

Planning and Consultation Committee Meeting

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 12 July 2022 commencing at 7:00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 15 July 2022

Distribution: Public

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Nillumbik Shire Council

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Nillumbik Shire Council

**Minutes of the Planning and Consultation Committee Meeting held
Tuesday 12 July 2022. The meeting commenced at 7:00pm.**

Councillors present:

Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr Natalie Duffy	Edendale Ward
Cr Peter Perkins	Ellis Ward (Chairperson Planning Matters)
Cr Ben Ramcharan	Sugarloaf Ward (Deputy Mayor)
Cr Frances Eyre	Swipers Gully Ward (Mayor)
Cr Geoff Paine	Wingrove Ward (Chairperson Consultation Matters)

Officers in attendance:

Vince Lombardi	Acting Chief Executive Officer
Hjalmar Philipp	Director Operations and Infrastructure
Sally Johnson	Acting Executive Manager Governance, Communications and Engagement
Corrienne Nichols	Executive Manager Communities
Jeremy Livingston	Executive Manager Business Transformation and Performance
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Nichole Johnson	Manager Community Partnerships
Natalie Town	Senior Communications Officer
Rowena Cairns	Open Space Project Officer
Katia Croce	Governance Lead

1. Welcome by the Chair

2. Acknowledgement of Country

Acknowledgement of Country was read by the Chairperson, Cr Geoff Paine.

3 Apologies

Nil

4 Disclosure of conflicts of interest

Nil

5. Confirmation of Minutes

Confirmation of the minutes of the Planning and Consultation Committee Meeting held on Tuesday 14 June 2022.

Committee Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Karen Egan

That the Committee (acting under delegation from Council) confirms the minutes of the Planning and Consultation Committee Meeting held on Tuesday 14 June 2022. (**Attachment 1**).

CARRIED UNANIMOUSLY

6. Officers' reports

PCC.024/22 Draft Arts and Culture Strategy 2022-26

Item: Consultation Matter

Distribution: Public

Manager: Narelle Hart, Acting Executive Manager Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

This report notes the public submissions received from the community regarding the draft Arts and Culture Strategy 2022-2026 (the Strategy) **(Attachment 1)**.

The draft Strategy sets out a four-year strategic commitment to guide Council in the support and development of arts and culture in Nillumbik Shire.

The draft Strategy has been informed by the Council Vision, Council Plan 2021-2025 and the What We Know: Arts and Culture Strategy 2022-2026 Community Consultation Summary Report **(Attachment 2)** along with additional arts and culture sector reports and data from State, National and International bodies.

The draft Strategy was released for the purposes of public consultation at the Council Meeting on 26 April 2022. It was exhibited from 1 May to the 22 May 2022 (3-week period) five formal submissions were received **(Attachment 3)**.

The following person addressed the Committee with respect to this item:

1. Barry Pearce

Committee Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Peter Perkins

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 Strategy 2022-2026 **(Attachment 3)**.
2. Resolves that the confidential un-redacted public submissions on the draft Strategy 2022-2026 **(Attachment 4)** remains confidential in accordance with section 3(1) of the *Local Government Act 2020*.
3. Acknowledges any presentations to the Committee.
4. Considers the matters contained in the submissions and this report during finalisation of the draft Strategy 2022-2026.
5. Requests a further report to be presented at the 27 September 2022 Council Meeting to adopt the final version of the Arts and Culture Strategy 2022-2026.
6. Thanks the submitters for providing Council with feedback on this important document.

CARRIED UNANIMOUSLY

6. Officers' reports

PCC.025/22 Draft Access, Equity and Inclusion Policy - submissions

Item: Consultation Matter

Distribution: Public

Manager: Narelle Hart, Acting Executive Manager Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The Draft Access, Equity and Inclusion Policy (the Policy) (**Attachment 1**) outlines Councils commitment to accessible, equitable and inclusive practice across all council activities.

This report notes the public submissions and outcomes of community engagement for the Draft Policy (**Attachment 2 and 3**).

Council adopted the Draft Policy for the purposes of public consultation at the Council Meeting on 22 March 2022. It was exhibited from 23 March – 24 April 2022 and received seven formal submissions. Submissions received via Participate Nillumbik, including officer recommendations to each of the submissions can be found in **Attachment 2**.

The Draft Access, Equity and Inclusion Policy - Engagement Summary Report (**Attachment 4**) provides a comprehensive summary of the engagement process, feedback and key themes.

A draft updated Policy (**Attachment 5**) includes proposed officer recommendations. The final policy including feedback received from community and Council at the Planning and Consultation Committee will be presented to Council for adoption at the Council Meeting scheduled for 26 July 2022.

Committee Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Peter Perkins

That the Committee (acting under delegation from Council):

1. Acknowledges and notes the submissions received on the Draft Policy (**Attachment 2**) and the Draft Access, Equity and Inclusion Policy - Engagement Summary Report (**Attachment 4**) for the Draft Access, Equity and Inclusion Policy.
2. Resolves that the confidential un-redacted public submissions on the draft Policy (**Attachment 3**) remains confidential in accordance with section 3(1)(f) of the *Local Government Act 2020*.
3. Acknowledges any presentations to the Committee.
4. Considers the matters contained in the submissions and this report during finalisation of the Access, Equity and Inclusion Policy.
5. Requests a further report to be presented at the 26 July 2022 Council Meeting to adopt the final version of the Access, Equity and Inclusion Policy.
6. Thanks the submitters for providing Council with feedback on this important document.

6. Consultation Matters

PCC.025/22 Draft Access, Equity and Inclusion Policy - submissions

7. Notes the draft updated Policy (**Attachment 5**) that will be presented to Council for adoption at the Council Meeting scheduled for 26 July 2022.

CARRIED UNANIMOUSLY

6. Officers' reports

PCC.026/22 Intention to lease land to LMS Energy P/L for Solar Farm

Item: Consultation Matter

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Natalie Champion, Coordinator Property

Summary

In accordance with Section 115 of the *Local Government Act 2020* (the Act), Nillumbik Shire Council gave notice on 27 May 2022 that it proposes to enter into a lease with LMS Energy Pty Ltd ACN 059 428 474 (LMS) in respect of part of the vacant Council-owned land located at 290-304 Yan Yean Road and 193-213 Heard Avenue, Plenty, known as part of the former Plenty landfill site (Land).

The lease is proposed to be granted on the following terms and conditions:

- **Term of Lease:** an initial term of 25 years with one further term of 5 years.
- **Rent Amount:** \$2,000 plus GST per annum, to be increased by CPI annually
- **Permitted use:** Operating a solar farm.
- **Premises:** on the commencement date of the lease, the premises shall be that part of the Land shown outlined red on the plan shown in **Attachment 1**.

In order for Council to make a decision to proceed (or otherwise) with a new lease agreement, all submissions will be considered in accordance with Section 115 of the Act and Council's community engagement policy.

In response to publicly advertising its intention to enter into a lease agreement with LMS, Council received 5 submissions as shown in **Attachment 2**.

The next step is a decision on the lease at a future Council Meeting.

Committee Resolution

MOVED: Cr Richard Stockman

SECONDED: Cr Ben Ramcharan

That the Committee (acting under delegation from Council):

1. In accordance with section 115 of the *Local Government Act 2020* (the Act), receives and notes the contents of public submissions received in response to the proposed lease agreement for LMS Energy Pty Ltd ACN 059 428 474 (LMS) in respect of part of the vacant Council-owned land located at 290-304 Yan Yean Road and 193-213 Heard Avenue, Plenty, known as part of the former Plenty landfill site (Land).
2. Presents a report to a future Council Meeting regarding the consideration of submissions in accordance with section 115 of the Act.
3. Resolves that the confidential un-redacted public submissions on the lease proposal (**Attachment 3**) remains confidential in accordance with section 3(1)(f) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

6. Officers' reports

PCC.027/22 Concept Plan for Eltham Gateway Open Space

Item: Consultation Matter

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Rowena Cairns, Open Space Project Officer

Summary

This report seeks Council endorsement to commence community engagement on a concept plan to revitalise the southern entrance to the Shire on Main Road, Eltham.

The following people addressed the Committee with respect to this item:

1. Denis Johnston – Convenor Southern Gateway Renewal Group
2. Denis Johnston
3. Jim Connor on behalf of Friends of the Diamond Creek - Eltham Lower Park
4. Sue Ormerod on behalf of Friends of Eltham Lower Park

Recommendation

That the Committee (acting under delegation from Council):

1. Notes Major Roads Projects Victoria (MRPV) are contributing funding to revitalise underutilised public land along Main Road Eltham, between Falkiner Street and the Diamond Creek Bridge to recreate a southern gateway to Nillumbik as part of a legacy initiative following the State Government Fitzsimons Lane Upgrade (known as the Eltham Gateway Concept).
2. Supports a collaboration with MRPV to deliver the Eltham Gateway Concept.
3. Endorses the Eltham Gateway Concept Plan (**Attachment 1**) and broader Masterplan (**Attachment 2**) for the purposes of receiving community feedback for exhibition on Participate Nillumbik commencing from 13 July 2022 for a period of 3 weeks.
4. Notes that the full Masterplan (**Attachment 2**) contains elements that are not currently funded and completion is contingent on future funding sources.
5. Considers public submissions at the Planning and Consultation Committee meeting to be held on 9 August 2022.
6. Requests the Director Operations and Infrastructure to work with the relevant landowners (Melbourne Water, Department of Transport and Department of Environment, Land, Water and Planning) to seek approval for the delivery of the concept on their land.
7. Requests the Mayor to write to MRPV to thank them for their funding and support for this community outcome.

6. Consultation Matters

PCC.027/22 Concept Plan for Eltham Gateway Open Space

Motion

MOVED: Cr Frances Eyre

SECONDED: Cr Natalie Duffy

That the Committee (acting under delegation from Council):

1. Notes Major Roads Projects Victoria (MRPV) are contributing funding to revitalise underutilised public land along Main Road Eltham, between Falkiner Street and the Diamond Creek Bridge to recreate a southern gateway to Nillumbik as part of a legacy initiative following the State Government Fitzsimons Lane Upgrade (known as the Eltham Gateway Concept).
2. Supports a collaboration with MRPV to deliver the Eltham Gateway Concept.
3. **Notes that Attachments 1 and 2 in report PCC.027/22 will be replaced with a single plan (amended Attachment 1) which has been revised to remove the viewing platform and add additional tree planting on the southern side of Main Road.**
4. **Endorses the amended Attachment 1 for the purposes of receiving community feedback for exhibition on Participate Nillumbik for a period of 3 weeks.**
5. **Notes that following community consultation, the plan may be delivered in stages, subject to funding.**
6. **Considers public submissions at a future Planning and Consultation Committee meeting.**
7. Requests the Director Operations and Infrastructure to work with the relevant landowners (Melbourne Water, Department of Transport and Department of Environment, Land, Water and Planning) to seek approval for the delivery of the concept on their land.
8. Requests the Mayor to write to MRPV to thank them for their funding and support for this community outcome.

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COMMITTEE RESOLUTION AS FOLLOWS:

Committee Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Natalie Duffy

That the Committee (acting under delegation from Council):

1. Notes Major Roads Projects Victoria (MRPV) are contributing funding to revitalise underutilised public land along Main Road Eltham, between Falkiner Street and the Diamond Creek Bridge to recreate a southern gateway to Nillumbik as part of a legacy initiative following the State Government Fitzsimons Lane Upgrade (known as the Eltham Gateway Concept).
2. Supports a collaboration with MRPV to deliver the Eltham Gateway Concept.

6. Consultation Matters

PCC.027/22 Concept Plan for Eltham Gateway Open Space

3. Notes that Attachments 1 and 2 in report PCC.027/22 will be replaced with a single plan (amended Attachment 1) which has been revised to remove the viewing platform and add additional tree planting on the southern side of Main Road.
4. Endorses the amended Attachment 1 for the purposes of receiving community feedback for exhibition on Participate Nillumbik for a period of 3 weeks.
5. Notes that following community consultation, the plan may be delivered in stages, subject to funding.
6. Considers public submissions at a future Planning and Consultation Committee meeting.
7. Requests the Director Operations and Infrastructure to work with the relevant landowners (Melbourne Water, Department of Transport and Department of Environment, Land, Water and Planning) to seek approval for the delivery of the concept on their land.
8. Requests the Mayor to write to MRPV to thank them for their funding and support for this community outcome.

CARRIED UNANIMOUSLY

7. Supplementary and urgent business

Nil

8. Confidential reports

Nil

9. Close of Meeting

The meeting closed at 8.21pm.

Confirmed: _____

Cr Peter Perkins, Chairperson Planning Matters