

Planning and Consultation Committee Meeting

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 6 June 2023 commencing at 7:00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 9 June 2023

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 6 June 2023. The meeting commenced at 7:00pm.**

Councillors present:

Cr Ben Ramcharan	Sugarloaf Ward (Mayor)
Cr Natalie Duffy	Edendale Ward
Cr Peter Perkins	Ellis Ward (Chairperson Planning Matters)
Cr Frances Eyre	Swipers Gully Ward (Chairperson Consultation Matters)
Cr Geoff Paine	Wingrove Ward (Deputy Mayor)

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Rosa Zouzoulas	Director Planning, Environment and Strategy
Jeremy Livingston	Director Culture and Performance
Rowena Cairns	Acting Manager Governance and Property
Nichole Johnston	Manager Community Partnerships
Leigh Northwood	Manager Strategic Planning and Environment

1. Welcome by the Chair

2. Acknowledgement of Country

Acknowledgement of Country was read by the Chairperson Consultation Matters
Cr Frances Eyre.

3. Apologies

An apology for this meeting has been received from Cr Karen Egan.

Committee Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Natalie Duffy

That the Committee (acting under delegation from Council) notes the apology of Cr Karen Egan.

CARRIED UNANIMOUSLY

A request for a leave of absence was received by Cr Richard Stockman.

Committee Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Ben Ramcharan

That the Committee (acting under delegation from Council) accepts the leave of absence for Cr Richard Stockman for the meeting being 6 June 2023.

CARRIED UNANIMOUSLY

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 11 April 2023.

Committee Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Geoff Paine

That the Committee (acting under delegation from Council) confirms the minutes of the Planning and Consultation Committee Meeting held on Tuesday 11 April 2023 (**Attachment 1**).

CARRIED UNANIMOUSLY

6. Officers' reports

PCC.005/23 Review of the Governance Rule - Meeting Procedures - Hearing of Submissions

Item: Consultation Matter

Distribution: Public

Manager: Blaga Naumoski, Director Governance, Communications and Community Safety

Author: Rowena Cairns, Acting Manager Governance and Property

Summary

This report provides Council with the feedback of the community engagement undertaken in relation to the Draft Governance Rule – Meeting Procedures (**Attachment 1**).

Following endorsement for public consultation, Council’s Draft Governance Rule – Meeting Procedures was open for community consultation for the period 1 March 2023 to 30 March 2023 inclusive.

A total of ten (10) submissions, including two written submissions, were received. Submissions and Attachments are contained in (**Attachment 2 and 3**).

Officers will now use the feedback from the community together with the submissions heard at the Planning and Consultation Committee meeting and bring a report to the 27 June 2023 Council Meeting for endorsement of the revised Governance Rule – Meeting Procedures.

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

- 1 *Michael Dove*
- 2 *Jim Connor*
- 3 *Henry Haszler*

Motion

MOVED: Cr Geoff Paine
SECONDED: Cr Peter Perkins

That the Committee (acting under delegation from Council):

- 1. Acknowledges and notes the 10 submissions from members of the community who provided feedback on the Draft Governance Rule – Meeting Procedures (**Attachments 2 and 3**).
- 2. Considers the feedback contained in the submissions during the finalisation of the Governance Rule – Meeting Procedures.
- 3. Considers the presentations made to the Committee during the finalisation of the Governance Rule – Meeting Procedures.
- 4. Receives a report at the 27 June 2023 Council Meeting to consider endorsing the Governance Rule – Meeting Procedures.
- 5. Resolves the confidential un-redacted copy of the written submissions to the Governance Rule - Meeting Procedures (**Attachment 3**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.

6. Consultation Matters

PCC.005/23 Review of the Governance Rule - Meeting Procedures - Hearing of Submissions

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

Committee Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Peter Perkins

That the Committee (acting under delegation from Council):

1. Acknowledges and notes the 10 submissions from members of the community who provided feedback on the Draft Governance Rule – Meeting Procedures **(Attachments 2 and 3)**.
2. Considers the feedback contained in the submissions during the finalisation of the Governance Rule – Meeting Procedures.
3. Considers the presentations made to the Committee during the finalisation of the Governance Rule – Meeting Procedures.
4. Receives a report at the 27 June 2023 Council Meeting to consider endorsing the Governance Rule – Meeting Procedures.
5. Resolves the confidential un-redacted copy of the written submissions to the Governance Rule - Meeting Procedures **(Attachment 3)** remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

6. Officers' reports

PCC.006/23 Draft Neighbourhood Character Strategy - updated draft and proposed Phase 3 Engagement (Close the Loop)

Item: Consultation Matter

Distribution: Public

Manager: Rosa Zouzoulas, Director Planning, Environment and Strategy

Author: Leigh Northwood, Manager Strategic Planning and Environment

Summary

The purpose of this report is to provide Council with the updated Draft Neighbourhood Character Strategy (NCS) (**Attachment 1**) for consideration of approval to put the draft out for programmed Phase 3 engagement (close the loop).

Changes to the draft NCS are a result of a detailed analysis of submission responses to Phase 2 engagement and hearing verbal submissions to the February 2023 PCC on the matter. The recommendations also include feedback from the Project Working Group (PWG). See below for detail with regard to the breadth of changes made to the draft and the locations of such changes within the document, however key changes include among other matters:

- a) Additional and clarified definitions within the draft including definitions for canopy tree and amenity tree and 'muted tones';
- b) Introduction of a section within the NCS clarifying the interrelationship and tensions with climate action and Environmentally Sensitive Development (ESD) and how other policies/strategies work in this space and support the NCS;
- c) Review of approximately 20 mapped Neighbourhood Character Precincts (i.e. submitters who are not satisfied with their identified Neighbourhood Character Precinct for various reasons) noting 4 areas have had applied Neighbourhood Character Precinct changed as a result of this review;
- d) Further consideration of colour (particularly 'muted tones') and materiality both in built form and fences;
- e) Further consideration in the design guidelines as to the role of canopy trees in side setbacks vs front setbacks (defining what a canopy tree is for Nillumbik);
- f) New Section 8.0 Implementation added the Draft NCS. This includes discussion with regard to technically how the objectives and design guidelines in an adopted NCS could be effectively implemented into the planning scheme noting this section also identifies a proposed expansion of the Significant Landscape Overlay (SLO) and introduction of Schedules to the Residential Zones to implement a variation above the performance standards set by ResCode to achieve the Preferred Character for each neighbourhood character precinct; and
- g) Identification of further work to support implementation of the Neighbourhood Character Strategy is also recommended in the latest draft including preparation of a vegetation and landscaping guidelines document to support the delivery of the various landscape outcomes intended in the NCS.

Engagement on the draft NCS has been an iterative process, and the first two rounds of engagement on the draft Neighbourhood Character Strategy had very different intents. It is noted the purpose of Phase 3 engagement (close the loop) is to ensure all community

6. Consultation Matters

PCC.006/23 Draft Neighbourhood Character Strategy - updated draft and proposed Phase 3 Engagement (Close the Loop)

feedback relevant to the draft strategy has been considered and clarity is provided as to how feedback has been considered, where changes have been made accordingly, and if not why. Phase 3 engagement is proposed for five weeks through June/July.

As per the project program, the updated Draft Neighbourhood Character Strategy is programmed to be brought to the September Planning and Consultation Committee meeting where any submitters will be invited to speak.

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

1. *Carlota Quinlan on behalf of Eltham Community Action Group*

Committee Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Natalie Duffy

That the Committee (acting under delegation from Council):

1. Notes the draft Nillumbik Neighbourhood Character Strategy, which is provided as **Attachment 1**;
2. Endorses the draft Nillumbik Neighbourhood Character Strategy for Phase 3 engagement through June and July (for 5 weeks); and
3. Notes that a report is scheduled to be presented to Council’s Planning and Consultation Committee in September 2023 that will present feedback to Phase 3 engagement on the draft Nillumbik Neighbourhood Character Strategy.

CARRIED UNANIMOUSLY

6. Officers' reports

PCC.007/23 Draft Biodiversity Strategy - community engagement approach

Item: Consultation Matter

Distribution: Public

Manager: Rosa Zouzoulas, Director Planning, Environment and Strategy

Author: Leigh Northwood, Manager Strategic Planning and Environment

Summary

Council is in the process of developing a new Draft Biodiversity Strategy. It will provide strategic direction for Council action to support the protection of Nillumbik's biodiversity.

This report seeks endorsement of the proposed Stage 1 community engagement process in relation to the development of the new Draft Biodiversity Strategy.

The community will be invited to contribute to the development of the Draft Strategy during a community engagement period from 26 June to 30 July 2023 (stage 1).

Once the Biodiversity Strategy has been drafted, the community will subsequently be invited to provide comments on the Draft Biodiversity Strategy in 2024 (stage 2).

Committee Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Geoff Paine

That the Committee (acting under delegation from Council):

1. Notes the Biodiversity Strategy Community Engagement Plan (**Attachment 1**).
2. Endorses the proposed Biodiversity Strategy Stage 1 community engagement period (26 June – 30 July 2023) and process as follows:
 - 2 online stakeholder workshops
 - 2 school workshops
 - 2 place-based pop ups
 - Liaison with Council advisory committees and Youth Council
 - A dedicated Participate Nillumbik webpage
 - A survey.
3. Requests that officers make the report "What we've already heard from our community – A collation of recent Shire community consultation findings to inform the Nillumbik Biodiversity Strategy in 2023" (**Attachment 2**) available to the public on Council's website.
4. Requests officers to brief Council on the findings of the Stage 1 community engagement at a future date.

CARRIED UNANIMOUSLY

6. Consultation Matters

PCC.007/23 Draft Biodiversity Strategy - community engagement approach

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7. Supplementary and urgent business

Nil

8. Confidential reports

Nil

9. Close of Meeting

The meeting closed at 7.42pm.

Confirmed: _____

Cr Peter Perkins Chairperson Planning Matters

Cr Frances Eyre, Chairperson Consultation Matters

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