and presents significant safety issues.
 - Important pedestrian desire lines across Heidelberg-Kinglake and Kangaroo Ground – Wattle Glen Roads are not catered for by safe crossing points. The following are examples of comments made about the lack of a proper crossing points across Heidelberg-Kinglake Road:
 - “I can’t allow my child to use the roundabout which means they cannot use the bus or train or the new bike path to travel independently to school.”*
 - “Pedestrians crossing the manic Heidelberg-Kinglake Rd at the train station, is a huge safety issue as the traffic amount and speed are ever increasing.”*
 - There is particularly poor disability access across these arterial roads.
 - A number of the intersections on the arterial roads are highly dangerous for pedestrians and vehicles, such as the intersection of Heidelberg-Kinglake, Mannish and Wilson Roads and the intersections of Kangaroo Ground – Wattle Glen Road with a number of local roads, such as Valley Road and Reynolds Road.
 - The speed limits along the arterial roads are excessive, particularly at points where there is a higher risk of conflict with pedestrians and vehicles.
- The local footpath network has significant shortcomings and associated adverse impacts. Examples include:
 - There is no clear, short and effective pedestrian link between the residential areas on the south and north sides of the Wattle Glen primary school, which has the effect of isolating the residential area on the south side from Pepper’s Paddock, the store and the community on the north side.
 - A key footpath for the community that lives on the south side of the school is an unsafe one. This footpath is on the southern approach to the busy Wattle Glen roundabout and is highly exposed to fast moving traffic.
 - There is a severe lack of pedestrian infrastructure along key sections of Kangaroo-Ground Wattle Glen Road.

6. Consultation Matters

PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

- Wilson Road does not adequately provide for pedestrians and other non-motorists.
- The issues with the road and footpath network significantly hinder community movement, interaction and safety. Frustration with the pedestrian environment is evident in the following survey response:

“The haphazard layout of Wattle Glen totally discourages pedestrians. Pathways are in places poorly defined, are not interconnected, and in places non-existent.”
- The Diamond Creek Trail is a significant local asset, but is poorly accessible for the local community. The following community statements reflect this:

“The new Wattle Glen - Diamond Creek trail is fabulous, but it seems designed to keep out Wattle Glen residents as it is so hard to get to.”

“Can we please have better access to the Wattle Glen - Diamond Creek trail? It is VERY hard to get to for most Wattle Glen residents.”

“The corner of Wilsons Rd is scary as well as then getting over the railway crossing to get to the trail. It will only be a matter of time before someone is killed on that corner or stretch of road trying to access the new trail.”
- A number of factors create a lack of safe access to the trail for Wattle Glen residents, including:
 - The speed and volume of traffic on Heidelberg-Kinglake Road.
 - The lack of a safe crossing point on Heidelberg-Kinglake Road.
 - The current design of the intersection of Wilsons Road and Heidelberg-Kinglake Road.
 - A lack of dedicated space for non-motorists along Wilson Road between the main road and the trail, including over the railway crossing.
- The popularity of the Diamond Creek Trail is exacerbating traffic issues, such as conflict between cars, pedestrians and cyclists along Wilson Road and at its intersection with Heidelberg-Kinglake Road.
- There is a lack of signage advising of local destinations. Thus, users of the Diamond Creek Trail are unaware of the proximity of Peppers Paddock and the general store.
- The local network of footpaths and trails does not sufficiently provide for horse-riders.

Opportunities Suggested to Improve Connectivity

- Connectivity across Heidelberg-Kinglake and Kangaroo Ground-Wattle Glen Roads needs to be improved for non-motorists. For example, by the construction of clear crossings and/or development of alternative intersections at a number of road junctions (e.g. the junction of Mannish, Wilson and Heidelberg-Kinglake Roads).

6. Consultation Matters

PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

- Issues with the local footpath network need to be addressed. For example:
 - A number of local roads should be provided with footpaths
 - A clear and dedicated footpath is required on Kangaroo Ground – Wattle Glen Road from the CFA to approximately Lorimer Street.
 - The project should consider providing a clear, accessible and short pedestrian connection between residential streets on the north and south side of the primary school, which will significantly add to the connectivity of this residential area.
 - Street lighting should be improved and provided in appropriate locations to improve pedestrian safety at night time.
- There is a series of under-utilised and disused roads north of Peppers Paddock which could be used to enhance connectivity for non-motorists.
- A bridge should be provided across Watery Gully creek in Peppers Paddock, thereby providing more connectivity across the park and an option for a more recreational experience on the south side and a more wildlife focused experience on the north side.
- Traffic needs to be calmed as it approaches and moves through the heart of Wattle Glen.
- A clear and safe connection between the Diamond Creek Trail and the Green Wedge Trail should be provided for cyclists, pedestrians and horse-riders.
- Appropriate signage needs to be provided which advises locals and visitors of the area’s facilities and heritage. For example, to advise people using the Diamond Creek Trail of Peppers Paddock, the general store and of local history.
- Improvements to connectivity should be considered, not only for cyclists and pedestrians, but also for horse riders.

Other Suggestions

- Council should purchase 36 Mannish Road (which has been for sale), as it is a large, centrally located piece of predominantly rural land which contributes significantly to the amenity of the township and which could provide significant public trails and other benefits.
- The locality has a rich heritage, but this needs to be better understood and portrayed, including in relation to the locality’s aboriginal cultural heritage.
- Peppers Paddock requires a range of improvements, particularly a new playground and fencing to prevent children getting onto the nearby roads.
- More community activities should be planned for Wattle Glen.
- More needs to be done to protect the area’s natural environment, particularly to prevent weeds from impacting on both waterways and indigenous vegetation.

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PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

- Much of the railway station precinct is very poorly presented and needs improving, particularly the area between the station platform and Wilson Road.
13. These are not all the points made and there were some responses which vary with points detailed above. For example, whilst there was a view that public lighting needs to be improved, one submission expressed concern regarding the environmental impacts of additional lighting.

Related Council decisions

14. Council has previously only considered the project at the June 2021 Council Meeting, at which the commencement of first round of consultation was endorsed.

Options

15. There is no requirement for a Council decision on the project until early to mid-2022.
16. Officers are now working through the community responses with a view to preparing a first draft of the PRF, which is scheduled to be presented to a Council meeting in early to mid-2022 and with a recommendation that Council conduct consultation on the draft PRF.
17. Council officers have recently been on-site in Wattle Glen to review and consider first hand many of the issues and opportunities raised in submissions. This was a highly beneficial exercise and particularly enforced current understandings about the distinct character of the locality, but also regarding the issues and opportunities raised in the community's responses.
18. The work to prepare the draft PRF will require further liaising with key stakeholders, such as particular advisory groups of Council, the Wattle Glen primary school, community groups and relevant State Government departments.
19. The community response to the engagement emphasises issues with the local arterial roads and the footpaths associated with these roads. This, in turn, heightens the need for the project outputs to be developed in liaison with DoT, which manages the arterial roads.
20. Council's Traffic and Transport team have completed a footpath missing links study which evaluated major footpath links within the Shire to identify improvement opportunities. Council officers will refer to this list when reviewing any suggestions for additional footpath amenities around the Shire.

Council plans and policies

21. This report directly supports the achievement the Council Plan 2021-2025 strategy:
- We carefully protect, plan, maintain and improve open spaces, streetscapes and places to ensure that they are safe, accessible and enjoyable.
 - We respect and enhance the unique neighbourhood character in our communities to ensure a considered approach to planning and development.
 - We promote place making and shaping and advocate for the continuation and enhancement of local character.

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PCC.031/21 Response to the first round of public consultation for the Wattle Glen Public Realm Framework Project

- We work to understand what residents, businesses and visitors need from modes of transport, to ensure that getting around is easy, accessible, safe and sustainable.
- We champion the notion of living locally; making it easier for people to meet most of their daily needs within the Shire.

Sustainability implications

22. The project supports sustainability goals, such as facilitating non-motorised travel.

Community engagement

23. Community engagement is a strong and central pillar of the project and the breadth of engagement has been identified in the discussion above.

Innovation and continuous improvement

24. The project seeks to contribute to continuous improvement and innovation in community engagement and in fostering cohesive and sustainable communities.

Collaboration

25. The project promotes and relies upon collaboration between the various relevant units within Council and between Council and the relevant State Government departments. As noted above, the issues raised by the community heighten the need for Council to collaborate with DoT in progressing the project.

Budget implications

26. The project has been fully funded by Council to date, although further budget of \$27,000 would primarily assist in production work for the draft PRF, but also to provide a small allocation for the next round of public engagement, which will be the engagement on the first draft of the PRF.

Relevant law

27. Not applicable

Regional, state and national plans and policies

28. The aims of the project support all relevant state and local planning policy.

Conflicts of interest

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

6. Consultation Matters

**PCC.031/21 Response to the first round of public consultation for the Wattle Glen
Public Realm Framework Project**

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6. Officers' reports

PCC.032/21 Draft Youth Strategy 2022-2026

Item: Consultation Matter

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

Author: Nichole Johnson, Manager Community Partnerships
 Katie Camilleri, Coordinator Youth, Community & Place
 Nicola Clutton, Youth Development Officer

Summary

This report notes the submissions received from the community regarding the draft Youth Strategy 2022-2026.

The Youth Strategy sets out a four-year strategic commitment to how Council will support and respond to the needs of young people aged 12-25 years of age who live, work, study, volunteer or play in Nillumbik Shire.

The information and community feedback gathered through the Young Minds: Your Voice, Our Future youth engagement program undertaken in June and July of this year has helped inform the development of the draft Youth Strategy in partnership with the Nillumbik Youth Council. Various stakeholders were also invited to review and provide feedback on the document, prior to the draft being finalised for public consultation.

The draft Youth Strategy was released for the purposes of public consultation at the Council Meeting on 28 September 2021 (**Attachment 1**). It was exhibited for 22 days (3-week period) and 16 submissions were received (**Attachment 2**).

It is recommended that the Committee notes the submissions on the draft Youth Strategy, before finalising the document and presenting it to Council for adoption at the Council Meeting scheduled for the 14 December 2021.

Recommendation

That the Committee (acting under delegation from Council):

1. Acknowledges and notes the submissions received from community and organisations who provided feedback on the draft Youth Strategy 2022-2026 (**Attachment 2**).
2. Resolves that the confidential unredacted public submissions on the Draft Youth Strategy 2022-2026 (**Attachment 3**) remains confidential in accordance with section 3(1) of the *Local Government Act 2020*.
3. Acknowledges the presentations to the Committee.
4. Considers the matters contained in the submissions and this report during finalisation of the draft Youth Strategy 2022-2026.
5. Requests a further report to be presented at the December 2021 Council Meeting to adopt the final version of the Youth Strategy 2022-2026.

6. Consultation Matters

PCC.032/21 Draft Youth Strategy 2022-2026

6. Thanks the submitters for providing Council with feedback on this important document.

Attachments

- 1  Draft Youth Strategy 2022-2026
.
- 2  Public submissions - Draft Youth Strategy 2022-2026
.
3. Unredacted Public Submissions - Draft Youth Strategy 2022-2026 - *CONFIDENTIAL*

Discussion

1. On 15 December 2020, Council endorsed the establishment of the Nillumbik Youth Council, to act as an Advisory Committee of Council. A key role of the Youth Council was to lead the co-development and delivery of a four-year Youth Strategy and Annual Implementation Plan, which will set out the priorities and actions for young people to lead with the support of Council across their two-year term.
2. The Youth Strategy sets out a four-year strategic commitment to how Council will support and respond to the needs of young people aged 12-25 years of age who live, work, study, volunteer or play in the Nillumbik Shire.
3. In the development of this Strategy, the Nillumbik Youth Council have played a lead role in engaging and consulting with young people in Nillumbik to gain a diverse perspective on matters impacting their lives within community. This process has ensured young people have a stronger voice and sense of importance in community.
4. The Young Minds: Your Voice, Our Future youth engagement program was developed, with the intent of engaging young people of Nillumbik through a range of activities supported by a youth survey. Up to 900 young people between 12 – 25 years of age, who live, work, study or play in Nillumbik participated in the engagement which ran from 14 June to 20 July 2021.
5. The Draft Youth Strategy 2022-2026 (**Attachment 1**) has been co-designed by the Youth Council, and informed by the information and feedback gathered through the Young Minds: Your Voice, Our Future engagement program, along with a series of stakeholder workshops with staff and external organisations. It seeks to provide an integrated approach alongside other key Strategies and Plans to ensure Council continues to value and incorporate young people in the work they do by providing meaningful opportunities for young people, valuing their contributions and empowering them to help shape our community.
6. The vision for the Youth Strategy is that young people in Nillumbik feel heard, empowered and equipped to thrive in a community where they are healthy, safe and welcomed.'

6. Consultation Matters

PCC.032/21 Draft Youth Strategy 2022-2026

7. To support this vision, the Draft Youth Strategy 2022-2026 identifies five Priorities which are:
 - Healthy and Well
 - Empowered and Engaged
 - Access to Safe Spaces and Places
 - Equipped and Employed
 - Welcomed and Connected.
8. An objective, set of focus areas and key strategies have been included under each Priority. The Strategy also identifies where key strategies align to the Council Plan and the Nillumbik Public Health and Wellbeing Plan to demonstrate how the Youth Strategy integrates and responds to these strategic objectives.
9. Officers will operationalise the Youth Strategy through an annual implementation plan, which details the specific actions committed to being delivering each year in response to the focus areas and strategies across the four years. A progress report will be presented to Council at the end of each calendar year.

Submissions

10. At the close of the public consultation period, 16 submissions were received on the draft Youth Strategy (**Attachment 2**).
11. Submissions demonstrated significant support from community on the draft Youth Strategy and the five priorities outlined. In particular, Council received a number of submissions from local youth service providers, whose feedback highlighted strong advocacy for Council to consider the following as part of the implementation of the 2022-2026 Youth Strategy:
 - Increased investment into Youth Development at Nillumbik, including funding for additional EFT and programming in order to deliver on the outcomes of the Youth Strategy and meet the demands and needs of young people as outlined in the Young Minds: Your Voice, Our Future youth engagement.
 - Need for youth outreach and individual short to medium term support for young people in Nillumbik address areas highlighted in the youth survey including mental health (anxiety 58%), loneliness (35%), school stress (86%) and unemployment/underemployment (82%). Data from local services in the area indicates a discrepancy between what young people have told us and young people in Nillumbik accessing services, highlighting a need for a proactive and early intervention approach.
 - A place-based youth hub that can serve as a one stop shop for young people in which they can feel welcome, included sand safe and access a range of services and programs.
12. Submitters have been invited to attend this meeting of the Planning and Consultation Committee to speak to their submissions.
13. All 16 submissions have been noted and recommended changes to the draft Youth Strategy are outlined in **Attachment 2**.

6. Consultation Matters

PCC.032/21 Draft Youth Strategy 2022-2026

Related Council decisions

14. The Terms of Reference for the establishment of a Nillumbik Youth Council was endorsed at the 15 December 2020 Council Meeting, outlining the responsibility of the Youth Council to play a co-design role in the planning and development of a Youth Strategy and Action Plan to enhance the outcomes of young people in Nillumbik.
15. At the 23 March 2021 Council meeting, Council endorsed fifteen Youth Councillors to the Nillumbik Youth Council.
16. At the 28 September 2021 Council meeting, Council endorsed the draft Youth Strategy 2022-2026 (**Attachment 1**) for public consultation between 30 September and 21 October 2021.

Options

17. Council officers have reviewed the public consultation submissions on the draft Youth Strategy, assessing the proposed changes against the goals and objectives of the plan, and in line with the findings from the Young Minds: Your Voice, Our Future consultation.
18. Recommended changes to be made as a result of the public consultation have been included in the table in **Attachment 2** for consideration.
19. A number of submitters may present to the Planning and Consultation Committee Meeting on 16 November.
20. Following the Committee’s consideration of submissions and recommended changes to the draft strategy (**Attachment 2**), the Youth Strategy will be presented to the 14 December 2021 Council Meeting with the view to adopting the Youth Strategy 2022-2026.

Council plans and policies

21. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We actively engage people of all ages and stages in decisions that affect them, ensuring that initiatives meet current and emerging needs.

Sustainability implications

22. Not applicable.

Community engagement

23. Through the Young Minds: Your Voice, Our Future youth engagement program that occurred in June and July 2021, feedback was received which helped inform the development of the draft Youth Strategy. The draft Strategy has also been developed through a series of stakeholder workshops with Council staff, key stakeholders and Councillors.

6. Consultation Matters

PCC.032/21 Draft Youth Strategy 2022-2026

24. The draft Youth Strategy was subject to public consultation between 30 September to 21 October 2021 to provide young people and the broader community an opportunity to provide feedback. During this time, community members were invited make submissions to the draft Youth Strategy and have the opportunity to speak to their submission at the Planning and Consultation Committee meeting on 16 November 2021.

Innovation and continuous improvement

25. Opportunities for innovation and continuous improvement will be identified through the implementation of the Youth Strategy.

Collaboration

26. The draft Youth Strategy has been co-designed in partnership with the Nillumbik Youth Council, with support of Youth Affairs Council Victoria (YACVic) who is the peak body and leading policy advocate for young people and the youth sector in Victoria.
27. Other key stakeholders including Councillors, Council Staff, advisory committees, parents and Carers, youth agencies, schools and other community organisations and members will be invited to contribute to the development of the Youth Strategy before it is endorsed in December.

Budget implications

28. The development and implementation of the draft Youth Strategy has been accommodated within existing operational budget and supported by external grant funding from the Foundation for Rural Regional Renewal.
29. The draft Youth Strategy is a high-level strategic document and does not make specific budget commitments.
30. Each year, in line with the budget process, Council will produce an Annual Implementation Plan identifying how Council will work towards achieving the priorities and strategies of the Youth Strategy, which will be resourced by existing operational budget. Where gaps exist in resources or new opportunities for initiatives are presented, additional budget or grant funding opportunities will be sought.

Relevant law

31. Not applicable

Regional, state and national plans and policies

32. Not applicable

Conflicts of interest

33. Officers who have been involved in the preparation of this report declare they do not have a conflict of interest in the subject matter of this report.

6. Consultation Matters

PCC.032/21 Draft Youth Strategy 2022-2026

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6. Officers' reports

PCC.033/21 Kangaroo Ground War Memorial Park - community response to exhibition of draft management plan

Item: Consultation Matter

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Andrew Feeney, Senior Urban Designer

Summary

This report provides an update on community feedback to the exhibition of the draft management plan for the Kangaroo Ground War Memorial Park.

The Planning and Consultation Committee (PCC) Meeting will hear any registered verbal submissions ahead of the Council Meeting, scheduled for 14 December 2021, for Council to consider adoption of a management plan.

The draft management plan identifies a range of capital expenditure improvement works that would be implemented according to a defined level of priority for delivery over a nominated seven-year timeframe, subject to allocation of funding and potential grant funding opportunities. The management plan also proposes increased annual operational expenditure for improved ongoing landscape maintenance.

Of the seventy-one submissions received, the majority of respondents do not directly support the majority of capital expenditure improvements, nor do they directly support the increased operational expenditure.

The timeline programmed for the PCC Meeting and consideration of adoption of a management plan have been aligned to enable January 2022 funding allocation of priority works in the 2022-2023 capital works budget (e.g. replacement of identified dying trees in the park) subject to Council endorsement.

Recommendation

That the Committee (acting under delegation from Council):

1. Notes the feedback received, to the public exhibition process undertaken for the draft Management Plan.
2. Considers the feedback provided to the exhibition of the draft management plan for the Kangaroo Ground War Memorial Park (**Attachment 1**), including:
 - a) The copy of submissions provided as confidential un-redacted (**Attachment 2**) and redacted (**Attachment 3**);
 - b) The results and summary of submissions (**Attachment 4**); and
 - c) Key themes distilled from submissions, included in this report.
3. Resolves that the confidential un-redacted copy of submissions to the exhibition of the draft management plan (**Attachment 2**) remains confidential on the grounds specified in the definition of confidential information in section 3(1)(g)(ii) of the *Local Government Act 2020*.

6. Consultation Matters

PCC.033/21 Kangaroo Ground War Memorial Park - community response to exhibition of draft management plan

4. Notes that the draft Management Plan is scheduled to be presented to the December Council meeting with a view to Council adopting it.
5. Writes to all respondents to the community engagement to express Council's appreciation for their contribution and to advise them of the Committee's resolution and the next steps in the project.

Attachments

- 1  Kangaroo Ground War Memorial Park Draft Management Plan - 27.08.2021
2. Confidential unredacted submissions - *CONFIDENTIAL*
- 3  Redacted submissions
- 4  Results and summary of submissions

Discussion

1. The draft management plan for the park (**Attachment 1**) was exhibited for community feedback on Participate Nillumbik for twenty-eight days, from 30 August to 28 September 2021.
2. The draft management plan identifies a range of capital expenditure improvement works that would rectify, restore and/or enhance the existing conditions that are essential to the parks existing character and function, and operational expenditure improvement work in the form of an increased standard of annual landscape maintenance appropriate for the park. Cost estimates for each of the capital expenditure works and the operational expenditure are provided as well as implementation priorities for implementation over a nominated seven-year timeframe.
3. Seventy-one submissions were received in total, via the questionnaire on Participate Nillumbik. One of the respondents provided their feedback as an appended submission.
4. Three submissions were received from organisations, two of which are park stakeholders participating in the project and the related governance project for the park being led by Community Partnerships. The three organisations that made submissions include:
 - Friends of Kangaroo Ground War Memorial Park Inc (park stakeholder);
 - Andrew Ross Museum (park stakeholder); and
 - Nillumbik Ratepayers Assn Inc.

6. Consultation Matters

PCC.033/21 Kangaroo Ground War Memorial Park - community response to exhibition of draft management plan

Related Council decisions

5. At the Council Meeting on Tuesday 24 August 2021, Council resolved to:
 1. *Endorses the Kangaroo Ground War Memorial Park Draft Management Plan, 24 August 2021, subject to the amendment outlined in part two of this motion, for public exhibition to seek feedback, via Participate Nillumbik, for a period of twenty-eight days, from Monday 30 August to Sunday 26 September 2021, inclusive;*
 2. *Amends the list of stakeholders on Page 31 of the draft plan to include the Kangaroo Ground Cemetery Trust and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and puts the list in alphabetical order;*
 3. *Requests that officers after the consultation period, run a workshop with the stakeholder group and Council to discuss how all feedback received will be incorporated into the plan; and*
 4. *Hears submissions received to exhibition of the Draft Management Plan at the November Planning and Consultation Committee Meeting.*

Options

6. Not applicable to this PCC Meeting. Council will consider adoption of a management plan at the Council Meeting scheduled for 14 December 2021.

Council plans and policies

7. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We carefully protect, plan, maintain and improve open spaces, streetscapes and places to ensure they are safe, accessible and enjoyable.

Sustainability implications

8. None related to the draft management plan.

Community engagement

9. A confidential un-redacted copy of all submissions is provided as **Attachment 2**.
10. A redacted copy of all submissions is provided as **Attachment 3**, in accordance with the Privacy Collection Notice stated in the exhibition, to remove all personal information of respondents (name and contact details).
11. The results and summary of submissions are provided as **Attachment 4**.
12. In accordance with Council's resolution its 24 August Ordinary Council Meeting, a meeting was held with park stakeholders after the exhibition on 5 September 2021, to review and discuss the findings of the submissions.

6. Consultation Matters

PCC.033/21 Kangaroo Ground War Memorial Park - community response to exhibition of draft management plan

Results from community submissions to exhibition of the draft management plan

13. It should be noted at 2.1.1 ‘Additional’, misread responses (refer **Attachment 4**), there are a number of submissions with feedback that would appear to indicate that some respondents had misread the draft management plan. It appears from some of the feedback that:

- Picnic tables and benches additional to the existing are being provided in the park, whereas the number proposed is for replacement of the existing only over time;
- The standing area for ANZAC Day is being reduced, whereas the existing area in front of the tower used for ANZAC Day is retained without reduction;
- The caretaker’s residence (house) is being renovated, whereas the stone (former) caretaker’s cottage is being renovated and the caretaker’s residence (house) is excluded from renovation;
- The cost estimates for capital expenditure works are quotations or contract amounts to undertake the work, whereas they are total project cost estimates — for budgeting purposes only — for the delivery of the work. The actual cost of any of the capital works is to be determined in the implementation of the management plan through the delivery of capital works projects, subject to their allocation in Council’s capital works budgets (or grant funding);
- The stone caretaker’s cottage will be closed for access, whereas an adaptive re-use will be determined through the separate and related governance plan project being undertaken by Council; and
- The existing path to the Moor-rul viewing platform obviates the need for the path in the draft management plan, whereas the path in the draft management plan provides an accessible path to meet current required design standards.

Key themes from submissions to exhibition of the draft management plan

Key Themes – Capital Expenditure Works

14. Key themes distilled from the feedback pertaining to the proposed capital works outlined in the draft management plan are provided in Table 1 below.

Table 1. Key Themes – Capital Expenditure Works

	Theme	Feedback
1	No change to the park	Historic. Not required. Valued as it is. Peaceful and quiet how it is. War Memorial and Fire lookout.

6. Consultation Matters

PCC.033/21 Kangaroo Ground War Memorial Park - community response to exhibition of draft management plan

	<i>Theme</i>	<i>Feedback</i>
2	Don't spend rate payers money now	Pandemic and rates rise environment. Other Shire priorities.
3	Too expensive	Costs too much/ no demonstrative value for money. Budgets allocated too high.
4	Do the basics only	Improved entry and car parking. Restore Stone Caretaker's Cottage. Refresh furniture. Maintain what is there better.
5	Address park road entry and car parking in the Management Plan	Management plan is incomplete without addressing entry road, and plan does not address car parking. Potential impacts of an alternate entry road on existing park and on works proposed in the plan. Safer, wider entry, more and improved car parking.
6	Too much Signage	Could affect rural character. Tower and Moor-rul Viewing Platform display cabinets provide interpretative opportunities. Could be consolidated.
7	Caretaker's Residence	Negative visual appearance. Cost to renovate. Caretaker role obsolete.
8	Rosemary significance	To ANZAC Day/ Gallipoli.
9	Recycle historic elements	For heritage: <ul style="list-style-type: none"> - Cypress trees - Tower stairs

6. Consultation Matters

PCC.033/21 Kangaroo Ground War Memorial Park - community response to exhibition of draft management plan

Key Themes – Operational Expenditure

15. Key themes distilled from the feedback pertaining to the proposed operational expenditure outlined in the draft management plan are provided in Table 2 below.

Table 2. Key Themes – Operational Expenditure

	Theme	Feedback
1	Standard undefined	Standard of proposed annual landscape park maintenance is not described in the Management Plan.
2	Invalid	Increased maintenance standard is predicated on some Unsupported capital expenditure works.
3	Don't spend rate payers' money now	Pandemic and rates rise environment. Other Shire priorities.
4	Too expensive	Costs too much/ no demonstrative value for money. Budgets allocated too high.
5	Do the basics only, but maintain the asset in a cared for way	Mow. Weed. Fire mitigation.

Innovation and continuous improvement

16. Not applicable.

Collaboration

17. Not applicable.

Budget implications

18. The draft management plan outlines capital and operational expenditure costs of the works described in the plan for budgeting purposes.

19. Cost is a theme of the feedback to the exhibition of the draft management plan.

20. It is intended that works will be delivered according to their priority identified in the draft management plan over the nominated seven-year implementation timeframe, subject to allocation of funding and potential grant funding opportunities.

Relevant law

21. Not applicable.

Regional, state and national plans and policies

22. Not applicable.

Conflicts of interest

23. No officers involved in the preparation of this report have a conflict of interest.

6. Officers' reports

PCC.034/21 Future use of the Old Plenty Fire Station site

Item: Consultation Matter

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Natalie Campion, Coordinator Property
Jonathon Miller, Manager Property and Facilities Maintenance

Summary

Council resolved on the 26 May 2020 to sell part of the Council owned land at 109-115 Yan Yean Road Plenty, to the Country Fire Authority (CFA) for the purpose of constructing a new Plenty Fire Station.

Given the old fire station is located on Council land, Council need to advise the CFA if it intends to keep and repurpose the existing building once the CFA relocate operations to the new fire station, or require the CFA to demolish the building and rehabilitate the site (land and building).

To help inform a future Council decision on the matter, a community engagement process was conducted between 29 September and 26 October 2021.

365 responses were received; 53.5% supported the proposal to demolish the old Plenty Fire Station, 46.2% supported the building being retained and repurposed, with the balance 0.3% undecided.

Submitters have been invited to attend this meeting of the Planning and Consultation Committee to speak to their submissions.

Recommendation

That the Committee (acting under delegation from Council):

1. Acknowledges and notes the submissions received from community members on the future use of the Old Plenty Fire Station site.
2. Acknowledges the presentations made to the Committee.
3. Considers the matters contained in the submissions and this report.
4. Requests a further report to be presented at the December 2021 Council Meeting to make a decision on the future use of the Old Plenty Fire Station site.
5. Resolves that confidential **Attachments 7-9** remain confidential on the grounds specified in the definition of confidential information in section 3(1) of the *Local Government Act 2020*.

6. Consultation Matters

PCC.034/21 Future use of the Old Plenty Fire Station site

Attachments

- 1  Aerial Plan - 109-115 Yan Yean Road, Plenty
- 2  Community Engagement - Participate Nillumbik survey and signs
- 3  Surveys received via Participate Nillumbik
- 4  Surveys received via Hardcopy
- 5  Written submissions
- 6  Survey Analysis & Findings Report
7. Surveys received via Participate Nillumbik - Unredacted - *CONFIDENTIAL*
8. Surveys received via Hardcopy - Unredacted - *CONFIDENTIAL*
9. Written Submissions - Unredacted - *CONFIDENTIAL*

Discussion

1. Council resolved in May 2020 to sell land shown as Lot 1 in **Attachment 1** to the CFA, for the purpose of constructing a new fire station for its Plenty Brigade.
2. The old Plenty Fire Station is located on Council owned land, and is subject to a lease agreement between Council and the CFA.
3. When the Plenty Brigade relocate operations to the new fire station, the CFA will have no further use for the old facility and will vacate the site.
4. When this occurs, Council has the option to keep and repurpose the existing building, or require the CFA to demolish the building and rehabilitate the site.
5. Council has an obligation to inform the CFA of its decision when construction of the new Plenty Fire Station is complete.
6. It is acknowledged that there are differing views in the community as to the future use of the site, therefore Council has completed a community engagement process to help inform its decision.

Related Council decisions

7. At the September 2021 Council Meeting, it was resolved to commence a consultation process to seek ideas from the Nillumbik community to inform the future use of the old Plenty Fire Station site.
8. Council received a petition which was tabled at the Council Meeting on 24 August 2021, containing **314** signatures (143 physical and 171 online) from residents calling on Council to approve the demolition of the “old Plenty CFA building” and return the area to an open space, targeted to the needs of the Nillumbik and Plenty community.
9. Council resolved to refer the petition received to the Director Operations and Infrastructure for investigation and response.

6. Consultation Matters

PCC.034/21 Future use of the Old Plenty Fire Station site

Options

10. Council's options with respect to either requesting the CFA to demolish the building and rehabilitate the site, or retain and repurpose the building will be presented at a subsequent Council Meeting.

Council plans and policies

11. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We act in the best interests of our community.
12. Council's Community Engagement Policy was adopted to provide a process of involving the public in decisions that affect them.

Sustainability implications

13. Not applicable.

Community engagement

14. Consultation took the form of a survey on Council's Participate Nillumbik site <https://participate.nillumbik.vic.gov.au>. A copy of the survey is included in **Attachment 2**.
15. The consultation was promoted through:
 - a) A media release;
 - b) a series of posts on Council's social media sites including Facebook, Instagram and Twitter;
 - c) contacting key stakeholder groups;
 - d) signs located around Plenty promoting the Participate Nillumbik survey;
 - e) contacting people who had previously written to Council concerning the site;
 - f) a mail out of 912 hard copy surveys to Plenty residents via Australia Postal delivery; and
 - g) an offer to obtain a hard copy of the survey upon request.
16. The Participate Nillumbik site was open for engagement from 29 September 2021 to 26 October 2021.
17. On conclusion of the process, 365 responses were received plus an additional 23 written submissions. A redacted copy of all responses is included in **Attachments 3 to 5**.
18. Of the 365 respondents, 53.5% supported the proposal to demolish the old Plenty Fire Station, 46.2% supported the building being retained and repurposed, with the balance 0.3% undecided.
19. Of the 23 written submissions, 21 supported the proposal to demolish the old Plenty Fire Station and 2 supported the building being retained and repurposed.
20. **Attachment 6** contains an analysis of the results, including the key themes and/or issues raised.

6. Consultation Matters

PCC.034/21 Future use of the Old Plenty Fire Station site

21. Submitters have been invited to attend this meeting of the Planning and Consultation Committee to speak to their submissions.

Innovation and continuous improvement

22. Not applicable.

Collaboration

23. External collaboration with the Country Fire Authority on matters relevant to the lease in place for the site.
24. Internal collaboration across property, strategic planning and communications and engagement.

Budget implications

25. Costs associated with community consultation for this exercise can be met within operational expenditure this financial year.

Relevant law

26. Not applicable to this consultation.

Regional, state and national plans and policies

27. Not applicable to this consultation.

Conflicts of interest

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

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