

Planning and Consultation Committee Meeting

to be held virtually on Tuesday 8 February 2022 commencing at 7:00pm.

Attachments

Carl Cowie
Chief Executive Officer

Thursday 3 February 2022

Distribution: Public

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Nillumbik Shire Council

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Planning and Consultation Committee Meeting

held virtually on Tuesday 16 November 2021 commenced at 7:02pm.

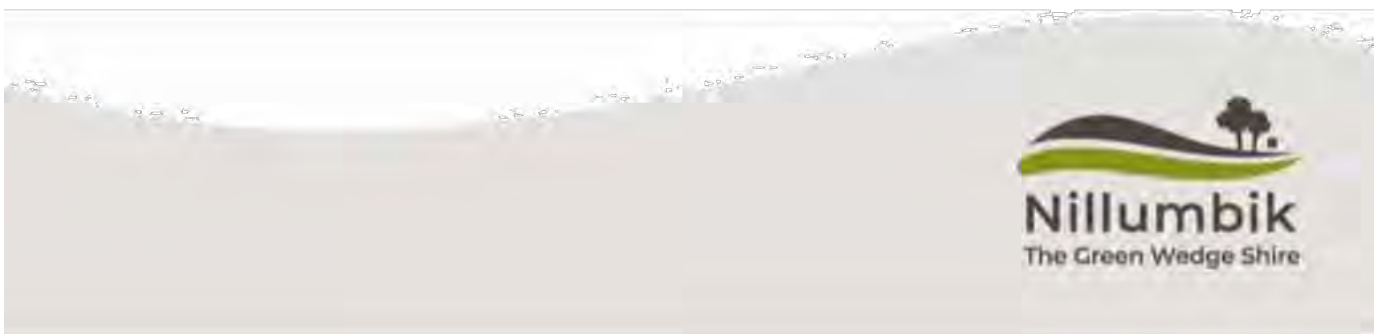
Minutes

Carl Cowie
Chief Executive Officer

Friday 19 November 2021

Distribution: Public

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Planning and Consultation Committee Meeting Minutes **16 November 2021**
Nillumbik Shire Council

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Planning and Consultation Committee Meeting Minutes

16 November 2021

Nillumbik Shire Council

**Minutes of the Planning and Consultation Committee Meeting held
Tuesday 16 November 2021. The meeting commenced at 7:02pm.**

Councillors present:

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

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Financial Officer
Hjalmar Philipp	Director Operations and Infrastructure
Blaga Naumoski	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
Jonathon Miller	Manager, Property and Facilities
Eddie Cheng	Manager, Information Technology
Nik Mistriotis	Lead Systems Architect
Stephanie Ives	IT 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. Confirmation of minutes

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

Committee Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Peter Perkins

That the minutes of the Planning and Consultation Committee Meeting held on Tuesday 12 October 2021 be confirmed (Attachment 1**).**

CARRIED UNANIMOUSLY

- COM.001/22 Confirmation of Minutes Planning and Consultation Committee Meeting held Tuesday 16 November 2021
- Attachment 1. Minutes of the Planning and Consultation Committee Meeting held 16 November 2021

Planning and Consultation Committee Meeting Minutes

16 November 2021

5 Disclosure of conflicts of interest

Cr Stockman declared a general conflict of interest in relation to PCC.034/21 Future Use of the Old Plenty CFA Site.

Planning and Consultation Committee Minutes

16 November 2021

6. Officers' reports

PCC.029/21 Amendment 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).

Planning and Consultation Committee Minutes

16 November 2021

6. Planning Matters

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

Council has 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.

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

In Person:

1. *Kathleen Mead*

Chairperson read on behalf of:

2. *Dianne Vissaritis*

The Chairperson, Cr Geoff Paine made the following statement prior to Council decision:

"Councillors, I wish to state that whilst I have previously expressed a view on this matter, as a Councillor I recognise and accept that I have a statutory responsibility to represent and act in the best interests of the Nillumbik community when participating in the decision-making of this Council. Accordingly, I will keep an open mind by considering all information both in favour of and against the matter before objectively casting my vote."

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.

Planning and Consultation Committee Minutes

16 November 2021

6. Planning Matters

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

Motion

MOVED: Cr Richard Stockman
SECONDED: Cr Karen Egan

That the Committee (acting under delegation from Council):

1. Abandons proposed Planning Scheme Amendment C142nil to apply the Heritage Overlay (permanently) to 50 Oatland Road, Plenty.
2. Notifies the land owners of 50 Oatland Road, Plenty of Council's resolution.
3. Notifies the Minister for Planning of Council's resolution.

LOST

Motion

MOVED: Cr Peter Perkins
SECONDED: Cr Ben Ramcharan

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.

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

Committee Resolution

MOVED: Cr Peter Perkins
SECONDED: Cr Ben Ramcharan

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

Planning and Consultation Committee Minutes

16 November 2021

6. Planning Matters

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

3. Undertakes public exhibition of Amendment C142nill which will apply permanent planning controls through the use of the heritage overlay should authorisation be granted.

CARRIED

Cr Peter Perkins called for a division

For: Crs Frances Eyre, Geoff Paine, Peter Perkins and Ben Ramcharan

Against: Crs Natalie Duffy, Karen Egan and Richard Stockman

Cr Perkins tentatively left the meeting at 7:46pm and returned at 7:49pm due to technical difficulties.

Cr Perkins tentatively left the meeting at 7:50pm and returned at 7:56pm due to technical difficulties.

Cr Geoff Paine vacated the chair at 8:11pm.

Planning and Consultation Committee Minutes

16 November 2021

6. Officers' reports

Cr Ben Ramcharan assumed the chair at 8:11pm.

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.

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

In Person:

1. *Andrew Gillard – Diamond Creek Traders Association*
2. *Claire Nolle – Osteologic Healthcare*

Chairperson read on behalf of:

1. *Victor Wong – H&R Block Tax Accountant*
2. *Esther Caspi*
3. *Gila Schnapp on behalf of Adjungbilly Pty Ltd*

Planning and Consultation Committee Minutes

16 November 2021

6. Consultation Matters

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

Committee Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Geoff Paine

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.
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*.

CARRIED UNANIMOUSLY

Planning and Consultation Committee Minutes

16 November 2021

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.

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

In Person:

1. Anika Van Hulsen – Wattle Glen Residents Association

Chairperson read on behalf of:

2. Bill Lord
3. Gina Lloyd-Thomas

Committee Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Peter Perkins

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*.

Planning and Consultation Committee Minutes

16 November 2021

6. Consultation Matters

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

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 expresses Council's gratitude for their contribution and to advise them of the Committee's resolution and the next steps in the project.

CARRIED UNANIMOUSLY

Planning and Consultation Committee Minutes

16 November 2021

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.

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

In Person:

1. *Orianna Edmonds member of Nillumbik Youth Council*
2. *Jack Linehan - member of Nillumbik Youth Council*
3. *Rosalyn Sandwell – healthAbility*
4. *Brianne Keogh - member of Nillumbik Youth Council*
5. *Lachlan Wadsworth – member of Nillumbik Youth Council*

Chairperson read on behalf of:

6. *Katherine Ellis - Youth Affairs Council Victoria*
7. *Fieke van der Kamp – Youth Mayor - Nillumbik Youth Council*

Planning and Consultation Committee Minutes

16 November 2021

6. Consultation Matters

PCC.032/21 Draft Youth Strategy 2022-2026

Committee Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Geoff Paine

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

CARRIED UNANIMOUSLY

Planning and Consultation Committee Minutes

16 November 2021

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 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.

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

In Person:

1. *Jim Connor*

Committee Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Peter Perkins

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.

Planning and Consultation Committee Minutes

16 November 2021

6. Consultation Matters

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

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*.
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.

CARRIED UNANIMOUSLY

Planning and Consultation Committee Minutes

16 November 2021

6. Officers' reports

Cr Stockman declared a general conflict of interest in the following item as he made a submission in relation to the matter under consideration.

Cr Stockman temporarily left the meeting at 9:41pm.

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.

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

In Person:

1. Ian Berkefeld - Plenty Hall Committee
2. Helen Zull
3. Hayden Rujaj (accompanied by mum Paula) - Hayden's Helping Hands
4. Kerry Fitzmaurice - Plenty Historical Society
5. Mark Gravell – CFA District 14 Headquarters Brigade East

Chairperson read on behalf of:

6. Briony Jones
7. Bruce Woodhouse
8. Linda Box

Planning and Consultation Committee Minutes

16 November 2021

6. Consultation Matters

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

Committee Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Natalie Duffy

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*.

CARRIED

Cr Stockman returned to the meeting at the conclusion of the above item at 10:17pm.

Planning and Consultation Committee Meeting Minutes

16 November 2021

7. Supplementary and urgent business

Nil

8. Confidential reports

Nil

9. Close of Meeting

The meeting closed at 10:17pm.

Confirmed: _____
Cr _____, Chairperson

COM.001/22 Confirmation of Minutes Planning and Consultation Committee Meeting held Tuesday 16 November 2021
Attachment 1. Minutes of the Planning and Consultation Committee Meeting held 16 November 2021

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Draft Climate Action Plan 2022-2032



Acknowledgement of Country

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and Custodians of the Country on which Nillumbik is located. We pay respect to Elders past, present and emerging; and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-Wurrung and acknowledge that sovereignty was never ceded.

Wurundjeri Woi-Wurrung people hold a deep and ongoing connection to this place. We value the contribution their Care for Country makes to the lands, waterways, plants, wildlife and people of the Shire of Nillumbik; acknowledge their beliefs, customs and values; and are committed to collaborating around how we think, work and act in relation to climate change and caring for our environment.

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Acknowledgement of Climate Emergency

As a Green Wedge Shire, Nillumbik Council is acutely aware of the multiple threats facing all communities and ecosystems as a result of climate change. This requires urgent action by all levels of government, including local government.

Council therefore **Acknowledges a Climate Emergency**, commits to a climate emergency response, and will proactively integrate climate change mitigation and adaptation into all Council actions.

Message from the Mayor and CEO

Late last year we invited community input to help inform the development of this draft Climate Action Plan.

Since then a lot of thought has gone into the development of the Plan and we are committed to embedding climate action within our business as usual.

Council has proposed to Acknowledge a Climate Emergency and has identified seven key areas of proactive climate action to focus on over the next decade.

We look forward to considering the community feedback provided on this draft. Details on how to let us know what you think are provided on our Participate Nillumbik website.



Image: Youth volunteers learning about climate change impacts on Nillumbik's natural environment

1. Introduction

Why Council has a Climate Action Plan

The science is clear. Climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.

The Victorian government has identified climate change as one of the biggest threats to the future of the state; with warmer and drier conditions projected to have negative consequences for health, infrastructure, agriculture, water and biodiversity. The projected impacts of climate change cut across almost all areas of local government responsibility.

In response, legislation is strengthening. This has included the introduction of the *Climate Change Act 2017* and the *Local Government Act 2020* which require decision makers to have regard to climate change.

Through the Climate Change Act, Victoria also recognises and supports the 2015 Paris Agreement on climate change in which the international community committed to “holding the increase in average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C”; and responds to Goal 13 of the United Nations Sustainable Development Goals: “Take urgent action to combat climate change and its impacts”.

Local government has a pivotal role to play in helping to curb emissions to achieve this international commitment; and in preparing for climate impacts. We need to think global and act local.

As further mandates, Nillumbik's community has overwhelmingly told us that local climate 'mitigation' and 'adaptation' action is needed; and Council's insurer has provided advice that the risk of matters such as fire and flood need to be addressed.

Nillumbik Shire Council is committed to working actively and collaboratively to help address the climate change emergency.



Image: Emergency services and Council 'Working together' exercise, testing equipment and training

What this Climate Action Plan will focus on achieving

This Plan provides the pathway for Council climate action over the next decade.

Our climate action will be twofold:

- **Mitigation** - We will proactively reduce Council's direct contribution to climate change; and we will support our community to do likewise
- **Adaptation** - We will proactively prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services; and we will support our community to do likewise.

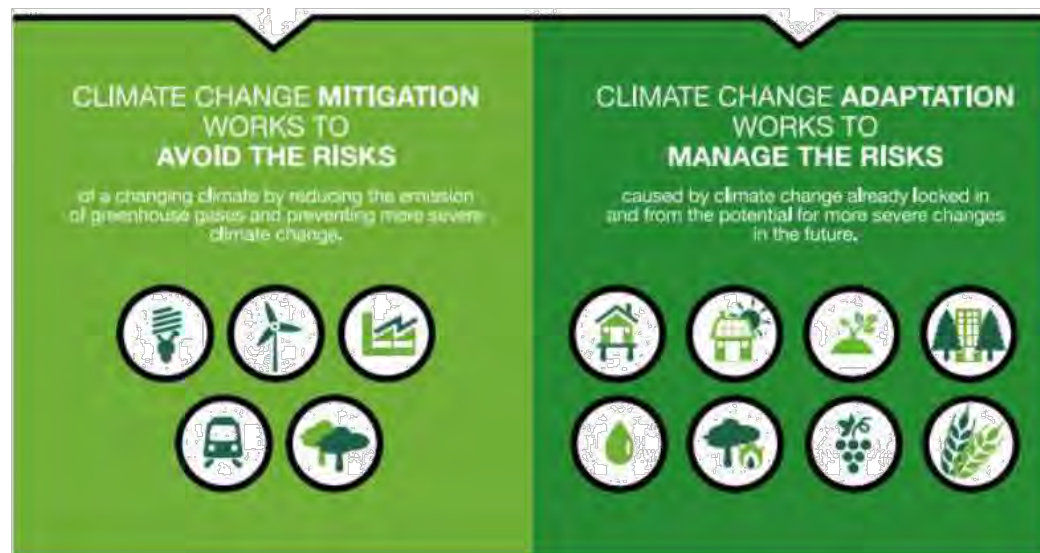
We'll do this through a culture of action, innovation, collaboration and support

We'll focus on achieving:

1. Strong climate action leadership and culture
2. A climate resilient, adaptive and safe community
3. A climate resilient natural environment
4. Climate responsive Council services, facilities/buildings and infrastructure
5. Council and community zero emissions energy use
6. Sustainable transport
7. A zero waste and circular economy

This Plan specifies the strategic objectives and associated actions that will help get us there. An accompanying, regularly updated, Implementation Plan will drill down further.

Managing a changing climate requires a dual approach¹



¹ National Climate Resilience and Adaptation Strategy

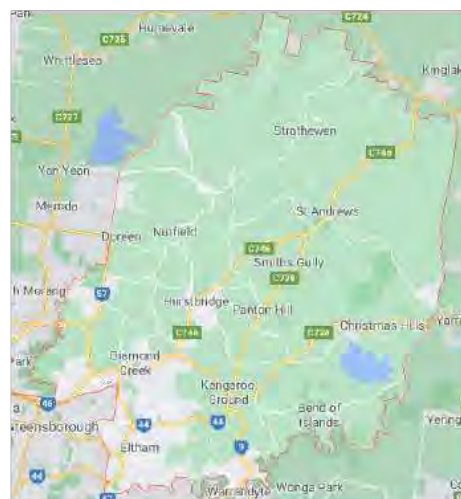


Background to the Shire of Nillumbik

The area that now comprises the Shire of Nillumbik was inhabited for thousands of years by the Wurundjeri-willam clan of the Woiwurrung speaking people.

Known as 'the Green Wedge Shire', Nillumbik has a population of around 65,000 people and is 432km² in size; 91% of which is outside the urban growth boundary. As such, this Plan considers climate action in urban and rural contexts.

The Shire is located in Melbourne's outer north-eastern suburbs, approximately 25km from the city, extending out as far as Kinglake National Park. It comprises a collection of suburbs, townships and villages - each with its own unique identity and heritage; limited industry; and a unique rural environment that is highly valued for its biodiversity, bushland, natural beauty, visitor experiences, agriculture, grazing land, rural living and open space.



2. Climate Action in Nillumbik, the story so far

Climate Action by the State Government

The Victorian government is taking the lead role in securing Victoria's (and Nillumbik's) net-zero emissions future and building resilient communities prepared to deal with the impacts of climate change.

The *Victorian Climate Change Strategy 2021* was released on the basis that our climate is changing and we must act now. The State's overarching target of net-zero emissions by 2050 is law. The Strategy sets out the steps to achieve that target, and includes interim-targets to cut Victoria's emissions by 28-33 per cent by 2025 and 45-50 per cent by 2030.

Achieving these interim targets, and – ultimately net-zero emissions – will require action across all sectors of the economy by governments, businesses and the community. To help meet these targets, the Victorian Government has prepared corporate (i.e. state government operations), energy, land use, agricultural, waste, industry, and transport emissions reduction pledges and associated supports.

Adaptation Action Plans are also being prepared to build Victoria's climate resilience in primary production, the built environment, education and training, health and human services, the natural environment and the water cycle. They seek to improve our understanding of risks and vulnerabilities, support climate-adapted decision making, lay the foundation for transformational change, and reduce barriers to action.

Climate Action by Council

This Plan builds upon a platform of action that Council has already undertaken. Our first Climate Plan was endorsed in 2010, and our second in 2015. It also builds upon the action that the Nillumbik community is taking.

We have invested in supporting Council operations and our community to plan for, respond and adapt to climate impacts. Planning to reduce the risks of bushfire is a priority, along with responding to localised flooding and the impacts of drought and heat.

We have also increased our renewable energy capacity and eco-friendly purchasing focus, and we have implemented a wide variety of actions to help reduce Council's energy and water use and reduce greenhouse gas emissions. A summary is provided in Appendix A. For example:

- We reduced our total corporate emissions by 12.9% (from 2012 levels) between 2016 and 2020 - even while extending Council buildings which, of course, create extra energy use; and
- We won a national innovation award for our solar and off-grid battery at Diamond Creek Community Stadium which enables the venue to be self-sufficiently powered if grid-power goes down whilst in use as an emergency relief centre.

Our 2019 corporate emissions profile is also provided in Appendix A. The emissions from Council operations represent around **one per cent** of Nillumbik greenhouse gas emissions. The remaining 99 per cent of emissions are produced within our community.

To help support our community with their climate mitigation, resilience and adaptation, Council has been an active member of organisations such as the Northern Alliance for Greenhouse Action and the Cities Power Partnership; and we have supported community action, including through the work of Clean Energy Nillumbik.

We have increasingly focused on leading by example; advocacy around climate action; and providing our community with access to energy-efficiency advice, education and programs.

Details of our full range of climate action partnerships, actions and outcomes are provided on Council's [website](#), and are regularly updated.

Whilst much has been done, there is more to focus on over the coming years.

Climate Action in the community

The Nillumbik community, young and old, is skilled and well placed to lead localised action on climate change.

Various climate action and emergency community groups have formed. Through advocacy, lobbying and communication they encourage the community and all levels of government to take urgent climate action and are forums for like-minded individuals to collaborate. For example:

- The Nillumbik Climate Emergency Action Team submitted a petition to the June 2021 Nillumbik Council Meeting, containing 1,846 signatures, requesting that Council declare a state of Climate Emergency, supported by a climate emergency response.
- Clean Energy Nillumbik has a renewable electricity vision and has delivered a bulk purchase program, participatory education campaigns, neighbourhood-scale battery research and more to help achieve that vision.
- Community led initiatives such as Sustainable House Day, opportunities to 'speed-date' sustainability experts, community food gardens, food swaps, carbon-offset Eltham Farmers Market, climate crisis public forums and electric vehicle displays are amplifying climate action reach.

Over recent years, the Nillumbik community has increased its uptake of rooftop solar panels, is consistently minimising waste to landfill by actively separating waste, and is walking, riding or using public transport where possible.

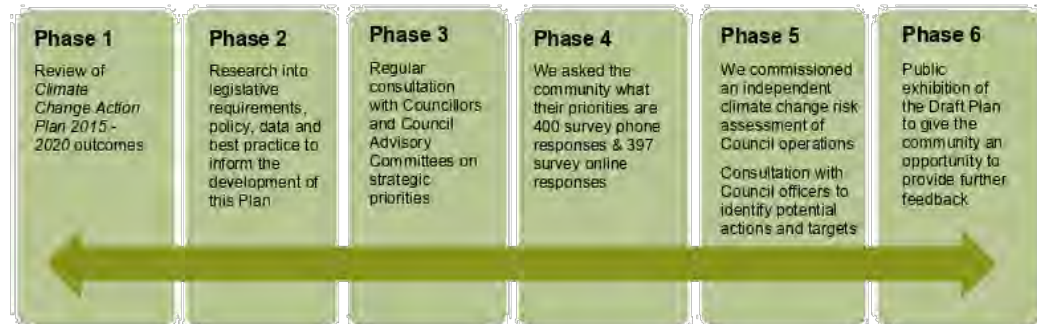
Information is provided in **Appendix A** which depicts a 2020/21 baseline overview of climate actions that the Nillumbik community are undertaking at the household level; and what, as at the launch of this Plan, our Community emissions profile is.

Council is doing what it can to support community action, alongside the work of interest groups, community groups, educators, businesses and individuals who are the community champions for climate action.

Again, whilst much has already been done, there is more that the community can lead or get involved in, often with government support, to help meet a Nillumbik community net zero emissions target by 2035; and to continuously enhance resilience to climate change impacts.

3. The steps taken to develop this Climate Action Plan

There were six phases to the development of this draft Climate Action Plan.



Considering community views - Hundreds of voices

Obtaining community input was important. Council sought to understand the opinions and priorities of the general community and also of thought-leaders, i.e., those passionate about climate change, as advocates and as sceptics.

This information helped to inform the goals, targets and focus areas of this Plan.

We thank the 797 people who completed a climate action telephone or online survey. A copy of the survey methodology and results is available on Council's website.

We also thank the people who specified their climate concerns and aspirations during the development of this Plan through the broader 'Our People, Our Place, Our Future' consultation to inform the development of the *Nilumbik 2040 Community Vision* and the *2021-25 Council Plan* and *Health and Wellbeing Plan*; and the 'Young Minds: Your Voice, Our Future' consultation.

Traditional owners Wurundjeri Woi-Wurrung; and Council's formal Environment and Sustainability Advisory Committee, Public Health and Wellbeing Advisory Committee, Healthy Aging Advisory Committee and Youth Council were consulted, and conversations held with local climate groups.

The key messages arising from the climate action survey included:

- There is overwhelming support for Council to have mitigation targets, and to align them with Victorian government targets, i.e. net zero emissions for Council operations by (or before) 2030 and net zero community emissions by (or before) 2050.
- 90% expressed some level of concern about climate change
- 82% think Council should consider climate change in their decisions.
- Council should focus on, and resource, both mitigating the causes of climate change and adapting to the consequences of climate change.
- Fire is the biggest effect of climate change that the community is concerned about
- The top ten priorities of the community for Council's climate action to focus on are listed overleaf
- A sample of quotes obtained via the consultation is provided on the back page.

The six effects of climate change that the community are most concerned about are:



Top ten climate change priorities for Council to focus on



Source: Nillumbik Climate Action Plan consultation survey results, sample of 400 statistically representative households, 2020

Considering climate change risks

Understanding the key physical, transition and liability climate risks to Council's operations and services is important.

A physical climate change risk assessment was undertaken for Council by our insurance broker, in consultation with Council officers, to help inform the development of this Plan.

The risk assessment considered climate change scenarios, existing controls, their suitability, gaps, likelihood of impact, consequence and what additional adaptation needs to be prioritised. The 2050 scenarios considered²:

- Increasing number of hot days (above 35°C) – additional 14 to 16 days per year
- Increasing annual maximum average temperature – by 1.6°C to 1.9°C
- Decreasing rainfall – by 6% to 8%
- Increasing frequency and intensity of rainfall events
- Increasing number of fire weather days – additional 7.7 days per year

Ongoing assessments will need to be undertaken of physical risks, and assessments of transition and liability risks will also be required.

Risk assessment findings will be used to help identify and inform Climate Action Plan initiatives and implementation.



Image: Council officers at work

² Victoria's Climate Science Report 2019, Greater Melbourne Projections

4. We're taking the Climate Emergency seriously – What we will do

Nillumbik Shire Council takes its climate emergency acknowledgement seriously, and is committed to working actively and collaboratively to address climate change.

A challenge is to identify priority areas for action that will deliver community benefits that Council is able to resource.

This Plan has been developed under the guidance of the following principles:

- Council accepts climate science and recognises climate change as a foreseeable risk.
- Council has diverse roles in responding to the challenge of climate change so we've created a whole-of-Council proactive climate response.
- Climate action decision-making needs to be dynamic and responsive to innovation opportunities.
- Key implementation actions will be reviewed biennially, will help inform Council planning and resourcing considerations, and will inform and be subject to annual Council Plan and Budget processes.

Our goals and targets

We have three overarching goals that will guide Council's investment and focus:

	Goal 1 - Council Mitigation: Reduce Council's direct contribution to climate change <i>Target of net zero emissions by 2030</i>
	Goal 2- Council Adaptation: Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.
	Goal 3 - Community Mitigation & Adaptation: Support our community to reduce their contributions to climate change and to adapt and be resilient to climate change risks and impacts <i>Target of net zero emissions by 2035</i>

We've set an ambitious community climate mitigation target because we believe our community will be leaders in climate-action, just as they've been leaders in environment-action for a long time.

Each of these goals is considered within our seven focus areas in Table 1, and will be supported by objectives and strategies that will be:










- achieved via the delivery of specific implementation actions
- tracked against targets and indicators
- assessed in terms of outcomes achieved

Our indicators

We've included indicators that we are confident that we can currently collect data on and measure. Some of them have associated targets. They'll help track our progress in achieving the goals and objectives of the Climate Action Plan.

Over the life of the Plan, as improved and more cost effective data collection options become available, we'll be able to review and update them.

Table 1: Focus Areas for Climate Action

Focus Area 1: Strong climate action leadership and culture				
Council has Acknowledged a Climate Emergency and commits to lead by example by carrying out our work in the deliberate context of implementing regular and ongoing climate action; and to support our community to prioritise climate action.				
Objective	Goal 1	Goal 2	Goal 3	Strategies
1.1 To lead by example				Publicly Acknowledge a Climate Emergency Demonstrate climate action leadership through proactive Council action to achieve net zero emissions and to build climate resilience (i.e. implementation of this Plan)
1.2 To consider climate impact in day-to-day operations and when making Council decisions				Embed delivery of the Climate Action Plan within the CEO's contract / performance plan Support and encourage all Council staff to be engaged in undertaking or supporting climate action within their roles Leverage relationships with organisations and groups to keep abreast of best practice climate action and opportunities for continuous improvement Embed consideration of climate risks, impacts, mitigation and adaptation opportunities into Council's key governance documents and decision-making processes; and into new Council policies, strategies and plans Prioritise and plan for climate action that will achieve the greatest emissions reductions.
1.3 To collaborate and advocate for climate action by state and federal government that will support the Nillumbik and broader community and environment				Collaborate and advocate for broad and urgent climate action by all levels of government to reduce and respond to climate change Collaborate and advocate for climate action opportunities that will support the Nillumbik community to participate in, and contribute to, climate action; and respond to climate change
Indicator: <ul style="list-style-type: none"> Annual percentage of department business plans that include climate actions. (Target – increasing) 				

Focus Area 2. Having a climate resilient, adaptive and safe community






The direct and indirect physical and mental impacts of climate change on health and wellbeing can be considerable. Actions delivered through this Plan and through Council's Health and Wellbeing Plan seek to deliver health co-benefits for our community - including building community resilience, planning for and reducing the impact of extreme weather events, supporting vulnerable community members, strengthening food systems, and reducing carbon emissions and waste.

Climate change impacts can also affect community economic wellbeing and resilience, including for example the costs of mitigation, adaptation and recovery, including insurability.

"Victoria is already seeing direct and indirect health and wellbeing impacts associate with events such as floods, fires and heatwaves, which are occurring with greater frequency and intensity due to climate change. Without urgent action from all levels of society to mitigate and adapt to climate change it is evident that the health, safety and wellbeing of Victorians, particularly those most vulnerable, is at risk now and into the future"³.

Council will continuously explore opportunities, including working in partnership with others, to encourage and support the Nillumbik community to be engaged and climate-action active, adaptive and resilient – to help keep our community safe and healthy.





Our partners and community stakeholders will regularly evolve and are likely to include cohorts such as residents/land owners, youth, community groups, businesses, health and wellbeing organisations and emergency services.




Objective	Goal 1	Goal 2	Goal 3	Strategies
2.1 To have an engaged community that is climate-action active				<p>Support community awareness of the importance of taking climate action and of opportunities for action</p> <p>Build the capacity of community stakeholders to lead and deliver climate action initiatives</p> <p>Support and participate in collaborative mitigation and adaptation opportunities across the Shire</p> <p>Support the community to be prepared for and resilient to climate change impacts - including an increase in the number of extreme heat, fire weather and high rainfall days; and a decrease in overall rainfall</p> <p>Celebrate, promote and share community climate-action achievements</p>
2.2 To support the community to be bushfire-prepared				<p>Work in partnership with the CFA and other stakeholders to support the Nillumbik community to prepare their property for a potential bushfire and to have a fire safety survival plan in place</p>
2.3 To plan for the health impacts of extreme weather events				<p>Implement the Municipal Health and Wellbeing Plan</p> <p>Engage with the community to raise awareness of the impacts of climate change on health, and actions that can be taken to help stay healthy and well in a changing climate.</p>

Indicator:

- Health and Wellbeing indicators related to climate-action will be developed as part of the Health and Wellbeing Plan

³ Victorian Department of Health and Human Services, 2020, Tackling climate change impacts on health, Municipal Public Health and Wellbeing Plan guidance

Focus Area 3: Having a climate-resilient natural environment				
<p>Nillumbik is home to a rich and varied natural environment, however the current and projected rate and magnitude of climate change is challenging its natural adaptive capacity. Ongoing work is required to understand thresholds before tipping points are reached, beyond which irreversible changes to ecosystems occur, and what can be done to help prevent or adapt to such changes in Nillumbik.</p> <p>Climate change also exacerbates other 'threatening processes' such as invasive species numbers and distribution, disease and pathogens, and other agents of change – which can interact with direct climate impacts to undermine the resilience of our natural environment. As such approaches to resilience that incorporate broad thinking about environmental change are most likely to contribute to positive outcomes; and require urgent focused attention.</p> <p>Nillumbik's green wedge and its vegetated urban environment both present opportunities for deliberate action to act as a carbon-sink to help sequester emissions (i.e. absorb and store carbon dioxide from the atmosphere) and thus help to limit climate change – whilst at the same time helping to reduce urban heat-island impacts, provide habitat, and provide climate resilient food systems.</p>				
Objective	Goal 1	Goal 2	Goal 3	Strategies
3.1 To protect and enhance our natural environment				<p>Investigate and support collaborative mitigation and adaptation opportunities that help to:</p> <ul style="list-style-type: none"> Protect and enhance biodiversity (e.g. protect wildlife corridors, enhance the diversity of native vegetation cover, protect threatened species) Respond to invasive species Reduce the likelihood and impacts of bushfire Sequester carbon Conserve soil moisture and optimise soil functionality Conserve and maximise beneficial use of water <p>Plan for the increasing risk of bushfire by managing Council's roadside and bush reserves; and engaging with the community to reduce the risk of bushfire</p>
3.2 To have climate resilient food systems				<p>Encourage Sustainable Agriculture</p> <p>Identify opportunities to enhance the local food system</p> <p>Promote and support public and home based food growing</p>
<p>Indicators:</p> <ul style="list-style-type: none"> Number of hectares of vegetation coverage – frequency of survey every four years - 2024, 2028 Number of properties supported through Council delivered rate relief/incentive schemes/other programs, on which private landholders are participating in sustainable agriculture, food growing and/or biodiversity stewardship Number of organisations (including Traditional Owners) collaborating with Council to protect and enhance our natural environment 				

Focus Area 4: Having climate responsive Council services, facilities, buildings and infrastructure				
<p>Council provides a wide variety of services for the people and environment of the Shire of Nillumbik. We need to be prepared to ensure that we can continue to deliver services such as waste management, animal management, health services, local laws, planning and building services, emergency management, road management, and community services - without being majorly impacted by the changing climate or extreme weather events.</p> <p>We are responsible for community infrastructure including local roads and roadsides, bridges, drains, council buildings, libraries, recreation and leisure facilities, Council bushland reserves, parks, playgrounds and gardens; and we are responsible for considering climate risks and making sure that this infrastructure is built and maintained in a fashion that will be useable as the climate changes.</p>				
Objective	Goal 1	Goal 2	Goal 3	Strategies
4.1 To enable continuity of Council service delivery in a changing climate and in the event of a natural disaster/ emergency				<p>Reduce the risks from climate change impacts on the delivery of Council services</p> <p>Consider whether additional or modified services may be required to support community safety and wellbeing in a changing climate</p>
<p>4.2 To have Council infrastructure and facilities that are appropriate in a changing climate</p> <p>(i.e. roads, footpaths, drainage, buildings, facilities, open space, parks)</p>				<p>Reduce the risks from climate change impacts on the ability to use council facilities and infrastructure</p> <p>Reduce the risks from climate change impacts on the functionality of council infrastructure</p> <p>Consider climate resilient outcomes in the construction, renewal and maintenance of Council assets</p>
<p>Indicators:</p> <ul style="list-style-type: none"> Number of Council facilities where we have delivered climate efficiency projects and programs 				






Focus Area 5: Achieving Council and community zero emissions energy use				
<p>Council will work with, and alongside, other levels of government, interest groups, residents and businesses to help explore local emissions-reduction and carbon sequestration opportunities that will contribute towards achieving our target of the Nillumbik community being carbon neutral by 2035. This will include consideration of how to:</p> <ul style="list-style-type: none"> encourage the community to maximise energy efficiency and reduce energy consumption encourage implementation of Environmentally Sustainable Design (ESD) encourage and support the community to transition to renewable energy encourage carbon sequestration advocate for and leverage off government programs and incentives <p>We will also lead by example by prioritising the reduction of our own emissions. A Zero Emissions roadmap will guide a staged approach to achieving the target of council operations being carbon neutral by 2030.</p> <p>When selecting energy-efficiency and emissions-reduction Council projects, priority will be given to projects which will deliver substantial emissions reductions - along with consideration of whether they:</p> <ul style="list-style-type: none"> Are under the control of Council Focus on reductions from the greatest remaining emissions sources Can return benefits to Council or the Nillumbik community Deliver a strong return on investment Improve comfort and thermal performance of buildings Enhance safety Reduce reliance on grid supply Use proven technologies to deliver outcomes Incorporate best available technologies Achieve the strategic objectives of Council <p>Areas of opportunity include renewable energy, batteries, transitioning away from gas, zero-emissions buildings and machinery, energy-efficiency, charging facilities, lighting, micro-grids and other emerging sectors and technologies; all within the context of maintaining delivery of Council services. This will include the construction of a solar farm that will supply 100% renewable electricity for Council operations with scope to explore community access; and will build upon previous renewable energy gains.</p>				
Objective	Goal 1	Goal 2	Goal 3	Strategies
5.1 To reduce / eliminate Nillumbik community carbon emissions from homes, businesses and buildings				<p>Participate in collaborative mitigation opportunities across the Shire</p> <p>Deliver local initiatives, including education, that will assist the community to increase energy efficiency and reduce carbon emissions</p> <p>Support the community to incorporate ESD principles in new developments and retrofits</p> <p>Support and amplify 'state and federal led' and 'community and business led' zero-emissions initiatives</p>
5.2 To reduce / eliminate carbon emissions from Council assets and operations (i.e. buildings, facilities, street lighting and procurement)				<p>Increase the energy efficiency of Council assets and operations</p> <p>Maximise efficient use of clean, renewable energy. Plan for this by implementing and regularly reviewing a staged Zero Emissions roadmap for Council operations.</p> <p>Conduct annual corporate emissions accounting</p>

Indicators:

- Volume of annual greenhouse gas emissions emitted within the Shire of Nillumbik. Target of net-zero emissions by 2035. (Source: Ironbark snapshot)
- Volume of annual greenhouse gas emissions emitted by Council facilities and operations. Target of Net-zero emissions by 2030
- Percentage of Council's stationary energy use (i.e. building energy use) that is supplied via a renewable energy source. Target of 100 per cent by 2030



Image: Solar panels on the roof of the Nillumbik Civic Centre and its fleet carport


Focus Area 6: Enhancing sustainable transport				
<p>Travelling by public transport, driving a zero-emissions vehicle, car-pooling, walking and cycling reduces the emission of greenhouse gases which contribute to climate change.</p> <p>Council wants to help make it safer and easier for the Nillumbik community to choose to travel sustainably; and will continue to look at how we can support our own workforce to reduce travel related emissions.</p>				
Objective	Goal 1	Goal 2	Goal 3	Strategies
6.1 To avoid transport emissions				<p>Identify opportunities to design Council services so that they can be accessed by the community remotely / from home</p> <p>Design Council works and services to optimise fleet use and reduce associated transport emissions</p> <p>Identify opportunities to support a reduction of Council workforce travel-related emissions</p>
6.2 To improve public transport, vehicle-share, walking and cycling options				<p>Design, construct and enhance public spaces/ activity centres that promote walking, cycling and public transport</p> <p>Prioritise opportunities, and advocate for funding, to enhance public transport, walking and cycling connections within and to/from the Shire</p>
6.3 To transition to zero-emissions vehicle use within Nillumbik				<p>Transition Council's light and heavy fleet to be zero-emissions</p> <p>Monitor emerging zero-emissions transport technology</p> <p>Support the distribution of public electric vehicle charging stations across the Shire</p>
<p>Indicators:</p> <ul style="list-style-type: none"> Volume of greenhouse gas emissions emitted by Council fleet vehicles. Target of 100% zero emissions Council light and heavy fleet by 2030 Volume of greenhouse gas emissions emitted by vehicles within Nillumbik. Target of 100% zero-emissions transportation by 2035 (source: Ironbark snapshot) 				



Focus Area 7: Achieving a zero waste and circular economy

Reducing waste and recycling more benefits our community, the economy and the environment. The circular economy model goes beyond just reducing waste and recycling and looks at ways to design products as well as reuse and repair materials to get the highest value from the resources we use. This helps to reduce the energy used in the manufacturing process.

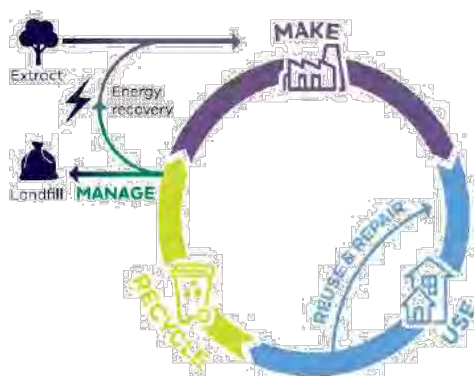
Council will provide waste services that promote circular economy principles. We'll support the community to avoid generating waste and to have opportunities for product repair and reuse. For unwanted materials, Council's waste collection and drop-off services will send materials back into industry to make new products or to generate power.

Objective	Goal 1	Goal 2	Goal 3	Strategies
7.1 To reduce emissions from waste				<p>Reduce the amount of waste that goes to landfill</p> <p>Support the community to avoid and reduce waste generation through discouraging single-use and promoting repair, reuse and recycling</p> <p>Maximise source separation of waste and minimise contamination to produce clean material streams for remanufacture</p> <p>Recover materials from the waste stream for the highest and best use</p>
7.2 To prioritise sustainable purchasing and use of recovered resources				<p>Transition council operations to using low or zero emissions products</p> <p>Embed sustainable purchasing guidelines within Council's purchasing / supply chain systems</p>

Current Indicators:

- Annual percentage of kerbside waste that is diverted from landfill. Target of 80 per cent
- Reduce waste by 15 per cent per person by 2030
- Percentage of recycled content used in new Council capital works projects. Target of 15 per cent recycled content in all new capital works projects by 2026 and 30 per cent by 2030

Resource flows in a circular economy⁴



⁴ DELWP 2020 Recycling Victoria: A new economy

5. Climate Action Plan Implementation

Implementation of the Plan

The work of the Climate Action Plan will be embedded into Council's business as usual.

An Implementation Plan that specifies key climate action initiatives will be prepared every two years. These key climate initiatives will be considered in Council's annual budget process.

How we'll review and report on progress

Evaluation will enable Council to measure its effectiveness in delivering and supporting ongoing positive climate action.

Outcome evaluation - Are the goals of the Plan being achieved? We'll consider our targets, indicators and specific initiative outcomes.

Progress evaluation - Have we done what we said we would?

Over the life of the Plan indicators and targets will be reviewed and updated where we have improved data collection and where we identify that we can achieve more.

We will also engage with the community at least twice to check in on the Plan and whether you think its implementation initiatives and outcomes are heading in the right direction and to consider your suggestions. And we will work closely with our relevant Advisory Committees on an ongoing basis.

An annual update will be provided to Councillors and a summary will be placed on our website and in Council's Annual Report. It will track progress and outcomes within each of our focus areas, and against indicators and targets.

Continuous improvement

This cycle of regular tracking and review will enable us to:

- Reflect on challenges and progress
- Consider emerging climate change factors, innovation, collaboration and opportunities
- Program timely climate action via our biennial Implementation Plans
- Embed continuous improvement climate action within our processes, services, operations, facilities and community interactions.

APPENDIX A – Baseline information on climate action and emissions

When this (draft) Plan was released considerable action had already been undertaken to reduce Council and community emissions. This appendix provides high level data on where we were at, at that point in time, for comparison purposes over the life of the Climate Action Plan.

A1 Council emissions and climate actions

This is a snapshot profile of emissions associated with Council facilities and operations in 2019.

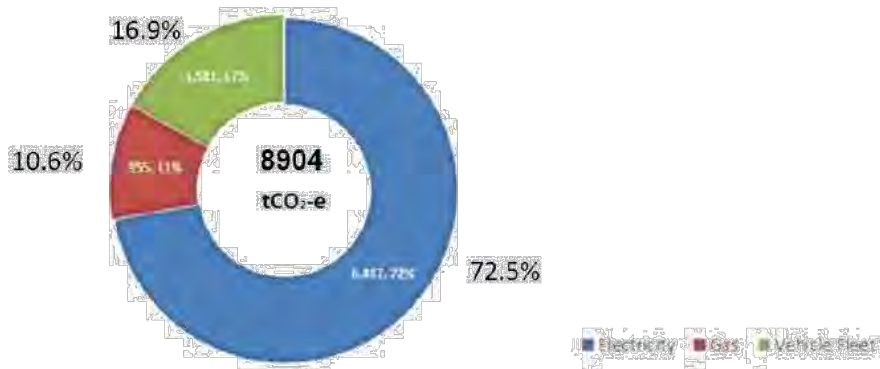


Table 2 below lists some of the climate action achievements reached before the action directed by this Plan commenced. Updates will continue to be provided on our website and will be broadened to include more adaptation updates.

Table 2 – Examples of Council climate action already undertaken prior to 2022

- As a member of the national Cities Power Partnership, Council pledged to:
 - Use council resources to support the uptake of renewable energy
 - Install renewable energy (solar PV and battery storage) on council buildings
 - Investigate opening up unused council managed land for renewable energy
 - Roll out energy efficient lighting across the municipality
 - Support local community energy groups with their community energy initiatives
- We were partnering with the Australian Energy Foundation to provide our community with free, on-demand and tailored, energy efficiency and renewable energy advice
- Solar electricity systems at 46 council facilities, totalling 900kW with an estimated annual generation of 680 Megawatt hours
- Tender awarded to progress the solar farm development on the former Plenty landfill site to supply all grid-based electricity needs for council operations and provide a carbon offset opportunity for council's residual carbon emissions
- Solar hot water systems at 16 facilities
- Energy efficient lighting
- Double glazing at seven facilities, including Eltham Library, and enerlogic window film installed at five facilities
- Program of replacing inefficient heating and cooling with more efficient electric options
- Audits of hot water systems across 30 facilities; water conservation and irrigation audits across all facilities; and audits of building energy and water across 50 facilities - including sports pavilions, community centres, Living and Learning venues, leisure centres and early years centres to inform future works
- Electric vehicle chargers at three council facility locations for community use (Community Bank Stadium in Diamond Creek, Eltham Leisure Centre and Diamond Valley Sports and Fitness Centre)

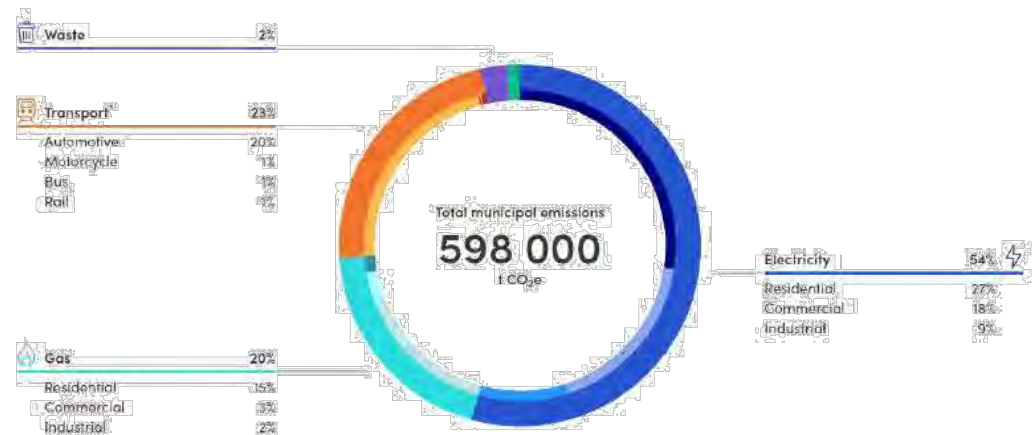
- Electric vehicle chargers at two locations, specifically for council fleet use
- Roll-out of energy efficient laptop computers for staff, energy efficient printers and promotion of a paperless workplace – led to reduction in energy usage by office equipment of 40 per cent and paper consumption by 50 per cent
- Office paper is 100 per cent recycled content
- Policy of phasing out single use plastics ahead of 2023 ban
- Inclusion of sustainability initiatives into new builds
- 101 rain tanks at council facilities with capacity of 923,000 litres
- Water aerators, flow restrictors and dual flush toilet systems at all council owned facilities
- Rain sensors and an electronic irrigation system at Edendale Farm and Civic Drive office
- Use of indigenous plant species and warm season grasses in new park and roadside reserve plantings, including planning of drought tolerant warm season grasses at 15 sports grounds
- Five wetlands, three swales and three rain gardens
- Rainbird IQ sportsground irrigation system which tracks water usage and enables irrigation to be turned off remotely when rain is forecast
- Emergency management preparation, recovery and resilience works



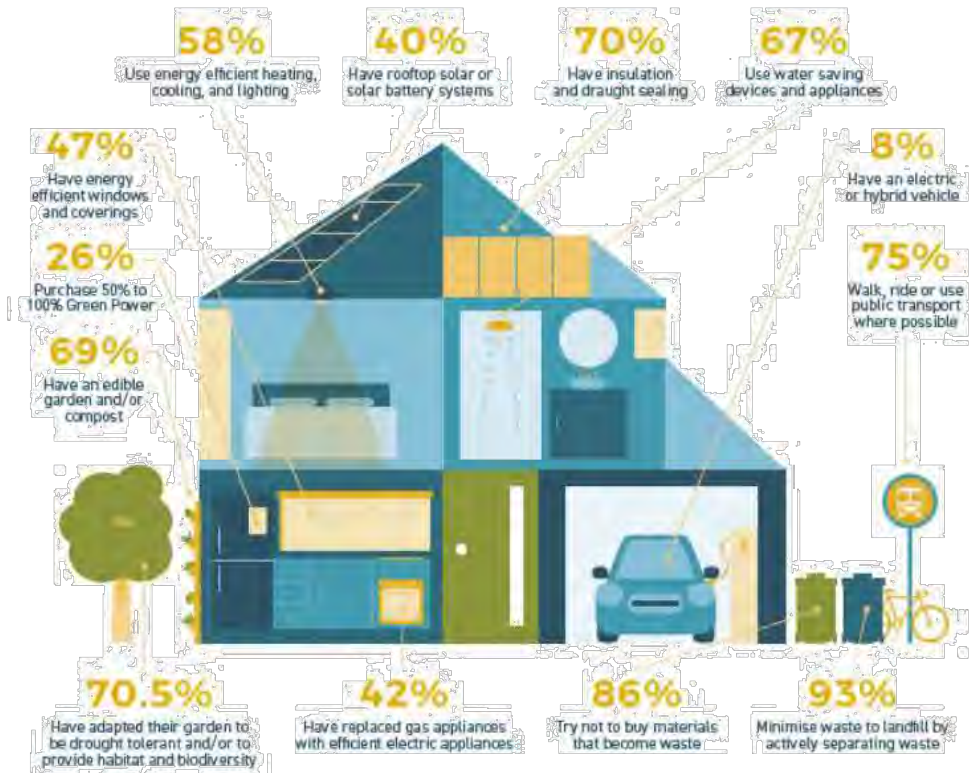
Image: Community climate action: A local community food swap

A2 Community emissions and residential climate actions

This is a snapshot profile⁵ of Nillumbik community emissions in 2019, the most up to date dataset available at the time of preparing this document. It indicates that our major emissions source is electricity consumption, with the majority of this coming from residential electricity consumption.



The below image depicts the types of residential climate actions being undertaken in Nillumbik⁶.



⁵ Ironbark Sustainability Snapshot – 2019 Nillumbik Community Profile, sourced July 2021
⁶ Nillumbik Climate Action Plan community survey, 400 statistically representative random households, December 2020

Glossary

Carbon - (Carbon dioxide CO₂) is a greenhouse gas. It traps heat within the atmosphere, which causes the surface of the earth to heat up and associated climate change.

Carbon emissions:

- You're **carbon neutral** if the amount of carbon emissions your home, business or community puts into the atmosphere (through energy use or agriculture for example) is the same as the amount that you remove from the atmosphere (through trees and soils or producing renewable energy, for example). Your impact is neutral.
- **Net zero emissions** is broadly the same as being carbon neutral. Emissions are still being generated but they're offset by the same amount elsewhere. The 'net total' of emissions is then zero.
- **Carbon negative** is a step up and is the same as being '**climate positive**'. It means that the amount of carbon emissions you remove from the atmosphere is bigger than the amount that you put into the atmosphere. Your impact is positive.

Carbon sequestration - The process of removing carbon from the atmosphere by storing it, for example, in plants, soils and oceans.

Circular economy⁷ - A process that allows us to avoid waste through good design and effective recovery of materials that can be reused. It seeks to reduce the environmental impacts of production and consumption and encourage intense and efficient product use; transforming our linear economy mindset - take, use and throw away - and fostering innovation and productivity that invigorates existing businesses and creates new ones.

Climate change - A change in the pattern of weather (e.g. temperature, wind and rainfall), and the related changes on land and in oceans, occurring over time. These changes in weather patterns increase the occurrence, severity and distribution of events such as drought, flooding, heatwaves, bushfire and rising sea levels.

Climate change adaptation⁸ - Action taken to reduce the adverse consequences of climate change or to harness opportunities. Investing in climate change adaptation:

- Helps us to avoid future costs by building resilience now into our environments, our economy and society.
- Protects plants, animals and communities - particularly those most vulnerable to the consequences of climate extremes.
- Supports job creation in emerging and evolving industries.

Climate change mitigation - Action taken to reduce emissions of carbon / greenhouse gases that cause climate change.

Climate Emergency - There is no single definition of a climate emergency, but the use of the word 'emergency' indicates a clear sense of urgency and a call to action.

Climate resilience - The capacity of individuals, institutions, businesses, communities and systems to adapt, survive and thrive any climate stresses and shocks they may be subjected to.

Greenhouse gases - Carbon dioxide, methane, nitrous oxide and other gases that build up in our atmosphere as a result of human activity such as burning fossil fuels.

Stakeholders - Community stakeholders are people or groups with an interest or concern in something, which in this context is climate change and taking climate action.

Zero emissions roadmap - A strategically planned process of how to achieve a transition to zero emissions.

⁷ DELWP 2020 Recycling Victoria: A new economy

⁸ Victoria's Climate Change Strategy 2020, page 40

What our Community is saying...

"Climate change is causing significant changes to environmental and ecological processes, creating significant changes in weather patterns and related disasters, and creating uncertainty and anxiety for many people about their futures"

"It's impacting our way of life. More extreme weather events, impacts on biodiversity - we need to adapt and change the way we use carbon emitting activities"

"It's the single most defining issue of our generation and will define generations to come"

"It effects every aspect of life, from rainwater, food availability, bushfires and liveability factors"

"It's important but not all consuming. Other aspects of life count as well"

"Rising temperature will make it difficult to grow all varieties of food, to maintain the natural environment and green spaces, and to be able to afford to cool our homes and spend time outdoors"

"I see enormous opportunity for Australia in acting decisively now to address climate change – economically, politically and socially"

"The risk of bushfire is ever present here in Nillumbik. The summers keep getting hotter and as summer approaches we become more aware of the ever-present heat and threat of prolonged drought. This year may be forecast to be different but it is only one year in many"

And that we should:

"Make bushfire mitigation a priority"; "Reduce the risk of bushfires"

"Educate people to make them aware of the dangers of bushfires and the need for measures that ensure our safety"

"Weatherproof parks and playgrounds"

"Provide more bike parking and improve access to amenities by bike and walking"

"Make it easier for us to reduce energy and recycle, reuse and reduce waste"

"Build a solar farm"; "Cover every school, business and Council building with solar panels"

"Facilitate installation of micro-grids to allow neighbours to share electricity and improve grid stability"

"Embrace leadership that puts a greener future at the core"

"Put a stronger focus on community gardens, increasing resilience and educating children on where their food comes from and how it's made"

"Reach beyond those of us who are already engaged in positive change"

"Declare a Climate Emergency"

"Work with Wurundjeri elders in management of the land and fire risk"

"Preserve the natural environment"

"Embrace regenerative farming"




"Plan long term but act now".

Source: Nillumbik Climate Action Plan consultation survey, December 2020 and Nillumbik Our People Our Place Our Future consultation survey, April 2021

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Nillumbik Shire – Climate Action Plan

Consultation Findings Report

Final 17 January 2022





Acknowledgement



Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and Custodians of the Country on which Nillumbik is located. We pay respect to Elders past, present and emerging; and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-Wurrung and acknowledge that sovereignty was never ceded. Wurundjeri Woi-Wurrung people hold a deep and ongoing connection to this place. We value the contribution their Care for Country makes to the lands, waterways, plants, wildlife and people of the Shire of Nillumbik; acknowledge their beliefs, customs and values; and are committed to collaborating around how we think, work and act in relation to climate change and caring for our environment.

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Partners:





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1. Executive summary

ChatterBox Projects was engaged by Nillumbik Shire Council to plan and facilitate online community workshops and undertake the data analysis and reporting of feedback received. The purpose of the community engagement was to gather feedback to assist Council to refine the draft Climate Action Plan (also referred to as CAP/Plan). People who live, work or play in Nillumbik were identified as the target population to engage in this public consultation.

Council's 'Participate Nillumbik' online engagement platform was used to support the consultation from 4 October to 7 November 2021. Community members could provide feedback by completing an online survey, attending a virtual drop-in session and making a written submission. Due to COVID-19 restrictions, the proposed in-person workshops did not proceed.

1.1 Overview of participation profile

As shown in Table 1, the communications and engagement activities were effective in engaging 106 participants.

Table 1. Outline of engagement activities and level of participation

Engagement activity	Number of participants
Online survey (referenced throughout as "OS")	80
4x virtual drop-in sessions (referenced throughout as "V")	15
Submissions (referenced throughout as "S")	11
TOTAL	106

Demographic details were not submitted by or captured for all participants, so the participation profile has been generated based on the characteristics reported by the 80 survey respondents:

- **Gender:** The majority of respondents identify as Female (49 or 61.3%).
- **Age:** Respondents are a variety of ages. All age grouping were represented with the exception of under 15 years and 85 years and over. Persons aged 55 to 64 years were particularly engaged (21 or 26.3%).

Residential suburb: A total of 17 suburbs within the Nillumbik municipality are represented. Many respondents reported living in Eltham (21 or 29.6%). In total, 69 (or 97.2%) of respondents reported suburbs within the Nillumbik municipality.

The relationship that most respondents have is that they live in Nillumbik (from live, work, play or other): The majority report living in Nillumbik (73 or 93.6%) and 3 (or 3.8%) of respondents report working in Nillumbik.





It is noted that:

- Some respondents who indicated they reside within the Nillumbik municipality did not respond to the question enquiring about residential suburb
- 2 online surveys were submitted from the same email account (OS19, OS38)
- 2 online surveys were submitted via the same IP address (OS59, OS70)
- 10 responses providing similar, or the same feedback were submitted (OS3, OS8, OS25, OS37, OS44, OS47, OS58, OS64, S85, S87)

12 Key findings from the analysis of the feedback

Overall, the community feedback received regarding the draft CAP was positive and supportive with a small proportion of opposing views. The proposal to Acknowledge a Climate Emergency and all seven proposed Focus Areas were supported by at least 80% of participants. Although survey respondents were not asked whether they would prefer to Acknowledge or Declare a Climate Emergency; 25 of the 50 respondents who provided personalised feedback as well as many participants in the Virtual drop-in sessions and most Submission feedback commented that a Declaration of Climate Emergency would be stronger and preferable (see Section 4.2). This finding is reinforced in the feedback for Council Acknowledging a Climate Emergency, Focus Area 1 and the general feedback.

Suggestions in 10 or more responses (from Online surveys, Virtual drop-in sessions and Submissions) included:

- Declare rather than Acknowledge a Climate Emergency
- Develop detailed implementation plans (incorporate revised and clear targets and strengthened indicators such as bringing zero-emissions target dates forward)
- Establish a Community Reference Committee
- Move to action urgently
- Ensure accountability, commitment to future Council investment, staffing and resources to support climate action and CAP implementation
- Show strong leadership and change management
- Inform, educate and support the Council organisation with climate emergency
- Inform and educate the community
- Provide support to businesses, households and schools to reduce emissions
- Increase understanding and protection of the natural environment
- Reduce the risk of bushfire
- Partner with environmentally and socially ethical financial institutions and organisations
- Advocate and collaborate for improvements to public transport, active transport options and climate change mitigation





Great things happening now in Nillumbik to mitigate or adapt to climate change

Responses referred to the adoption of solar panels and people generally becoming more aware and taking action.

Support for Council acknowledging a Climate Emergency

The majority of survey respondents (64 or 81.0%) indicated *support* for Council acknowledging a Climate Emergency. Some respondents indicated *Do not support* (12 or 15.6%). Most Virtual drop-in session participants and Submission participants indicated *support*.

Focus Area 1: Strong climate action leadership and culture

The majority of survey respondents (63 or 82.9%) indicated *support* for Focus Area 1. Some respondents indicated *Do not support* (9 or 11.8%). Overall, some participants provided other suggestions including: Develop implementation plans; Ensure accountability and resources for implementation; Declare a Climate Emergency; Establish a Community Reference Committee; Move to action urgently; Show strong leadership and change management; and Inform, educate and support the Council organisation with climate emergency.

Focus Area 2: A climate resilient, adaptive and safe community

The majority of survey respondents (66 or 86.8%) indicated *support* for Focus Area 2. Some respondents indicated *Do not support* (7 or 9.2%). Overall, some participants provided other suggestions including: Inform and educate the community; and Support the community with fire preparation and prevention.

Focus Area 3: A climate resilient natural environment

The majority of survey respondents (66 or 84.6%) indicated *support* for Focus Area 3. Some respondents indicated *Do not support* (7 or 9.0%). Overall, some participants provided other suggestions including: Incorporate clear targets and strengthen indicators; Increase understanding and protection of the natural environment; and Reduce the risk of bushfire.

Focus Area 4: Climate responsive Council services, facilities/buildings

The majority of survey respondents (65 or 83.3%) indicated *support* for Focus Area 4. Some respondents indicated *Do not support* (7 or 9.0%). Overall, some participants provided other suggestions including: Council to provide leadership and support; and Council to lead the way in relation to long term assets.





Focus Area 5: Zero emissions energy use

The majority of survey respondents (64 or 82.1%) indicated *support* for Focus Area 5. Some respondents indicated *Do not support* (11 or 14.1%). Overall, some participants provided other suggestions including: Revisions for targets and indicators; Support for businesses, households and schools and Partnering with environmentally and socially ethical financial institutions and organisations.

Focus Area 6: Sustainable transport

The majority of survey respondents (65 or 86.7%) indicated *support* for Focus Area 6. Some respondents indicated *Do not support* (4 or 5.3%). Overall, some participants provided other suggestions including: Advocate and collaborate for public transport improvements and climate change mitigation; Revisions to targets and indicators; and Commitment for future Council investment.

Focus Area 7: A zero waste and circular economy

The majority of survey respondents (63 or 81.8%) indicated *support* for Focus Area 7. Some respondents indicated *Do not support* (9 or 11.7%). Overall, some participants provided other suggestions including: More focus on recycling; Revisions to targets and indicators; and Establish more outlets to repair, recycle and reuse.

Ideas to engage and activate the community, households and local businesses:

Ideas included considering financial incentives, using a variety of communication channels, careful use of language and messaging and showcasing good examples.





2. Project background and overview of consultation

2.1 Background and purpose

In 2020, Council conducted a 'Climate Action Community Survey' from October to December to inform the development of the draft CAP. The survey was completed by 797 respondents:

- A research company was engaged to conduct 400 statistically representative random telephone surveys.
- The survey was publicly available for the community to self-select participation via the Participate Nillumbik web site, and 397 people completed the online survey.
- Discussions were also held with Council's Advisory Committee, Council's Youth Council, and interest groups.

The draft CAP provides a twofold pathway for Council climate action over the next decade:

- Mitigation - Council will proactively reduce Council's direct contribution to climate change and will support its community to do likewise
- Adaptation - Council will proactively prepare for, respond and adapt to the risks and impacts of a changing climate on its community, environment, infrastructure and services; and will support our community to do likewise.

Within the draft CAP, Council has proposed to do this through a culture of action, innovation, collaboration and support and by attending to seven focus areas:

1. Strong climate action leadership and culture
2. A climate resilient, adaptive and safe community
3. A climate resilient natural environment
4. Climate responsive Council services, facilities/buildings and infrastructure
5. Council and community zero emissions energy use
6. Sustainable transport
7. A zero waste and circular economy

This Plan specifies the strategic objectives and associated actions. An accompanying Implementation Plan will provide more details and be regularly updated. The current consultation program aimed to gather community feedback on the draft CAP.





2.2 Overview of consultation program

The consultation program involved activities led by ChatterBox Projects and Council from 4 October to 7 November 2021 (refer to Table 2). ChatterBox Projects planned and delivered four virtual drop-in sessions. Council's 'Participate Nillumbik' online engagement platform was used to share information about the consultation, engage the community and capture feedback and ideas via an online survey and submission form. The online engagement platform tools permitted people to be informed and get involved in a time of uncertain COVID-19 restrictions.

Table 2. Schedule of engagement activities with timeframes

Engagement activity	Timeframes
Consultation opened	4 October 2021
Online engagement platform (Online survey and submission form)	4 October until 7 November 2021
Virtual drop-in session #1	13 October 2021
Virtual drop-in session #2	17 October 2021
Virtual drop-in session #3 (Council' Youth Council	18 October 2021
Virtual drop-in session #4	26 October 2021
Written/email submissions	4 October until 7 November 2021
Consultation closed	7 November 2021

2.3 Overview of outcomes from the consultation program

As shown in Table 3, the communications and engagement activities were effective in engaging 106 people through Council's 'Participate Nillumbik' online platform. Participation and engagement comprised 445 visitors to Council's 'Participate Nillumbik' project page with 747 visits and 877 views.

Table 3. Engagement activity participation

Engagement activity	Number of participants
Online survey	80
4x virtual drop-in sessions	15
Submission	11
TOTAL	106





3. Description of participation profile

Community members who live, work or play in Nillumbik were identified as the target population to engage in this consultation. The general community could also participate by completing the online survey. The communications and engagement activities were effective in informing the community, and 106 participants were engaged in this consultation. The majority of survey respondents and submission participants reported living within the Nillumbik municipality.

Participant demographic data were captured to varying degrees across the online engagement activities. Therefore, it is not possible to provide a complete participation profile or to determine the extent to which participants reflected a broad cross-section of the Nillumbik community.

Detailed demographic data were captured for the 80 survey respondents, although some survey respondents elected not to respond to some demographic questions. No detailed demographic data are available or reported in relation to the virtual drop-in session participants, other than suburb.

It is noted that:

- Some respondents who indicated they reside within the Nillumbik municipality did not respond to the question enquiring about residential suburb
- 2 online surveys were submitted from the same email account (OS19, OS38)
- 2 online surveys were submitted via the same IP address (OS59, OS70)
- 10 responses providing similar or the same feedback were submitted (OS3, OS8, OS25, OS37, OS44, OS47, OS58, OS64, S85, S87)

The findings presented in Part 4 of this report may be regarded as accurately reflecting the views of the participants. There is some evidence of consistently recurring themes in the responses gathered across engagement activities which encourages confidence in the findings. Overall, the community feedback received regarding the draft CAP was positive and supportive with a small proportion of opposing views.

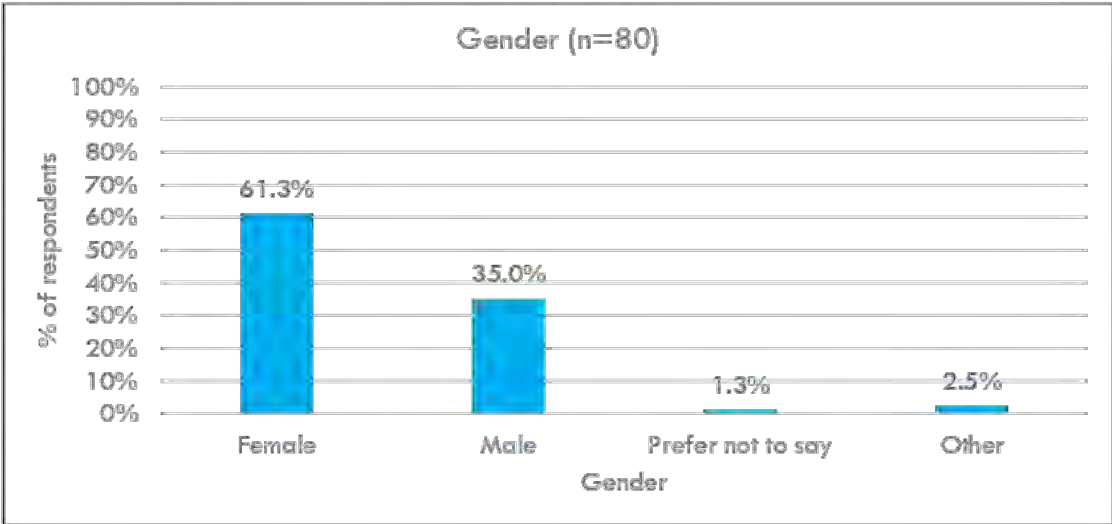
3.1 Gender of participants

Survey respondents were asked to indicate their gender. All survey respondents provided a response and all response options were selected, albeit to varying degrees. As shown in Graph 1, the majority identify as *Female* (49 or 61.3%). The two respondents who reported 'Other' provided the same response: *non-binary*.





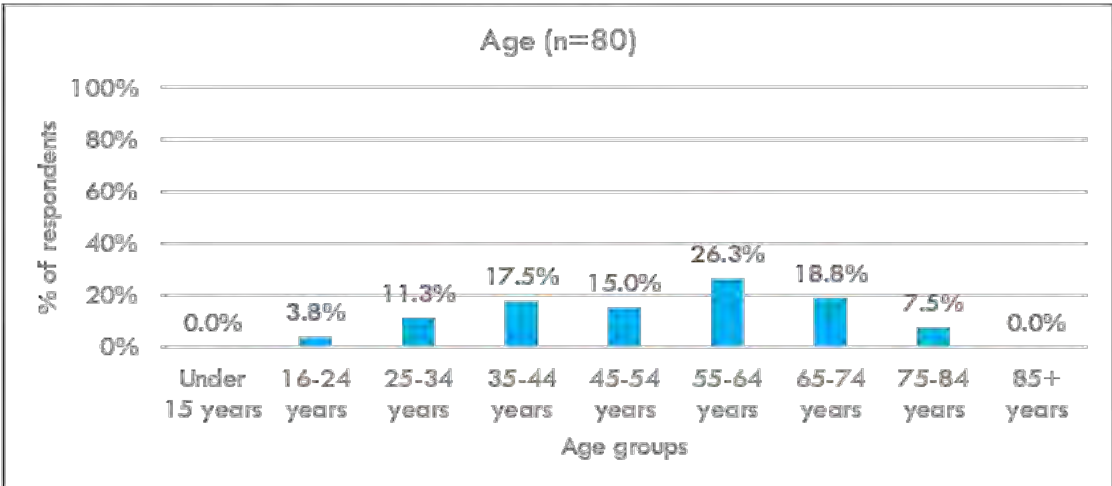
Graph 1: Gender of survey respondents



3.2 Age of participants

Survey respondents were asked to indicate their age grouping. All survey respondents provided a response and all age groupings were represented with the exception of under 15 years and 85 years and over. As shown in Graph 2, persons aged 55 to 64 years were particularly engaged (21 or 26.3%).

Graph 2: Age of survey respondents

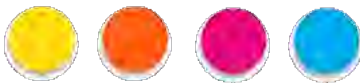
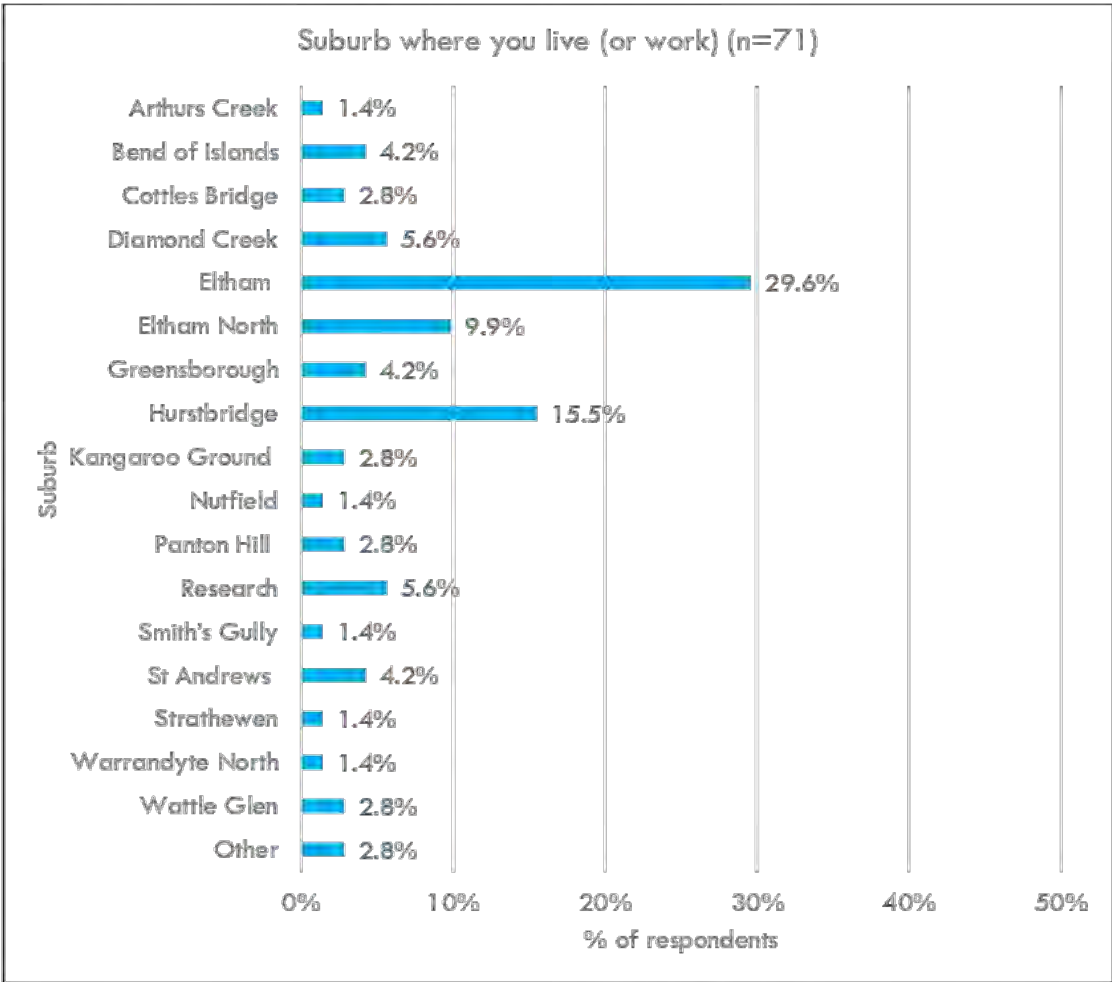




3.3 Residential suburb of participants

Survey respondents were asked to indicate their suburb in Nillumbik where they live and 71 of the 78 respondents provided a response. A total of 17 suburbs within the Nillumbik municipality were indicated as well as “Other”. As shown in Graph 3, many respondents reported living in Eltham (21 or 29.6%). In total, 69 (or 97.2%) of respondents reported living in suburbs within the Nillumbik municipality. The two respondents who reported ‘Other’ provided the following responses: *Yallambie* and *Montmorency*.

Graph 3: Residential suburb of survey respondents

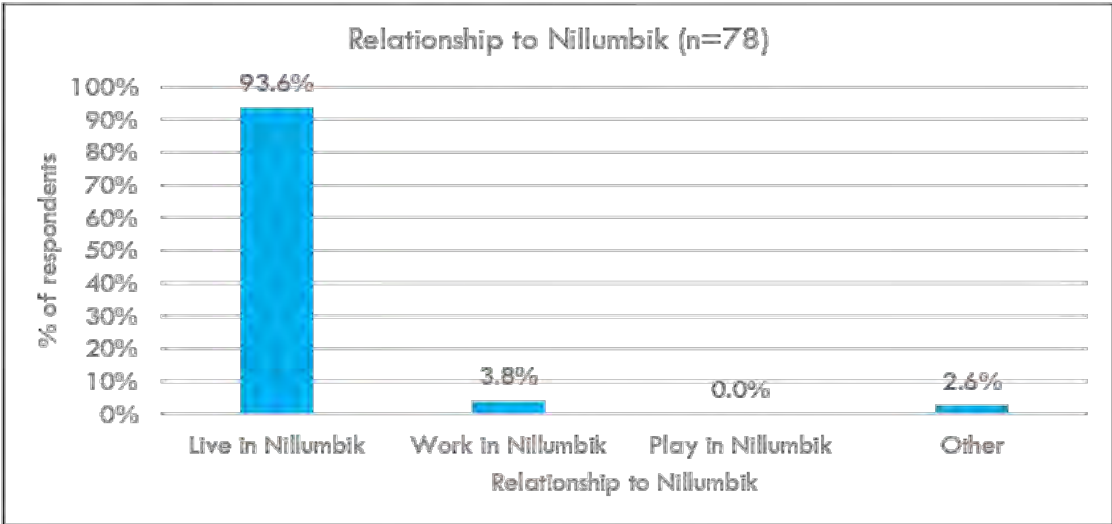




3.4 Participants’ relationship to Nillumbik (live, work or play)

Survey respondents were asked to indicate their relationship to Nillumbik (from live, work, play and other) and 78 of the 80 survey respondents provided a response. As shown in Graph 4, the majority reported living in Nillumbik (73 or 93.6%) and 3 (or 3.8%) of respondents reported working in Nillumbik. *Note: some respondents who indicate living in Nillumbik did not respond to the question enquiring about residential suburb. The two respondent who reported ‘Other’ provided the following responses: Concerned visitor living nearby and Lived in Nillumbik for 29 years.*

Graph 4: Survey respondents’ relationship to Nillumbik





4. Findings from the analysis of the community feedback

This section reports the findings from the analysis of the community feedback gathered via the online survey, virtual drop-in sessions and submissions.

Key highlights

Great things happening now in Nillumbik: A variety of great things are happening now in Nillumbik to mitigate or adapt to climate change including adoption of solar panels and people generally becoming more aware and taking action.

Support for Council acknowledging a Climate Emergency

The majority of survey respondents (64 or 81.0%) indicated *support* for Council acknowledging a Climate Emergency. Most Virtual drop-in session participants and Submission participants indicated *support*. 25 of the 50 respondents providing personalised feedback commented that a Declaration of Climate Emergency would be stronger and preferable which was also supported by many participants in the Virtual drop-in sessions and most Submission feedback.

Focus Area 1: Strong climate action leadership and culture

The majority of survey respondents (63 or 82.9%) indicated *support* for Focus Area 1. Some respondents indicated *Do not support* (9 or 11.8%). Overall, some participants provided other suggestions including: Develop implementation plans; Ensure accountability and resources for implementation; Declare a Climate Emergency; Establish a Community Reference Committee; Move to action urgently; Show strong leadership and change management; and Inform, educate and support the Council organisation with climate emergency.

Focus Area 2: A climate resilient, adaptive and safe community

The majority of survey respondents (66 or 86.8%) indicated *support* for Focus Area 2. Some respondents indicated *Do not support* (7 or 9.2%). Overall, some participants provided other suggestions including: Inform and educate the community; and Support the community with fire preparation and prevention.

Focus Area 3: A climate resilient natural environment

The majority of survey respondents (66 or 84.6%) indicated *support* for Focus Area 3. Some respondents indicated *Do not support* (7 or 9.0%). Overall, some participants provided other suggestions including: Incorporate clear targets and strengthen indicators; Increase understanding and protection of the natural environment; and Reduce the risk of bushfire.





Key highlights
<p>Focus Area 4: Climate responsive Council services, facilities/ buildings</p> <p>The majority of survey respondents (65 or 83.3%) indicated <i>support</i> for Focus Area 4. Some respondents indicated <i>Do not support</i> (7 or 9.0%). Overall, some participants provided other suggestions including: Council to provide leadership and support; and Council to lead the way in relation to long term assets.</p>
<p>Focus Area 5: Zero emissions energy use</p> <p>The majority of survey respondents (64 or 82.1%) indicated <i>support</i> for Focus Area 5. Some respondents indicated <i>Do not support</i> (11 or 14.1%). Overall, some participants provided other suggestions including: Revisions for targets and indicators; Support for businesses, households and schools and Partnering with environmentally and socially ethical financial institutions and organisations.</p>
<p>Focus Area 6: Sustainable transport</p> <p>The majority of survey respondents (65 or 86.7%) indicated <i>support</i> for Focus Area 6. Some respondents indicated <i>Do not support</i> (4 or 5.3%). Overall, some participants provided other suggestions including: Advocate and collaborate for public transport improvements and climate change mitigation; Revisions to targets and indicators; and Commitment for future Council investment.</p>
<p>Focus Area 7: A zero waste and circular economy</p> <p>The majority of survey respondents (63 or 81.8%) indicated <i>support</i> for Focus Area 7. Some respondents indicated <i>Do not support</i> (9 or 11.7%). Overall, some participants provided other suggestions including: More focus on recycling; Revisions to targets and indicators; and Establish more outlets to repair, recycle and reuse.</p> <p>Ideas to engage and activate the community, households and local businesses: Ideas included considering financial incentives, using a variety of communication channels, careful use of language and messaging and showcasing good examples</p>

41 Great things happening now in Nillumbik to mitigate or adapt to climate change

Virtual drop-in session participants were asked “What are some great things happening now in Nillumbik to mitigate or adapt to climate change?” and invited to provide a personalised response. As shown in Table 4, participants referred to a variety of activities. Each topic is accompanied by individual ID codes which indicate the feedback source (V=Virtual drop-in session).





Table 4. Summary table of activities in Nillumbik mitigating or adapting to climate change

Topics in Great things happening now in Nillumbik responses	Feedback ID codes referencing theme
Adoption of solar panels	V79, V80, V81
Buildings that have changes to solar	V82
Bulk buy program through Climate Emergency Nillumbik	V82
Draft CAP	V79
Eco Experts	V82
Environmentally focussed community groups	V79
Keeping the Shire green	V81
Offering energy advice/ assistance through Australian Energy Foundation's service	V82
People are starting to change from gas to electricity	V80
People are becoming more aware of the need to act on climate change	V80
Moving to electric cars and charging stations	V81
Recycling food waste	V79
Solar Farm for Council emissions	V82

4.2 Support for Council acknowledging a Climate Emergency in Nillumbik

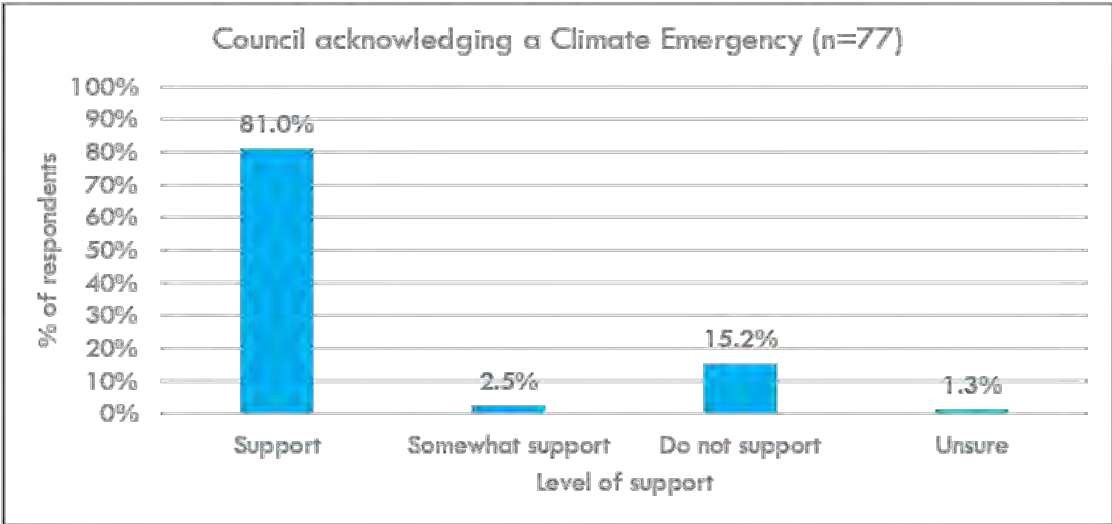
The draft CAP reports as a Green Wedge Shire, Nillumbik Council is acutely aware of the multiple threats facing all communities and ecosystems as a result of climate change. This requires urgent action by all levels of government, including local government. Council therefore Acknowledges a Climate Emergency, commits to a climate emergency response, and will proactively integrate climate change mitigation and adaptation into all Council actions.

Survey respondents were asked "Do you support Council acknowledging a Climate Emergency?" and 79 of the 80 survey respondents answered this question. As shown in Graph 5, the majority of participants (64 or 81.0%) indicated *Support*. A small number of respondents indicated *Do not support* (12 or 15.2%).





Graph 5: Support for Council acknowledging a Climate Emergency



Survey respondents were invited to provide other comments in relation to Council acknowledging a Climate Emergency and 50 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 5 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).

As shown in Table 5, 25 of the 50 survey respondents as well as many participants in the Virtual drop-in sessions and most Submission feedback requested Council to Declare a Climate Emergency, to convey a stronger sense of commitment and sense of urgency. This finding is reinforced in the feedback for Focus Area 1 and the general feedback.

Table 5: Summary table of comments on Council acknowledging a Climate Emergency

Themes in Council acknowledging a Climate Emergency responses	Feedback ID codes referencing theme
Support	
Declare a climate emergency: Change the wording from acknowledge and declare a climate emergency to convey a stronger sense of commitment and sense of urgency (referenced in 36 responses)	OS3, OS8, OS11, OS14, OS16, OS17, OS21, OS22, OS24, OS25, OS31, OS32, OS37, OS43, OS44,





Themes in Council acknowledging a Climate Emergency responses	Feedback ID codes referencing theme
	OS45, OS47, OS48, OS49, OS51, OS57, OS58, OS64, V79, V80, V81, V82, S84, S85, S86, S87, S89, S91, S92, S93, OS94
Happy with the draft Plan and Council's acknowledgement: Glad to see Council's leadership, support acknowledging a climate emergency, it is long overdue and aligns with being a 'green wedge' shire, an important step towards building a more resilient and safe community (8 responses)	OS5, OS50, OS53, OS60, OS70, V79, V81, S87
Move to action urgently: Our region and quality of life is at risk including the wildlife, needs to prioritise the environment and have urgent and strong actions such as proactive integration of climate change mitigation and adaptation as Council actions (7 responses)	OS2, OS30, OS42, OS62, OS67, OS70, OS75
Use "climate emergency" language: Refer to climate emergency rather than climate change in the Plan, Council documents and communications (4 responses)	OS3, OS21, S85, S87
Other (7 responses, feedback stated multiple times is listed once with the frequency in brackets): appoint additional staff to assist implementation, include a budget and a timeline (2); include more information in the Introduction, explaining the need for a CAP (2); strengthen the net zero emissions targets and set interim targets (2); the environment is being destroyed by rubbish and development is eroding the natural habitat of our birds and animals (1); establish a Community Advisory Committee (1); provide more detailed planned actions to give confidence that the Plan's vision and targets will be delivered; strengthen indicators to include measurable targets and timeframes (1); more education of the Council and the community on how to support actions on climate change (1); clearly define the strongest possible goals to mitigate climate change and outline ways these will be achieved, with milestones (1)	OS11, OS21, OS27, OS43, OS45, S83, S86
Somewhat support	
Climate emergency is sensationalist, keep some perspective (1 response)	OS55
Majority of the community strongly support the natural environment so immediately declare a Climate Emergency (1 response)	OS63
Do not support	
Beyond Council's jurisdiction: Not Council's remit, don't waste money, focus on core business and infrastructure and stay out of the politics (6 responses)	OS2, OS4, OS10, OS13, OS15, OS72





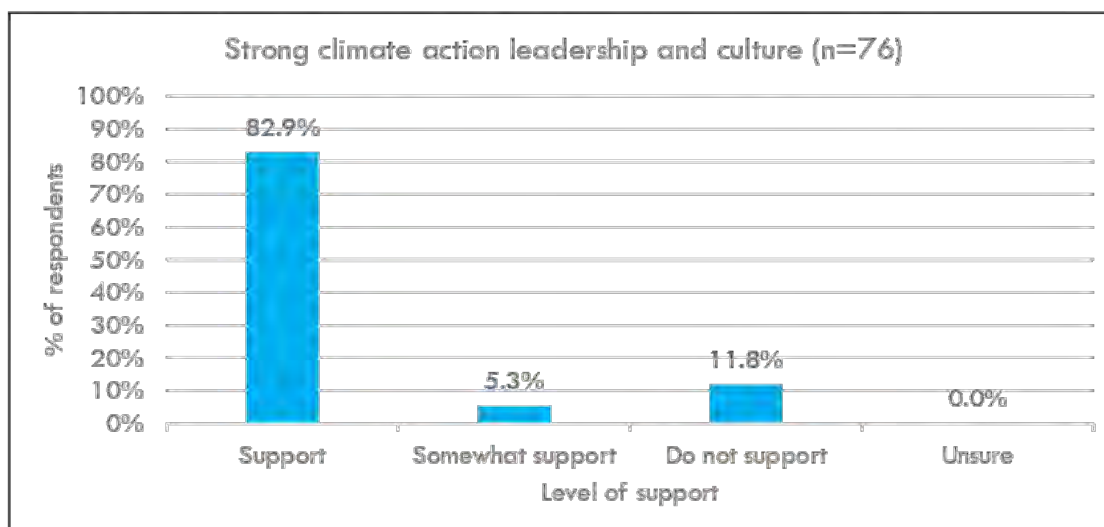
Themes in Council acknowledging a Climate Emergency responses	Feedback ID codes referencing theme
Critical of climate change: Absolutely not, it is nonsense, climate has always changed, there is no climate emergency (6 responses)	OS4, OS9, OS10, OS13, OS52, OS65
Unsure	
Acknowledging a Climate Emergency doesn't sound like strong Leadership language, declaring a 'Climate Emergency Plan' would be the progressive way forward by naming this and taking action now (1 response)	OS69

4.3 Focus Area 1: Strong climate action leadership and culture

The draft CAP reports Council has acknowledged a Climate Emergency and commits to lead by example by carrying out our work in the deliberate context of implementing regular and ongoing climate action; and to support our community to prioritise climate action.

Survey respondents were asked "Do you support Focus Area 1: Strong climate action leadership and culture?" and 76 of the 80 survey respondents answered this question. As shown in Graph 6, the majority of participants (63 or 82.9%) indicated Support. Some respondents indicated Do not support (9 or 11.8%).

Graph 6: Support for Focus Area 1 (Strong climate action leadership and culture)



Survey respondents were invited to provide other comments in relation to Focus Area 1 and 36 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 6 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback.





Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).

Table 6: Summary table of comments on Focus Area 1 (Strong climate action leadership and culture)

Themes in Focus Area 1 responses	Feedback ID codes referencing theme
Support	
Develop implementation plans: Develop policies (based on best practice), plans with timeframes, budgets, ambitious targets and clear, measurable goals with indicators for driving and monitoring implementation across all functions of Council to review progress and success (referenced in 21 responses)	OS3, OS8, OS14, OS16, OS21, OS25, OS37, OS43, OS44, OS47, OS49, OS58, OS64, V82, S83, S85, S86, S87, S88, S91, S93
Ensure accountability and resources for implementation: Create a structure and operating environment as a strategic response to manage climate emergency, CEO and a senior officer to be responsible for the plan, provide a budget and funds to support action and implementation including additional staff. New Council officer role be coordinate collaboration with the community, promoting connections and coordinating communications such as newsletter and website items (19 responses)	OS3, OS8, OS14, OS16, OS17, OS21, OS25, OS37, OS44, OS47, OS58, OS64, S84, S85, S86, S87, S88, S92, S93
Declare a climate emergency: Support changing the wording from acknowledge to declare to convey a stronger sense of commitment and sense of urgency and action (17 responses)	OS3, OS8, OS14, OS21, OS25, OS37, OS44, OS47, OS51, OS64, V79, V80, V82, S83, S85, S92, S93
Establish a Community Reference Committee: Committee or group of community members to provide advice and support (15 responses)	OS3, OS8, OS14, OS21, OS24, OS25, OS37, OS43, OS44, OS47, OS58, OS64, S85, S87, S93
Show strong leadership and change management: An all-of-Council approach is commendable, support for strong and intelligent leadership and consideration of climate impact and environment as a guiding principle in decision-making, planning and advocacy roles. All purchases and contracts to have an environment/sustainability priority and be monitored for environmental outcomes. Change management program to shift underlying	OS5, OS22, OS24, OS57, OS70, OS73, OS75, V82, S83, S84, S88, S92, S93





Themes in Focus Area 1 responses	Feedback ID codes referencing theme
beliefs, values and behaviours and ensure the community participates and supports Council actions (13 responses)	
Move to action urgently: Move to action and reflect a sense of urgency in the wording, use climate emergency language not climate change (11 responses)	OS3, OS8, OS21, OS25, OS37, OS44, OS47, OS58, OS64, S83, V82
Inform, educate and support the Council organisation with climate emergency: Information and education for Executive officers and Councillors, support, encourage and educate all Council Staff (10 responses)	OS8, OS14, OS25, OS37, OS39, OS44, OS47, OS58, OS64, S83
Inform and educate the community: Community education and training is a core component and necessary to raise awareness and understanding of climate change. A genuine approach to involve the community, more community outreach (events, seminars, presentations) and work with local environmental groups. Use social media to keep people informed about climate action and provide incentives for community action and programs. This is crucial to ensure smooth progression of actions for Council (8 responses)	OS1, OS16, OS24, V80, V81, S84, S88, S93
Council to do more advocacy with other levels of Government: Collaborate and advocate for action by all levels of government to reduce and respond to climate change and support Nillumbik. More advocacy to assist with costs of fire mitigation, reduce fire risk and achieve an integrated response to climate adaptation and mitigation. Advocate for structural and procedural change and a reconsideration of powers and resources needed at a local level to mitigate and adapt organizations and communities (5 responses)	OS44, OS70, V80, S84, S93
Actions to be guided by First Nation's culture and practices: Learn from the First Nation's culture and address cultural instincts and beliefs contributing to climate change (2 responses)	OS53, S84
Other (10 responses): Important to connect with other Councils and levels of government to ensure coordinated actions and regulation change to support this goal (1); Only so far as adaption to live with change as it occurs (1); Our environment should be the number one consideration for our council leaders and not money (1); An undertaking to develop a community wide zero emissions transition roadmap in the next 12 months to deliver zero emissions within a decade and a review of the CAP in 5 years; Internal policies and processes that include: Building standards being addressed through planning process and supporting quality trades in the shire, Council policies to support use of Council land for community renewables/ batteries and support establishment of micro grids in smaller communities, the insertion	OS2, OS10, OS45, OS67, S84, S87, S88, S92, S93, OS94





Themes in Focus Area 1 responses	Feedback ID codes referencing theme
of an Environmentally Sustainable Design clause in planning rules, to offer Environmental Upgrade Finance to Nillumbik home-owners and businesses to facilitate improved energy performance of existing buildings, incentives for energy efficient households and businesses (1); Consider Nillumbik's Climate Emergency Action Team recommendations, and involvement of this group in planning and management and community liaison (1); Annual percentage of department business plans that include climate actions. Target – indicate a staged percentage increase e.g. 80% by 2024, 100% by 2030 (2); and Full credit to Council for taking this initiative (1); The CEO will require professional support and the permanent appointment of an appropriately qualified and credible person (eg with an undergraduate degree in Environmental Science and expert knowledge in biodiversity, or similar) is recommended (1); and Transformational responses capture the complexity of climate emergency. They are characterised by: "Yes, this is an emergency – we need to take fundamental action to address the underlying structural and strategic basis for climate change and implement far-reaching actions and responses". Transformational responses are prepared to examine the systems and processes across the entire organisation and beyond, to include stakeholders, supply chain, ratepayers, residents and businesses. They are not as business as usual or incremental responses (1)	
Somewhat support	
Support Council fuel reduction to stop bushfire (1 response)	OS12
Councillors and the organisation to demonstrate 'strong climate action leadership' in practice (1 response)	OS63
Yes but keep it practical not political (1 response)	OS55
Do not support	
Outside local council's jurisdiction, support initiatives only if they deliver a saving to ratepayers otherwise focus on core business (2 responses)	OS9, OS13
Absolutely not (1 response)	OS65

4.4 Focus Area 2: A climate resilient, adaptive and safe community

The draft CAP reports the direct and indirect physical and mental impacts of climate change on health and wellbeing can be considerable. Actions delivered through this Plan and through Council's Health and Wellbeing Plan seek to deliver health co-benefits for our community - including building community resilience, planning for and reducing the impact of extreme weather events, supporting vulnerable community members, strengthening food systems, and reducing carbon emissions and waste. Climate change impacts can also affect community economic wellbeing and resilience, including for example the

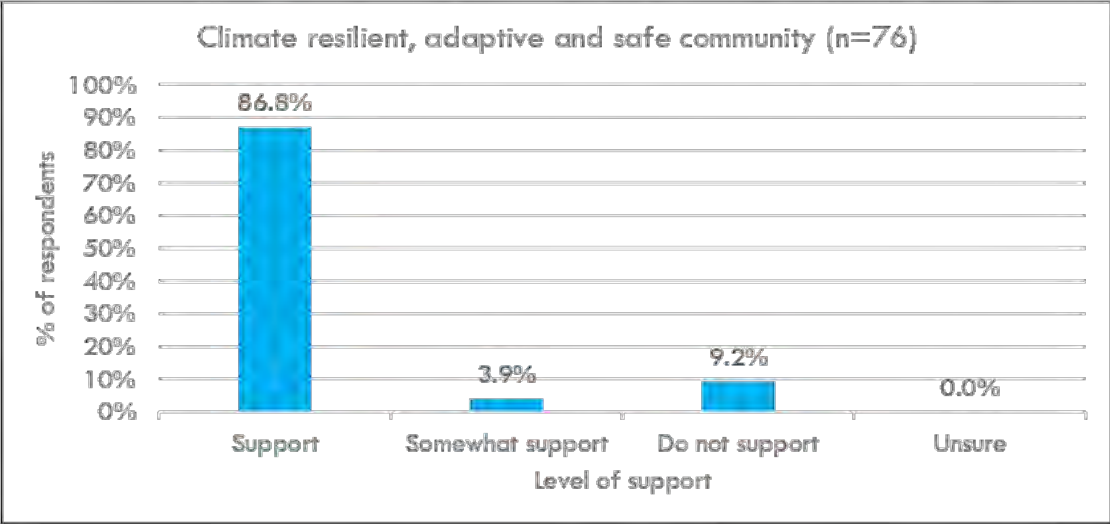




costs of mitigation, adaptation and recovery, including insurability. Council will continuously explore opportunities, including working in partnership with others, to encourage and support the Nillumbik community to be engaged and climate-action active, adaptive and resilient – to help keep our community safe and healthy. Our partners and community stakeholders will regularly evolve and are likely to include cohorts such as residents/landowners, youth, community groups, businesses, health and wellbeing organisations and emergency services.

Survey respondents were asked “Do you support Focus Area 2: A climate resilient, adaptive and safe community?” and 76 of the 80 survey respondents answered this question. As shown in Graph 7, the majority of participants (66 or 86.8%) indicated Support. Some respondents indicated Do not support (7 or 9.2%).

Graph 7: Support for Focus Area 2 (A climate resilient, adaptive and safe community)



Survey respondents were invited to provide other comments in relation to Focus Area 2 and 28 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 7 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).





Table 7: Summary table of comments on Focus Area 2 (A climate resilient, adaptive and safe community)

Themes in Focus Area 2 responses	Feedback ID codes referencing theme
Support	
Inform and educate the community: Expand community education and information programs, establish an outreach program to activate community members and consider communicating the need to protect, retain and reinvigorate indigenous biodiversity (referenced in 20 responses)	OS3, OS8, OS14, OS16, OS21, OS25, OS37, OS43, OS44, OS45, OS47, OS49, OS58, OS64, OS70, V81, S83, S85, S87, S93
Support the community with fire preparation and prevention: Support fire prevention and preparing the community for bushfires and droughts, working alongside the CFA and stakeholders such as FRV, CSIRO outreach personnel, the Wurundjeri Woi-Wurrung people and all land-managers/stewards. Use traditional fire management systems where and when appropriate (8 responses)	OS14, OS43, OS44, OS55, OS67, S83, S84, S93
Support this Focus Area: Total support for this focus area, this is the only way forward (2 responses)	OS50, OS53
Review land use strategies and support landowners to maintain large areas of land: Review land use strategies and policies as part of the CAP because increased development in Diamond Creek and Whittlesea is taking water away from fire prone areas. Land use planning needs a fire risk lens and landowners need support to maintain large areas of land. Need to plan fire risk mitigation differently for each area, from a town-by-town perspective. Council to support land managers to manage their land to improve the sequestration of soil carbon and the health and productivity of our soil (2 responses)	V80, S88
Other (9 responses): Support and participate in collaborative mitigation and adaptation opportunities across the Shire. Celebrate, promote and share community climate-action achievements. Plan for the health impacts of extreme weather (1); A community advisory group could be useful here too (1); Adapt is key (1); Measures to ensure food security in the community and climate anxiety resources and programs (1); A specific focus on the upskilling and capacity building of youth in particular mental health impacts associated with being left with the consequences of climate change and feelings of helplessness (1); Make informed, long term decisions to preserve and protect where we live to enable safe, healthy lives for all now and in the future (1); This should be a substitute for mitigating action (1); More information about dangerous areas where young people hang out that are	OS5, OS14, OS22, OS24, OS39, OS44, OS70, V81, S84





Themes in Focus Area 2 responses	Feedback ID codes referencing theme
prone to flooding (eg Blue Lake and bushwalkers). Need to address there is only one way out of Eltham if there is a bushfire. Signage/ information/ QR codes for bushfire related information or direct people where to go if there is a bushfire (1); Council strategies to deliver advice and support that is integrated and compatible with other levels of government and scientifically valid. Indicators to include educational and training outcomes such as rates of retrofitting of emissions reduction equipment and percentage of participants with written bushfire emergency plans. Health and wellbeing strategies to be developed in conjunction with government executive and local health authorities (1)	
Somewhat support	Nil
Do not support	
Absolutely not, critical of climate change (2 responses)	OS9, OS65
No role for Council in this area (1 response)	OS13
Safe community starts with Council reduction of fire fuel on Council land and roadside (1 response)	OS12

4.5 Focus Area 3: A climate resilient natural environment

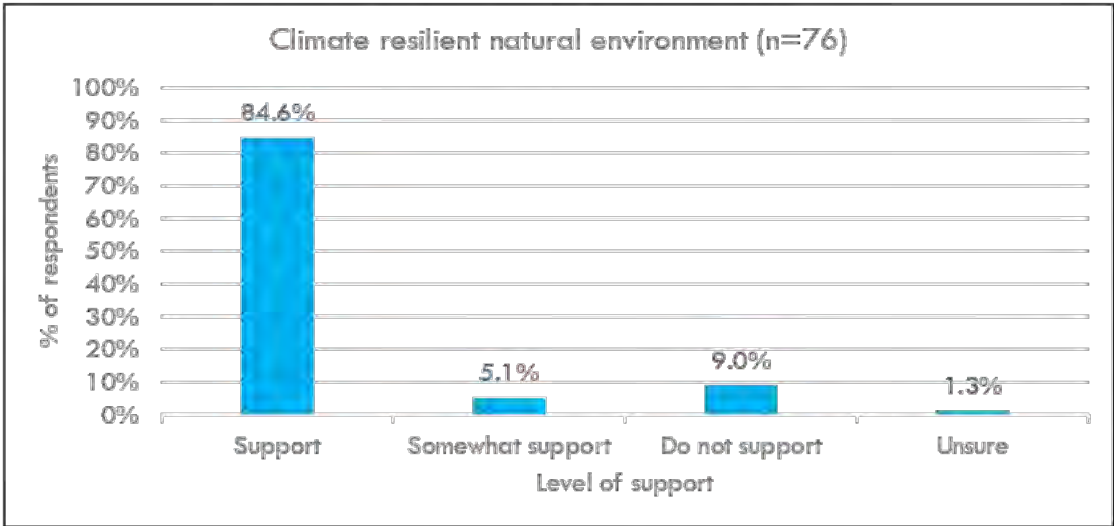
The draft CAP reports Nillumbik is home to a rich and varied natural environment, however the current and projected rate and magnitude of climate change is challenging its natural adaptive capacity. Ongoing work is required to understand thresholds before tipping points are reached, beyond which irreversible changes to ecosystems occur, and what can be done to help prevent or adapt to such changes in Nillumbik. Climate change also exacerbates other 'threatening processes' such as invasive species numbers and distribution, disease and pathogens, and other agents of change – which can interact with direct climate impacts to undermine the resilience of our natural environment. As such approaches to resilience that incorporate broad thinking about environmental change are most likely to contribute to positive outcomes; and require urgent focused attention. Nillumbik's green wedge and its vegetated urban environment both present opportunities for deliberate action to act as a carbon-sink to help sequester emissions (i.e. absorb and store carbon dioxide from the atmosphere) and thus help to limit climate change – whilst at the same time helping to reduce urban heat-island impacts, provide habitat, and provide climate resilient food systems.

Survey respondents were asked "Do you support Focus Area 3: A climate resilient natural environment?" and 76 of the 80 survey respondents answered this question. As shown in Graph 8, the majority of participants (66 or 84.6%) indicated Support. Some respondents indicated Do not support (7 or 9.0%).





Graph 8: Support for Focus Area 3 (A climate resilient natural environment)



Survey respondents were invited to provide other comments in relation to Focus Area 3 and 27 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 8 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).

Table 8: Summary table of comments on Focus Area 3 (A climate resilient natural environment)

Themes in Focus Area 3 responses	Feedback ID codes referencing theme
Support	
Incorporate clear targets and strengthen indicators: Include specific targets such as percentage increase in flora and fauna, tree canopy cover, biodiversity, tree canopy, vegetation coverage in rural areas, biodiversity, health of soils and waterways and reductions in chemical inputs, erosion and reliance on polluting fuels by 2030. Targets with stated percentage increase for tree canopy cover and vegetation coverage in rural areas. Clear statements regarding responsibility for risk and vehicle for emissions reduction and indicators to be clear and examined from a climate science and agricultural sociology viewpoint (referenced in 18 responses)	OS3, OS8, OS14, OS16, OS21, OS25, OS37, OS44, OS47, OS49, OS58, OS64, V82, S83, S84, S85, S87, S93
Increase understanding and protection of the natural environment: Focus on understanding and preserving biodiversity values, commission studies to	OS3, OS8, OS14, OS21, OS25, OS37,





Themes in Focus Area 3 responses	Feedback ID codes referencing theme
obtain robust baseline evidence for biodiversity, native vegetation cover, tree canopy cover in urban areas to inform goal. Waterways, catchment areas and reservoirs must be protected, monitored and actions taken to reduce consumption, waste and pollution. Need rules/regulations to retain and increase vegetation (native and non-native). Knowledge of ecosystem health and best management as held by Australia's Indigenous people be appropriately respected (15 responses)	OS43, OS44, OS47, OS58, OS64, V80, S83, S85, S87
Reduce the risk of bushfire: Manage Council's roadside and bush reserves, and engage with the community without compromising biodiversity values. Acknowledge that roadsides often contain indigenous vegetation and are often refuges for flora and fauna no longer found on surrounding properties, providing important food sources and a seedbank (9 responses)	OS8, OS24, OS25, OS37, OS44, OS47, OS58, OS64, S83
Expand climate resilient food systems: Commend Council on this inclusion, encourage sustainable agriculture, identify opportunities to enhance the local food system, promote and support public and home based food growing, encourage the eating of locally produced food and support local food businesses, start more local food farms/businesses, eat more plants and less meat, and support for providing incentives for local businesses who can demonstrate sustainable food systems. Nillumbik has opportunities for micro agriculture to support near-by urban populations. (5 responses)	OS39, OS44, OS70, V79, V81
Diverse views on trees (4 responses) keep the flammable trees under control (1) stronger stance on native logging, Council needs to call for an immediate end to logging of native forests which increases bushfire risks (1) Council to provide trees for residents to plant. Nillumbik planning scheme permits too many trees to be cut down for development (1) No further removal of any trees or clearing of green areas and maintain tree canopy in urban areas (2)	OS43, OS70, OS75, OS76, V80
Other (15 responses): A slow burn planned next to our property (in bushland reserve) has not happened for 3 years? (1); Need to cultivate indigenous land management methods more effectively (1); Investigate and support collaborative mitigation and adaptation opportunities that help to: Protect and enhance biodiversity (e.g. protect wildlife corridors, enhance the diversity of native vegetation cover, protect threatened species); Respond to invasive species; Reduce the likelihood and impacts of bushfire; Sequester carbon; Conserve soil moisture and optimise soil functionality; Conserve and maximise beneficial use of water (1); Keep a focus on local indigenous planting and protection of the natural environment (1); Native animals and birds and their right to a habitat should be considered as a priority when deciding on how to develop Nillumbik (1); This goes without saying (1); and	OS16, OS22, OS43, OS44, OS45, OS55, OS62, OS73, OS75, V80, S84, S86, S90, S91, S93





Themes in Focus Area 3 responses	Feedback ID codes referencing theme
<p>Private landowners should be encouraged through education and incentives to contribute to increasing indigenous vegetation cover goals; (1) Nillumbik needs to be more focused on protecting and expanding the Green Wedge (1); regenerative local landscapes and promote localised plants for gardens and regenerative agriculture to any local farm (1); Collaborate with interface Councils and the State Government and advocate for greater local authority over rural land use especially agricultural land use in the green wedge; Regenerative agriculture and carbon farming have the potential to reverse climate change by drawing carbon from the atmosphere while enriching our soils. An urban community farm could make an important contribution to making our shire climate resilient (1); No one has talked about use of non-indigenous vegetation. Need to give choice to people about what they can plant. Should not just be Indigenous vegetation (1); The greatest danger of climate change is the threat of fires, with loss of life, native fauna, homes and livelihood. Urgent action is needed to mitigate this risk especially in bushy areas close to population growth and major roads like Ironbark Road, Yan Yean Road and the new m80 city link. Request: 1 / urgent removal of land (including our land) in this area mistakenly placed in the green wedge, and inclusion back in Melbourne urban growth boundary. This will ensure protection of their high water flows and pressure, critical for fire protection to the community. 2/ Soft urban edge with in a 5 kilometres distance to Melbourne designated major activity centres, such as diamond creek. 3/ This will enable lots sizes small enough to manage for fire safety. 4/implementation of land use-changes with relocation of fauna, trapped, confused, and endangered by leaping development to adjoining northern suburbs of neighbouring shires such as Doreen and Mernda (1); Monitor and regularly publish changes in biodiversity, specifically to the quality and quantity of locally indigenous plants and wildlife, the regeneration of degraded land and the quality of our rivers and waterways which help sustain them. Include the first two years' Implementation Plan as part of the document open for comment, as without this, the community consultation is incomplete (1); Add a reference to "regenerative agriculture / farming" to 3.1 and 3.2 and to the Indicators: its drawdown effects could be an important contribution. Add percentage increase indicators for Vegetation cover and Tree cover (1)</p>	
Somewhat support	
When it comes to cleaning up and getting fire prepared (1 response)	OS72
Do not support	
Our rates are already amongst the most expensive (1 responses)	OS9





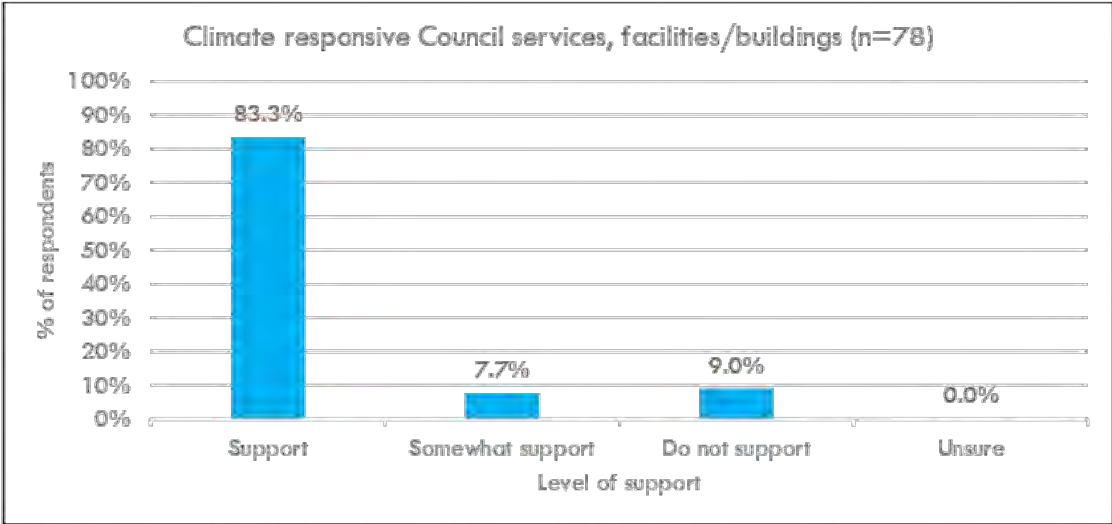
Themes in Focus Area 3 responses	Feedback ID codes referencing theme
Unsure	
Sounds unrealistic	OS94

4.6 Focus Area 4: Climate responsive Council services, facilities/ buildings

The draft CAP reports Council provides a wide variety of services for the people and environment of the Shire of Nillumbik. We need to be prepared to ensure that we can continue to deliver services such as waste management, animal management, health services, local laws, planning and building services, emergency management, road management, and community services - without being majorly impacted by the changing climate or extreme weather events. We are responsible for community infrastructure including local roads and roadsides, bridges, drains, council buildings, libraries, recreation and leisure facilities, Council bushland reserves, parks, playgrounds and gardens; and we are responsible for considering climate risks and making sure that this infrastructure is built and maintained in a fashion that will be useable as the climate changes.

Survey respondents were asked “Do you support Focus Area 4: Climate responsive Council services, facilities/ buildings?” and 78 of the 80 survey respondents answered this question. As shown in Graph 9, the majority of participants (65 or 83.3%) indicated *Support*. Some respondents indicated *Do not support* (7 or 9.0%).

Graph 9: Support for Focus Area 4 (Climate responsive Council services, facilities/buildings)



Survey respondents were invited to provide other comments in relation to Focus Area 4 and 23 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 9 presents





descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).

Table 9: Summary table of comments on Focus Area 4 (Climate responsive Council services, facilities/buildings)

Themes in Focus Area 4 responses	Feedback ID codes referencing theme
Support	
Council to provide leadership and support: Provide an advisory program, leadership, support or financial assistance to encourage climate related improvements and retro-fits, especially for low income households (referenced in 7 responses)	OS2, OS24, OS37, OS42, OS43, OS44, OS49
Council to lead the way in relation to long term assets: Council standards in place for the construction and renewal of new assets (i.e. solar power, recycled materials, green space, rainwater tanks, eliminating gas, retrofitting to be more energy efficient), considering climate change risks and impacts in services, infrastructure planning, development, and management decisions (6 responses)	OS2, OS39, OS53, OS67, OS73, S83
Balance focus with investment: Council to balance focus on this Focus area with investment in mitigating actions (3 responses)	OS22, OS39, OS53
Focus on stronger resilient housing development: Incorporate ESD in new developments, restrict over development and protect the natural landscape from new high-density dwellings (3 responses)	OS35, OS44, OS75
Strategy, target and indicator suggestions: Deliver local initiatives, including education, to assist the community to increase energy efficiency and reduce carbon emissions. Provide free comprehensive household energy audits with the aim of increasing energy efficiency. Environmental Upgrade Finance scheme for residential and commercial properties. Support and amplify 'State and Federal led' and 'community and business led' zero-emissions initiatives. Commission studies to obtain robust baseline data for community emissions. Conduct community emissions accounting and obtain independent certification of community emissions reporting. Establish a program to encourage households and businesses to transition from gas. Prohibit the installation of gas appliances in all new corporate, commercial and residential building projects. Develop policy for Council to divest from institutions that operate or invest in fossil fuel companies and projects and invest in and bank with environmentally and socially ethical financial institutions. Obtain independent certification of Council emissions reporting (1); Volume of annual greenhouse gas emissions emitted within the Shire of Nillumbik. Target of net zero emissions by 2035. Change to Target of net	OS37, OS44, S93

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Themes in Focus Area 4 responses	Feedback ID codes referencing theme
zero emissions by 2030, with interim target of percentage reduction from 2005 levels by 2027, volume of annual greenhouse gas emissions emitted by Council facilities and operations. Target of Net-zero emissions by 2030 - - Change to Target of net zero emissions by 2025, percentage of Council's stationary energy use (i.e. building energy use) that is supplied via a renewable energy source. Target of 100 per cent by 2030- Change to Target of 100 per cent by 2025 (3 responses)	
Agree with strategies: Agree, within sensible budget constraints (2 responses)	OS43, OS55
Other (5 responses): Only deal with environmentally ethical companies and banks (1); and Reducing carbon emissions should be of the utmost importance and a priority of the Council (1); Assess the bridge in Eltham as it always gets flooded; Double-glazed windows on all Council buildings and new homes; More shade in parks, skate parks, playgrounds, consider water parks and waterslides; Keep greening the area so water is soaked up by the ground; Put power underground; Solar panels on all government buildings (1); Clarify Focus Area 4 by separating the services and built environment systems when dealing with adaptation policies. Consider the best response for resident and business assets including Nillumbik's industrial sector which is not investing in rooftop solar, light industry and retail sectors. State and local governments to collaborate and intervene to ensure that land users invest in emissions reduction infrastructure perhaps via an increased rate burden (1); Refer to the drains issue specifically. With increases in wild weather events, they need to be bigger to be able to cope – add modify drainage as a specific example as it is a known risk (1)	OS24, OS45, V81, S84, S93
Somewhat support	
Provided actions are cost effective and all costs are included, unclear of costings (2 responses)	OS10, OS72
Other (1 response): Move to action and prevent a catastrophe	OS12
Do not support	
Absolutely not, waste of money (2 responses)	OS9, OS65
Other (1 response): What does this actually mean? What is a climate responsive council service? Are council going to provide free sunscreen, or umbrellas to the population? If council is trying to say that their buildings and facilities should be powered by solar, just say so. Be specific. If council can provide genuine and real savings to its ratepayers by installing solar, or any other "renewable" solutions that's perfectly fine provided the full real cost is weighed against the real benefits for the community.	OS13



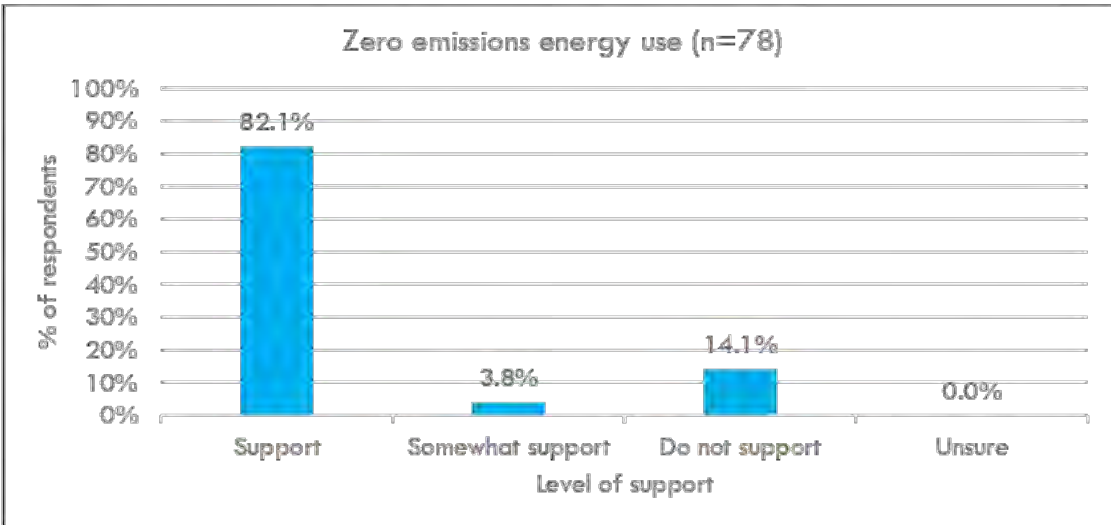


4.7 Focus Area 5: Zero emissions energy use

The draft CAP reports Council will work with, and alongside, other levels of government, interest groups, residents and businesses to help explore local emissions-reduction and carbon sequestration opportunities that will contribute towards achieving our target of the Nillumbik community being carbon neutral by 2035. We will also lead by example by prioritising the reduction of our own emissions. A Zero Emissions roadmap will guide a staged approach to achieving the target of council operations being carbon neutral by 2030. Areas of opportunity include renewable energy, batteries, transitioning away from gas, zero-emissions buildings and machinery, energy-efficiency, charging facilities, lighting, micro-grids and other emerging sectors and technologies; all within the context of maintaining delivery of Council services. This will include the construction of a solar farm that will supply 100% renewable electricity for Council operations with scope to explore community access; and will build upon previous renewable energy gains.

Survey respondents were asked “Do you support Focus Area 5: Zero emissions energy use?” and 78 of the 80 survey respondents answered this question. As shown in Graph 10, the majority of participants (64 or 82.1%) indicated Support. Some respondents indicated Do not support (11 or 14.1%).

Graph 10: Support for Focus Area 5 (Zero emissions energy use)



Survey respondents were invited to provide other comments in relation to Focus Area 5 and 30 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 10 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).





Table 10: Summary table of comments on Focus Area 5 (Zero emissions energy use)

Themes in Focus Area 5 responses	Feedback ID codes referencing theme
Support	
<p>Revisions to targets and indicators: Insert ambitious strategies and indicator targets and consider: Commission studies to obtain robust baseline data for community emissions; Conduct community emissions accounting and obtain independent certification of community emissions reporting; Prohibit the installation of gas appliances in all new corporate, commercial and residential building projects; Obtain independent certification of Council emissions reporting; Conduct annual corporate emissions accounting; and Maximise efficient use of clean, renewable energy. Plan for this by implementing and regularly reviewing a staged Zero Emissions roadmap for Council operations. Consider revising indicator targets: Volume of annual greenhouse gas emissions emitted within the Shire of Nillumbik - change to Target of net zero emissions by 2030, with interim target of percentage reduction from 2005 levels by 2027; Volume of annual greenhouse gas emissions emitted by Council facilities and operations. Target of Net zero emissions by 2030 - change to Target of net zero emissions by 2025; Percentage of Council's stationary energy use (i.e. building energy use) that is supplied via a renewable energy source and Target of 100 per cent by 2030 - change to Target of 100 per cent by 2025; achieve zero net emissions earlier than 2030; Include emissions targets in investment processes; Strengthen the net zero emissions targets and set 3-5 year interim targets to reach these goals, with minimal and decreasing reliance on offsets, as recommended by Zero Carbon Communities Guide; Set community emissions targets - carbon neutral by 2030, with clearly defined interim targets. There is strong scientific evidence for this (see Ironbark Sustainability); Volume of annual greenhouse gas emissions emitted within Shire - change to target of net zero emissions by 2030, with a clear interim target of a percentage reduction from 2005 levels by 2027. Volume of annual greenhouse gas emissions emitted by Council facilities and operations - change to target of net zero emissions by 2025, with target of zero emissions by 2040. Percentage of Council's stationary renewable energy use - change to target of 100 per cent by 2025 (referenced in 20 responses)</p>	<p>OS3, OS8, OS11, OS14, OS16, OS17, OS21, OS25, OS44, OS47, OS58, OS64, V80, V82, S83, S84, S85, S87, S91, OS94</p>
<p>Support for businesses, households and schools: Provide information on reducing emissions, free comprehensive household energy audits, assistance to access finance for households and businesses making climate related improvements (i.e. Environmental Upgrade Finance scheme for residential and commercial properties), establish a program to encourage solar panels</p>	<p>OS8, OS11, OS16, OS17, OS21, OS24, OS25, OS47, OS58, OS64, OS70, OS75, V81, S85</p>





Themes in Focus Area 5 responses	Feedback ID codes referencing theme
and transition from gas, encourage use of sustainable supply chains (14 responses)	
Partnering with environmentally and socially ethical financial institutions and organisations: Council to divest from institutions that operate or invest in fossil fuel companies and projects, and invest in and bank with environmentally and socially ethical financial institutions. Also establish partnerships with organisations such as Global Covenant of Mayors, Climate Emergency Australia, Beyond Zero Emissions to exchange ideas and resources and strengthen advocacy at higher levels of government (13 responses)	OS3, OS8, OS14, OS16, OS21, OS25, OS44, OS47, OS58, OS64, S83, S85, S93
Establish supporting Council infrastructure, policy and advocacy: Council to provide sufficient supporting infrastructure (i.e. for electronic cars), develop a Walking Strategy to promote walking as an alternative to car use, clear pathway of how Council plans to get there and encourage / mandate citizens and advocate for a transition to electric buses (5 responses)	OS11, OS39, OS45, OS49, OS67
Cutting emissions is essential: Cut emissions as fast as possible with independent audits of Council's emission reports being standard business practice (3 responses)	OS22, OS57, S83
Community education and engagement: Community education must be prioritised, a major challenge is engaging the disinterested segments of the community (3 responses)	V82, S83, S93
Other (7 responses): Yes, local power like the Hepburn wind project which is owned by locals (1); Need electric car charging stations locally and for more people to have electric cars (1); Environmentally Sustainable Design in planning policies minimizes emissions (i.e. prevent loss of vegetation; reduce construction footprint; non-toxic materials; reduce transport, minimize waste via re-using and recycling) and planning policies have stringent guidelines and enable renewable energy developments without compromising biodiversity and conservation values (1); Facilitate the creation of a Renewable Energy Industrial Precinct and attract innovative manufacturers of low-carbon or renewable energy enterprises to be powered by 100% renewable energy possibly via a connected grid of solar panels with battery storage (1); The mix of private and public energy management raises the question of cost benefit analyses (in its preliminary discussion). It is unclear why this fundamental question is raised in Focus Area 5 but not in the others. The resourcing of any project designed to mitigate climate change should be required to prove that it will generate immediate and lasting beneficial results. While permit applicants may be convinced that cost savings make solar energy installation a 'no brainer', Council statistics	OS7, V81, S83, S84, S85, S87, S93





Themes in Focus Area 5 responses	Feedback ID codes referencing theme
show that retro fitting these and related systems is not a priority across the Shire. Some areas, such as North Warrandyte, lags behind the others. Federal and State governments in particular find taxation and/or subsidies are effective strategies. In case of emergency, local governments need to seek greater authority to impose sanctions and provide incentives (1), Suggested strategies/actions include Provide a free advisory service to help businesses and households reduce emissions. Provide free comprehensive household energy audits with the aim of increasing energy efficiency. Provide households and businesses with access to finance for all climate related improvements (e.g. Environmental Upgrade Finance scheme for residential and commercial properties). Establish a program to encourage households and businesses to transition from gas. Prohibit the installation of gas appliances in all new corporate, commercial and residential building projects. Provide financial assistance to low income households for all climate-related improvements. Develop a policy for Council to divest from institutions that operate or invest in fossil fuel companies and projects, and to invest in and bank with environmentally and socially ethical financial institutions. Obtain independent certification of Council emissions reporting (1); Could Council run a free advisory service on reducing emissions or provide financial assistance to those who need it? Insert examples of "how" in the Strategies column (1)	
Somewhat support	
Other (1 response): Only if it is truly zero emissions, Nillumbik has opportunities to properly offset within the shire and lead by example (1 response)	OS5
Do not support	
Other (6 responses): Nillumbik reducing emissions would effectively make no impact, yet the real cost would be substantial (1), Minimum energy use and zero use is okay if you start by walking everywhere and live without the modern lifestyle. Bush blocks support the suburbs with trees converting CO2 to oxygen (1), Need proper base load, coal is cheapest and most efficient (1), Only if it was nuclear power, do not support wind or solar (1), Concerned about gaps in the data shown for current usage (1), We are made of carbon (1)	OS9, OS12, OS65, OS10, OS13, OS52

48 Focus Area 6: Sustainable transport

The draft CAP reports travelling by public transport, driving a zero-emissions vehicle, car-pooling, walking and cycling reduces the emission of greenhouse gases which contribute to climate change. Council wants to

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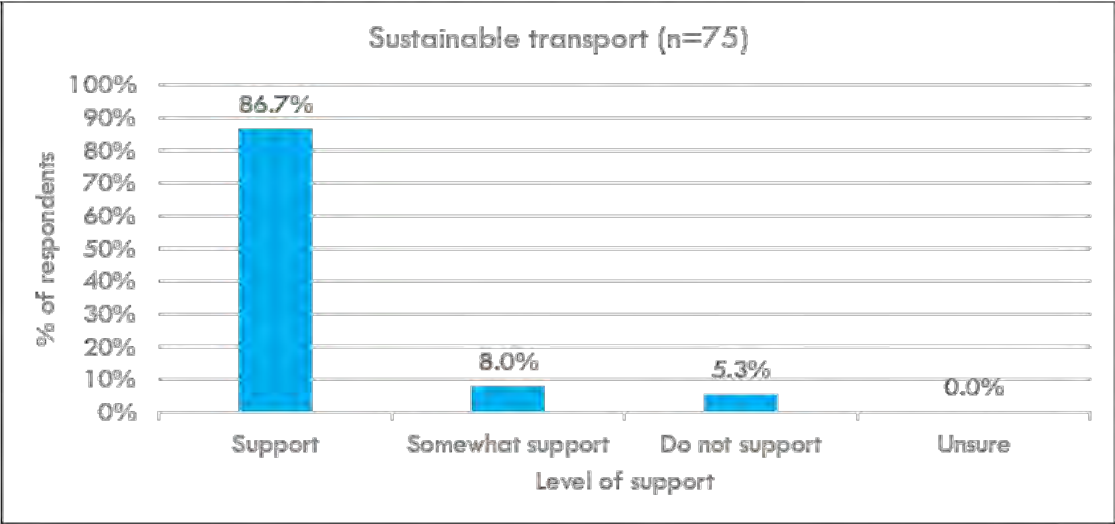




help make it safer and easier for the Nillumbik community to choose to travel sustainably; and will continue to look at how we can support our own workforce to reduce travel related emissions.

Survey respondents were asked “Do you support Focus Area 6: Sustainable transport?” and 75 of the 80 survey respondents answered this question. As shown in Graph 11, the majority of participants (65 or 86.7%) indicated **Support**. A small number of respondents indicated **Do not support** (4 or 5.3%).

Graph 11: Support for Focus Area 6 (Sustainable transport)



Survey respondents were invited to provide other comments in relation to Focus Area 6 and 35 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 11 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).

Table 11: Summary table of comments on Focus Area 6 (Sustainable transport)

Themes in Focus Area 6 responses	Feedback ID codes referencing theme
Support (29 responses)	
Advocate and collaborate for public transport improvements and climate change mitigation: Prioritise opportunities and advocate for funding, to enhance public transport (particularly for the aged and those with a	OS2, OS3, OS8, OS14, OS16, OS17, OS21, OS24, OS25,

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Themes in Focus Area 6 responses	Feedback ID codes referencing theme
disability), walking and cycling connections within and to/from the Shire, advocate for improved and expanded public transport options (buses and trains) to service all of Nillumbik, a transition to electric buses and minimal registration charges for electric vehicles. More transport options needed on main roads and busy rural roads. Strengthen connections with other Councils to have a stronger voice in climate change mitigation and adaptation, and environmental protection (referenced in 21 responses)	OS37, OS39, OS44, OS47, OS58, OS62, OS64, OS70, V80, S83, S85, S87
Revisions to targets and indicators: Insert ambitious strategies and indicator targets and consider: Develop a Walking Strategy to promote walking as an alternative to car use; Provide secure bike facilities near some of our busy local bus stops would also promote a greater use of bikes/public transport and reduce the reliance on cars; Develop a program to facilitate improved public transport options for residents who are disabled, aged or living in rural areas of the Shire; Install rapid EV chargers and encourage local business use at shopping precinct car parks and high use vehicle areas within the Shire (i.e. Eltham and Diamond Creek). Consider revising indicator targets: Aim for 100% zero emissions transport by 2030; Volume of greenhouse gas emissions emitted by Council fleet vehicles - Target of 100% zero emissions Council light and heavy fleet by 2030 - Change to Target of 100% zero emissions Council light and heavy fleet by 2025; Volume of greenhouse gas emissions emitted by vehicles within Nillumbik. Target of 100% zero-emissions transportation by 2035 (source: Ironbark snapshot). Change to Target of 100% zero-emissions transportation by 2030, with interim target of percentage reduction from 2005 levels by 2027; Attempt to address a situation common in rural and lower density areas where residents cannot use passive or public transport due to topography, risks due to narrow roads or a lack of public transport (16 responses)	OS2, OS3, OS8, OS14, OS21, OS24, OS25, OS37, OS43, OS44, OS47, OS58, OS64, S84, S85, S87
Commitment for future Council investment: Improve bike paths and walking connections to promote and enable walking and cycling, install rapid electric vehicle charging stations, provide electric vehicle transport, incentives or parking concessions for electric vehicles, provide appropriate infrastructure alternatives that can be relied upon, more investment in sustainable transport options and incentives for people to opt for non-car transport and creating a bulk buy scheme to offset cost barriers to investing in electric vehicles. Minibus system could also work well in Nillumbik (11 responses)	OS16, OS24, OS38, OS45, OS46, OS53, OS70, V80, V81, S85, S93
This Focus Area is important: This is also essential, fully support, lead by example as air pollution and contamination from vehicles leads to poor health, objectives and strategies look great (7 responses)	OS11, OS22, OS26, OS30, OS67, V82, S84





Themes in Focus Area 6 responses	Feedback ID codes referencing theme
Other (7 responses): Decentralised shared economy transport (see www.bhive.coop) (1); Discourage or ban cars from the centre of townships and encourage electric vehicles (1); Issue with COVID and people not wanting to catch public transport anymore; Nillumbik has high car use and is hilly, making the area walk and bike friendly is a challenge (1); Council to invest in the community to develop greater connectivity, cooperation, and imaginative solutions to decrease reliance on vehicles as this has many positive flow on effects (1); Encourage patronizing of local business by installing rapid EV chargers at shopping precinct carparks in Eltham and Diamond Creek (1); Focus Area 6 shows existing urban design principles are built on assumptions that have unintended consequences and Councils have limited ability to rearrange the built environment to reduce these consequences. In the context of the 20 minute neighbourhood, Council has been successful promoting passive transport, and the reinforcement of similar transport solutions will benefit the Shire. Recent events around state freeway and rail projects prove Council is effectively powerless with major arterial transport projects, and under-resourced in local community public transport (1); Add an Indicator re EV charge points (1)	OS73, OS75, V81, V82, S83, S84, S93
Somewhat support (2 responses)	
Other (2 responses): Walk everywhere (1); Where it is consistent within the context of wider Melbourne transportation (1)	OS5, OS12
Do not support (3 responses)	
Other (3 responses): No role for council in this area, if this refers to "council" transport what is the real costs associated with the change? (1); Waste of our rates (1); No, I want reliable transport (1)	OS9, OS13, OS65

49 Focus Area 7: A zero waste and circular economy

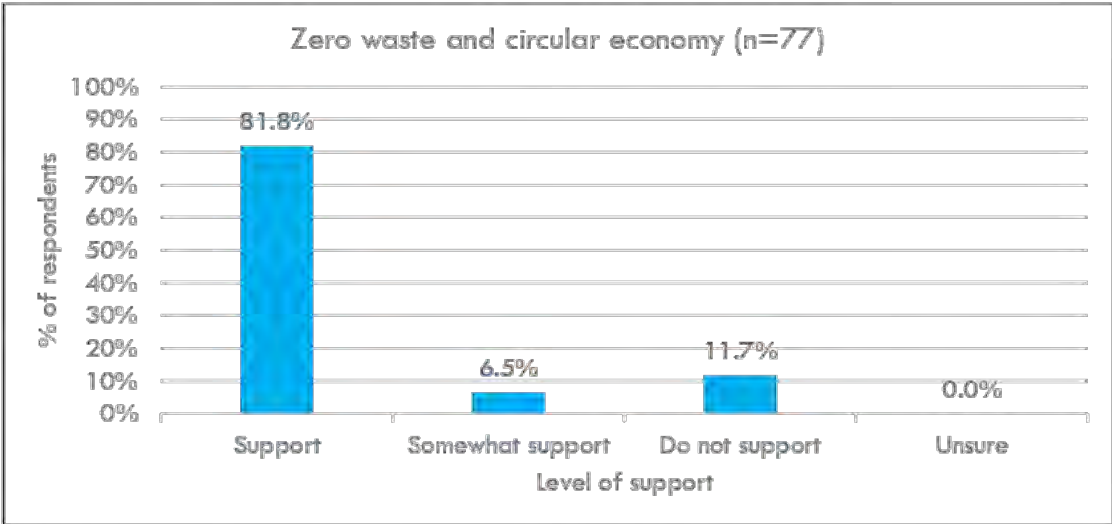
The draft CAP reports reducing waste and recycling more benefits our community, the economy and the environment. The circular economy model goes beyond just reducing waste and recycling and looks at ways to design products as well as reuse and repair materials to get the highest value from the resources we use. This helps to reduce the energy used in the manufacturing process. Council will provide waste services that promote circular economy principles. We'll support the community to avoid generating waste and to have opportunities for product repair and reuse. For unwanted materials, Council's waste collection and drop-off services will send materials back into industry to make new products or to generate power.

Survey respondents were asked "Do you support Focus Area 7: A zero waste and circular economy?" and 77 of the 80 survey respondents answered this question. As shown in Graph 12, the majority of participants (63 or 81.8%) indicated *Support*. Some respondents indicated *Do not support* (9 or 11.7%).





Graph 12: Support for Focus Area 7 (A zero waste and circular economy)



Survey respondents were invited to provide other comments in relation to Focus Area 7 and 24 provided a personalised response. **Virtual drop-in session participants** were also invited to provide feedback and some comments provided by **Submission participants** were relevant. Table 12 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).

Table 12: Summary table of comments on Focus Area 7 (A zero waste and circular economy)

Themes in Focus Area 7 responses	Feedback ID codes referencing theme
Support (20 responses)	
Supportive of this Focus Area: Commend Council on this, it is aspirational and achievable if made a priority, very important and absolutely within the remit of Nillumbik Council (referenced in 8 responses)	OS22, OS44, OS45, OS54, OS55, OS75, V80, S83
More focus on recycling: Focus on recycling, encourage ingenuity of design in the areas of recycling and product development, consider recycling waxed cardboard into fire starters, establish facilities or work with existing organisations to ensure all waste that can be recycled or reused isn't ending up in landfill, encourage community to see recycling as a last resort, rather refusing, reducing and reusing, and reducing waste sent to landfill, and	OS21, OS24, OS44, OS70, OS75, OS76, S93





Themes in Focus Area 7 responses	Feedback ID codes referencing theme
encourage the checking of items to see whether they could be reused, repaired and giving to those in need (7 responses)	
Revisions to targets and indicators: Pay per kilogram of landfill waste - phase in the weighing of landfill bins so that households pay per kilogram of landfill (information/education, small charge, increasing over time); Inform residents how much landfill waste they produce and introduce a household target (similar to the 'Target 155' challenge for reducing water consumption) and advise how they compare to the average in Nillumbik; Promote down-sizing to the 80-litre landfill bin such as a sticker on the side of the bin; Increase the rates discount given to households who down-size to the 80-litre landfill bin; Pay per collection for landfill bin to reward households who use the service less frequently; Maximise source separation of waste and minimise contamination by more education and enforcement; Work with the local community to implement steps towards a circular economy on a large scale. Build on circular economy ideas already operating within the community; Work with local businesses to reduce plastic use and transition to sustainable long term practices; and Ensure toxic sprays used to kill weeds do not end up in green waste and composts; Described indicators are not bold enough. Ensure there are relevant indicators to show progress with timeframes (unless already complete) eg: - solar farm at former Plenty landfill site (tender awarded ... progress since then?) - EV chargers at multiple locations (target – increasing) - Phasing out of single use plastics (target – 2023) - heating, cooling – new more efficient systems installed yet? - installation of solar PV on all Council buildings - installation of battery storage in Council buildings - investigation of unused Council land for renewable energy purposes - results of partnering with the AEF - double glazing in Council buildings. Please amend Green Power arrow to show the percentage of households purchasing 100% Green Power (6 responses)	OS14, OS21, OS31, OS64, S83, S93
Establish more outlets to repair, recycle and reuse: Set up repair shops or businesses, more tip shops or second-hand shops to encourage people to recycle and reuse, collect goods for a community emergency relief centre like in Mitcham, need more bins and recycling bins in parks, public spaces and around Diamond Creek. Add an Indicator with repair café sessions to be run by the community with Council support (6 responses)	OS24, OS38, OS70, V81, V82, S93
Work towards eliminating single-use plastic and packaging: Concerns about single use plastic and packaging, need to encourage suppliers, supermarkets, businesses and markets to purchase low impact products and be as single-use plastic free as possible, implement reusable coffee cups	OS70, V79, V80, V82





Themes in Focus Area 7 responses	Feedback ID codes referencing theme
and container schemes, have cup libraries available across the municipality, ban plastic bags, provide reusable library bags (4 responses)	
Invest in an education program: Educate the community on changes that can benefit everyone; commit to an education campaign (households, community groups, businesses, schools and within Council) as recycling bins are still being contaminated and red landfill bins are overflowing due to excessive consumption (3 responses)	OS21, OS39, S83
Incentives to reduce household landfill waste: Introduce incentives for households such as a rates discount for downsizing to the 80 litre landfill bin or a landfill target challenge (similar to the reducing water consumption challenge) (1 response)	S85
Other (8 responses): More focus composting, container deposit schemes, banning of takeaway cups and containers, banning of plastic bags. These should all fall into the remit of Nillumbik Council. Residents should have their bins checked regularly and anyone failing to use their bins appropriately (e.g. contaminating Green Waste or putting recycling into the Red Bin) should have their bins left behind and be charged to have their waste removed. Behaviour needs to be changed (1); And re-localisation (1); One to build upon when ideas present themselves (1); Support and advice for septic systems being environmentally friendly, for example worm farms could help the community understand the benefit of these systems and what/how to implement (1); The circular economy provides an opportunity to redefine "waste" as a resource. We must invest in the technology and innovations to deal with all types of waste - including textile waste which is becoming a huge issue (1); Management of waste collection and processing is the area that Councils have the most authority over. However, the privatization of this function, and commercial-in-confidence agreements mean it is not possible to respond in detail other than showing support for greater resourcing of the circular economy at all levels and stages (1); We can establish local renewable energy systems; improve agricultural practices that protect soil, vegetation, and waterways, draw down carbon and minimise chemical inputs and pollutants; prevent further loss of vegetation and regeneration of biodiverse ecosystems; reduce and eliminate waste in businesses and school; reduce reliance on vehicles and increased community cooperation; have more effective recycling systems; and use broad community education and support to adopt mitigating practices (1); This also requires a shift in community behaviours and practices and there needs to be a strong community engagement/ outreach program. Nillumbik has a long history of environmental activism, and there are opportunities for collaboration between Council and community to	OS53, OS56, OS67, OS73, OS75, S83, S84, S85





Themes in Focus Area 7 responses	Feedback ID codes referencing theme
establish communal renewable energy initiatives, such as virtual power plants or micro grids, or a community solar power plant with battery storage (1)	
Do not support (3 responses)	
Absolutely not, unachievable: Absolutely not, totally unachievable. Waste minimisation is a worthy goal, but this is unachievable, households generate waste, minimise it as best you can and offer efficient waste disposal services (3 responses)	OS9, OS13, OS65
Other (1 response): Council could achieve a zero waste economy by dropping council rubbish collections and closing their waste disposal facility. Prosecute offenders who then dispose of their waste on council land. What is a 'circular economy'?	OS13

4.10 Ideas to engage and activate the community, households and businesses

Virtual drop-in session participants were asked for ideas to engage and activate the community, households and local businesses. Table 13 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (V=Virtual drop-in session).

Table 13: Summary table of ideas to engage and activate the Nillumbik community

Themes in responses	Feedback ID codes referencing theme
Financial incentives: Financial assistance Incentives for businesses to take climate action (reduction in rates, grants, incentives) Incentives for community members – reduction in rates, schemes to give people incentives to make change Incentives for people to green their properties. Would like to see more solar panels on roofs and more incentives for solar panels.	V80, V81
Communication channels: Communications via local radio stations, use social media and posters	V81
Language and messaging: People believe that they can't really have a big impact and that doing small things may not be worth it. We need to convince them otherwise	V81
Showcasing good examples: Celebrate businesses and organisations who are doing a good job	V79





4.11 Final comments and suggestions

Survey respondents were invited to provide final general comments and 24 provided a personalised response. **Virtual drop-in session participants** were also invited to provide general feedback and some comments provided by **Submission participants** were not directly relevant to the Focus Areas and are presented here. Table 14 presents descriptive themes, summary statements and extracts from the analysis of the personalised feedback. Each theme is accompanied by a tally count of references in the overall responses as well as individual ID codes which indicate the feedback source (OS=Online survey, V=Virtual drop-in session and S=submission).

Table 14: Summary table of themes in other comments

Themes in other comments feedback	Feedback ID codes referencing theme
Commend Council and support the Plan: Commend and appreciate Council taking this important matter seriously, the plan covers a lot and is a good start and could be more ambitious, now we need committed leadership, budget and no action with delays (referenced in 15 responses)	OS16, OS21, OS22, OS29, OS37, OS44, OS45, OS55, OS58, OS64, OS70, OS74, OS75, V79, V80, S91
Other – comments (8 responses): It is the Council's responsibility to enforce decisions made in the community's best interests. Please look after where we live (1); Stop trashing the residents of the rural part of Nillumbik we are more environmentally conscious than most employees of council (1); There are a number of statements made in the draft plan which are not attributed to anyone and are not facts that all would agree with (1); There is so much work the council needs to do in the Kinglake foothills with the removal of fallen trees and branches on road sides, tons of debris, dangerous dead trees over hanging roads need to go, pot holes and curb drainage all has to be fixed, council hasn't the time or money to get involved in climate (1); and I would love to help support these initiatives, so encourage Council to reach out to residents to play an active part in communicating, advocating, leading by example. For example, petition all Eltham coffee shops to ban take away coffee cups and Woolies and Coles to do away with all single use plastic bags in store. As a Shire we can send a very strong message to big business (1) the Green Wedge has the potential to be renowned for regenerative agriculture, sustainable produce, environmental builds etc (1); and Preserving and rebuilding natural environment as safe haven for wildlife is my personal priority (1); A further barrier is available Council financial resources. While Nillumbik's residents rank higher than the Melbourne average in socio-economic status, the shire's lack of industry and low level of population contribute to a low rate base and reduced funding available at the council level for major emissions reduction projects. So	OS4, OS10, OS12, OS24, OS53, OS62, OS75, V81, S82, S85, S92, S93, OS94

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Themes in other comments feedback	Feedback ID codes referencing theme
<p>renewable energy initiatives need to be able to pay their way, or be able to access funding from higher levels of government(1); Include more information in the Introduction about the need for a CAP. This needs to make reference to the 6th IPCC Report which points to a narrowing window in which to limit dangerous global temperature increases to as close to 1.5 degrees as possible. It should also contain mention of projections that indicate that Nillumbik's carbon budget (click on the preceding link for an explainer of carbon budgets) will be exhausted in 8.5 years, based on current trends (refer to Ironbark Sustainability's report on Science-Derived Targets for Nillumbik Shire). The climatic, environmental, financial, social, psychological and health consequences of failing to rapidly decarbonise should be spelt out in more detail to support the imperative to reduce emissions as rapidly as possible. Provide more detail about the planned actions. There is insufficient detail in the Plan to give confidence that the Plan's vision and targets will be delivered. While the Council has avoided mentioning specific initiatives in the Plan as these can change with time, we feel that the inclusion of some more detail can lend strength and weight to the document as a whole (1); How will this be reviewed on a Council basis? Is there going to be a matrix to help Council departments make decisions about what should go ahead depending on its impacts to climate? Are there plans for Council to buy a Bio-Char machine to get carbon back into the soil? (1); There will need to be a focus on disposable face masks and the litter they create. Need to cut the elastic sides to protect birds (1); and Would like to see practical proposals for encouraging the conversion to electric vehicles and renewable energy. As the Green Wedge Shire, Nillumbik can lead in these areas (1); and Devastating bushfires are the most outwardly noticeable consequence of climate change in Nillumbik. The record number of hot, windy days and extreme temperatures are also affecting our health and safety. The more intense weather storms are causing the electrical grid to crash more often, and air conditioning to be lost. Hailstorms and windstorms have become more frequent and intense. This is not a one-off event (1); Why are the rubbish bins coloured as they are? Was the graphic borrowed from somewhere that has different coloured bins from ours? And surely there should be 3 bins, red, green and yellow, with the "try not to buy materials that become waste" caption pointing to a SMALL red bin, and the "actively separating waste" caption pointing to the yellow one? The green one could be used for a caption yet to be invented (1)</p>	
CAP content, goals, targets and indicators (6 responses): Expansion of tree canopy in urban areas to counteract the decline of tree canopy and	OS1, OS8, OS13, OS18, OS19, S86,





Themes in other comments feedback	Feedback ID codes referencing theme
development of housing density. Provide incentives for tree planting on private land and introduce new strategies for tree plantings. Increasing overall tree canopy cover should be a focus of council. Develop a policy for council to divest from institutions that operate in or invest in fossil fuel companies and projects. The CAP should seek to address both investments and banking with authorised deposit banking institutions (1); Put pressure on the Federal Government to take meaningful action. At the very least, Nillumbik should be making a clear statement upwards first, as well as putting concrete actions into place. Goals - 1. All VicRoads barriers in Nillumbik Shire to be evaluated for suitability for pedestrian pathways by 202x. 2. All suitable VicRoads barriers to have environmentally sensitive pathways created behind them by 202y. 3. Establish Volunteer Group ('Friends of Nillumbik Road Reserves') to implement staged pathway creation, in consultation with local environmental and walking groups by 202x. Greater focus on supporting residents (home owners and renters) to retrofit energy efficient options and appliances in homes (1); Maintain green corridors and productive farmland. Invasive flora and fauna mitigation strategy (1); Genuinely work towards creating a landscape that is safer from major bushfires and doing something towards creating safer, well maintained roadsides. Genuine effort to reduce red and green tape and understand the differences between a suburban outlook and the requirements and needs of the rural community. Represent all ratepayers (1); Council has a responsibility to lead by example yet is only responsible for 1% of local emissions. It seems that Council's best return on investment, if reduced emissions is the goal, is to concentrate on maximising what can be achieved by increasing collaboration with the community. If the community are keen to lead it makes sense to empower and inform them to better mitigate their own emissions. Understanding of the fiduciary risk to councils if they do not take action. This is important to the Council and to the residents so they can understand the risk of no or slow action (1)	
Unsupportive of the Plan: This is not important, it is beyond Council's role, focus on roads and rubbish (5 responses)	OS9, OS13, OS15, OS52, OS65
CAP format and presentation (4 responses): Add examples or case studies to help explain the strategies and make the document easier to read and understand (1); Calculate and clearly present information, outline examples in the CAP, and enable rigorous and respectful conversation among the community. The CAP must also describe significant commitment to resourcing proposed actions; Describe likely scenarios and consequences if action is not taken to signal context and urgency. Outline how the economy, environment, human health and more is likely to be impacted with and without	V79, S82, S83, S84





Themes in other comments feedback	Feedback ID codes referencing theme
appropriate action (1); Differentiate between people living in more urban areas compared to more rural areas and outline what people living in urban areas can do (1); Set out targets as headline items during the introductory section; Either explain how Council will measure emissions reductions OR how Council will develop a system of measurement; Explain why data is contradictory as it occurs in a sequence of leading documents such as Climate Change Plans; Consider incorporating a biennial State of the Environment Report as part of the reporting process; Restructure and rename the Focus Areas to match those in Section 34 of the Climate Change Act (Vic 2017) and populate them with appropriate adaptation objectives and strategies. This includes separating built environment and service delivery groupings. Create a separate list of mitigation categories such as 'Corporate' and 'LGA', extend with subcategories and populate with mitigation objectives and strategies; Design and implement a campaign aimed at amending the Climate Change, Planning Environment and Local Government Acts to allow Victorian Councils to more effectively mitigate and adapt to predicted consequences of Global Heating (1)	
CAP reporting and governance (4 responses): Climate Action by Council section could be extended and describe where we are on the journey based on actions listed in Nillumbik's 2010 climate plan. Discuss strengths and weaknesses of Council's implementation of that plan and its successor. Inform ratepayers where significant expenditure has been allocated, outcomes and whether past plans were implemented (1); It is important that our achievements are measured. We suggest reporting annually on changed community behaviour across a variety of metrics via the annual resident survey such as owning electric cars, buying locally grown food, or growing their own, composting, using solar panels (1) Strengthen the Plan's governance framework (Section 5: CAP Implementation) by providing quarterly progress updates on implementation to the community (1): provide an annual update summary on the website and in Council's Annual Report (1)	S84, S85, S86, S97
Declares a climate emergency action plan: Change the term 'acknowledges climate emergency action plan' to 'declares emergency action plan' (2 responses)	OS37, OS69

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Attachment 5

S83

Submission for the Draft Nillumbik Climate Action Plan 2022 – 2032

I live and work in Nillumbik, and love this place, and have done so for most of my life.

We all have a responsibility to take immediate and bold action to mitigate climate change - not only to protect human communities, but all forms of life.

In Nillumbik, we are fortunate as we can immediately and readily make changes that address the climate emergency and ensure better outcomes – for example, the establishment of local renewable energy systems; improved agricultural practices that protect soil, vegetation, and waterways, draw down carbon and minimise chemical inputs and pollutants; prevention of any further loss of vegetation and regeneration of biodiverse ecosystems; reduction and elimination of waste in businesses and school; reduced reliance on vehicles and increased community cooperation; more effective recycling systems; broad community education and support to adopt mitigating practices.

The opportunities are innumerable and must be embraced by Council. The broader community must be consistently informed, and appropriate resources must be allocated to ensure effective outcomes. Policies that require best practice across all areas must be developed – so any that are not in keeping with the CAP must be updated. This must apply to all functions of Council, from planning and infrastructure to environmental management and more.

The Nillumbik Climate Action Plan 2022-2032 [CAP] must clearly define the strongest possible goals to mitigate climate change and outline ways these will be achieved, with milestones identified.

The CAP must also describe likely scenarios and significant consequences if adequate action is not taken as this gives context and urgency to the document. The CAP must outline how the economy, environment, human health and more will be likely impacted with and without appropriate action. This will give context and urgency for action.

Every decision made by Council must have climate change mitigation as a key guiding/foundational principle. This must be made clear in the CAP, and other policy/Council documents.

It is great to see Council's Draft CAP acknowledge the Wurundjeri Woi-Wurrung people in a way that goes beyond the standard format, and includes commitment to 'collaborating around how we think, work and act in relation to climate change and caring for our environment'.

The statements in the Draft that outline
'multiple threats facing all communities and ecosystems',
'urgent action by all levels of government' and the
'integration of climate change mitigation and adaptation into all Council actions' ...
are noteworthy inclusions.

It is important for Council and the Nillumbik community to enter respectful and rich conversations to develop positive solutions to the global increase of climate refugees. We have a responsibility to fellow humans, particularly as Australians are among the world's highest emitters of greenhouse gases.

FOCUS AREA 1

Council should also be commended on the clear Acknowledgement of Climate Emergency – though a Declaration is more appropriate language as it suggests action that goes beyond just acknowledging the urgent issue. Many jurisdictions in Australia and overseas have presented Climate Emergency Declarations. So instead of 'Publicly Acknowledge a Climate Emergency' as currently stated in CAP, change to Declare a Climate Emergency. This language should apply throughout the CAP and other Council communications/documents/policies.

Council must ensure all staff are well versed with the CAP and understand why it is a crucial document, and how they can apply in their work, and to every decision made throughout Council.

The Draft CAP states 'Prioritise and plan for climate action ...' this must be changed to include provisions of funding/adequate resourcing.

It is essential that interim targets are stated, describing specific actions that will ensure these targets are achieved.

The indicator for this area gives no indication of what Council will be aiming for, and therefore how an assessment of increase/success will be made. Specific goals must be stated, and must include data/percentages and dates.

FOCUS AREA 2

Current Draft CAP states: Work in partnership with the CFA and other stakeholders to support the Nillumbik community to prepare their property for a potential bushfire and to have a fire safety survival plan in place. This must be amended to

1. Include the Wurundjeri Woi-Wurrung people
2. Clearly communicate the need to protect, retain, and reinvigorate indigenous biodiversity.

It is essential that any discussion re Climate Change and bushfire recognises the urgent need to protect native vegetation and that vegetation contributes to mitigating climate change.

It is crucial that Managing fire risk is about caring for the land and all life it supports, and there is much to learn from traditional fire management systems of the Indigenous people across this land. Council must increase effective and respectful collaborations with the Wurundjeri people and enable much broader community participation and increase community knowledge, so all land-managers/stewards can use cool burn methods where and when appropriate. Biodiversity has long been protected by practices that are sensitive and responsive to specific vegetation type, seasonal variation, geomorphology, and more. While such practices may initially appear more intensive in some ways [such as time and financial resources], the true costs of current 'management' are not factored in the comparison. What would the cost amount to if we included the loss of life, homes, communities, species and vegetation communities, impacts on waterways, and so much more? Council should calculate and clearly present such information, outline such examples in the CAP, and enable rigorous and respectful conversation among the community. The CAP must also describe significant commitment to resourcing proposed actions.

FOCUS AREA 3

Retention and reinvigoration of vegetation is essential for climate change mitigation as well as community health and resilience. It must be managed with regard for the many tens of thousands of years of evolution in THIS place, which has included fire. It is crucial that knowledge of ecosystem health and best management as held by Australia's Indigenous people be appropriately respected. Countless studies demonstrate strong connections between human health and the vitality and resilience of the environment.

Nillumbik's draft CAP states: "Plan for the increasing risk of bushfire by managing Council's roadside and bush reserves; and engaging with the community to reduce the risk of bushfire". Within this statement, Council must acknowledge that roadsides often contain indigenous vegetation and are often refuges for flora and fauna no longer found on surrounding properties. Such roadsides offer important food sources and a seedbank which has been significantly depleted over recent decades due to human impact. Such areas are often crucial habitat links. These must be managed appropriately to ensure their long term survival and expansion, and not seen as fire risks. Relevant actions must not compromise biodiversity values.

Extensive baseline data must be gathered and regularly updated for biodiversity, vegetation communities, and tree canopy cover throughout Nillumbik. Indigenous tree canopy, mid-storey and understory [including small plants such as grasses and forbs] must be protected and consistently increased throughout the Shire, in rural and urban areas. A target increase of vegetation cover and diversity must be specified. Subdivision of large lots and increased density of dwellings has significantly reduced vegetation and this must be reversed.

Waterways, catchment areas and reservoirs must be protected. These must be rigorously monitored and every possible action taken to increase their health. Impacts of urban runoff/stormwater must be addressed. The use of water throughout the Shire must be monitored and actions taken to reduce consumption/waste/pollution. These must acknowledge the increased pressure brought by climate change.

The indicators for this area must be much stronger, and describe percentage increases in biodiversity of flora and fauna, extent of habitat links, vegetation cover, health of soils and waterways. They must also describe reductions in chemical inputs, erosion, reliance on polluting fuels and more.

FOCUS AREA 4

Known and likely climate change risks and impacts must be considered in any services, infrastructure planning, development, and management decisions. There must be acknowledgment of the connection between design of a system or project, the embedded energy and emissions calculations, and future management needs, strategies, and related emissions.

FOCUS AREA 5

Environmentally Sustainable Design must be promoted throughout planning policies – this must include preventing the loss of vegetation; reducing the footprint of any construction; selecting materials that are non-toxic, have long life, are created in the most sustainable methods from source to delivery; reducing the transport of people and goods/materials; eliminating and reducing waste along with appropriate re-use and recycling; effective calculation of emissions and appropriate steps taken to address these.

Community education along these lines must also be prioritised.

Planning policies should enable renewable energy developments without compromising biodiversity and conservation values. These must include Council-driven initiatives, supported throughout the community, and given appropriate funding.

Any new development must meet stringent guidelines, and older buildings retro-fitted as efficiently as is possible.

Council must divest from institutions that operate or invest in fossil fuels or other environmentally and socially eroding projects/companies. Council should describe an ethical position to guide such decisions and make it known to the community, while encouraging their personal participation in ethical investment.

Nillumbik's CAP describes reducing Council's direct contribution to climate change with a target of net zero emissions by 2030, and for Community by 2035.

Many Victorian municipalities have set targets that equal or exceed carbon neutrality by 2025, and community target of 2030.

Why does Council's CAP set lower targets than other nearby municipalities? Targets must be bold, with interim actions described.

Independent audits of Council's emission reports must become 'business as usual'.

FOCUS AREA 6

Council must invest in the community to develop much greater connectivity, cooperation, and imaginative solutions to decrease reliance on vehicles and their regular use. This must be a key priority, which has positive flow on effects related to decreased road development and demand for maintenance, reductions in pollutants [apart from emissions], cleaner stormwater, healthier people and more. Covid has shown us what is possible in terms of adapting to changed circumstances, and the importance and value of finding local solutions.

Council should lobby State Government to focus on such solutions rather than the 'Big Build' type of approach which goes against everything we know about climate change and urgent action for mitigation. Council should also develop stronger connections with other Councils to ensure a stronger voice in climate change mitigation and adaptation, and environmental protection.

FOCUS AREA 7

Waste reduction is a key priority and must be resourced accordingly. If Council invested in education campaigns [for the community and within Council] to the same amount as it currently costs to handle the volume of waste created, we would be in a far better position. The CAP must make clear commitments to such education. It is nearing the end of 2021, and we still see yellow recycling bins full of every kind of waste, green bins with landfill, and red landfill bins overflowing due to excessive consumption.

Council must work with every local business to develop waste minimisation strategies at every possible level, and do so with community groups, schools, and households.

Described indicators are not bold enough!

Thank you for the opportunity to respond ☺

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Nillumbik Council
Resident Submission
Climate Change Plan

Introduction

The following comments relate to the sections in the draft Climate Change Plan preliminary to the goals, objectives and strategies of the seven Focus Areas.

Message from the Mayor: To acknowledge a climate emergency is to accept or admit it exists. If Council truly intends committing to Sustainable Development Goal 13 '*Take urgent action to combat Climate Change and its impacts*', simply to acknowledge it is to manifestly underestimate the threat. This is now self-evident to an overwhelming majority of Australians. Council needs to progress beyond the era of climate denial and move the shire to an emergency footing. To declare that the Shire is facing such an emergency is a more realistic position for the Green Wedge Shire.

What the plan will focus on achieving: Here is the opportunity to define the short and long term corporate and community (LGA) goals for the Council and the LGA. I cannot understand why they are not front and centre in this section.

Climate Action by Council: This section could be extended. It could describe where we are on the journey in terms of the copious list of actions listed in Nillumbik's 2010 climate plan. A discussion of the strengths and weaknesses of Council's implementation of that plan, and its immediate successor could also be beneficial for submitters, and those tasked with implementing the current draft version.

Such discussions will inevitably beg questions about outcomes. It is implausible to ascribe state or national monitor readings to emissions in particular LGAs. The task is made more difficult in Nillumbik where significant expenditure has been allocated to planning emissions reduction actions, but ratepayers have not always been informed of the outcome, or even if the plans were ever implemented. A case in point is the status of the LED street lighting roll-out referred to on pages 20 & 21.

While the statistics are impossible to verify, and their basis far from transparent, it is a matter of Council record that its direct emissions reduced from 9,876 tonnes of carbon in 2009 to 8,856 tonnes about 10 years later. This was a reduction of 10% which may or may not be the result of the actions listed on pages 20-21.

In any case they are less than half the average reduction achieved across the state in the 15 years to 2020 (24.8%).

Nor are Nillumbik's published figures consistent. LGA reductions for 2019 quoted in Appendix A are different from those published on the Council website*. Accounting for emissions reductions needs to be more transparent, comprehensive and credible than those published in a series of Council's climate change related documents to date.

*<https://www.nillumbik.vic.gov.au/Explore/Sustainability-and-climate/Climate-change>.

Indicators: Apart from those in Focus Areas 6 & 7, they lack rigour and a reasoned basis in the social and/or physical sciences.

Targets: In 2016, Nillumbik Council made a pledge to the State government that it would reduce corporate emissions to net zero by 2050. The draft Climate Action Plan (DCAP) brings that target forward 2 decades and introduces a shire wide (LGA) target.

- Corporate goal (2022): Net zero by 2030
- LGA goal (2022): Net zero by 2035

Council has struggled to reduce corporate emissions by 1,000 tonnes in ten years and now proposes reducing them by 8,800 tonnes in nine years. While ratepayers are yet to see a costed plan, Council's track record demands a stronger basis in science – including economics - if the targets are to be credible.

The State government has two interim state wide reduction targets against its 2005 levels.

- 28% - 33% by 2025.
- 45% - 50% by 2030.

Nillumbik's proposed LGA target is not compatible with these targets. That would not matter in most contexts however, when it comes to emissions into the atmosphere, it raises the question of measurement. At present there is no agreed method of measuring LGA emissions in Australia. The proposed method (a 'work in progress' by Ironbark Snapshot) is self-described as a 'top down' adaptation of state data. By its nature it does not assess the emission outcomes of individual local Council mitigation initiatives.

If Council is to allocate ratepayer funds chasing targets of this magnitude, it is incumbent upon it to also propose a credible, scientifically valid LGA emission measuring system. Otherwise, to quote Greta Thornberg, such targets are just more blah blah blah.

FA1 Leadership and Culture

This section relies heavily on changing underlying beliefs, values and behaviour. I propose that such strategies be incorporated into a new Focus Area (FA) with the title 'Education and Training'. along with similar strategies in other FAs.

This idea is reinforced by state and global practice. Victoria's Climate Change Act (2017) lists Education and Training as one of 7 key adaptation focus areas at Section 34 (b). One of the Sustainable Development Goal 13's key targets relates to education: *'Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning'*. Cultural change is most often achieved through education and is often quoted internationally as the 4th pillar of sustainable development. There is therefore a widespread recognition that Education and Training is a core component in the response to global heating.

The draft plan lists nine strategies within FA1 - Leadership and Culture. About half of those are about shifting corporate culture within Council. About 16% of the strategies of FAs 2-7 also rely on Education and Training. Distinguishing those types from the rest makes it easier to organise, lead and control. It also better aligns Nillumbik's adaptation policy and practice with the model implied in the Victorian Statute.

The role of culture is potentially far greater than that implied in FA1. It could be widened to include consideration of first nation's culture in devising climate change strategies. FA1 strategies could also address the cultural instincts and beliefs that have helped cause climate change. Strategies could elicit the support and celebration of cultural heroes who are exemplary in the Climate Action field. In terms of leadership, there are opportunities for Council to advocate with others on the basic need for structural and procedural change.

It is most noticeable in dealing with the challenge of climate change responses at the local level, that neither existing structures nor their operating environment are built to manage a climate emergency. For example at corporate design level. Nillumbik's human resources for 'Environment', 'Planning', 'Community Partnerships', 'Emergency Management', 'Finance Procurement and Human Resources' and 'Risk and Safety' are each in distinct functional sections. Yet these are the very functions that need to work as one based on an integrated policy zone specialising in responding to the climate emergency.

I understand that Council justifies the retention of the existing structure by claiming that the emergency response is being managed as a 'whole of staff' issue. However it is widely held that structure should respond to strategy, not the reverse. So great an emergency activates a need to restructure/adjust job specifications as a strategic response.

Also when studying the role of Victorian local Councils in responding to the climate emergency, it becomes clear that their operating environment is not conducive to identifying and implementing optimal solutions. The Climate Change Act is written as if local governments have no essential role in managing the national response. Victoria's new Local Government Act encourages Council to structure around other priorities. The State's Planning and Environment Act was built around a different set of assumptions and, for example, has only occasionally proved amenable to accepting that Councils have authority to require the construction of sustainable dwellings, building premises and infrastructure.

Therefore, as the emergency builds through a La Ninja summer, Council could provide leadership by advocating (with others) for a reconsideration of the powers and resources needed at a local level to mitigate and adapt their organizations and their communities for the unfolding threat.

FA2 Resilient, Adaptive and Safe.

FA2 strategies are heavily reliant on public education which to reiterate is critically important but expensive to deliver and uncertain in outcome. Partnerships should be extended beyond the CFA to include for example CSIRO outreach personnel. It needs to be made clear that Council strategies will deliver advice and support that is integrated and compatible with the other two levels of government, and is scientifically valid.

FA2 indicators need to be extended to include educational and training outcomes. For example, rates of retrofitting of emissions reduction equipment, the percentage of participants with written bushfire emergency plans.

FA2 health and well being strategies should be developed in conjunction with the federal and state executive and local health authorities.

FA3 Natural Environment

Objective 3.1 returns Council to the vexed policy area of rural land use. The soil dumping issues facing Councils – especially the interface Councils – has revealed the need to rely on more than informal supports and guidelines in responding to the climate emergency. It may be appropriate to collaborate with that group and the state government to advocate for greater local authority over rural land use, especially while agricultural land use in the green wedge is in its current state of flux.

FA3 strategies include a list of 6 dot points and vague statements of ‘engagement’ and ‘opportunities’ around the management of the natural environment. This is tantamount to abandoning responsibility for a major component of risk and vehicle for emissions reduction in the green wedge shire. Council needs to advocate urgently for more resources, as it would if it had declared a bushfire emergency, and act on its rhetoric about taking climate change seriously.

The FA3 indicators need to be clarified and further examined from a climate science and agricultural sociology point of view. I am not an expert but it seems that all three proposed indicators could be assessed positive, yet emissions continue to rise, and initiatives like bush regeneration and carbon soil fixation fall short of their potential.

FA4 Council services and built environment

FA4 is an unfortunate jumble of major issues at the Local Government Area level. Note that the CCA separates the services and built environment systems when dealing with adaptation policies. It would help residents to understand policy and Council to organize its resources if the two were distinct FAs.

FA4 confines itself to Council assets. Yet planning the best response for Council begs the question what is the best response for resident and business assets? As pic 1 illustrates, Nillumbik’s industrial sector is not investing in rooftop solar. While the energy market may be supporting investment in low emissions technology at the household level, it’s doing nothing to encourage rooftop solar in Nillumbik’s light industry and retail sectors.

In case of an emergency, state and local governments need to collaborate and intervene to ensure that all land users put their shoulder to the wheel and invest in emissions reduction infrastructure. Intervention may take the form of an increased rate burden for recalcitrants to sustainability assessments at planning/ building permit stage.

It maybe possible to integrate strategies around climate safe service delivery with the Climate specific issues remaining in FA1 after the Education and Training elements are stripped out and placed into a distinct FA per the FA1 discussion.

FA 5 Council and Community Energy Use.

Aside from the issues around 5.1, which I have covered under the preceding heading, this conglomeration of private and public energy management raises the question of cost benefit analyses (in its preliminary discussion).

It is not clear why this fundamental question is raised in FA5 but not in the others. It is self-evident to me that the resourcing of any project designed to mitigate climate change should be required to prove that it will generate immediate and lasting beneficial results. In fact that is a requirement of section 26 of the CC Act.

The idea this will be achieved, as an emergency response, by ‘collaboration’, ‘education’, ‘support’ and ‘amplification’ seems unrealistic. While permit applicants maybe convinced that cost savings make solar energy

installation a 'no brainer', Council statistics show that retro fitting these and related systems is not a priority across the Shire. Some areas, such as North Warrandyte, lags behind the others. Federal and state governments in particular find taxation and/or subsidies are effective strategies. In case of emergency, local governments need to seek greater authority to impose sanctions and provide incentives.

FA6 Sustainable Transport

FA6 objectives and strategies prove two things. Firstly the many ways in which existing urban design principles are built on assumptions that have unintended consequences such as threatening continued habitation in cities. Secondly the limited ability of local governments to rearrange the built environment to reduce the severity of those consequences. See FA1 discussion for more on this theme.

There are a couple of omissions from list of strategies. One is about solving the dilemma common in rural areas – residents are captives of their private vehicles. Therefore many of us in the lower density areas or townships can't use passive or public transport due to topography, risks due to narrow roads or a lack of public transport. Another omission is the option of working from home. This has revealed a whole new opportunity for commuters in a Shire like Nillumbik where, for example, staff could work in decentralized hubs.

In the context of the 20 minute neighbourhood, Council has been successful promoting passive transport, and the reinforcement of similar transport solutions can only benefit the Shire. Recent events around state freeway and rail projects also prove that Council is effectively powerless when it comes to major arterial transport projects, and under-resourced when it comes to local community public transport.

I heartily support the move to zero emissions light fleet by 2030 and look forward to the time when heavy vehicles can join the EV revolution.

FA7 Waste

Management of waste collection and processing is arguably the problem area that Councils have the highest level of authority over. However the privatization of this function, and the commercial-in-confidence agreements associated with the blow-out in rehabilitation costs at the Yan Yean landfill site mean that I am not privy to the information I need to respond to this section in any detail, except to submit that I support greater resourcing of the circular economy at all levels and stages.

Recommendations

1. Replace 'Acknowledge a climate emergency' with 'Declare a climate emergency'
2. Set out targets as headline items during the introductory section
3. Either explain how Council will measure emissions reductions OR how Council will develop a system of measurement
4. Explain why data is contradictory as it occurs in a sequence of leading documents such as Climate Change Plans.
5. Consider incorporating a biennial State of the Environment Report as part of the reporting process.
6. Restructure and rename the Focus Areas to match those in Section 34 of the Climate Change Act (Vic 2017) and populate them with appropriate adaptation objectives and strategies. This includes separating built environment and service delivery groupings.
7. Create a separate list of mitigation categories such as 'Corporate' and 'LGA', extend with subcategories and populate with mitigation objectives and strategies.
8. Design and implement a campaign aimed at amending the Climate Change, Planning Environment and Local Government Acts to allow Victorian Councils to more effectively mitigate and adapt to predicted consequences of Global Heating.
9. Explain in detail the purpose, process and reporting requirements of an expanded list of conservation, regeneration, re-vegetation and related interventions in natural environment management including appropriate resource allocations, goals, objectives and strategies especially in the green wedge.
10. Amend the Nillumbik Planning Scheme to include a Clause related to sustainability permit conditions for new buildings.

11. Advocate to State government for the right to sanction and reward sustainable initiatives via the rating system
12. Regain direct control of the waste collection and processing systems

S85

Submission on the Draft Nillumbik Climate Action Plan 2022-2032

Overview

We would like to congratulate Nillumbik Council on the release of its draft Climate Action Plan 2022-2032. The inclusion of the term *Climate Emergency* at the beginning of the Plan is very welcome, and the recognition that the multiple threats we face require urgent action by all levels of government, including local government. The setting of net zero emissions targets which are well in advance of the 2015 Paris Agreement target of net zero emissions by 2050 for both Council operations and the community as a whole is also welcome, and is in line with the Climate Council recommendations.

Many other aspects of the Plan are also very pleasing, such as,

- the commitment to a whole-of-Council proactive climate response
- the intent to embed climate considerations into Council's key governance documents, decision-making processes, Council policies, strategies and plans
- biennial review of key implementation actions
- the commitment to embed delivery of the Climate Action Plan within the CEO's contract/performance plan, and
- the statement that the Council will support the community to prioritise climate action.

However, we consider that the draft Climate Action Plan will require significant strengthening if it is to be the basis for an adequate response to the climate emergency. The Plan has opted for the weaker *Acknowledgement of Climate Emergency* rather than a Declaration. We consider that the emissions targets for both Council operations and the community should be increased, and that interim emissions targets be provided. The overall language used lacks a sense of urgency by referring to *climate change* rather than *climate emergency*. There is also a lack of detail in the indicators provided to measure change.

Key additions or amendments to the draft CAP which we suggest include:

- **Declaration of a Climate Emergency.** While the *Acknowledgement* of Climate Emergency is a big step forward, and is recognised by the organisation Climate Emergency Declaration for the purposes of inclusion in their database for jurisdictions that have declared a Climate Emergency, we consider that use of the word *declaration* would convey a stronger sense of commitment. This is important as it communicates to the Council staff, other councils, other levels of government and the community that the Council is taking the strongest stand possible to combat the challenges we all face in the years to come. The Plan should convey a real sense of the need for urgent action by a Declaration of Climate Emergency. A declaration has been reported by 83% of councils who have made it, as having a positive impact on climate action within the council. It has helped make climate change a consideration for all parts of council operations, and has helped prioritise resources for climate action (from the Australian Local Government Climate Review 2021). At the time of writing, 21 other Victorian councils have committed to the word 'declare' in their Climate Emergency response, as well as many more jurisdictions throughout Australia and the world.
- **Use emergency language** commensurate with the seriousness of the situation throughout the Plan and in all Council documents (e.g. use the term *climate emergency* rather than *climate change*)
- **Strengthen the net zero emissions targets**, and set 3-5 year interim targets to reach these goals, with minimal and decreasing reliance on offsets, as recommended by Zero Carbon Communities Guide. Although the targets proposed in the draft CAP are strong, Nillumbik is ideally placed to set targets that are even stronger, and councils have a moral responsibility to set the most ambitious targets possible. As the Green Wedge shire, and one of the most bushfire-prone in the Melbourne area, it has much to lose by failing to take the strongest action possible to limit damage from accelerating climate impacts. The latest IPCC Report has demonstrated that dramatic emissions reductions over the next ten years are critical to limit planetary

warming to as close to 1.5 degrees as possible. This should be reflected not only in the end target of net zero or zero emissions, but in strong, measurable interim targets.

We recommend the following *Council emissions targets-carbon neutral by 2025* (17 Victorian Municipalities have set a target that equals or exceeds this target), with a target of zero total emissions by 2040 (as adopted by the municipalities of Yarra Ranges, Darebin, Moreland, and Ballarat). With the establishment of the solar farm at Plenty, due to commence construction in 2023, and the electrification of the Council fleet, we consider this target to be achievable.

We recommend the following *community emissions targets-carbon neutral by 2030*, with clearly defined interim targets. There is strong scientific evidence for this. Ironbark Sustainability has produced a Science-Derived Target specifically for the Shire of Nillumbik which calculates a scaled carbon budget (total volume of greenhouse gases that can be emitted to 2050 to keep global temperature increase well below 2 degrees) of 8.5 years, based on current emissions rates. This carbon budget target is lower than the municipal average of 13.5 years (unscaled carbon budget) as Nillumbik's socio-economic index is higher than average, and its growth rate is lower than average, resulting in a reduced share of the national carbon budget.

The accompanying report, Everything You Wanted to Know About Community Emissions Reduction Targets advocates using Science-Derived Targets over 'aspirational' targets for the following reasons: *'Whilst aspirational targets have been used to educate and motivate for many years, the science-derived target can be most useful as a tool for climate planning and understanding relevant carbon budgets and timeframes. In undertaking the analysis to determine your council's carbon budget it is almost certain that the required rate of reduction of emissions will be faster and more challenging than current targets or proposed targets. For example, for many councils, it will demonstrate that the "science says" you need to get to zero in the next 8-12 years. While this can appear daunting it is important to understand the scale and urgency of the challenge—and more importantly the scale of the response required.'*

This is clearly a more challenging target to reach than the Council emissions target, as it is less in the Council's control. It is reliant, in part, on stronger government structural and financial support, particularly at the federal level. Change at this level needs strong advocacy from Council and the community.

It also requires a significant shift in the behavior and practices of the community. There is a need for a strong community engagement/outreach program to bring the community on board. On the plus side, Nillumbik has a long history of environmental activism, and has had some significant successes in the past with the Eltham Gateway campaign and the Save Our Reserves campaign. Our strengths lie in our community's passion for the environment and our willingness to embrace renewable technology—we have a high uptake of PV panels on household roofs (currently 40% of households have rooftop solar or solar battery systems), and there are opportunities there for collaborative efforts between Council and community to establish communal renewable energy initiatives, such as virtual power plants or microgrids, or a community solar power plant with battery storage, similar to the Yackandandah solar battery project.

A further barrier to achieving our suggested target is available Council financial resources. While Nillumbik's residents rank higher than the Melbourne average in socio-economic status, the shire's lack of industry and low level of population contribute to a low rate base and reduced funding available at the council level for major emissions reduction projects. So renewable energy initiatives need to be able to pay their way, or be able to access funding from higher levels of government.

Obviously not all of Council actions on climate will be able to pay their own way, and the community needs to be made aware of the 'stitch in time' principle—every dollar spent in climate mitigation now will save ten dollars in ten years' time with the cost of dealing with the consequences of catastrophic climate impacts.

- **Include more information in the Introduction** about the need for a Climate Action Plan. This needs to make reference to the 6th IPCC Report which points to a narrowing window in which to limit dangerous global temperature increases to as close to 1.5 degrees as possible. It should also contain mention of projections that indicate that Nillumbik's carbon budget (click on the preceding link for an explainer of carbon budgets) will be exhausted in **8.5 years**, based on current trends (refer to Ironbark Sustainability's report on Science-Derived Targets for Nillumbik Shire). The climatic, environmental, financial, social, psychological and health consequences of failing to rapidly decarbonise should be spelt out in more detail to support the imperative to reduce emissions as rapidly as possible.
- **Provide more detail about the planned actions.** There is insufficient detail in the Plan to give confidence that the Plan's vision and targets will be delivered. While the Council has avoided mentioning specific initiatives in the Plan as these can change with time, we feel that the inclusion of some more detail can lend strength and weight to the document as a whole.
- **Strengthen the Plan's governance framework** (Section 5: Climate Action Plan Implementation) by providing quarterly progress updates on implementation to the community, as well as the annual update summary on the website and Council's Annual Report.
- **Strengthen indicators** to include measurable targets to be reached by a given date, and add more strategies/actions to ensure clear pathways to implementation of the Plan, as follows:

Focus Area 1: Strong climate action leadership and culture

Strategies/Actions

- Declare a Climate Emergency
- Use language appropriate to the severity of the emergency throughout the Plan, and in all Council communications (e.g. climate emergency).
- Appoint additional staff to assist implementation and further development of the Plan.
- Include a budget and a timetable for implementation of planned actions. These are an essential part of a credible action plan.
- Establish a Community Advisory Committee to advise on all climate implementation measures.

Indicators

- Annual percentage of department business plans that include climate actions. Target – indicate a staged percentage increase e.g. 80% by 2024, 100% by 2030

Focus Area 2: Having a climate resilient, adaptive and safe community

Strategies/Actions

- Expand community education and information programs and establish an 'outreach' program. The need to bring the community on board if community emissions are going to be met is crucial, and Council is already engaged with community group Clean Energy Nillumbik in offering information sessions to the community about renewable energy initiatives that can be taken by individual households and businesses. The proposal to establish a Community Climate Hub at Edendale Farm is strongly supported by [REDACTED]

Focus Area 3: Having a climate resilient natural environment

Strategies/Actions

- Commission studies to obtain robust baseline data for biodiversity, native vegetation cover and tree canopy cover in urban areas.

Indicators

- Specify target of percentage increase in tree canopy cover, as well as a target of percentage increase in vegetation coverage in rural areas. For example, 30% increase in tree canopy cover by 2030, 30% increase in vegetation coverage in rural areas by 2030, 30% increase in biodiversity by 2030. While we are aware that the obstacle to setting these targets is the difficulty in obtaining accurate data about present levels of biodiversity and vegetation coverage, we consider that it is important to have a goal to

aim for. If lack of funding is a barrier to commissioning studies to obtain data, citizen science projects such as the Great Southern Bioblitz and Nillumbio could be utilised as a data source.

Focus Area 5: Achieving Council and community zero emissions energy use

Strategies/Actions

- Provide a free advisory service to help businesses and households reduce emissions.
- Provide free comprehensive household energy audits with the aim of increasing energy efficiency
- Provide households and businesses with access to finance for all climate related improvements (e.g. Environmental Upgrade Finance scheme for residential and commercial properties)
- Establish a program to encourage households and businesses to transition from gas
- Prohibit the installation of gas appliances in all new corporate, commercial & residential building projects
- Provide financial assistance to low income households for all climate-related improvements
- Develop a policy for Council to divest from institutions that operate or invest in fossil fuel companies and projects, and to invest in and bank with environmentally and socially ethical financial institutions.
- Include emissions targets in investment processes.
- Facilitate the creation of a Renewable Energy Industrial Precinct. While Nillumbik's industrial areas are on a small scale, there may be opportunities to encourage innovative manufacturers to locate their low-carbon or renewable energy enterprises within the shire in areas that would be powered by 100% renewable energy, possibly via a connected grid of solar panels with battery storage.
- If not already done, establish partnerships with organisations such as Global Covenant of Mayors, Climate Emergency Australia, Beyond Zero Emissions etc., for the purposes of exchange of ideas and resources in the task of reducing Council and community emissions, and to add weight to advocacy at higher levels of government.

Indicators:

- Volume of annual greenhouse gas emissions emitted within the Shire of Nillumbik. Change to: target of net zero emissions by 2030, with a clear interim target of a percentage reduction from 2005 levels by 2027.
- Volume of annual greenhouse gas emissions emitted by Council facilities and operations. Change to: target of net zero emissions by 2025, with target of zero emissions by 2040.
- Percentage of Council's stationary renewable energy use. Change to target of 100 per cent by 2025.

Focus Area 6: Enhancing sustainable transport

Strategies/Actions

- Develop a Walking Strategy to promote walking as an alternative to car use.
- Provide incentives for electric vehicle use (e.g. parking concessions)
- Encourage local business use by installation of rapid EV chargers at shopping precinct carparks in Eltham and Diamond Creek.
- Advocate for a transition to electric buses.
- Develop a program to facilitate improved public transport options for the disabled and the aged.

Indicators

- Volume of greenhouse gas emissions emitted by Council fleet vehicles. Change to: target of 100% zero emissions by 2025.
- Volume of greenhouse gas emissions emitted by vehicles within Nillumbik. Change to: target of 100% zero emissions transportation by 2030, with clear interim target of percentage reduction from 2005 levels by 2027.

Focus Area 7: Achieving a zero waste and circular economy

Strategies/Actions

- Introduce incentives to encourage households to reduce their landfill waste (e.g. rates discount for households which downsize to the 80 litre landfill bin)
- Introduce a landfill target challenge (similar to the 155 litres per household challenge for reducing water consumption)

S86

1st November 2021

Response to Nillumbik Shire Council's draft Climate Action Plan.

GENERAL

In the introduction to the draft (page 2) Council acknowledges that there is a **Climate Emergency**.
[REDACTED] requests that Nillumbik Shire Council formerly declare a Climate Emergency.

One hundred and six Australian local governments have already declared a Climate Emergency including our neighbours: Banyule, Manningham and Yarra Ranges, as well as the City of Melbourne. The Nillumbik community is recognised for its commitment to the environment. With climate being the biggest environmental threat by far we believe it is incumbent on Nillumbik Council to **Declare a Climate emergency**.

We suggest that the plan is renamed **The Climate Emergency Plan**.

OUR FOOD SYSTEM

[REDACTED] welcomes the draft Climate Action Plan's recognition of the importance of our food system to a **climate-resilient natural environment** in Focus Area 3.

However, we suggest that our food system be given greater emphasis because:

- An avoidable cause of **around a third of emissions** is the food we eat.¹
- with greater insight, every community member can have an impact on their carbon footprint every meal they eat by eating more locally grown, unpackaged, fresh produce.

As well as a better climate fresh local food is good for our health & wellbeing:

"A healthy food system which supports locally grown food has the potential to slow climate change. As temperatures continue to rise, and the risks of extreme weather events increase, it is a critical time to ensure our local food system is sustainable and resilient." (NSC Health & Wellbeing Plan 2021-25)

Food production both contributes to and is affected by climate change.

The cause arises from the carbon that is generated from the making and use of the chemicals applied to our food, and the transport and distribution of produce that our modern industrialised agriculture processes rely on.

The effect of climate change on food is to put production in peril through more frequent and severe weather events that can destroy crops and turn productive landscapes into desert.

On the other hand, regenerative agriculture and carbon farming have the potential to **reverse climate change** by drawing carbon from the atmosphere while enriching our soils.

In 2015 The Paris Climate Conference identified the capture of carbon in soil as an important part of the global response to climate change. It is calculated that an annual 0.4% increase in soil carbon stock would be enough to offset the world's carbon emissions. The official launch of the "4/1000 Initiative: Soils for Food Security and Climate" is scheduled to take place in Paris on December 1st, 2021. The Australian Government was one of many countries globally to sign up to the initiative in 2015.

¹ The IPCC estimates that the food system is **responsible for 21%–37% of heat-trapping gases emitted by human activities globally**. A study published in Nature in March 2021 estimates that the food system is responsible for a third of **heat-trapping gases** emitted globally

Changes to how we grow and eat food locally, and the amount we grow locally, can make a positive contribution to climate change. An important role for Council is to improve community awareness of the importance of what they eat.

■ believes that a community arm in Nillumbik would be a flagship for promoting the local food and regenerative agriculture message. It has the potential to have a big impact in terms of the inspiration it can provide the community: to be conscious of where their food comes from; how it is grown; the environmental damage it causes; and why they should modify what they choose to eat. An urban farm could make an important contribution to making our shire climate resilient.

SUGGESTED ACTIONS

Council has a responsibility to lead by example in its own energy usage and a responsibility to consider and mitigate the community's risks from climate change. But as the report points out NSC itself is only responsible for 1% of local emissions.

The draft plan states that Council is "committed to act collaboratively" and it points out that 99% of emissions are generated by the community. The plan also states that the community are "leaders in climate action".

It seems likely that council's best return on investment, if reduced emissions is the goal, is to concentrate on maximising what can be achieved by increasing collaboration with the community. If the community are keen to lead it makes sense to empower and inform them to better mitigate their own emissions.

This likely requires that a council officer role be created to coordinate collaboration with the community and that a collaboration project is developed and implemented. It might include:

- Identifying community groups active in climate change mitigation
- Supporting the events and actions of these groups
- Promoting connections between these groups and connecting them with resources that will assist them.
- Supporting community groups to source grants that will support their programs
- Dedicating a page (or two) in every issue of Council's community newsletter to informing the community of how they can achieve real change to their carbon footprint and linking them to local events, activities, and resources.
- Making climate related resources very accessible by having a dedicated section on the council website. Perhaps with access via a "Hot" button on the front page!
- Promoting and measuring a carbon offset strategy
- Promoting and measuring a composting strategy
- Promoting carbon sequestration through regenerative farming and measuring achievements
- Promoting regenerative farming and measuring the amount of food produced

It is important that our achievements are measured. We suggest reporting annually on changed community behaviour across a variety of metrics via the annual resident survey etc. For example, the number of residents: owning electric cars, buying locally grown food, or growing their own, composting, using solar panels....

587

We would like to congratulate Nillumbik Council on the release of its draft Climate Action Plan. The inclusion of the term *Climate Emergency* at the beginning of the Plan is very welcome, and the recognition that the multiple threats we face require urgent action by all levels of government, including local government. The setting of net zero emissions targets which are well in advance of the 2015 Paris Agreement target of net zero emissions by 2050 for both Council operations and the community as a whole is also welcome, and is in line with the Climate Council recommendations.

Many other aspects of the Plan are also very pleasing, such as,

- the commitment to an all-of-Council approach to climate
- the intent to embed climate considerations into Council's key governance documents, decision-making processes, Council policies, strategies and plans
- the commitment to embed delivery of the Climate Action Plan within the CEO's contract/performance plan, and
- the statement that the Council will support the community to prioritise climate action.

However, we consider that the draft Climate Action Plan will require significant strengthening if it is to be the basis for an adequate response to the climate emergency. The Plan has opted for the weaker

Acknowledgement of Climate Emergency rather than a Declaration. The emissions targets for both Council operations and the community could be increased, and there are no interim emissions targets provided. The overall language used lacks a sense of urgency by referring to *climate change* rather than *climate emergency*. There is also a lack of detail in the indicators provided to measure change.

Key additions or amendments to the draft CAP which we suggest include:

- **Declaration** of a Climate Emergency. While the *Acknowledgement* of Climate Emergency is a big step forward, and is recognised by the organisation [Climate Emergency Declaration](#) for the purposes of inclusion in their database for jurisdictions that have declared a Climate Emergency, we consider that use of the word **declaration** would convey a stronger sense of commitment. This is important as it communicates to the Council staff, other councils, other levels of government and the community that the Council is taking the strongest stand possible to combat the challenges we all face in the years to come. The Plan should convey a real sense of the need for urgent action by a Declaration of Climate Emergency. At present, [21 other Victorian councils](#) have used the word 'declare' in their Climate Emergency intention statement, as well as many more jurisdictions throughout Australia and the world.

- Use emergency language throughout the Plan and in all Council documents (e.g. use the term **climate emergency** rather than *climate change*)

- Strengthen the net zero emissions targets, and set interim targets to reach these goals. Although the targets proposed in the draft CAP are strong, Nillumbik is ideally placed to set targets that are even stronger. As the Green Wedge shire, and one of the most bushfire-prone in the Melbourne area, it has much to lose by failing to take the strongest action possible to limit damage from accelerating climate impacts. As the latest [IPCC Report](#) has demonstrated, dramatic emissions reductions over the next ten years are critical to limit planetary warming to 1.5°. This should be reflected not only in the end target of net zero emissions, but in strong, measurable interim targets. We recommend the following Council emissions targets - **carbon neutral by 2025** ([17 Victorian municipalities](#) have set a target that equals or exceeds this target), with a target of zero total emissions by 2040 (as adopted by the municipalities of Yarra Ranges, Darebin, Moreland, and Ballarat). We recommend the following community emissions targets - **carbon neutral by 2030** ([5 Victorian municipalities](#) have set a target that equals or exceeds this), with clearly defined interim targets.

- Include more information in the Introduction about the need for a Climate Action Plan. This needs to make reference to the [6th IPCC Report](#) which points to a narrowing window in which to limit dangerous global temperature increases to as close to 1.5 degrees as possible. It should also contain mention of projections that indicate that **carbon budgets** will be exhausted somewhere between ten years and seventeen years, depending on which model is adopted. The climatic, environmental, financial, social, psychological and health consequences of failing to rapidly decarbonise should be spelt out in more detail to support the imperative to reduce emissions as rapidly as possible.

- Provide more detail about the planned actions. There is insufficient detail in the Plan to give confidence that the Plan's vision and targets will be delivered.

- Strengthen the Plan's governance framework (Section 5: Climate Action Plan Implementation) by providing quarterly progress updates on implementation to the community, as well as the annual update summary on the website and Council's Annual Report.
- Strengthen indicators to include measurable targets to be reached by a given date, and add more strategies/actions to ensure clear pathways to implementation of the Plan, as follows:

Focus Area 1:

Strategies/Actions

- Declare a Climate Emergency
- Use language appropriate to the severity of the emergency throughout the Plan, and in all Council communications (e.g. climate emergency).
- Appoint additional staff to assist implementation and further development of the Plan.
- Include a budget and a timetable for implementation of planned actions. These are an essential part of a credible action plan.
- Establish a Community Advisory Committee to advise on all climate implementation measures.

Indicators

- Annual percentage of department business plans that include climate actions. Target – indicate a staged percentage increase e.g. 80% by 2024, 100% by 2030

Focus Area 2:

Strategies/Actions

- Expand community education and information programs and establish an 'outreach' program.

Focus Area 3:

Strategies/Actions

- Commission studies to obtain robust baseline data for biodiversity, native vegetation cover and tree canopy cover in urban areas.

Indicators

- Specify target of percentage increase in tree canopy cover, as well as a target of percentage increase in vegetation coverage in rural areas. For example, 30% increase in tree canopy cover by 2030, 30% increase in vegetation coverage in rural areas by 2030, 30% increase in biodiversity by 2030.

Focus Area 5:

Strategies/Actions

- Provide a free advisory service to help businesses and households reduce emissions.
- Provide free comprehensive household energy audits with the aim of increasing energy efficiency
- Provide households and businesses with access to finance for all climate related improvements (e.g. Environmental Upgrade Finance scheme for residential and commercial properties)
- Establish a program to encourage households and businesses to transition from gas
- Prohibit the installation of gas appliances in all new corporate, commercial and residential building projects
- Provide financial assistance to low income households for all climate related improvements
- Commission studies to obtain robust baseline data for community emissions.
- Conduct community emissions accounting and obtain independent certification of community emissions reporting.
- Develop a policy for Council to divest from institutions that operate or invest in fossil fuel companies and projects, and to invest in and bank with environmentally and socially ethical financial institutions.
- Obtain independent certification of Council emissions reporting.

Indicators:

- Volume of annual greenhouse gas emissions emitted within the Shire of Nillumbik. Change to: target of net zero emissions by 2030, with a clear interim target of a percentage reduction from 2005 levels by 2027.
- Volume of annual greenhouse gas emissions emitted by Council facilities and operations. Change to: target of net zero emissions by 2025, with target of zero emissions by 2040.
- Percentage of Council's stationary renewable energy use. Change to target of 100 per cent by 2025.

Focus Area 6:

Strategies/Actions

- Develop a Walking Strategy to promote walking as an alternative to car use.
- Provide incentives for electric vehicle use (e.g. parking concessions)
- Encourage local business use by installation of rapid EV chargers at shopping precinct carpark in Eltham and Diamond Creek.
- Advocate for a transition to electric buses.
- Develop a program to facilitate improved public transport options for the disabled and the aged.

Indicators

- Volume of greenhouse gas emissions emitted by Council fleet vehicles. Change to: target of 100% zero emissions by 2025.
- Volume of greenhouse gas emissions emitted by vehicles within Nillumbik. Change to: target of 100% zero emissions transportation by 2030, with clear interim target of percentage reduction from 2005 levels by 2027.

S88

Submission to Nillumbik Council's draft Climate Action Plan,

Provide strong leadership and example on the need for action and how the operation of the council can support the goal.

- Strong change management program to ensure community support the council in their actions and participate
- Community education programs so they understand how they can participate and contribute
- Ensure the community understand at a local level what is at risk if no or little action is taken, with information to key groups on the impacts of climate change to their particular activities, whether sport, or community gardens. This is crucial to ensure smooth progression of actions for the council
- Involve the community and provide incentives for community actions and programs
- All purchases and contracts should have environment and sustainability priority, from the purchase of park benches to energy use, to the agricultural sector with incentives for soil carbon sequestration
- Budget should support the goal.
- Governance of purchases to monitor environmental outcomes

Actions, management and reporting

- Plans and timetable, with budget and regular reporting to all residents in clear and concise language
- Continual review of plan and budget to build on successes
- Accountability- CEO and a senior person responsible for the plan, with all staff's performance tracked back to their participation and contribution to the plan and goals,
- **Consideration of the Nillumbik's Climate Emergency Action Team recommendations, and involvement of this group in planning and management and community liaison**

Regenerative Agriculture

The importance of healthy soil to support our landscapes from flooding and drought, filter water, provide productive systems with healthy plants, support trees and plants that cool the planet is well known and incredible importantly to sequester soil carbon.

I support the council to support our land managers to manage their land to improve the sequestration of soil carbon which also improves the health and productivity of our soil. Our land managers want support to transition to better land management practices, and to be rewarded as they sequester soil carbon. There are many ways to do this, that are less onerous than the system the Federal government uses. Soil carbon sequestration is such an important and significant avenue to not only draw carbon from the atmosphere but also to develop healthy soil, it should be investigated immediately with the landmanagers of the area.

Involvement of the community is crucial

A genuine approach to involve the community. Communities are very cynical of their Council's motives and commitment to any action.

Understanding of the fiduciary risk to councils if they do not take action. This is important to the Council and to the residents so they can understand the risk of no or slow action.

S89

Dear Sirs,

As at the recent COP 26 conference in Aberdeen, the Australian Federal Government failed to offer any credible effort to rein in climate change I feel compelled to add to my previous comments that it is imperative that Nillumbik Shire Council declare a Climate Emergency in its Climate Action Plan and to use emergency language throughout the whole of the plan.

All actions by the council and its officers in all departments should take into consideration the perilous position of our climate implied by this wording.

S90

Group submission to climate change action.
7/11/21.

We reserve all our rights. We request to be heard separately as individuals and as a group.

In Nillumbik the greatest danger of climate change is the threat of catastrophic fires, with loss of life, native fauna, homes and livelihood.

Urgent action is needed to mitigate this risk especially in bushy areas close to population growth and major roads like Ironbark rd, Yan Yean rd and the new M80 city link.

Accordingly we request the following:

1/ urgent removal of land (including our land) in this area mistakenly placed in the greenwedge, and inclusion back in Melbourne urban growth boundary.

This will ensure protection of their high water flows and pressure, critical for fire protection to the community.

2/ Soft urban edge with in a 5 kilometres distance to Melbourne designated major activity centres, such as Diamond Creek.

3/ This will enable lots sizes small enough to manage for fire safety

4/ implementation of land use-changes with relocation of fauna, trapped, confused, and endangered by leaping development to adjoining northern suburbs of neighbouring shires such as Doreen and Mernda.

.....to be completed in part two

S91

2022 - 2032 Draft Nillumbik Climate Action Plan 2022 - 2032

Submission from BR

Well done on many aspects, especially the recognition of a Climate Emergency and the need for urgent action through a whole of Council approach. Also the emphasis on mitigation as well as adaptation is a welcome focus, as is the recognition of the importance and strength of growing action within our Nillumbik Community.

I would like to suggest, however, that as "Nillumbik the Green Wedge Shire", we should lead the way in Local Government with a "Climate Emergency Action Plan". Also we have so much to lose if another "Black Saturday" event were to again sweep through much of our shire, so we need a Plan which does everything we know how to counter, and build resilience to enable us all to adapt to Climate Change.

Suggestions:

- Declare, rather than "Acknowledge" a Climate Emergency
- Prepare a "Climate Emergency Action Plan", rather than a "Climate Action Plan"
- Strengthen net zero emissions targets, eg. carbon neutral by 2025 (rather than 2030); zero total emissions by 2040
- Provide interim emissions targets
- While the climatic, environmental, financial, social, psychological and health consequences of failing to act quickly are recognized, these risk factors need to be explained in more detail to carry through the imperative of the Climate Emergency.
- Provide more detailed indicators to measure change, eg:
 - ☐ Focus Area 1 "Annual percentage of department business plans that include climate actions" could also add "... and risk assessments of the Climate Emergency"
 - ☐ Focus Area 3 completely misses a most important indicator: monitor and regularly publish changes in biodiversity, specifically to the quality and quantity of locally indigenous plants and wildlife, the regeneration of degraded land and the quality of our rivers and waterways which help sustain them.
- Include the first two years' Implementation Plan as part of the document open for comment, as without this, the community consultation is incomplete.

Clude 1

2022 - 2032Draft Nillumbik Climate Action Plan 2022 - 2032

Submission from BR

Include in the “Baseline ne Information on climate action and emissions” information about changes in biodiversity and how it is measured.

In addition, I thoroughly endorse the excellent submission by Nillumbik Climate Emergency Action Team (NCEAT)

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Clude 2

Submission on draft Nillumbik Climate Action Plan

Nomenclature

I believe Nillumbik Shire should *declare* a climate emergency rather than *acknowledge* a climate emergency. Timid language does not foster a committed culture.

According to the Oxford dictionary, a declaration is 'an official or formal statement especially about the plans of a government or organisation'. The same source defines the word, 'acknowledge' as 'to admit the truth of'.

We have long moved on from *accepting* there is a climate emergency and overwhelmingly want decisive action.

The IPPC has warned of the serious threat of climate change for almost forty years. We now know the causes and we have solutions to address it at many levels. More than 70% of Australians want to massively increase our 2030 emissions reduction targets. World leaders are calling for immediate action, while the Australian Federal government deepens the crisis by stubbornly promoting coal and gas.

Residents deserve better than this and are looking to the Shire to show leadership and to unequivocally join the 21 Victorian Councils and ever increasing public institutions who have *declared* a climate emergency.

CEO involvement

To the credit of the drafters of this document there is a proposal for provision on the performance agreement of the CEO for delivery of the Climate Action Plan. The CEO will require professional support in this formidable undertaking and the permanent appointment of an appropriately qualified person (eg with an undergraduate degree in Environmental Science and expert knowledge in biodiversity, or similar) is recommended.

Due to the uncertain length of stay displayed by CEOs in Nillumbik in the recent past, it is essential the climate change professional officer position is a permanent and highly credible one.

More than bushfires

Devastating bushfires are the most outwardly noticeable consequence of climate change in Nillumbik. The record number of hot, windy days and extreme temperatures are also affecting our health and safety. For example, we now have weather forecasts warning residents to stay indoors to avoid thunderstorms which can be potentially lethal to people with asthma.

The more intense weather storms are causing the electrical grid to crash more often, and air conditioning to be lost. The heat in poorly designed houses can be fatal. The Black Saturday bushfires killed 173 people, while 374 died from heat exhaustion.

Hailstorms and windstorms have become more frequent and intense. On 19 January 2020 a tropical supercell stripped trees, and smashed properties in Nillumbik with golf ball-size hailstones. A swathe of destruction from North Warrandyte to Hawthorn resulted in firefighters being withdrawn from fire zones and SES volunteers working into the early hours to make homes safe from flood damage, fallen power lines and trees.

This is not a one-off event. On Christmas Day 2011, an intense storm dumped record hail and extensive property damage was reported from Kinglake, through Kangaroo Ground, North Warrandyte, to Viewbank and beyond. Flood retaining basins in Nillumbik could not cope with the flash flooding. Even Main Road Eltham was flooded, a taxi was completely submerged at Macleod station.

As recently as 29 October 2021, Nillumbik Shire 's website notified hot showers and power available at the Community Bank Stadium to people still affected by power outages from the storms days earlier.

Existential threats

The world was put on an emergency footing once the World Health Organisation declared the corona virus to be a pandemic. This declaration triggered governments to enact emergency legislation and provided justification for the mandatory measures and unparalleled financial support to minimise deaths and hospitalisations.

Financial institutions, insurance companies, corporations and individuals were put on a war footing to protect their livelihood and health and safety. Emergency actions such as social distancing, curfews and working from home were mandated.

The WHO did not *acknowledge* a pandemic they *declared* a pandemic. This was a necessary first step to send the strongest possible message to the world of the magnitude of the threat facing us.

Similarly, the IPPC has declared a climate emergency. Although the time scales are different both corona virus and climate change present overwhelming challenges requiring unparalleled international cooperation and social cohesion to overcome.

Summary

To get the commitment of council staff that is crucial to the successful implementation of this quality document senior management must demonstrate they have taken full ownership of the problem by declaring a climate emergency not by acknowledging an emergency. What would the response have been if Britain had acknowledged rather than declared war with Germany?

S93

Nillumbik Shire Council – Draft Climate Action Plan

It is really heartening to see Council seriously committed to doing what it can in the face of the climate emergency. Many thanks for the tenor of this Plan and for the opportunity to comment.

It's great to see the actions taken already listed on p6, though advice that 99% of emissions actually come from within our community is rather sobering!

- ☑ Clearly we need Council's lead to be one that brings the community along.
- ☑ There is much work to be done.
- ☑ Along with graphics showing what the Council is doing, it would be good to see the community's baseline data in Appendix A (especially the graphic on p23) more front and centre with frequent, regular updates to keep the community engaged

This submission is divided into two parts:

- ☑ Wording of Council motion
- ☑ Focus Area comments

A. Wording of Council motion

Wikipedia tells us that "a climate emergency declaration or *declaring a climate emergency* is an action taken by governments and scientists to acknowledge humanity is in a climate emergency." www.en.m.wikipedia.org

Whilst much of the careful wording of the motion at the top of p2 is laudable, it falls very deliberately short of being a "declaration".

Council is acutely aware... Council therefore acknowledges... "Why?"

Please "DECLARE" that there is an Emergency!

"Declare" is the word naturally bracketed with "emergency".

When a disaster is upon us, governments do not hesitate to Declare a State of Emergency: the need to shift into emergency mode is clear, the need to do whatever is possible. People work together for the greater good. They rally. They support a channelling of available resources to overcome the crisis. The declaration triggers legal and operational resources to respond to it – funds, personnel, equipment, supplies, stockpiles, and streamlined administrative procedures.

If a pilot says *Mayday* 3 times, that's what they're doing – declaring their emergency, distress or urgency situation – done without hesitation if faced with fire, mechanical failure or structural damage. The air traffic controller then gives them the maximum amount of assistance deemed necessary, tho the pilot may ask for more, or ask for less, depending.

What Happens When You Declare An Emergency With ...

<https://www.boldmethod.com/learn-to-fly/...>

Nov 03, 2010: The simple fact is, declaring an emergency with ATC opens up a world of resources to a pilot. It could be the edge you need to get on the ground safely. "If there is any uncertainty at all, declare an emergency," one controller said. Barnaby Kerr

If Council opts to only "acknowledge" the climate emergency, this sends a lesser message of potentially just standing back and watching. "Yes, it's happening", more akin to a grudging acceptance. It doesn't trigger the same energetic response that the word "declare" has attached to it.

Looking in more detail at the words involved here:

Nilumbik Shire Council – Draft Climate Plan –

Page 2 of 9

Recognize – right clicking, I see these synonyms: *know, identify, distinguish, diagnose, spot*

We recognise a person: "Yes, I'm sure that's him; I've seen him before."

Do we need to do anything? Maybe, maybe not.

Acknowledge – synonyms: *admit, recognise, allow, accept, concede*

This is a very important word. If you don't acknowledge something, it can mean you DON'T accept it, and if you do acknowledge something or someone, it can help build an understanding and a two-way connection eg Acknowledgement of Country.

But does the word "acknowledge" imply action? Not of itself. It's about respect. It's attitudinal.

Additionally, in conversation and the context of debate, both words evoke for me my mother's all too common response when she didn't really agree, when she'd say, "Yes, but..." 😊

Declare – synonyms: *state, announce, assert, affirm, pronounce*

Consider this analogy: Man and Wife

~ I recognise that you are married (yes I know that you are)

~ I acknowledge that you are married (but let's talk about something else ...)

versus

~ "I now pronounce you man and wife"

The celebrant declares it to the world. And is very involved in the statement - after all, they have just legalised your union. Yes!

A declaration triggers action; it has a bigger meaning, bigger implications.

Can it be followed by "Yes, but..."? Possibly, but much less so than the softer alternatives.

Declare = **Recognise** + **Acknowledge** + **Major Consequences**.

We need Council to find those extra resources - to appoint extra staff, make budget allocations, keep installing solar panels, buy batteries, produce educational material etc etc

We need Council to act in many ways - with courage, and without hesitation. There are many reasons why *declare* is the appropriate word.

So whence cometh the resistance to saying, "declare an emergency" - what's the reason for the hesitation? Is it due to a worry that:

- ☞ people will think you are going overboard?
- ☞ they will label the Council as alarmist?
- ☞ doing so would evoke fear?
- ☞ people will not then support the proposed actions?
- ☞ too much "doom and gloom" would put residents off?

I put it to you that:

- ☞ you have enormous support in this community
- ☞ the true scenario is truly devastating
- ☞ yes the strength of the word could raise fear, but fear can actually influence what people do in a very positive way (why else did people stop smoking?)
- ☞ even people who don't want to change what they individually do, are often supportive of the government doing something AND if financially supported, will follow its urgings

Useful slogans or catchy phrases could include:

- The heat is on
- Act when? Act now.
- We're running out of time
- It's already too hot
- Trees not coal
- We capture carbon in what we grow
- 100% renewable
- Regenerative farming helps – let's be the re-gen generation
- Nillumbik's carbon sink is helping the world
- Cool the earth
- Let's make the world a better place
- The climate crisis is not a new normal, it's an escalating problem
- We need to apply the brakes, not just take our foot off the accelerator
- We MUST stay under 2.

Also, you can remind us of the benefits:

- EVs are quieter
- Well-insulated houses are more comfortable
- Home grown food tastes nicer
- Less stuff is less stressful ...
- and maybe, just maybe, there won't be as many extreme weather events

People in Nillumbik will respond. We in Nillumbik will never forget Black Saturday. And now add to that the Black Summer of 2019-20 – we won't forget Mallacoota, or the smoke from the Plenty Gorge. And despite it being cooler and damper since then, the extreme events haven't let up – thinking recently, the storm in June, and the big winds of just last week.

We are herd animals and we do like to conform. We are biddable – take the COVID restrictions, take vaccination – we understood, we followed. But BECAUSE it's really hard to change our habits, we need the government to lead with the front foot – we need our leaders to make hard decisions, not shy away from them, to show courage without hesitation.

Strong talking actually helps communicate the message. And if 99% of the emissions in Nillumbik are down to us, we need the strong talking.

The recent UN report said (see www.news.un.org)

- we are on track for 2.7° of warming by the end of this century
- if all the zero pledges are implemented, that could come down to 2.2°
- to have a chance of reaching the 1.5° target, the world needs to almost halve emissions in the next 8 years – which means removing 28 gigatonnes of CO₂ from annual emissions over and above what has already been promised

Indeed, the UN chief Antonio Guterres said on 27 October 2021 pre-COP26 in Glasgow, "Less than one week before COP26 in Glasgow, we are still on track for climate catastrophe. Leaders must be clear in their plans,"

and

"The emissions gap is the result of a leadership gap but leaders can still make this a turning point

to a greener future instead of a tipping point to climate catastrophe. The era of half measures and hollow promises must end."

And heed Greta Thunberg

She told leaders at the Davos World Economic Forum in 2019:

"I don't want your hope, I don't want you to be hopeful. I want you to panic. I want you to feel the fear I feel every day... I want you to act as you would in a crisis."

I want you to act as if our house is on fire. Because it is."

<https://www.theguardian.com/environment/2019/jan/25/our-house-is-on-fire-greta-thunberg16-urges-leaders-to-act-on-climate>

Think of the SchoolStrike4Climate movement that she began... in 2019 it saw more people on Melbourne's city streets than for any of the moratoriums of the 1970s. Our children and grandchildren are completely right to call us, and all levels of government, to account, and Council holding back, trying to toe some line so as to not frighten the horses - well it's just not a reasonable option.

I have two more reference items of relevance here:

First, the Macquarie dictionary.

It has 10 meanings for

"to declare" (incl in

cricket to declare an

innings)

but here are the first 4

- a) To make known, especially in explicit or formal terms
- b) To announce officially, proclaim
- c) To state emphatically, affirm
- d) To manifest, reveal

dutiable.
declarant /də'kleərənt/, *n.* one who makes a declaration, esp. a legal declaration.
declaration /dek'lə'reɪʃən/, *n.* 1. a positive, explicit, or formal statement, announcement, etc. 2. a proclamation: a declaration of war. 3. that which is proclaimed. 4. the document embodying the proclamation. 5. a statement of goods, etc., liable to duty. 6. *Law* the decision of a court or judge on a question of law or rights. 7. *Law* Obs. a. the formal statement in which a plaintiff presents his claim in an action. b. a complaint. 8. *Cricket* the voluntary closure of an innings before all ten wickets have fallen. 9. *Cards* a. *Bridge* a bid, esp. the successful bid. b. the statement during the game of the points earned by a player, in bezique or other games.
Declaration of Independence, *n.* *US Hist.* 1. the public act by which the Second Continental Congress, on 4 July 1776, declared the colonies to be free and independent of Great Britain. 2. the document embodying it.
Declaration of Rights, *n.* *Eng. Hist.* the statement of rights and liberties of the people accepted by William and Mary on taking the throne in 1688.
declarative /də'kleərətɪv/, *adj.* serving to declare, make clear, or assert; declaratory. -**declaratively**, *adv.*
declaratory /də'kleərətəri/, *adj.* serving to explain rather than pronounce: the court gave a declaratory judgment. *parliament passed a declaratory act.* -**declaratorily** /də'kleərətərəli/, *adv.*
declare /də'kleə/, *v.* -**clared**, -**claring**. -*vt.* 1. to make known, esp. in explicit or formal terms. 2. to announce officially; proclaim. 3. to state emphatically; affirm. 4. to manifest; reveal. 5. to make due statement of (dutiable goods, etc.). 6. to make (a dividend) payable. 7. *Bridge* to signify (a certain suit) as trumps or to establish the bid at no-trump. -*vi.* 8. to make a declaration. 9. to proclaim oneself. 10. *Cricket* to close an innings voluntarily before all ten wickets have fallen. [ME *declaren*, from L *declārare* make clear] -**declared**, *n.* /də'kleərəd/, *adj.* avowed; professed. -**declaredly**, *adv.*

Second - a University of Melbourne article published 28 July 2020:

<https://pursuit.unimelb.edu.au/articles/the-local-governments-declaring-a-climate-emergency>

Two important extracts (my colour and bolding):

“Our research focused on climate emergency action plans released before 2020, and we found **three levels of local government climate emergency response: business as usual, incremental and transformational**. We found that **Business as usual responses** are usually characterised by the statement: “Yes, it’s an emergency, but we are already taking action – just look at our existing plans and targets”. At this level, the climate emergency response seeks to recognise issues associated with climate change, but to limit any additional actions and changes at an organisational level. Next, we see the **incremental responses**. These are characterised by: “Yes, it’s an emergency, we’ll need to adjust and strengthen our existing plans and targets”. **Incremental responses acknowledge climate change** and the necessity for planning and implementing action, but this response aims to fit any new action into existing systems and processes. Finally, **transformational responses** capture the complexity of climate emergency. They are characterised by: “Yes, this is an emergency – we need to take fundamental action to address the underlying structural and strategic basis for climate change and implement far-reaching actions and responses”. **Transformational responses are prepared to examine the systems and processes across the entire organisation and beyond, to include stakeholders, supply chain, ratepayers, residents and businesses**. At this stage, there are very few, if any transformational responses. **There’s an urgent need for researchers to work with governments and others in planning, developing and implementing truly transformational actions.**”

Plus...

“It’s apparent that prior to these climate emergency declarations, city planners and policy-makers have conceptualised climate change as a complex issue, but climate change mitigation and adaptation plans have been largely characterised as business as usual or incremental responses. Now that governments around the world are **declaring** climate emergencies, we should begin to see whether emergency plans can encompass a **more transformational response**, adequate for the complexity of the issue.”

I am asking Nillumbik to have a **transformational** response.

I believe in the context of the Focus Areas listed in the Plan that this is possible. I hope it is. **Declaring** the emergency is part of that.

B. Focus Area comments

I watched the documentary 2040 a couple of years ago, then again recently... and I am reminded that there is over 400ppm of CO₂ in the atmosphere (and the web tells me that in June 2021 it was 420ppm... up from round 311ppm when I was born). Getting it back down to 350ppm would be a good goal!

These items in the doco left a lasting impression on me:

- energy sharing between houses (decentralised neighbourhood micro-grids) in Bangladesh
 - electric car charging points
 - That even if we STOP all our emissions today, we are still toast because of what's already in the atmosphere... so we do have to remove it somehow and store it - but via "Project Drawdown" this might be possible
 - Agriculture can do drawdown! - regenerative agriculture / farming / agro-forestry
- So, it's GREAT that Nillumbik has "small agriculture"; we can play to our strengths.

p11 - What we'll do ... Indicators

Re including Indicators only for things for which data is currently collected - please make provision for the data collection and include that as an Indicator.

So instead of:

"Over the life of the Plan, as improved and more cost effective data collection options become available, we'll be able to review and update them."

... could you add a list of future desired Indicators, and make one of the actions the sourcing of that data.

p12 - Focus Area 1

- Strong climate action leadership and culture

Under the strategies:

1.1 Please publicly Declare rather than Acknowledge a climate emergency.

1.2 Add these items to the Strategies:

- appoint additional staff to assist with the implementation of the Plan
- a timetable for planned actions

1.3 Collaboration is great - but specifically:

- promote regenerative agriculture/farming, and
- establish a Community Advisory Committee

There are people in the community whose knowledge and skills you absolutely need to draw on.

Indicators - Please add more. And give them detailed targets eg 80% by 2024, 100% by 2030.

Having the numbers there for officers to focus on will help to make them happen.

p13 - Focus Area 2

- Climate resilient, adaptive, safe community ... Indicators

I'm a bit puzzled by the inclusion of only one Indicator here, being a cross-reference to the Health and Wellbeing Plan. That's only re 2.3?

Please add some specific Indicators that flow from the list of strategies for 2.1 and 2.2, eg:

- Awareness campaigns conducted (Target = increasing)
- Community climate action initiatives publicised and publicly supported (Target = increasing)
- Actions in partnership with the CFA (or should that be FRV??) (Target = increasing)

p14 - Focus Area 3

- Climate resilient natural environment

Please add reference to "regenerative agriculture / farming", not just "sustainable" to both 3.1 and 3.2 and to the Indicators: its drawdown effects could be an important contribution.

Vegetation cover - please add an Indicator (Target = increasing)

Tree cover - it's good that this should increase in urban areas, but don't ignore the rural - add an Indicator: "percentage increase in tree canopy cover" (Target = 30% increase by 2030)

p15 - Focus Area 4

- Climate responsive Council services, facilities, buildings, infrastructure

Drains - please mention this issue specifically. With increases in wild weather events, they need to be bigger to be able to cope

4.2 Please add modify drainage as a specific example - this is a known risk already

The indicator is a bit wishy washy - "climate ??efficiency?? projects and programs" - what does that mean?

More useful Indicators could include:

- percentage of weather events where drainage did not adequately meet the demand (target = decreasing)
- percentage of facilities upgraded to withstand extreme weather events (target 80% by 2024, 100% by 2030)
- percentage of Council facilities with a power source independent of the grid (target 80% by 2024, 100% by 2030)

pp16-17 - Focus Area 5

- Council and community net zero emissions

I really like the list in the shaded intro section.

Questions though:

- Could Council run a free advisory service so people can find out how they can reduce their emissions? It might require the employment of extra, suitably qualified, personnel
- Can Council provide some financial assistance to those who need it?
- Is this Focus Area the place where Council could commit to divestment from institutions that prop up the fossil fuel industry? I don't yet see this anywhere - I did a "find" for the word "divest" and got nothing. It needs to go somewhere - those investments are bit like passive smoking.

Please add examples of "how" in the Strategies column

(eg how will you support the community to incorporate ESD? - could you give examples)

Where baseline data is lacking, please add an indicator to produce some by 2023 (see more below)

Please add relevant items to the indicators, eg:

- [-] Establishment of free advisory service for the community and businesses (target - 2023)
- [-] construction completed of solar farm to supply of 100% renewable electricity to Council services (target - 2023)
- [-] percentage of community able to access solar farm electricity supply (target - ?)
- [-] publication of Council's Zero Emissions roadmap (target - 2023)
- [-] percentage of Nillumbik's buildings that implement ESD (target - increasing)
- [-] number of renewable energy projects given direct support by Council (target - increasing)
- [-] number of microgrids operating in Nillumbik (target - increasing)
- [-] percentage of new builds with gas appliances (target - zero by 2024)
- [-] percentage of households using gas (target - zero by 2027)

and bring these indicator target dates forward:

- [-] percentage of council's stationary renewable energy use (target 100% by 2025, not 2030) - so Council gets its bit down by then - then the whole of the Shire gets down to this by 2030.
- [-] volume of annual emissions within the Shire (target of net zero by 2030, not 2035, with an interim target for 2027).

For education doc, there is a good article here: <https://renew.org.au/renew-magazine/climate-change/the-science-behind-the-climate-emergency/>

It includes this map:

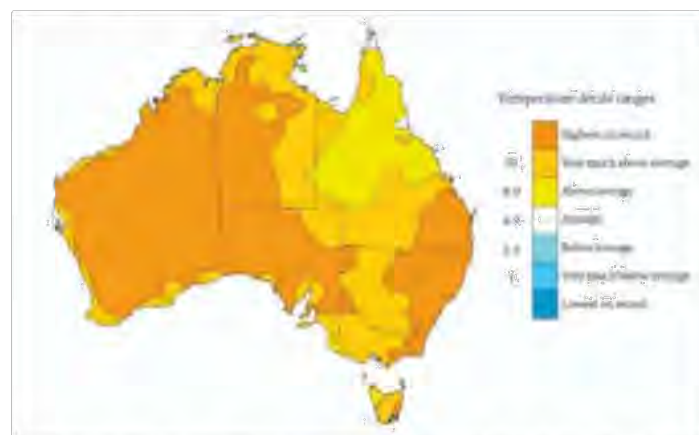


Figure 2: Maximum temperatures in 2013 were above average in most of Australia; they were the highest recorded for over half of Australia.

I realise the Council understands, but this could be a useful aid, especially as in Melbourne conditions prior to the Black Summer were less severe than elsewhere. I know I felt like it showed folk further north what our Black Saturday had been like, but for us Black Saturday was worse. The paler yellow on the map possibly shows why. Also, it's disturbingly impressive how "orange" most of the country was, and educational for us to see that.

p18 - Focus Area 6

– Sustainable public transport

6.3 Add something about installing multiple EV charging points in as many sites as possible. I saw a car using one at the Eltham Leisure Centre yesterday (for example) – but there are so many car parks and sites generally where they could be installed.

Add an Indicator re EV charge points.

p19 - Focus Area 7

– Zero waste and circular economy

PLEASE include something about lobbying / doing whatever is necessary to get the purple bins for glass recycling SOON – last I heard, we're not down to get them till 2025, which (if true) is ridiculous!

In 7.1 there is an oblique reference to the Repair Café – please add an Indicator.

Repair Café sessions run by the community with Council support. (Target – increasing, monthly by 2023).

p21 - Pledges already made

Many of these should be reflected in relevant Indicators to show progress, with dated targets added (unless already complete) eg:

- ☐ solar farm at former Plenty landfill site (tender awarded ... progress since then?)
- ☐ EV chargers at multiple locations (target – increasing lots and lots!)
- ☐ Phasing out of single use plastics (target – 2023)
- ☐ heating, cooling – new more efficient systems installed yet?
- ☐ installation of solar PV on all Council buildings
- ☐ installation of battery storage in Council buildings
- ☐ investigation of unused Council land for renewable energy purposes
- ☐ results of partnering with the AEF
- ☐ double glazing in Council buildings

p23 House graphic

This is terrific! It gives a base for 2021 ... Could you require it to have an interim update in 2027 (not unrealistic given so many items are already at >60%) and a target of 100% by 2030? And attach it to an Indicator in Focus Area 5?

But – why are the rubbish bins coloured as they are? Was the graphic borrowed from somewhere that has different coloured bins from ours? And surely there should be 3 bins, red, green and yellow, with the “try not to buy materials that become waste” caption pointing to a SMALL red bin, and the “actively separating waste” caption pointing to the yellow one? The green one could be used for a caption yet to be invented.

Finally, the Green Power arrow – please amend this next update to give the percentage of households that purchase 100% Green Power. That's what we need to be working towards.

Many thanks for the opportunity to provide this feedback.

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PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 1.	CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

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12. Officers' reports

CM.160/21 **Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**

Distribution: **Public**

Manager: **Rosa Zouzoulas, Executive Manager Planning and Community Safety**

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

Summary

This report proposes that Council take the formal steps to commence and exhibit Amendments C143 and C144 to the Nillumbik Planning Scheme, which will implement and give statutory weight to the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020).

The Amendment supports a priority action of the 2021-2025 Council Plan, which is to implement the adopted structure plans for the Eltham and Diamond Creek Major Activity Centres into the Scheme. The Amendments propose planning scheme changes which will particularly:

- Cite the 2020 Structure Plans as the relevant reference document.
- Improve particular urban design and land use restrictions.
- Make some minor, site specific changes to existing building height limits, whilst retaining extensive use of tight mandatory height controls and modest height limits.
- Further support the role of vegetation in cooling the urban environment.
- Make a series of administrative updates.
- For Eltham, extend application of Schedule 1 to the Activity Centre Zone (ACZ1) to the Bridge Street Business Area.

The proposed changes will retain and improve the key settings of the current suite of planning provisions in the Planning Scheme.

Pursuant with the *Planning & Environment Act 1987*, Council must request and receive authorisation from the Minister for Planning to "prepare" (i.e. commence) and exhibit the Amendments.

Subject to authorisation from the Minister Council may prepare and exhibit the Amendments which would include formal notification and (potentially) a Planning Panel to hear any objections and make recommendations on the amendment.

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Recommendation

That Council:

1. Requests the Minister for Planning, under Section 8A of the *Planning and Environment Act 1987*, to authorise the preparation and exhibition of Amendments C143 and C144 to the Nillumbik Shire Planning Scheme; and
2. On receipt of that authorisation, places Amendments C143 and C144 to the Nillumbik Planning Scheme on exhibition.

Attachments

1. Time line of key steps in planning for the Eltham and Diamond Creek Major Activity Centres
2. Extent and precincts of the Eltham MAC
3. Extent and precincts of the Diamond Creek MAC
4. Current mandatory and discretionary height limits in the Eltham and Diamond Creek MAC's
5. Proposed height changes in the Eltham MAC
6. Proposed height changes in the Diamond Creek MAC
7. Amendments C143 and C144 - Table of key proposed planning scheme changes
8. Explanatory report for Amendment C143 (Eltham MAC)
9. Explanatory report for Amendment C144 (Diamond Creek MAC)
10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments
11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments
12. Proposed SLO1 (Eltham Town Centre) with points of change highlighted
13. Proposed SLO6 (Diamond Creek MAC) with points of change highlighted
14. Proposed Clause 11.03-1L (Activity Centres in Nillumbik) with additions highlighted.

Discussion

Major Activity Centres and Structure Plans

1. State Government Planning Policy stipulates that there are over 100 Major Activity Centres (MAC) in metropolitan Melbourne, as part of a hierarchy of activity centres, Metropolitan, major, neighbourhood and convenience.
2. A MAC is intended to be a centre, well-connected to public transport, where housing, commercial and social activity should be consolidated to provide a highly accessible and attractive hub for the local community to work, shop, live etc.

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-
3. State Government Policy first created MAC's in 2002, including to designate that there will be two in the Shire, which are one at Eltham and one at Diamond Creek.
 4. Important sustainability gains are sought by activity centre planning, such as reducing car dependency. A short summary is provided towards the end of this report under "Sustainability Implications" regarding these intended gains.
 5. In addition to stipulating the number and location of MAC's, State Government Policy requires the local government area for each MAC to:
 - Develop and adopt a structure plan to guide development of the MAC; and
 - To import provisions into the planning scheme which will implement the plan.

The Activity Centre Zone

6. The State Government's preferred planning provision to implement a structure plan is the Activity Centre Zone (ACZ).
7. The ACZ has significant benefits. For example:
 - It contains land use and development requirements in the zone, which simplifies the number of planning provisions required to implement a structure plan.
 - Unlike most other zones, and importantly, it gives Council capacity to set the urban design requirements (e.g. maximum building heights, building articulation and setbacks) and restrictions on land use.
8. However:
 - The content of an ACZ, as with any planning provision, has to be approved by the Minister for Planning through the planning scheme amendment process.
 - The State Government will endeavour to advance State policy in regard to activity centre planning and will oppose proposed planning provisions which it deems will prevent sufficient growth in an activity centre.
 - The ACZ does not provide any permit triggers to protect vegetation. A separate provision, such as a Significant Landscape Overlay, must be used.

A Summary of Planning for the Eltham and Diamond Creek MAC's

9. A timeline of planning for the Shire's two MAC's is provided as **Attachment 1**. As detailed in the timeline, the two MACs have been planned concurrently, including:
 - Adoption of a first structure plan, which was in 2004 for Eltham and 2006 for Diamond Creek
 - First application of substantive activity centre provisions to each centre in 2014, which was by gazettal of Amendments C51 (Eltham) and C53 (Diamond Creek).
(These amendments introduced many of the existing urban design and land use settings, including extensive use of mandatory height limits and modest height limits ranging from 3 to 5 storeys in both centres.)

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- Translation of the activity centre provisions in 2016 to Schedule 1 to the Activity Centre Zone (ACZ1) for Eltham and the ACZ2 for Diamond Creek
 - Adoption by Council of a new structure plan in 2020 for each MAC. A map of the extent and precincts of each MAC, as defined by the current 2020 plans, is provided as **Attachment 2 (Eltham)** and **Attachment 3 (Diamond Creek)**.
10. It is brought to Council's attention that:
- Development of the 2020 structure plan for each centre was informed by extensive rounds of public engagement.
 - The direction and recommendations of each 2020 structure plan were significantly informed by an urban design report compiled for each centre.
11. The urban design reports just referred to were produced in close consultation with a Council advisory group, which was specifically convened for that purpose and which comprised community members. The group was led by two appointed Councillors and was assisted by officers and an urban design consultant.
12. The previous and existing (2020) structure plans provide very similar objectives and settings. For example, subject to the plans, each centre will:
- Primarily comprise the main commercial precinct(s), an adjacent industrial precinct and public open space within the Diamond Creek corridor.
(NB: The 2020 Eltham Structure Plan brings the St Vincent's Aged Care Facility in Diamond Street and Andrew Park into the activity centre, but plans for their existing uses to continue).
 - Have its development concentrated in existing developed areas, whilst parkland is to be protected for its environmental, landscape and recreational uses.
 - Achieve a preferred character that exemplifies the local heritage and the centre's location on the rural fringe. To this end, development is to be modest in scale, respect the local topography, be well-landscaped and use muted tones and materials.
 - Protect and enhance the contribution of vegetation, particularly indigenous vegetation, to the existing character and amenity.
 - Be safe, inclusive and easily accessible, particularly for pedestrians and cyclists.
13. Currently, only the previous structure plans for each MAC are implemented by the Nillumbik Planning Scheme, which is done by the following provisions:
- The ACZ1 for Eltham and the ACZ2 for Diamond Creek.
 - Schedules to the Significant Landscape Overlay (SLO), which are the SLO1 for the Eltham Town Centre and the SLO6 for the Diamond Creek MAC.
 - The application of the Public Park and Recreation Zone (PPRZ) to parkland, which is a zone used to protect and manage public open space.
 - Some policy within the planning policy framework.

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14. In addition, in the Eltham MAC, the Industrial 3 Zone (IN3Z), not the ACZ1, is applied to the MAC's industrial precinct. This precinct, which is located in Bridge Street and surrounds, is referred to as the Bridge Street Business Area (BSBA).
 15. The settings of the ACZ schedules, SLO schedules and Planning Policy Framework are very similar for each MAC, noting:
 - A maximum building height limit, which ranges from 3 storeys (10.5m) to 5 storeys (17.5m), is applied by the ACZ schedules.
 - The 3 storey height limit is a mandatory (non-negotiable) height limit and is applied to a significant area of the Eltham Town Centre and the Diamond Creek MAC. The existing application of mandatory and discretionary height limits in both MAC's is shown in **Attachment 4**.
 - A minimum front setback from the kerb of 5.5 metres is applied and upper levels of higher buildings are required to be further setback (ACZ schedules).
 - In many locations a top storey is to be in the roof and roofs are generally required to be pitched (ACZ schedules).
 - Design techniques and materials typical for the Shire and each locality are promoted, such as use of natural and muted exterior materials, minimising earthworks and making generous use of landscaping, particularly using indigenous vegetation (ACZ schedules).
 - The loss of significant vegetation is minimised by a requirement in a sizeable area of each MAC that requires a permit to remove a substantial tree (SLO schedules) where objectives of the SLO are to retain substantial trees.
 - Community and commercial activity is to be consolidated into each activity centre (Planning Policy Framework).
 - Different roles and land uses are assigned to each part of an activity centre (ACZ schedules and the Planning Policy Framework).
 16. These settings have existed in the Nillumbik Planning Scheme since 2014 and have significant benefits, including:
 - Each activity centre is compact and development is significantly restricted to existing traditional areas of development and within modest building heights.
 - Where applied, mandatory controls have removed any possibility of higher development and have probably had a flow on effect in supporting non-mandatory height limits where these are applied.
 - The SLO's offer legally enforceable protection for substantial trees.
 - Different parts of each centre are allocated roles which are tailored to protecting any important existing values, whilst supporting the overall vitality and viability of the centre.

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17. The modest height limits, use of mandatory controls, application of the SLO schedules and application of compact activity centres were all hard fought gains in deliberations with the State Government between 2008 and 2014, noting the State government wanted more relaxed controls for each centre. In the context of the wider metropolitan area, the Shire's MAC's are considered significantly restrictive in terms of the development and impacts allowed.

18. However, there is a need to make changes to the relevant sections of the planning scheme for the following reasons:

- The scheme does not refer to Council's current 2020 structure plans and a continuation of this situation will eventually undermine Council's planning decisions in relation to each centre, including at VCAT.
- The current requirements in the ACZ schedules regarding roof shape and form have been problematic by way of being too prescriptive and complicated. Applicants have struggled to understand the requirement for a top storey to be in the roof and the quality of the design response has not been beneficial. The 2020 structure plans recommend that this top storey requirement be removed.
- Setting a minimum 5 m front setback from the kerb is creating undue pressure for insufficient setbacks in certain areas, such as in residential areas where a larger setback should occur to protect and enhance vegetation. There have been community requests for this issue to be addressed and the structure plans recommend this occur by determining the front setback from the property boundary, rather than the kerb.
- There are opportunities to vary height restrictions, whilst still retaining the 3-5 storey height limits. For example, the structure plans recommend:
 - Some minor increases in height limits in parts of the Eltham station precinct from 3 to 4 storeys and from 4 to 5 storeys. This includes a minor reduction in the application of the mandatory (3 storey) height control at the station.
 - Two very minor areas of reduction in height limit from 4 to 3 storeys and from 5 to 4 storeys in Diamond Creek.

These proposed changes in height limit are shown in **Attachment 5** (Eltham) and **Attachment 6** (Diamond Creek).

- As the effects of climate change escalate, the need to recognise the increasingly important role of vegetation in providing urban cooling, such as by providing shade, needs to be recognised and supported. This is not currently sufficiently recognised as vegetation is principally regarded for its role in providing amenity.
- The existing land use settings applied by the ACZ (i.e. the settings that determine which uses are promoted and discouraged in particular areas) need some improvements. These are not only improvements to better reflect the existing structure plan, but also to address inconsistencies when the current settings in the ACZ schedules were translated from the previous state-wide generic zones (see **Attachment 1** for background to this issue).

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- In Eltham, there is a continued lack of guidance currently in the Nillumbik Planning Scheme for the Bridge Street Business Area (BSBA), largely because:
 - The IN3Z applies land use settings which are not sufficiently tailored to the mix of uses intended by the successive structure plans. This currently makes it possible for certain inappropriate uses, such as a supermarket, to easily establish in the BSBA.
 - No urban design provisions (e.g. building height limits, setbacks, use of particular materials, or measures to protect pedestrian safety) are applied.

The Eltham MAC Structure Plan recommends the ACZ be applied to the BSBA.

Recommended Changes to the Planning Scheme Provisions

19. Considering these matters, it is recommended that the planning scheme be modified to reflect and implement the current 2020 structure plans. These modifications primarily include:
 - To cite the new structure plans as the reference documents for the relevant planning provisions.
 - Modify the ACZ schedules to:
 - Update the precinct mapping and numbering and also the stated objectives and requirements.
 - Simplify the requirements regarding roof shape and form, including to remove any requirement for a top storey to be in the roof.
 - Measure front setbacks from the property boundary.
 - Provide more urban design guidance, including by visuals.
 - Articulate and support the role of vegetation in provide urban cooling, including to provide scope for non-indigenous trees where required to provide good shade (e.g. in key public areas), whilst still setting an overall preference and theme for indigenous vegetation in the centre.
 - Update and modify restrictions on land use to address some issues and inconsistencies. For example, to better regulate certain uses which could have an adverse impact on each centre.
 - Apply slightly different height limits in a small part of each centre, as shown in **Attachments 5 and 6**, whilst still retaining both a height range of 3-5 storeys and significant use of mandatory height limits.
20. In addition, in Eltham, to:
 - Remove Schedule 7 to the Significant Landscape Overlay (SLO7) from 1-13 Henry Street, Eltham. Both the SLO1 (Eltham Town Centre) and the SLO7 (Eltham Gateway) are applied to the site. This is an error, as only the SLO1 should be applied.

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- Apply the ACZ to the BSBA for the purpose of:
 - Setting land use restrictions which are tailored to promote the preferred mix and location of uses and better maintain and protect the different and intended roles of the BSBA and Eltham Town Centre.
 - Applying urban design provisions and requirements, including to:
 - Apply setback requirements which are designed to minimise the impact of buildings on the streetscape and/or provide for landscaping. A significant setback of 22 metres is proposed for development along Bridge Street.
 - Provide objectives and requirements which promote good quality design.
 - Apply height limits for the first time, which will be discretionary height limits which range from 3 storeys (set as 12m) to 4 storeys (16m).
 - 21. The proposed height limits for the BSBA will not alter the existing range of maximum height limits within the MAC, which range from a low of 10.5m to a modest 17.5m.
 - 22. These changes, as listed above, principally require changes to the ACZ schedules and a much lesser scope of changes to the SLO schedules and Planning Policy Framework.
 - 23. Importantly, all the proposed changes outlined above retain:
 - Low to modest height limits (3-5 storeys), with extensive application of mandatory height limits to sensitive areas.
 - Compact activity centres.
 - Protection of each MAC's green corridor for environmental, aesthetic and recreational values.
 - Tree protection controls (through the SLOs).

Proposed Planning Scheme Amendments C143 and C144

- 24. The proposed planning scheme changes (outlined above) to implement each structure plan require a planning scheme amendment. It is preferable to conduct separate planning scheme amendments for each of Eltham and Diamond Creek, as this will be far easier for the community to respond to. Consequently, the following amendments have been drafted:
 - Amendment C143 to implement and give statutory weight to the Eltham MAC Structure Plan (July 2020)
 - Amendment C144 to implement and give statutory weight to the Diamond Creek MAC Structure Plan (September 2020).
- 25. A table of the key changes proposed by the Amendments is provided as **Attachment 7** and the following key documents for the proposed Amendments are provided:

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- The explanatory report for the Amendments are provided as **Attachments 8 (C143 – Eltham) and Attachment 9 (C144 – Diamond Creek)**.
(Each explanatory report explains the Amendment and demonstrates how it responds to planning policy, Ministerial Directions and State Planning Practice Notes.)
 - The proposed ACZ schedules are provided as **Attachment 10 (ACZ1 for Eltham) and Attachment 11 (ACZ2 for Diamond Creek)**. Each schedule is provided with officer comments that explain certain key changes.
 - The proposed SLO Schedules are provided as **Attachment 12 (SLO1 – Eltham) and Attachment 13 (SLO6 – Diamond Creek)**. The points of proposed change in each schedule are highlighted.
 - The proposed revised section of the Planning Policy Framework, namely, LPP 11.03-1L-01 (Activity Centres in Nillumbik) is provided as **Attachment 14**. Proposed additions are highlighted.
26. For the Amendments to be successful, the following steps will need to occur:
- a) The Minister of Planning authorises Council to commence and exhibit the Amendments;
 - b) The Amendments are fully exhibited;
 - c) A Planning Panel considers any submissions which Council cannot address; and
 - d) Council adopts the Amendments (potentially with changes) and the Minister approves the adopted Amendments (potentially with changes).
27. Amendments such as these are expected to take 12-18 months to complete.
28. The exhibition process for the Amendments will provide an opportunity for the community to provide any feedback it wishes on the Amendments, broad or specific. It will also provide an opportunity for Council to explain that:
- The requirement that the MAC's provide substantial growth (e.g. in retail and medium density housing) is set by State Government planning policy.
 - Much of the current content of the provisions has been in place since 2014, such as the mandatory height controls and the 3-5 storey height limits
 - That existing restrictions (e.g. height and tree restrictions) were the tightest that the State Government would allow in 2014.
 - The changes proposed by the Amendments retain and improve key settings applied by the current provisions.
29. It is recommended that Council requests the Minister to authorise the commencement and exhibition of the Amendments. If the authority is promptly granted, exhibition of each Amendment is expected to occur, concurrently, in early to mid-2022.

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30. A report on submissions to the exhibition of the Amendments would be presented to Council's Planning and Consultation Committee at the earliest opportunity and within statutory timelines set by the State Government's amendment process.

Related Council decisions

31. The Council Meeting of July 2020 adopted the existing Eltham Major Activity Centre Structure Plan and the meeting of September 2020 adopted the existing structure plan for the Diamond Creek Major Activity Centre.
32. Further, the Council Meeting of October 2021 adopted the Council Plan 2021-2025, which includes as a priority action to:
- Implement the Major Activity Centre Structure Plans for Diamond Creek and Eltham into the Planning Scheme.*

Options

33. The option recommended to Council is to take the necessary steps to commence and exhibited Amendments C143 and C144. To do so is consistent with:
- The Council Plan 2021-2025.
 - Council's responsibility to manage the Nillumbik Planning Scheme and implement activity centre policy for the Shire's Major Activity Centres.
34. Were Council to not pursue the Amendments, it is expected that this could have the following significant implications:
- Council's provisions in the Scheme to guide development of the Shire's Major Activity Centre's would become increasingly outdated and ineffective, including at VCAT.
 - A number of improvements needed to the current provisions, such as setting front setbacks from the property boundary, would not be made.
 - The State Government may take on a more "hands on" approach in applying revised activity centre provisions to the centres.
35. It is emphasised that the Amendment process provides significant opportunity for Council to further consider the proposed Amendments, including by considering submissions received and (if required) the recommendations of an independent Planning Panel.
36. However, only the Minister for Planning can approve the Amendments and there is an overall requirement that the Amendments support State Government policy.

Council plans and policies

37. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We promote place making and shaping and advocate for the continuation and enhancement of local character.

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38. Further, this report directly supports the achievement of the priority action (mentioned above) in the Council Plan 2021-2025, which is to implement the 2020 structure plans into the Nillumbik Planning Scheme.

Sustainability implications

39. Important social, environmental and economic objectives are sought by the State Government's activity centre planning. For example, to:
- Reduce car dependency by consolidating housing, employment, public transport and shops and services in close walking distance of each other.
 - Plan for our ageing population by consolidating housing diversity in close walking distance to shops and public transport.
 - Strengthen the local economy by consolidating commercial activity and providing more local employment.
 - Reflect a preferred local character for each MAC.
 - Reduce pressure to extend the Urban Growth Boundary (UGB) by strategically consolidating within the boundary.

Community engagement

40. It is intended that the Amendments will be exhibited concurrently and exhibition of each Amendment would include:
- Written notification to:
 - owners and occupiers in and abutting the activity centre
 - Relevant Ministers and authorities
 - Information sessions for the public (virtual and/or face to face).
 - Notification through Council's usual formats, such as Participate Nillumbik and social media.
 - Providing various options to the public to provide written submissions.
41. All submissions received to each Amendment will be considered by a future meeting of Council's Planning and Consultation Committee and a Council meeting.

Innovation and continuous improvement

42. The intent of the proposed planning scheme amendments is to improve Council's planning policies that guide development of the two MAC's in the Shire.

Collaboration

43. Development and implementation of the structure plans has and will continue to be based on effective collaboration between relevant units within Council and with external agencies, such as Melbourne Water and DELWP.

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Budget implications

1. The proposed planning scheme amendments are fully budgeted from Council's 2021/22 and 22/23 strategic planning amendments budget.

Relevant law

44. The *Planning and Environment Act 1987* sets the legal framework for the planning scheme amendment process and gives legal force to Victorian planning schemes.

Regional, state and national plans and policies

45. Council is required by the State Government's planning framework to implement Activity Centre Policy in the municipality through the Nillumbik Planning Scheme.

Conflicts of interest

46. No officer involved in the preparation of this report has a conflict of interest in relation to this matter.

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Attachment 1. Timeline of key steps in planning for the Eltham and Diamond Creek Major Activity Centres

Timeline of key steps in planning for the Eltham and Diamond Creek Major Activity Centres

Date	Diamond Creek	Eltham	Comment
Oct 2002	Melbourne 2030 states that one of metropolitan Melbourne's MAC's is at Diamond Creek	Melbourne 2030 states that one of metropolitan Melbourne's MAC's is at Eltham	Melbourne 2030 was the State Government's strategic planning strategy for Melbourne. It was that strategy which introduced activity centre planning for Melbourne as State Government policy, including to designate many locations across metropolitan Melbourne as Major Activity Centres.
Aug 2004		Council adopted the Eltham MAC Structure Plan	Key directives of the structure plan were: <ul style="list-style-type: none"> ▪ The MAC is defined as essentially comprising the Eltham Town Centre, The Bridge Street Business Area and a significant corridor of public open space. ▪ There is a focus on creating a centre which, while supporting growth in appropriate areas, reflects a preferred character for Eltham, particularly by: <ul style="list-style-type: none"> ○ Protecting and enhancing the contribution of vegetation, particularly indigenous vegetation ○ Requiring development to respond to Eltham design themes. For example, by being relatively modest in size, using muted tones and materials, reflecting the local topography and minimising visual bulk. ▪ Parkland should be protected for its environmental, aesthetic and social values. ▪ There is a focus on creating a safe, inclusive and accessible centre, particularly for pedestrians and cyclists. ▪ The Eltham Town Centre is to provide a social, cultural and daily commercial hub for the MAC, whilst the BSBA is to provide for uses which are important to the local economy, but which are not appropriate in the town centre (e.g. light industry and restricted retail). The two areas should not compete.
Sep 2005		Amendment C36 applies an interim planning policy to implement the Eltham MAC Structure Plan (2004)	This interim policy was applied with the understanding that Council would progress a planning scheme amendment to implement a broader range of longer-term provisions to implement the structure plan.

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Sep 2006	Council adopted the Diamond Creek MAC Structure Plan		<p>Key directives of the structure plan were:</p> <ul style="list-style-type: none"> • The MAC was primarily defined as comprising the light industrial estate at Elizabeth Street, the public transport hub, the existing commercial/mixed use precincts (located in Chute Street and on the east side of the railway line), some school land and also parkland/recreational land within the Diamond Creek corridor. • The structure plan also denotes a sizeable area to the south of the activity centre as the best opportunity for growth in medium density housing. • There is a focus on creating a centre which, while supporting growth in appropriate areas, reflects a preferred rural township character for Diamond Creek. For example, by: <ul style="list-style-type: none"> ◦ Providing moderate commercial expansion in the existing commercial and mixed use areas east of the railway line, maintaining light industry in the industrial precinct, developing Chute St as a secondary retail node and providing medium density housing in and around the centre. ◦ Retaining and enhancing the tree coverage. ◦ Designing buildings, spaces and streetscapes to reflect the local identity. ◦ Protecting parkland for its environmental, aesthetic and social values. ◦ Creating a safe, inclusive and accessible centre, particularly for pedestrians and cyclists. ◦ Clustering new and compatible community facilities near the town centre.
Dec 2007	Amendment C50 applies an interim planning policy to implement the Diamond Creek Major Activity Centre Structure Plan (2006)		This interim policy was applied with the understanding that Council would progress a planning scheme amendment to implement a broader range of longer-term provisions to implement the structure plan.
Sep 2014	Amendment C53 applies a suite of planning controls to the Eltham MAC for the purpose of implementing the Diamond Creek MAC Structure Plan (2006)	Amendment C51 applies a suite of planning controls to the Eltham Town Centre for the purpose of implementing the Eltham MAC Structure Plan (2004)	<p>Key points:</p> <ul style="list-style-type: none"> • Both amendments were commenced in 2008 and progressed concurrently. • Both were fully exhibited and considered by a Planning Panel • Both proposed:

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			<ul style="list-style-type: none"> Urban design controls, including extensive use of mandatory height controls to allow only modest sized development application of a SLO to protect substantial trees Land use policy and restrictions The State Government initially had issue with the proposed application of SLO's and particularly, with the proposed application of mandatory height controls. A compromise position was reached with DELWP which allowed: <ul style="list-style-type: none"> a mix of discretionary and mandatory heights controls with building height limits which ranged from 3 to 5 storeys, and application of the SLOs At the request of DELWP, at a late-point in the amendment process, the amendments were re-formatted prior to adoption to use a new zone, namely, the Activity Centre Zone (ACZ). The amendments were adopted in 2010, but by then a new State Government was in place and was opposed to use of the ACZ. Therefore, after significant delay, Council was informed the amendments would not be approved until they had been reformatted to use other zones, such as the Residential Growth Zone (GRZ) and Commercial 1 Zone (C1Z). The amendments were subsequently reformatted as directed and approved in Sep 2014. Deliberations with the State Government over mandatory height controls and use of the ACZ significantly delayed, by years, approval of the amendments. Amendment C51 (Eltham) applied activity centre provisions to the Eltham Town Centre only and not to the Bridge Street Business Area (BSBA). It had been Council's intention when commencing C51 to follow adoption of that amendment with another that would apply activity centre provisions to the BSBA.
Aug 2016	Amendment C106 translated the existing provisions affecting the Diamond Creek MAC (i.e. the provisions introduced by C53) into the	Amendment C106 translated the existing provisions affecting the Eltham MAC (i.e. the provisions introduced by C51) into the Activity Centre Zone: Schedule 1	<ul style="list-style-type: none"> A change of State Government brought the ACZ back "into fashion" and in consultation with DELWP, Council initiated an Amendment in 2015 to translate the existing activity centre provisions into ACZ schedules. It was agreed with the DELWP that the amendments would be assessed as administrative translations and as such, without broad exhibition.

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	Activity Centre Zone: Schedule 2		<ul style="list-style-type: none"> Translating the existing suite of zones into the ACZ schedules meant that the new ACZ schedules had to replicate each and every land use restriction provided by the previous suite of zones. This has created some inconsistencies, inefficiencies and unnecessary complications with the land use restrictions translated into the ACZ schedules. Amendment C106 did not apply the ACZ1 to the BSBA, as there were no urban design provisions or land use restrictions, which were suitably developed and tailored to the BSBA, that could be translated to that area.
Jul 2020		Council adopted a new Eltham Major Activity Centre Structure Plan (2020)	<ul style="list-style-type: none"> Council had undertaken work to replace the existing (2004) structure plan as the existing plan had become significantly dated and was losing credibility. Many of the planning provisions it promoted were, by then, no longer current. Further, the data and research underpinning the plan was dated and also, many actions recommended by the plan had already been implemented, or were obsolete. The new structure plan is largely an update to the previous 2004 plan. Some changes introduced by the 2020 Structure Plan are to: <ul style="list-style-type: none"> Extend the activity centre to include Andrew Park and the St Vincent's Aged Care Facility in Diamond Street, whilst still promoting the existing use of each these areas. To provide greater urban design guidance, including for the Bridge Street Business Area, which has been lacking. To suggest improvements to urban design controls that are applied to the Eltham Town Centre. For example, to require front setbacks to be from the property boundary, rather than the kerb. To recommend some minor increases in building height limits in the station precinct.
Sep 2020	Council adopted a new Diamond Creek Major Activity Centre Structure Plan (2020)		<ul style="list-style-type: none"> Council had undertaken work to replace the existing (2006) structure plan as the existing plan had become significantly dated and was losing credibility. Many of the planning provisions it promoted were by then no longer current. Further, the data and research underpinning the plan was dated and also, many actions recommended by the plan had been implemented, or were obsolete.

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CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. Timeline of key steps in planning for the Eltham and Diamond Creek Major Activity Centres

			<ul style="list-style-type: none"> The new structure plan is largely an update to the previous 2006 plan. Some minor changes introduced by the 2020 Structure Plan are to: <ul style="list-style-type: none"> Remove reference to an area adjacent to the activity centre as the best opportunity for medium density housing. To make a minor reduction to building height limits in particular areas. To suggest improvements to urban design controls. For example, to require front setbacks to be from the property boundary, rather than the kerb.
Oct 2021	Council adopts the 2021-2025 Council Plan		<ul style="list-style-type: none"> A priority action in the new Council plan, under Place and Space, is to: <i>Implement the Major Activity Centre Structure Plans for Diamond Creek and Eltham into the planning scheme.</i>

PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme -
Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans
(2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major
Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme -
Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans
(2020)

Attachment 2. Extent and precincts of the Eltham MAC

EXTENT AND PRECINCTS OF THE ELTHAM MAC

(As defined by the Eltham MAC Structure Plan 2020)

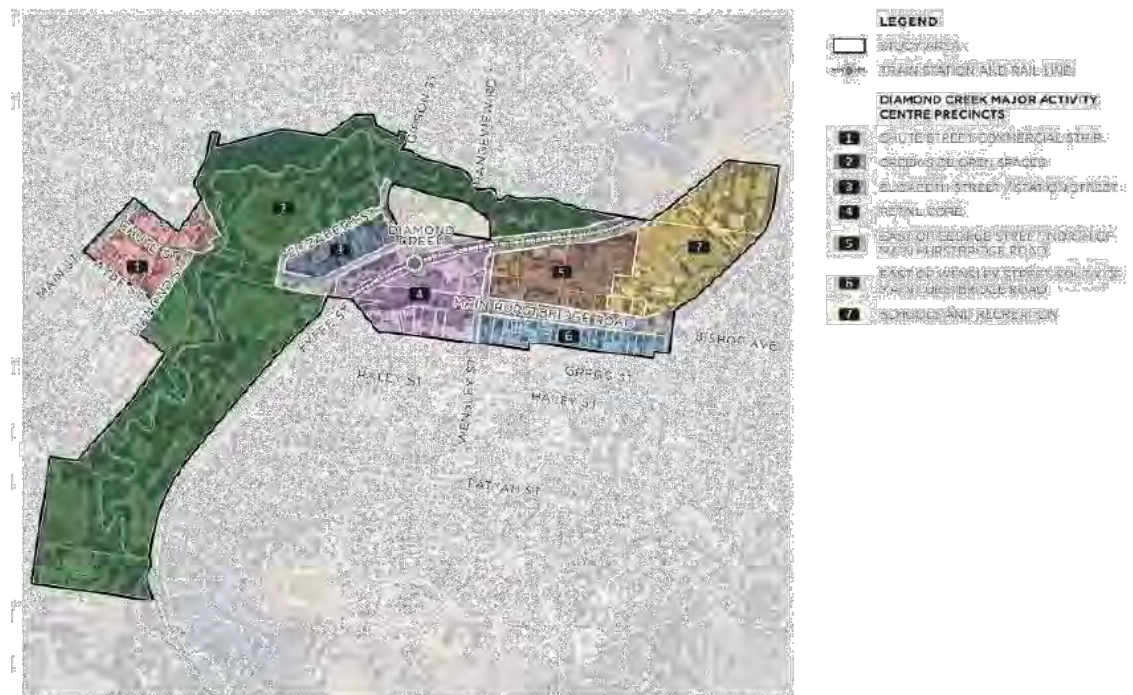


- PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
- Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

- CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
- Attachment 3. Extent and precincts of the Diamond Creek MAC

EXTENT AND PRECINCTS OF THE DIAMOND CREEK MAC

(As defined by the Diamond Creek MAC Structure Plan 2020)



- PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
- Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

- CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
- Attachment 4. Current mandatory and discretionary height limits in the Eltham and Diamond Creek MAC's

EXISTING MANDATORY AND DISCRETIONARY HEIGHT LIMITS IN THE ELTHAM AND DIAMOND CREEK MAJOR ACTIVITY CENTRES

Green =	A discretionary height limit. It is <u>intended</u> that development not exceed 4 or 5 storeys, but higher development can be approved.
Orange =	A mandatory height limit. Development <u>cannot</u> be approved which exceeds 3 storeys.

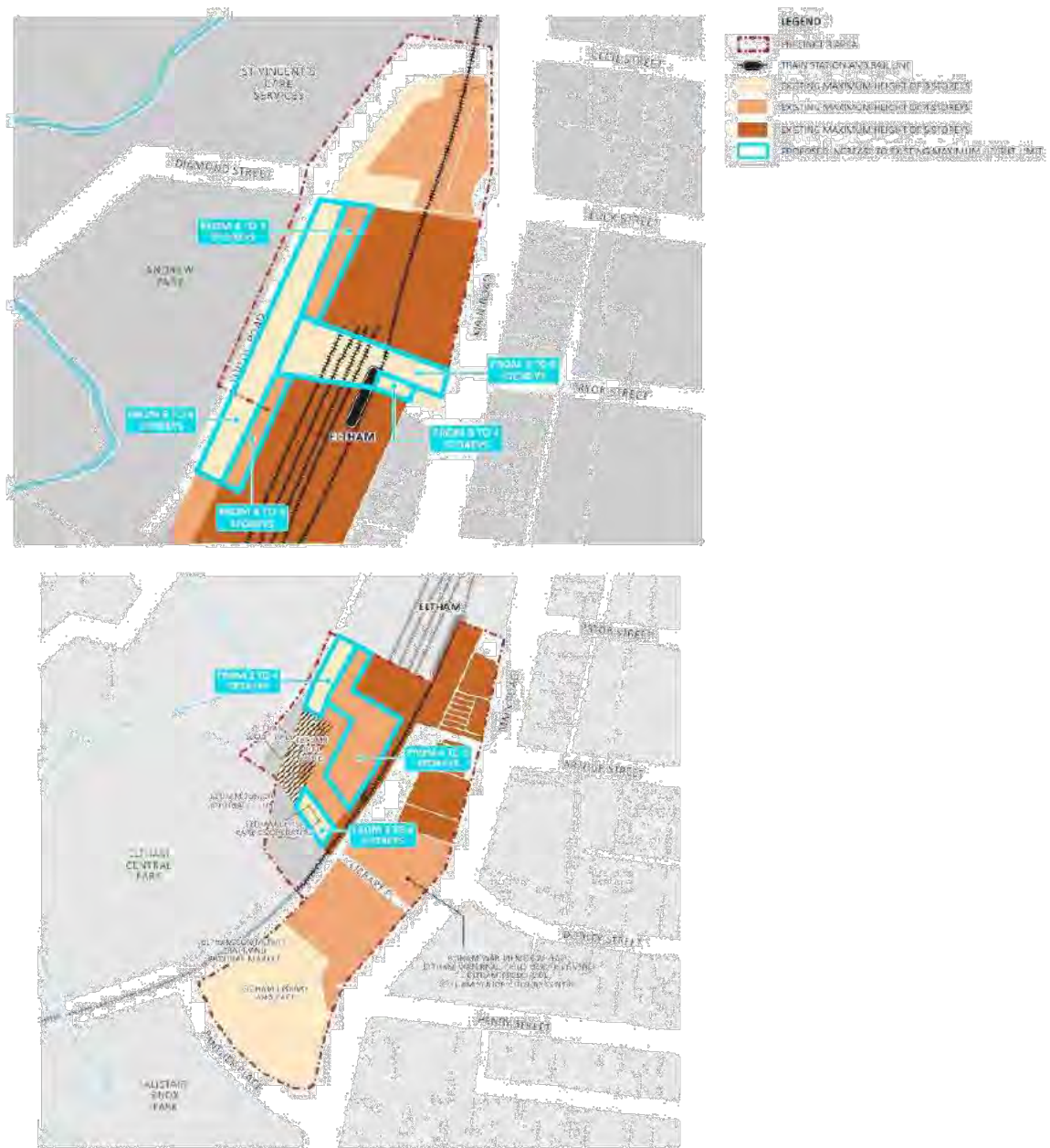
ELTHAM



DIAMOND CREEK



PROPOSED HEIGHT CHANGES IN THE ELTHAM MAC
(See Appendix A of the Eltham MAC Structure Plan 2020)



PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 6. Proposed height changes in the Diamond Creek MAC

PROPOSED HEIGHT CHANGES IN THE DIAMOND CREEK MAC
(See Appendix A of the Diamond Creek MAC Structure Plan 2020)



PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 7. Amendments C143 and C144 - Table of key proposed planning scheme changes

AMENDMENTS C143 AND C144 TO THE NILLUMBIK PLANNING SCHEME - TABLE OF KEY PROPOSED CHANGES

No.	Change Proposed by Amendment C143 (Eltham)	Change Proposed by Amendment C144 (Diamond Creek)	Explanation
1	Rezone land in the Industrial 3 Zone (IN3Z) in Eltham to Schedule 1 to the Activity Centre Zone (ACZ1) - Eltham Activity Centre. See the map of the proposed rezoning to ACZ1, which is provided as Appendix A below.		Extends the ACZ1 to the Bridge Street Business Area (BSBA), which will apply land use and urban design provisions to the BSBA that are tailored to support the objectives of the Eltham MAC Structure Plan (2020).
2	To modify the content of the ACZ1 provision (also known as an ordinance) at Clause 37.08 of the Scheme.	To modify the content of the ACZ2 provision (also known as an ordinance) at Clause 37.08 of the Scheme.	To particularly modify the content to: <ul style="list-style-type: none"> • To set front setbacks from the property boundary and not the kerb. • To provide more urban design guidance within the ACZ schedule. • To cite the relevant 2020 Structure Plan as the primary reference document. • To improve the table of uses, including to address some errors, inconsistencies and allow some potentially significant uses to be better regulated. • Make minor changes to existing height controls, whilst still making extensive use of mandatory height controls and applying modest height limits. • Better acknowledge and support the role of vegetation in providing urban cooling, particularly in public areas.

PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 7. Amendments C143 and C144 - Table of key proposed planning scheme changes

			<ul style="list-style-type: none"> For Eltham only – apply urban design and land use settings for the BSBA (discussed further above)
3	To modify the content of the Significant Landscape Overlay: Schedule 1 (Eltham Town Centre)	To modify the content of the Significant Landscape Overlay: Schedule 6 (Diamond Creek MAC)	To update the schedules to reference and properly reflect the relevant 2020 Structure Plan.
4	To remove Schedule 7 (Eltham Gateway) to the Significant Landscape Overlay from 1-13 Henry Street, Eltham. See the map provided as Appendix B below.		Two schedules to the SLO are applied to 1-13 Henry Street, Eltham. These are the SLO1 (Eltham Town Centre) and SLO7 (Eltham Gateway). This is an error, as only one schedule to the SLO should be applied. The site is within the Eltham Town Centre and within the area to which the SLO1 is applied. For example, the SLO1 is applied to the abutting properties, rather than the SLO7. The SLO1 is the correct overlay that should be applied to 1-13 Henry Street. It is proposed to remove the SLO7 from the site, which will leave the SLO1 in place on the site.
5	Modify Clause LPP 11.03-1L-01 (Activity Centres in Nillumbik)		It is proposed to modify the clause to reflect the new structure plans and to remove content that is now addressed through the proposed ACZ1 and ACZ2.
6	Delete Clause LPP 11.03-1L-02 (Bridge Street Business Area) from the Planning Policy Framework		The policy is superseded by the proposed extension of the ACZ1 to the BSBA.

PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 7. Amendments C143 and C144 - Table of key proposed planning scheme changes

APPENDIX A: PROPOSED REZONING IN ELTHAM'S BRIDGE STREET BUSINESS AREA OF THE INDUSTRIAL 3 ZONE (IN3Z) TO SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE (ACZ1)



PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 7. Amendments C143 and C144 - Table of key proposed planning scheme changes

APPENDIX B: PROPOSED REMOVAL OF SCHEDULE 7 TO THE SIGNIFICANT LANDSCAPE OVERLAY (SLO7) FROM 1-13 HENRY STREET, ELTHAM (THE SLO1 WILL BE RETAINED ON THE SITE)



- PCC.002/22 **Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**
- Attachment 1. **CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting**

- CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**
- Attachment 8. Explanatory report for Amendment C143 (Eltham MAC)**

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C143nill

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Nillumbik Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of Nillumbik Shire Council.

Land affected by the amendment

The land affected by the amendment is all land within the Eltham Major Activity Centre. The affected land is shown in the following map:



A mapping reference table is attached at Attachment 1 to this Explanatory Report.

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 1.	CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting
CM.160/21	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 8.	Explanatory report for Amendment C143 (Eltham MAC)

What the amendment does

The amendment will implement the Eltham Major Activity Centre Structure Plan (July 2020) into the Nillumbik Planning Scheme and give it statutory effect, particularly by doing the following:

- Amending planning scheme map Nillumbik 13ZN by rezoning land in the Industrial 3 Zone (IN3Z) in Eltham to Schedule 1 to the Activity Centre Zone (ACZ1), as shown in the map referred to in Attachment 1.
- Modifying the following ordinances in the Nillumbik Planning Scheme to reflect and implement the Eltham Major Activity Centre Structure Plan (July 2020):
 - The ACZ1
 - Schedule 1 to the Significant Landscape Overlay (SLO1) – Eltham Town Centre
 - Clause 11.03-1L-01 (Activity Centres in Nillumbik) of the Planning Policy Framework
- Deleting Clause 11.03-1L-02 (Bridge Street Business Area) of the Planning Policy Framework
- Removing application of Schedule 7 to the Significant Landscape Overlay (SLO7) from 1-13 Henry Street, Eltham.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to update the Nillumbik Planning Scheme to implement the current adopted structure plan for the Eltham Major Activity Centre. The Nillumbik Planning Scheme currently implements the Eltham Major Activity Centre Structure Plan (2004). However, Nillumbik Shire Council adopted a new structure plan for the Eltham Major Activity Centre in July 2020 and this new structure plan needs to be implemented through the planning scheme.

Implementation of the Eltham Major Activity Centre Structure Plan (2020) particularly requires changes to the Nillumbik Planning Scheme which will:

- Correctly reference and reflect the 2020 Structure Plan as the reference document for relevant provisions in the scheme.
- Make changes to the ACZ1 which will implement particular recommendations of the Eltham MAC Structure Plan (2020). For example, to:
 - Extend application of the ACZ1 to the Bridge Street Business Area.
 - Remove an existing mandatory requirement in the ACZ1 for a top storey to be in the roof.
 - Modify the ACZ1 to require front setbacks to be measured from the property boundary, rather than the kerb.
- Make administrative improvements and/or corrections to the suite of relevant planning provisions. For example:
 - To remove inefficiencies in the table of uses in the ACZ1. For example, to remove unnecessary listings of uses, such as "saleyard" and "tramway".
 - To streamline the content in the Planning Policy Framework. For example, to delete Clause 11.03-1L-01, which is made redundant by application of the ACZ1 to the Bridge Street Business Area.

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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- o To remove application of the SLO7 to 1-13 Henry Street, Eltham. The SLO1 is already applied to the site and is the correct schedule to be applied.

The proposed changes to the Nillumbik Planning Scheme can only be conducted by a planning scheme amendment.

The amendment is consistent with Planning Practice Note 56: Activity Centres (PPN56) which identifies the Activity Centre Zone as the appropriate statutory tool to implement its strategic directions. Amendment C143nill seeks to apply the Activity Centre Zone (ACZ1) to the Bridge Street Business Area within the Eltham Major Activity Centre to guide appropriate future development of the precinct. The Activity Centre Zone has been drafted to provide greater clarity and direction for land use and development in that location.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the following objectives as set out in Section 4 of the *Planning and Environment Act 1987*:

- Section 4(1) (a) - To provide for the fair, orderly, economic and sustainable use and development of land.
- Section 4(1) (c) - To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Section 4(1) (fa) - To facilitate the provision of affordable housing in Victoria
- Section 4(1) (g) - To balance the present and future interests of all Victorians.

How does the amendment address any environmental, social and economic effects?

The amendment supports the implementation of State activity centre planning policy in the Eltham Major Activity Centre. Activity centre planning policy aims to provide outcomes which address and respond to a range of current environmental, social and economic effects. Examples of these desire outcomes include to:

- Reduce car dependency by consolidating housing, employment, public transport and shops and services in close walking distance of each other.
- Plan for our ageing population by consolidating housing diversity in close walking distance to shops and public transport.
- Support housing affordability and diversity.
- Strengthen the local economy by consolidating commercial activity and providing more local employment.
- Promote an active, inclusive, engaged and healthy community.
- Reflect a preferred local character for a Major Activity Centre.
- Reduce pressure to extend the Urban Growth Boundary (UGB) by strategically consolidating within the boundary.

Does the amendment address relevant bushfire risk?

The amendment is not expected to have any implications regarding bushfire risk. No land affected by the amendment is within the Bushfire Management Overlay. However, the views of the relevant fire authority will be sought through exhibition of the amendment.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with:

- Ministerial Direction - The Form and Context of Planning Schemes – under section 7(5) of the Planning and Environment Act 1987.

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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- Ministerial Direction No. 9 (Metropolitan Planning Strategy), as explained in the following dot points:
 - The relevant metropolitan planning strategy is Plan Melbourne 2017-2050.
 - The strategy supports the role of activity centres in the planning and development of Melbourne. For example, it is stated that "metropolitan and major activity centres will ensure employment growth occurs outside of the central city".
 - The strategy denotes Eltham as a Major Activity Centre.
 - The amendment supports continued planning for development of the Eltham Major Activity Centre Structure Plan in accordance with Plan Melbourne 2017-2050.
- Ministerial Direction 11 (Strategic Assessment of Amendments), which seeks to ensure comprehensive strategic assessment of planning scheme amendments.
- Ministerial Direction 19 (Information requirements for amendments that may result in impacts on the environment, amenity and human health), which seeks the views of the Environment Protection Authority in preparation of planning scheme amendments.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports and implements relevant state provisions within the Planning Policy Framework. For example, it supports:

- The objective of Clause 11.02-2S (Structure Planning), which is to facilitate the orderly development of urban areas.
- The objective of Clause 11.03-1S (Activity Centres), which is to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.
- All strategies contained within Clause 11.03-1S (Activity Centres), such as:
 - Concentrate major retail activities in the Eltham and Diamond Creek Major Activity Centres.
 - Encourage development that facilitates opportunities for meeting and community interaction in the Eltham and Diamond Creek Major Activity Centres.
- The amendment supports the objectives of Clause 11.03-1L-02 (Bridge Street Business Area), which are:
 - To facilitate a shift from a primarily industrial area to one that includes restricted retail, light industry, commercial offices, health and fitness centres, indoor sports and recreation centres.
 - To enhance the visual amenity, functionality and accessibility of the Bridge Street Business Area.
 - To maximise the development potential of sites within the Bridge Street Business Area.
- The amendment addresses Clause 16.01-3S (Housing Diversity) which increases residential density in the activity centre which will support the provision of a diverse range of housing.
- The amendment addresses Clause 17.01-1S (Diversified Economy) and Clause 17.02-1S (Business) by providing for a range of opportunities for commercial – including retail, entertainment, office and other commercial facilities – and business growth and provides a framework for the location and management of growth.
- The amendment addresses Clause 18.01-1S (Land use and transport planning) and Clause 18.02-2S (Public Transport) by encouraging and facilitating growth, including

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increased residential density and development within the Eltham Major Activity Centre that is well serviced and in close proximity to public transport.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports and is consistent with relevant directions from the Municipal Planning Strategy (MPS). For example, it supports and is consistent with the following content within the MPS:

- The Eltham Major Activity Centre is one of the primary community and commercial focal points within Nillumbik, providing a diverse range of commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.
- It is envisioned that the Eltham and Diamond Creek Major Activity Centres will continue to be the focus of community life, providing a wide range of shopping and professional services and places to meet and recreate. They will also have an increased role in providing for a diversity of housing and in particular, medium density housing.
- The locations considered most suited to medium density development are those that are close to infrastructure, including public transport scheduled stops, commercial areas, public open space and other community facilities. The Eltham and Diamond Creek Major Activity Centres and the Hurstbridge Shopping Centre provide such facilities.
- The main employment locations, the Eltham and Diamond Creek Major Activity Centres, Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, need to be maintained to continue to provide opportunities for local employment.
- The existing industrial precincts in Eltham, Research and Diamond Creek are close to full capacity. To facilitate new industrial uses, these precincts should be retained for industrial uses and protected from the encroachment of other uses. This is unless Council has identified the land to be redeveloped with other uses, as is the case for the Bridge Street Business Precinct in the Eltham Major Activity Centre.
- Council seeks to:
 - Promote Eltham and Diamond Creek Major Activity Centres as the main commercial and community activity areas of the Shire, supported by Neighbourhood Activity Centres, small local convenience centres, rural townships, and rural stores
 - Facilitate an expansion in the range of commercial and community services available in the major activity centres, including those that cater for a local/regional clientele and special interest area.
 - Facilitate increased diversity and amount of housing in the major activity centres that are sustainable and scaled to respect the surrounding topography.
 - Support the economic and employment viability of Activity Centres, Town Centres and the industrial land at Research.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions, noting:

- It retains, updates and improves application of the Activity Centre Zone to the Eltham Major Activity Centre. The Activity Centre Zone is the appropriate zone to be applied to a major activity centre.
- It appropriately retains and improves use of the Significant Landscape Overlay to protect particular trees within the Eltham Major Activity Centre.

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with and supports all the stated transport system objectives contained within the Transport Integration Act (2010).

Resource and administrative costs

• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The Amendment will have limited impact on the Responsible Authority's resource and administrative costs, particularly as:

- The proposed extension of the ACZ1 to the Bridge Street Business Area is to only a modest sized area of land and thus, is not expected to generate an appreciable increase in the number of planning permit applications.
- The proposed revisions to the content of the ACZ should assist in streamlining the assessment of planning permit applications triggered by the zone, primarily because:
 - The changes provide more urban design guidance for applicants and planners; and
 - Remove some complicated requirements (e.g. mandatory top storey in the roof).

Where you may inspect this amendment

The Amendment can be inspected free of charge at the Nillumbik Shire Council's public engagement website at <https://participate.nillumbik.vic.gov.au/>

The amendment is available for public inspection, free of charge, during office hours at the following places:

Nillumbik Shire Council Offices
Civic Drive
Greensborough 3088

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **XXXXTBCXXXX**.

A submission must be sent to:

Leigh Northwood
Lead Strategic Planning
Nillumbik Shire Council
Civic Drive (PO Box 476)
Greensborough 3088

Alternatively, a submission can be sent electronically via email to strategic.planning@nillumbik.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **11/01/22**

- PCC.002/22 **Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**
- Attachment 1. **CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting**

- CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**
- Attachment 8. Explanatory report for Amendment C143 (Eltham MAC)**

• panel hearing: **TEMP**

ATTACHMENT 1 - Mapping

Location	Land /Area Affected	Mapping Reference
Eltham	All land within the Industrial 3 Zone	Nillumbik C143nill 001zn Map13 Exhibition
Eltham	1-13 Henry Street, Eltham	Nillumbik C143nill 002 d-SLO Map13 Exhibition

- PCC.002/22 **Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**
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- CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**
- Attachment 9. Explanatory report for Amendment C144 (Diamond Creek MAC)**

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C144

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Nillumbik Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of Nillumbik Shire Council.

Land affected by the amendment

The land affected by the amendment is all land within the Diamond Creek Major Activity Centre. The affected land is shown in the following map:



PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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Attachment 9.	Explanatory report for Amendment C144 (Diamond Creek MAC)

What the amendment does

The amendment will implement the Diamond Creek Major Activity Centre Structure Plan (September 2020) into the Nillumbik Planning Scheme and give it statutory effect, particularly by doing the following:

- Modifying the following ordinances in the Nillumbik Planning Scheme to reflect and implement the Diamond Creek Major Activity Centre Structure Plan (September 2020):
 - Schedule 2 to the Activity Centre Zone (ACZ2) - Diamond Creek Activity Centre
 - Schedule 6 to the Significant Landscape Overlay (SLO6) – Diamond Creek Activity Centre
 - Clause 11.03-1L-01 (Activity Centres in Nillumbik) of the Planning Policy Framework

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to update the Nillumbik Planning Scheme to implement the current adopted structure plan for the Diamond Creek Major Activity Centre. The Nillumbik Planning Scheme currently implements the Diamond Creek Major Activity Centre Structure Plan (2006). However, Nillumbik Shire Council adopted a new structure plan for the Diamond Creek Major Activity Centre in September 2020 and this new structure plan needs to be implemented through the planning scheme.

Implementation of the Diamond Creek Major Activity Centre Structure Plan (2020) particularly requires changes to the Nillumbik Planning Scheme which will:

- Correctly reference and reflect the 2020 Structure Plan as the reference document for relevant provisions in the scheme.
- Make changes to the ACZ2 which will implement particular recommendations of the Diamond Creek MAC Structure Plan (2020). For example, to:
 - Remove an existing mandatory requirement in the ACZ2 for a top storey to be in the roof
 - Modify the ACZ2 to require front setbacks to be measured from the property boundary, rather than the kerb.
- Make administrative improvements and/or correction to the suite of relevant planning provisions. For example:
 - To remove inefficiencies in the table of uses in the ACZ2. For example, to remove unnecessary listings of uses.
 - To update the Planning Policy Framework to reflect the Diamond Creek Major Activity Centre Structure Plan (September 2020).

The proposed changes to the Nillumbik Planning Scheme can only be conducted by a planning scheme amendment.

The Amendment is consistent with Planning Practice Note 56: Activity Centres (PPN56) which identifies the Activity Centre Zone as the appropriate statutory tool to implement its strategic directions. Amendment C144nill seeks to retain, update and improve the role of Schedule 2 to the Activity Centre Zone (ACZ2) to guide appropriate future development of the Diamond Creek Major Activity Centre. The ACZ2 has been drafted to provide greater clarity and direction for land use and development in that location.

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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How does the amendment implement the objectives of planning in Victoria?

The Amendment implements the following objectives as set out in Section 4 of the *Planning and Environment Act 1987*:

- Section 4(1) (a) - To provide for the fair, orderly, economic and sustainable use and development of land.
- Section 4(1) (c) - To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Section 4(1) (fa) - To facilitate the provision of affordable housing in Victoria
- Section 4(1) (g) - To balance the present and future interests of all Victorians.

How does the amendment address any environmental, social and economic effects?

The amendment supports the implementation of State activity centre planning policy in the Diamond Creek Major Activity Centre. Activity centre planning policy aims to provide outcomes which address and respond to a range of current environmental, social and economic effects. Examples of these outcomes include to:

- Reduce car dependency by consolidating housing, employment, public transport and shops and services in close walking distance of each other.
- Plan for our ageing population by consolidating housing diversity in close walking distance to shops and public transport.
- Support housing affordability and diversity.
- Strengthen the local economy by consolidating commercial activity and providing more local employment.
- Promote an active, inclusive, engaged and healthy community.
- Reflect a preferred local character for a Major Activity Centre.
- Reduce pressure to extend the Urban Growth Boundary (UGB) by strategically consolidating within the boundary.

Does the amendment address relevant bushfire risk?

The amendment is not expected to have any implications regarding bushfire risk. No land affected by the amendment is within the Bushfire Management Overlay. However, the views of the relevant fire authority will be sought through exhibition of the amendment.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with:

- Ministerial Direction - The Form and Context of Planning Schemes – under section 7(5) of the Planning and Environment Act 1987.
- The amendment is consistent with Ministerial Direction No. 9 (Metropolitan Planning Strategy), as explained in the following dot points:
 - The relevant metropolitan planning strategy is Plan Melbourne 2017-2050
 - The strategy supports the role of activity centres in the planning and development of Melbourne. For example, it is stated that "metropolitan and major activity centres will ensure employment growth occurs outside of the central city".
 - The strategy denotes Diamond Creek as a Major Activity Centre.
 - The amendment supports continued planning for development of the Diamond Creek Major Activity Centre Structure Plan in accordance with Plan Melbourne 2017-2050.

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- Ministerial Direction 11 – Strategic Assessment of Amendments – which seeks to ensure comprehensive strategic assessment of planning scheme amendments.
- Ministerial Direction 19 – information requirements for amendments that may result in impacts on the environment, amenity and human health – which seeks the views of the Environment Protection Authority in preparation of planning scheme amendments.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports and implements relevant state provisions within the Planning Policy Framework. For example, it supports:

- The objective of Clause 11.02-2S (Structure Planning), which is to facilitate the orderly development of urban areas.
- The objective of Clause 11.03-1S (Activity Centres), which is to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.
- All strategies contained within Clause 11.03-1S (Activity Centres), such as:
 - Concentrate major retail activities in the Eltham and Diamond Creek Major Activity Centres.
 - Encourage development that facilitates opportunities for meeting and community interaction in the Eltham and Diamond Creek Major Activity Centres.
- The amendment addresses Clause 16.01-3S (Housing Diversity) which increases residential density in the activity centre which will support the provision of a diverse range of housing.
- The amendment addresses Clause 17.01-1S (Diversified Economy) and Clause 17.02-1S (Business) by providing for a range of opportunities for commercial – including retail, entertainment, office and other commercial facilities – and business growth and provides a framework for the location and management of growth.
- The amendment addresses Clause 18.01-1S (Land use and transport planning) and Clause 18.02-2S (Public Transport) by encouraging and facilitating growth, including increased residential density and development within the Diamond Creek Major Activity Centre which is well serviced and in close proximity to public transport.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports and is consistent with relevant directions from the Municipal Planning Strategy (MPS). For example, it supports and is consistent with the following content within the MPS:

- The Diamond Creek Major Activity Centre is a shopping, service and community centre for Diamond Creek and adjoining areas. It contains a range of retail, commercial, community and leisure activities and facilities that are serviced by the Hurstbridge railway, limited bus services and a road network dominated by Main Hurstbridge Road, which forms the 'spine' of the centre.
- It is envisioned that the Eltham and Diamond Creek Major Activity Centres will continue to be the focus of community life, providing a wide range of shopping and professional services and places to meet and recreate. They will also have an increased role in providing for a diversity of housing and in particular, medium density housing.
- The locations considered most suited to medium density development are those that are close to infrastructure, including public transport scheduled stops, commercial areas, public

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open space and other community facilities. The Eltham and Diamond Creek Major Activity Centres and the Hurstbridge Shopping Centre provide such facilities.

- The main employment locations, the Eltham and Diamond Creek Major Activity Centres, Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, need to be maintained to continue to provide opportunities for local employment.
- The existing industrial precincts in Eltham, Research and Diamond Creek are close to full capacity. To facilitate new industrial uses, these precincts should be retained for industrial uses and protected from the encroachment of other uses. This is unless Council has identified the land to be redeveloped with other uses, as is the case for the Bridge Street Business Precinct in the Eltham Major Activity Centre.
- Council seeks to:
 - Promote Eltham and Diamond Creek Major Activity Centres as the main commercial and community activity areas of the Shire, supported by Neighbourhood Activity Centres, small local convenience centres, rural townships, and rural stores
 - Facilitate an expansion in the range of commercial and community services available in the major activity centres, including those that cater for a local/regional clientele and special interest area.
 - Facilitate increased diversity and amount of housing in the major activity centres that are sustainable and scaled to respect the surrounding topography.
 - Support the economic and employment viability of Activity Centres, Town Centres and the industrial land at Research.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions, noting:

- It retains, updates and improves application of the Activity Centre Zone to the Diamond Creek Major Activity Centre. The Activity Centre Zone is the appropriate zone to be applied to a major activity centre.
- It appropriately retains and improves use of the Significant Landscape Overlay to protect particular trees within the Diamond Creek Major Activity Centre.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with and supports all the stated transport system objectives contained within the Transport Integration Act (2010).

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The Amendment will have limited impact on the Responsible Authority's resource and administrative costs, particularly as the proposed revisions to the content of the ACZ should assist in streamlining the assessment of planning permit applications triggered by the zone, noting:

- The changes provide more urban design guidance for applicants and planners and further
- Remove some complicated requirements (e.g. mandatory top storey in the roof).

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Where you may inspect this amendment

The Amendment can be inspected free of charge at the Nillumbik Shire Council's public engagement website at <https://participate.nillumbik.vic.gov.au/>

The amendment is available for public inspection, free of charge, during office hours at the following places:

Nillumbik Shire Council Offices
Civic Drive
Greensborough 3088

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by XXXXTBCXXXX.

A submission must be sent to:

Leigh Northwood
Lead Strategic Planning
Nillumbik Shire Council
Civic Drive (PO Box 476)
Greensborough 3088

Alternatively, a submission can be sent electronically via email to strategic.planning@nillumbik.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

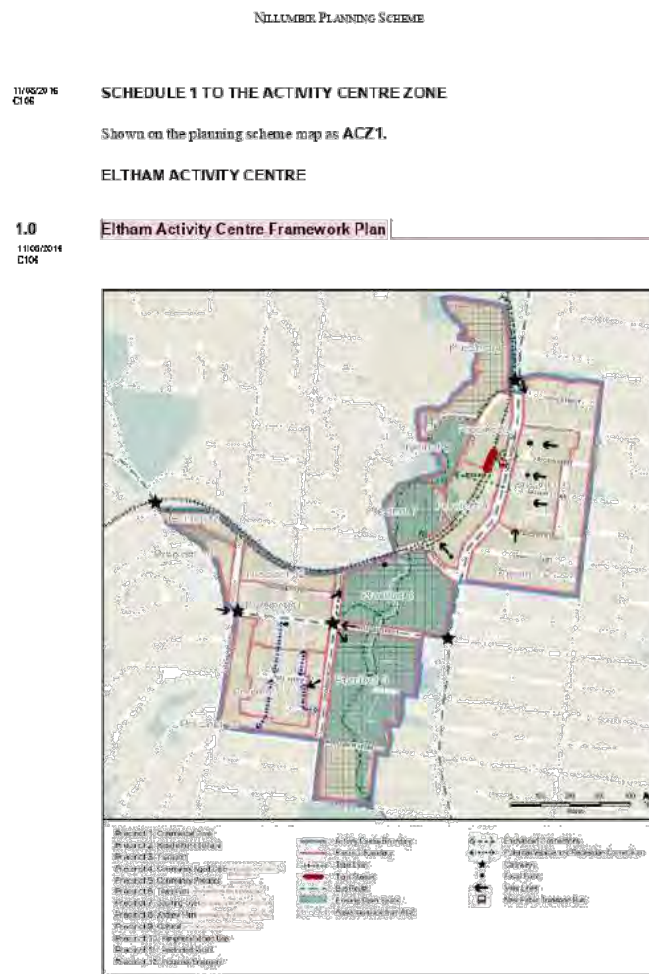
- directions hearing: 15/01/22
- panel hearing: 17/01/22

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Commented [PF1]: The Framework Plan has been updated to include the Bridge Street Business Area (Precinct 10.12), which is a major commercial and light industrial section of the MAC which is currently not within the ACZ1.

Whilst the 2010 Structure Plan brings Precinct 4 (St Vincent's Aged Care Facility at Diamond Street) into the MAC, the new precinct has not been included in the proposed ACZ1 for the following reasons:

-A large part of the site is currently subject to the Urban Floodway Zone (UFZ) and its extent is determined by Melbourne Water. It is not considered prudent for Council to take the role of managing UFZ style mapping and conditions through the ACZ1.

-The existing settings are considered to adequately cater for the use of the site at present.

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NILLUMBİK PLANNING SCHEME	
2.0	Land use and development objectives to be achieved
11/06/2018 C106	Land use
	<ul style="list-style-type: none"> To achieve the vision, objectives and strategies of the Eltham Major Activity Centre Structure Plan (July 2020). To encourage a land use mix that services local residents, supports local businesses, while attracting ongoing investment to the centre. To encourage mixed-use developments in the Activity Centre as specified in the Eltham Major Activity Centre Structure Plan (July 2020). To provide more employment opportunities by intensifying and expanding the range of commercial and community activities in the centre, particularly the amount of office development. To promote the provision of convenience and comparison shopping in a compact core east of Main Road between Lock and Dudley Street. To encourage the development of leisure and social opportunities such as retail, dining and entertainment, which operate day and night, and at weekends. To create a lively and people-based centre with civic and community spaces that enhance community.
	Built form and character
	<ul style="list-style-type: none"> To encourage more intensive development in a variety of high quality forms and design responses that respond to the Eltham form and character and create a safe, stimulating and enjoyable experience for people in the Activity Centre. To ensure that elements that contribute to the form and character of Eltham such as timber in buildings, simple, robust design elements, verandahs with timber colonnades on the outer edge and art on the facade of buildings is incorporated in developments. To ensure that the built form of the town centre responds to, enhances and links to the Eltham Activity Centre's 'green spine' of Alistair Knox Park and other parkland along the Diamond Creek. To ensure building heights, setbacks and form have regard to and seek to be compatible with the surrounding development and the character of the locality in which the development is situated. To ensure the exterior of buildings fit the character of the area by utilising earthy toned colours and materials such as stone, wood, render and mud brick. To ensure that building setbacks achieve spatial proportion to the street and define the street edge, providing a high amenity for users of the street. To maintain appropriate levels of solar access to existing and proposed public spaces. To avoid underdevelopment of land within the Activity Centre. To ensure development mitigates detrimental off-site amenity impacts. To create a transition in use and built form scale between the Activity Centre and adjacent residential areas (outside the Activity Centre). To reduce the visual dominance of car parking and ensure the design of parking and access areas is safe, practical and attractive.

Commented [PF2]: References in the relevant structure plan have been updated to the Eltham MAC Structure Plan (July 2020).

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<p style="text-align: center;">NILLUMBİK PLANNING SCHEME</p> <ul style="list-style-type: none"> To enhance the continuity of pathways within the Activity Centre and improve the connection to surrounding neighbourhoods. To provide significant opportunities for deep rooted landscaping around the perimeter of buildings, including by ensuring basements are designed to support and provide for this outcome. <p>Landscape and place activation</p> <ul style="list-style-type: none"> To create a lively and people-based centre, accommodating a wide variety of place based activities, including pop up parks, playgrounds, markets, festivals and events. To encourage public artwork in suitable locations to contribute to the 'art character' of Eltham. To increase activity, interaction and passive surveillance in the Activity Centre, particularly in main retail and mixed use areas, along pedestrian routes and open spaces by the incorporation of active frontages and large display windows at ground level. To ensure pedestrian entrances into buildings are located at the same level as the footpath, clearly visible from the street, well lit, and allow for mobility-impaired access. To reinforce the theme and role of indigenous vegetation within the Eltham Activity Centre, including by protecting and planting, where appropriate, indigenous vegetation. To protect and enhance the contribution provided by canopy trees to the existing and preferred character of Eltham. To ensure that the front, side and rear setbacks of development sites are extensively and effectively landscaped with canopy trees and other vegetation, particularly indigenous where appropriate. To ensure that the health of existing canopy trees is not unnecessarily jeopardised by buildings and works. To visually connect to the surrounding ridges and tree lines surrounding the town centre. To use vegetation to mitigate against the heat-island effect within the activity centre, particularly in key public areas. To ensure new car parking areas are provided with landscaping with canopy trees where appropriate. <p>Movement and access</p> <ul style="list-style-type: none"> To facilitate the development of a new public transport hub (railway station and bus interchange), including providing adequate well-designed and integrated commuter parking. To connect the eastern and western sides of the rail crossing on Diamond Street and improve the Centre's walkable catchment, including by removing the rail crossing. To ensure the design of parking and access areas is safe, practical and attractive. To improve car park management and design including designated accessible bays and sufficient bicycle facilities. To establish the commercial and retail precincts of the centre as 'pedestrian priority areas'. 	<p style="text-align: right;">Commented [P13]: This and certain other changes are designed to articulate and/or support the need to plant good shade providing trees to combat urban heating particularly in public areas, whilst still promote a preference for indigenous vegetation in the MAC.</p>
<p>ACTIVITY CENTRE ZONE - SCHEDULE 1 COUNCIL MEETING -14/12/2021 – NILL C143</p>	<p>PAGE 3 OF 36</p>

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NILLUMBİK PLANNING SCHEME

- To provide for and strengthen circulation networks and linkages between the Eltham Town Centre (Precincts 1-5) and the Bridge Street Business Area (BSBA) (Precinct 10-12) and other destinations in and around the Activity Centre.
- To improve visual and physical connections for pedestrians and cyclists (including by the use of wayfinding signage) between the Diamond Creek Trail and key destinations within the Activity Centre.
- To create a network that encourages people to walk and cycle safely to, and within the Activity Centre.
- To create new and improved pedestrian and/or cyclist connectivity:
 - across the railway line,
 - along and across Main Road, while adequately maintaining traffic flow.

Community and leisure

- To provide for a network of spaces and facilities as required for leisure and recreation to meet projected community needs.
- To provide more unstructured recreational spaces.
- To encourage better connectivity between community uses.
- To provide a multi-purpose community hub in the Activity Centre.
- To encourage community art.

Land configuration and ownership

- To discourage subdivision that fragments existing land holdings and reduces development opportunities and active frontages.
- To encourage the consolidation of land to create lots of a size sufficient to accommodate the visual and amenity impacts associated with more intense development.

3.0
11/08/2016
C160

Table of uses

Section 1 - Permit not required

USE	CONDITION
Accommodation (other than Corrective institution, Dependent person's unit, Dwelling, Residential aged care facility)	Must be in Precinct 1, 3 or 4A. Any frontage at ground floor level must not exceed 2 m.
Bed and breakfast	Must be in Precinct 1, 2, 3 or 5. In Precinct 2: <ul style="list-style-type: none"> no more than 10 persons may be accommodated away from their normal place of residence at least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Convenience shop	Must be in Precinct 10, 11 or 12.

Commented [PF4]: A range of changes are proposed to the existing table of uses and such changes typically fall under one or more of the following reasons:

1. To apply the table to the Bridge Street Business Area (Precincts 10-12), including to provide land use settings which are tailored to support the direction of the 2020 structure plan. For example, to remove the existing situation in the Bridge Street Business Area (BSBA) where the use of land for a supermarket can occur without a permit (subject to conditions).

2. To update the number of precincts to be consistent with the new numbering contained within the 2020 structure plan.

3. To update the table of uses to be consistent with the required format and style of planning schemes. For example, to update particular land use terms and planning scheme classes referred to in conditions.

4. To address inconsistencies and issues that were created by the existing ACZ1 schedule having been created as a direct translation of the previous VPP zones (e.g. C1/L and RGZ). Some examples of proposed changes in relation to this matter are:

a) Removing certain uses listed only because they were listed in a transitional VPP and which otherwise are not necessary to be listed in the ACZ1 Schedule. Examples of uses removed from the proposed table for this reason are "Tramway", "Salesyard" and "Horse Stables".

b) Making modifications to better reflect the outcome sought by the structure plan, rather than the blunt, generic condition taken earlier from a VPP. For example, to remove the capacity, translated from the C1/L, for a cinema based entertainment facility to establish without a planning permit in key parts of the Eltham Town Centre.

c) Correcting any errors found in the earlier translation. For example, Shop appears to have been incorrectly translated across as a Section 1 use in Precinct 2 (it is not a Section 1 Use in the previous zone, which was the RGZ).

Further explanation for some of the proposed settings in the table of uses are provided in the comments below.

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NILLUMBİK PLANNING SCHEME	
USE	CONDITION
Dwelling (other than Bed and breakfast)	Must be in Precinct 1, 2, 3 or 5. In Precincts 1, 3, 5A, 5D or 5E any frontage at ground floor level must not exceed 2 metres (other than Caretaker's house).
Food and drink premises (other than Convenience restaurant, Hotel, Bar)	Must be in Precinct 1, 3, 5A, 5D or 5E.
Home occupation	
Informal outdoor recreation	
Medical centre	Must be in Precinct 1, 3 or 5A.
Minor utility installation	
Office (other than Medical centre)	Must be in Precinct 1, 3, 5A or 10.
Place of worship	Must be in Precinct 1, 2, 3 or 5. The gross floor area of all buildings must not exceed 250 square metres. In Precinct 2 the site must adjoin or have access to a road in a Road Zone.
Railway	
Railway station	Must be in Precinct 3 or 5D. The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.
Residential aged care facility	Must be in Precinct 1, 3 or 5A. Any frontage at ground floor level must not exceed 2 metres.
Restricted retail premises	Must be in Precinct 11.
Retail premises (other than Shop, Food and drink premises)	Must be in Precinct 1, 3, 5A, 5D or 5E.
Shop (other than Adult sex product shop)	Must be in Precinct 1, 3, 5A, 5D or 5E.

Commented [PF 5]: Precinct 11 in the Eltham Street Business Area (ESBA) is the preferred location in the MAC for this use.

Commented [PF 6]: The condition has been amended to remove the restriction where the IN3Z makes a shop and supermarket a Section 1 use in the ESBA. Having shops and supermarkets as Section 1 use in the ESBA conflicts with the intended role of the Eltham Town Centre as the day-to-day retail heart of the MAC.

Commented [PF 7]: The proposed condition addresses the existing situation where the IN3Z makes a shop and supermarket a Section 1 Use (subject to conditions) in the ESBA. Having shops and supermarkets as a Section 1 Use in the ESBA is contrary to the 2010 structure plan's intended different roles for the ESBA and Eltham Town Centre.

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NILLUMBİK PLANNING SCHEME

USE	CONDITION
Warehouse (other than Fuel depot, Mail centre or Shipping container storage)	<p>Must be in Precinct 10, 11 or 12.</p> <p>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</p> <p>The land must be at least the following distances from land (not a road) which is in a Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</p> <ul style="list-style-type: none"> The threshold distance, for a purpose listed in the table to Clause 53.10. 30m, for a purpose not listed in the table to Clause 53.10. <p>Must not</p> <ul style="list-style-type: none"> Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. Require a notification under the Occupational Health and Safety Regulations 2017. Require a licence under the Dangerous Goods (Explosives) Regulations 2011. Require a licence under the Dangerous Goods (HCDG) Regulations 2016. <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> Transport of materials, goods or commodities to or from the land. Appearance of any stored goods or materials. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Corrective institution, Dependent person's unit, Residential aged care facility)	Must be in Precinct 1, 2, 3 or 5.
Adult sex product shop	<p>Must be in Precinct 1, 3, 5A, 10, 11 or 12.</p> <p>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 2, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.</p>

Commented [PF6]: Applies and updates the condition which is currently applied by the INZ to Precincts 10-12, which is considered appropriate.

Commented [PF9]: The proposed condition prohibits accommodation in the B3RA (Precincts 10-12), which is appropriate.

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NILLUMBİK PLANNING SCHEME	
Amusement parlour	Must be in Precinct 1, 3, 5A, 10, 11 or 12. In Precinct 10 the site must not have frontage to Brougham Street
Bottle shop	Must be in Precinct 1, 3 or 5A.
Brothel	Must be in Precinct 1, 3, 5A, 10, 11 or 12. Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 2, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.
Car park	In Precinct 2 must be used in conjunction with another use in Section 1 or 2.
Car wash	In Precinct 2 the site must adjoin or have access to a road in a Road Zone.
Child care centre	
Cinema	Must be in Precinct 1, 3 or 5.
Cinema based entertainment facility	
Convenience restaurant	Must be in Precinct 1, 3, 5A, 10, 11 or 12. In Precinct 10 the site must not have frontage to Brougham Street
Convenience shop	
Education centre	In Precinct 10, 11 or 12 it must not be a Primary or Secondary school
Exhibition centre	
Food and drink premises (other than Convenience restaurant, Hotel)	
Hotel	Must be in Precinct 1, 2, 3 or 5 In Precinct 2 the site must adjoin or have access to a road in a Road Zone.
Industry (other than Car wash, Materials recycling, Transfer station)	Must be in Precinct 1, 3, 5A, 10, 11 or 12. In Precinct 1, 3 or 5A must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation, Motor racing track)	
Nightclub	Must be in Precinct 1, 3, 5, 10, 11 or 12. In Precinct 10 the site must not have frontage to Brougham Street
Office (other than Medical centre)	In Precinct 2: <ul style="list-style-type: none"> the land must be located within 100 m of Precinct 1, 3 or 4A the land must have the same street frontage as the land in Precinct 1, 3 or 4A leasable floor area must not exceed 250 m².

Commented [PF 10]: Replicates an existing condition of the R33Z for the B3BA, which appears appropriate.

Commented [PF 11]: The proposed condition further restricts the use in Precinct 2 (Residential Interface), which is appropriate, other than allowing the use further within the residential interfaces. The condition prohibits a hotel from Precincts 10, 11 or 12, which is appropriate to support the intended different roles of the Eltham Town Centre and B3BA.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme -
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(2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME	
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, Place of worship)	
Plant nursery	
Residential aged care facility	Must be in Precinct 1, 2, 3 or 5
Restricted retail premises	Must be in Precinct 1, 3, 5A, 10 or 12.
Retail premises (other than Food and drink premises, Plant nursery, Restricted retail premises, Shop)	Must be in Precinct 1, 3, 5A, 10, 11 or 12.
Service station	In Precinct 2 the site must either: <ul style="list-style-type: none"> adjoin land in Precinct 1, 3 or 5 adjoin or have access to a road in a Road Zone. In Precinct 2 the site must not exceed either: <ul style="list-style-type: none"> 3000 square metres 3500 square metres if it adjoins on two boundaries of a road in a Road Zone.
Shop (other than Adult sex product shop, Bottle shop, Convenience Shop) if the Section 1 conditions are not met	Must be in Precinct 1, 2, 3 or 5. In Precinct 2: <ul style="list-style-type: none"> the land must be located within 100 metres of Precinct 1, 3, 5A, or a Mixed Use Zone. the land must have the same street frontage as the land in Precinct 1 or Mixed Use Zone.
Telecommunications facility – if the requirements of Clause 52.19 are not met	
Utility installation (other than Minor utility installation, Telecommunications facility)	
Warehouse (other than minor utility installation, Telecommunications facility, Store)	Must be in Precinct 1, 3, or 5A. Must not be for a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	
Section 3 – Prohibited	
USE	
Corrective institution	
Intensive animal husbandry	
Motor racing track	
4.0 11/08/2016 C140	Centre-wide provisions
4.1 11/08/2016 C140	Use of land
A permit is not required to use land for the purpose of local government, recreation, education, transport, police or health providing the use is undertaken by, or on behalf of, the public land manager.	
ACTIVITY CENTRE ZONE – SCHEDULE 1	COUNCIL MEETING -14/12/2021 – NILL C143
PAGE 8 OF 36	

NILLUMBİK PLANNING SCHEME

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME											
4.2	Subdivision										
11/08/2016 C143	<p>In Precinct 2, an application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:</p> <ul style="list-style-type: none"> Must meet all of the objectives included in the clauses specified in the following table. Should meet all of the standards included in the clauses in the following table. <table> <tr> <th>Class of subdivision</th><th>Objectives and standards to be met</th></tr> <tr> <td>60 or more lots</td><td>All except Clause 56.03-5.</td></tr> <tr> <td>16-59 lots</td><td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td></tr> <tr> <td>3-15 lots</td><td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3, 56.06-6.</td></tr> <tr> <td>2 lots</td><td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.08 to 56.09-2.</td></tr> </table>	Class of subdivision	Objectives and standards to be met	60 or more lots	All except Clause 56.03-5.	16-59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.	3-15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3, 56.06-6.	2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.08 to 56.09-2.
Class of subdivision	Objectives and standards to be met										
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16-59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.										
3-15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3, 56.06-6.										
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.08 to 56.09-2.										
4.3	Buildings and works										
11/08/2016 C143	<p>A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.</p> <p>In Precincts 1, 3 and 5A a permit is not required for:</p> <ul style="list-style-type: none"> The installation of an automatic teller machine unless it occupies more than 10% of the frontage. Alter an existing commercial building facade provided that: <ul style="list-style-type: none"> the alteration does not include installation of an external roller shutter, at least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing. Construct an awning that projects over a road if it is authorised by the relevant public land manager. <p>Construction and extension of one dwelling on a lot</p> <p>In Precinct 2 a permit is not required to:</p> <ul style="list-style-type: none"> Construct or extend one dwelling on a lot of more than 300 square metres and not on common property. Construct or carry out works normal to a dwelling Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level. Construct one dependent person's unit on a lot. <p>A development must meet the requirements of Clause 54, unless otherwise stated in this schedule.</p>										

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

<p>4.4 11/02/2016 C198</p>	<p style="text-align: center;">NILLUMBİK PLANNING SCHEME</p> <p>Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings</p> <p>In Precinct 2:</p> <ul style="list-style-type: none"> A permit is not required to construct a front fence within 3 metres of a street associated with two or more dwellings on a lot or a residential building provided it does not exceed the maximum height specified in Clause 55.06-2. A development must meet the requirements of Clause 55, unless otherwise stated in this schedule. This does not apply to a development of five or more storeys, excluding a basement. <p>All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.</p> <p>Buildings on lots that abut a residential zone</p> <p>Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone or Neighbourhood Residential Zone must meet the requirements of Clauses 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary, unless otherwise stated in this schedule.</p> <p>Design and development</p> <p>In Precincts 10-12, Buildings should include flat, low pitch or skillion roof form and incorporate water harvesting features.</p> <p>Building height</p> <p>A permit cannot be granted to vary any 'Mandatory Height' specified in the precinct provisions of this schedule.</p> <p>Permit applications which seek to exceed any 'Discretionary Height' specified in the precinct provisions of this schedule, should demonstrate that:</p> <ul style="list-style-type: none"> The objectives listed in Part 2.0 of this schedule are satisfied, particularly those listed under Built form and character and Landscape and place activation. The objectives and guidelines of the relevant precinct of this schedule are satisfied. Increased setbacks are provided for landscaping which includes additional canopy trees to assist in visually softening the development at street level and providing increased permeable surfaces. Design principles are included which provide landscaping beyond the ground level and green facades. The development substantially contributes to the appearance of the Activity Centre through high architectural quality appropriate to the character of the centre. <p>For the purposes of this Schedule, building height excludes service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:</p> <ul style="list-style-type: none"> The features are no more than 4 metres above the maximum height of the building; The top floor area of the features is no more than 10 per cent of the floor area of the top building level; The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces; 	<p>Commented [PF13]: The guidelines for roof form have been simplified and made more flexible. For example, a requirement has been removed from the existing schedule that all roofs in the Eltham Town Centre (existing Precinct 1-4) should be pitched, gabled or hipped greater than 10 percent. Further, any requirement for a top storey to be in the roof has been removed.</p> <p>PAGE 11 OF 36</p>
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CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBIK PLANNING SCHEME

- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Building setbacks

Minor works including verandahs, architectural features, balconies, sunshades, screens and artworks may be constructed within any setback area specified at Part 5.0, provided they are designed and located to the satisfaction of the responsible authority.

Basement levels should be designed to provide deep rooted landscaping around the perimeter.

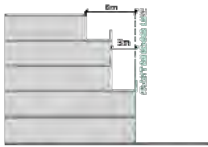
Where the precinct provisions specify a front setback, that setback is measured from the property boundary.

Precinct design guidelines

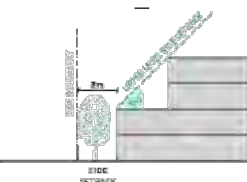
Precincts 1-5

The following design guidelines apply to development within Precincts 1-5 in the Activity Centre, unless otherwise specified in Precinct provisions in Part 5.0 of this schedule.

- Development should include a front setback as specified in the Precinct provisions in Part 5.0 of this schedule.
- Any part of the building above 2 storeys should be:
 - Setback at least 3 metres from the front building line. Above 4 storeys the building should be setback a further 3 metres.



- Setback beyond a 45 degree plane from the sides of the level below (Precinct 2 properties only).



- Rear setbacks to direct residential zones should be designed to manage visual bulk and overshadowing impacts to adjacent residential properties by:
 - Applying a 7m rear landscape setback; and
 - Apply a 1m setback for every metre of height over 10.9m.

Commented [PF14]: As recommended by the 2010 structure plan, the front setback is now to be measured from the front property boundary. This brings the schedule into line with common planning practice and should assist Council to achieve landscaped setbacks in Precinct 1.

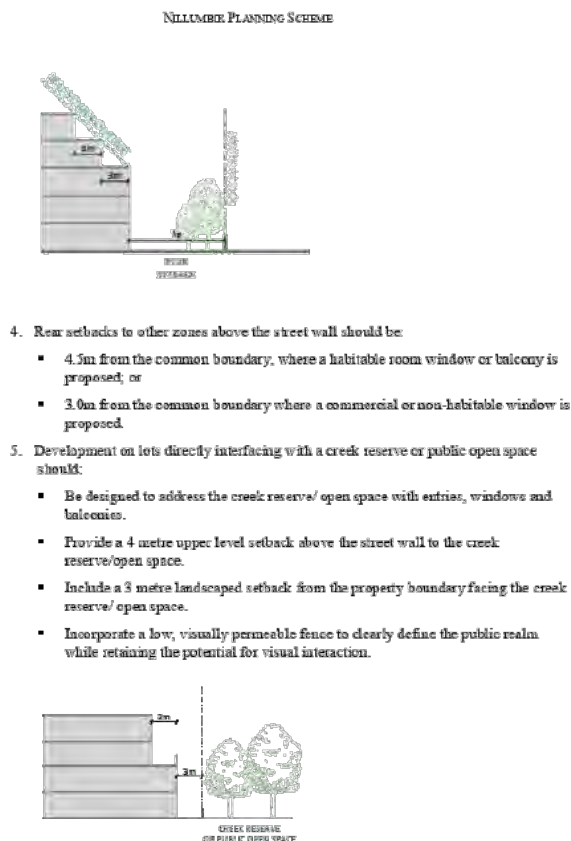
Commented [PF15]: The schedule has been modified to provide more guidance, including by use of diagrams, of the design outcomes sought. This is in line with the State Government's preference for such guidance to be within the planning provision, rather than in a reference document (which is the practice used by the existing ACZ1 schedule in which reference to a separate design guidelines document).

ACTIVITY CENTRE ZONE - SCHEDULE 1 **COUNCIL MEETING -14/12/2021 – NILL C143**

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CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments



4. Rear setbacks to other zones above the street wall should be:
 - 4.5m from the common boundary, where a habitable room window or balcony is proposed; or
 - 3.0m from the common boundary where a commercial or non-habitable window is proposed.
5. Development on lots directly interfacing with a creek reserve or public open space should:
 - Be designed to address the creek reserve/ open space with entries, windows and balconies.
 - Provide a 4 metre upper level setback above the street wall to the creek reserve/open space.
 - Include a 3 metre landscaped setback from the property boundary facing the creek reserve/ open space.
 - Incorporate a low, visually permeable fence to clearly define the public realm while retaining the potential for visual interaction.

Bridge Street Business Area Design Guidelines (Precincts 10-12)

The following design guidelines apply to development within Precincts 10-12 (Bridge Street Business Area) in the Activity Centre:

1. Building setbacks should be applied as per the precinct plans in Part 5.0 of this schedule.
2. Building envelopes should be proportionate in scale to surrounding buildings.
3. Buildings should incorporate modulated and articulated facades to provide visual interest to the overall development.
4. Locate office/ display in front of industrial shed or warehouse to street elevations. Include windows with displays and doors to the street frontage. The building entrance must be located on street frontage to ensure it is visible and easily recognised.

Commented [PF 16]: Design guidelines are also now provided for the Bridge Street Business Area now that this important section of the Eltham MAC is proposed to be included within the ACZ1.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme -
Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans
(2020)
Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME

5. Service areas, storage yards, loading docks and site car parking should be located at the side or the rear to reduce their visual prominence.
6. Any part of the building above 2 storeys should be:
 - Setback at least a 1:1 ratio from the second storey wall.
 - Well-articulated to provide visual interest.
7. Development should include a front setback that follows the prevailing building frontage line of neighbouring buildings and the streetscape, or the front setback specified in the precinct provisions at Part 5.0 of this schedule, whichever is lesser.
8. Where buildings are setback, entry features should extend to street edges and the front setback should be well landscaped, including with canopy trees where possible.
9. Development located on street corners should address both frontages and have regard to prevailing setback distances to both streets.
10. Building materials and colour palette should reflect the existing character through lightweight cladding, timber, render, masonry sheeting, glazing, brick, mud-brick and iron roofing.
11. Site development should respect major view lines from public vantage points.
12. Clearly delineate pedestrian and vehicular entries to the site.
13. Incorporate water efficient, energy sensitive and water sensitive urban design into the development.
14. Retain canopy trees wherever possible, in both the private and public realm.
15. Provide landscaping in the front and side setbacks with plants/species that are drought tolerant and where appropriate, indigenous to the local area.
16. Provide canopy trees in the front setback and car parking areas to soften the built form and provide shading opportunities.
17. Front fencing along the street boundary is discouraged. If required, fencing should be permeable and should have a maximum height of 1.5m.
18. Side and rear fences should not exceed 1.8m in height.
19. Extensive chain and wire cyclone mesh fencing is discouraged within areas that are visible from the street.

Landscape design

Landscape design should:

- Create private and public open space areas that are accessible, safe, attractive and functional.
- Retain established indigenous vegetation within all streets that contributes to the 'green and leafy' appearance of the area, in both the private and public realm.
- Limit the removal of vegetation to the minimum required to allow the land to satisfy its development potential.
- Provide high standard landscape treatment in the front setback where buildings are setback from the street with a focus on indigenous planting where appropriate, including the use of indigenous canopy trees.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

5.0 Precinct provisions

11/06/2016
C106

5.1 Precinct 1 – Commercial Core

11/06/2016
C106

5.1.1 Precinct map

11/06/2016
C106



5.1.2 Precinct objectives

11/06/2016
C106

- To create a lively and people-based commercial centre with the town square and Commercial Place forming a 'food precinct', a place to meet, rest, eat and play.
- To promote active street frontages.
- To provide a safe, attractive and convenient commercial centre.
- To encourage buildings that present a cohesive appearance which relates to the current modest scale of the precinct, emphasises key entrances to the town centre and reflects the Eltham form and character.
- To promote active and accessible street frontages, and ensure that streets throughout the area will be a focus for pedestrian activity and the buildings will relate positively to the public realm.

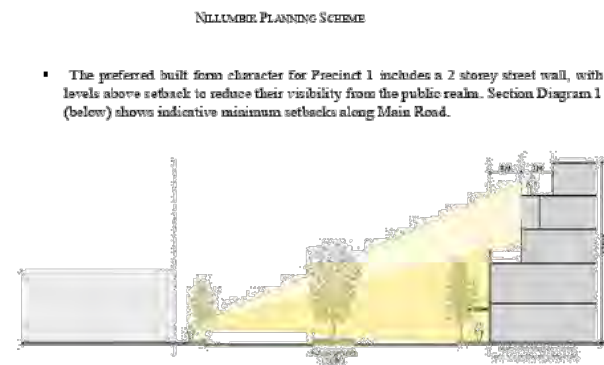
CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

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NILLUMBIK PLANNING SCHEME															
<ul style="list-style-type: none"> To provide and improve pedestrian linkages throughout the precinct, particularly: <ul style="list-style-type: none"> between the Town Square and Main Road. across Main Road to the train station. in the 'pedestrian priority area' of the commercial core where there are various accessible seating options. To ensure that new development does not unreasonably interrupt the canopy ridge line of Eltham and views available to the west. To ensure the precinct is one of the preferred locations in the Activity Centre for one or more employment anchors. To create more employment opportunities by intensifying and expanding the range of commercial and retail activity, including office development, retail, dining and entertainment and night time activities. To encourage mixed use developments with office and residential uses at the upper levels. To create a transition in uses and built form scale between the town centre and the nearby residential precinct. To maintain appropriate levels of solar access to existing and proposed public spaces. To encourage traffic calming measures on the precinct's local road network, including to Main Road to improve conditions for pedestrians and cyclists. 															
<p>5.1-3 11/04/2014 C106</p> <p>Precinct Requirements</p> <table> <tr> <th>Sub-precinct</th><th>Discretionary height (excluding basement)</th><th>Mandatory height (excluding basement)</th><th>Preferred Minimum Setbacks</th></tr> <tr> <td>1A</td><td>5 storeys (17.5m).</td><td>None specified.</td><td> <p>2 storey street wall with 0m front setback along Main Road, Pryor Street, Commercial Place, and Arthur Street.</p> <p>2 storey street wall with 3m front setback along Luck Street, Dudley Street, and Circulatory Road.</p> <p>Landscaped setback along Luck Street, Dudley Street, and Circulatory Road.</p> <p>A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.</p> </td></tr> <tr> <td>1B</td><td>4 storeys (14m).</td><td>None specified.</td><td> <p>2 storey street wall with 5.5m front setback along Luck Street.</p> <p>Landscaped setback along Luck Street.</p> <p>A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.</p> </td></tr> </table>				Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks	1A	5 storeys (17.5m).	None specified.	<p>2 storey street wall with 0m front setback along Main Road, Pryor Street, Commercial Place, and Arthur Street.</p> <p>2 storey street wall with 3m front setback along Luck Street, Dudley Street, and Circulatory Road.</p> <p>Landscaped setback along Luck Street, Dudley Street, and Circulatory Road.</p> <p>A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.</p>	1B	4 storeys (14m).	None specified.	<p>2 storey street wall with 5.5m front setback along Luck Street.</p> <p>Landscaped setback along Luck Street.</p> <p>A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.</p>
Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks												
1A	5 storeys (17.5m).	None specified.	<p>2 storey street wall with 0m front setback along Main Road, Pryor Street, Commercial Place, and Arthur Street.</p> <p>2 storey street wall with 3m front setback along Luck Street, Dudley Street, and Circulatory Road.</p> <p>Landscaped setback along Luck Street, Dudley Street, and Circulatory Road.</p> <p>A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.</p>												
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<p>Commented [PF17]: The existing ACZ1 schedule sets a mandatory requirement for a top storey to be in the roof in each of the Eltham Town Centre (Precincts 1-4 in the existing ACZ1). Any such requirement has been removed from the proposed ACZ1 schedule. This is in line with a recommendation of the 2020 structure plan.</p> <p>Commented [PF18]: For each precinct greater guidance is given regarding preferred minimum setbacks, reflecting the detail on this matter within the 2020 structure plan.</p>															
<p>ACTIVITY CENTRE ZONE - SCHEDULE 1 COUNCIL MEETING -14/12/2021 – NILL C143 PAGE 16 OF 36</p>															

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments



Section Diagram 1: Indicative minimum setbacks along Main Road in Precinct 1

5.1-4
11/05/2014
C198

Precinct guidelines

- Encourage retail development in Pryor Street, Commercial Place, Arthur Street and Dudley Street.
- Encourage restaurants and active uses near the Town Square and on Commercial Place between Luck and Pryor Streets.
- Encourage the development of offices throughout the precinct, particularly on sites abutting the west side of the Circulatory Road.
- Blank walls and reflective glazing is to be avoided.
- New development should provide active frontages to the street at ground level including facade articulation, inclusion of windows, entries and verandahs.
- Encourage small shops and other retail activities at ground level.
- Encourage the creation of a new pedestrian link between the Town Square and Main Road by converting one of the retail premises fronting Main Road into an open plaza.
- Upper levels of new developments should be articulated with building recesses and balcony treatments.
- Continuous weather protection for pedestrians should be provided along the Main Road, Pryor Street, Arthur Street and Commercial Place building frontages, subject to protecting existing tree canopies.
- Buildings on the corners of Dudley Street and Main Road and Luck Street and Main Road should be of high architectural quality with expressed corner building forms to create a sense of entry into this precinct.
- Shade trees should be planted in at grade car parks offering greater than 10 car spaces.
- Buildings fronting Main Road, Pryor Street, Arthur Street and Commercial Place should:
 - Provide 65-80% clear glazing (non-reflective) between a height of 0.5m and 2.4m above the footpath offering unobstructed views into the building.
 - Provide pedestrian entries at least every 15m.

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 1.	CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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NILLUMBİK PLANNING SCHEME

- Utilise the front wall to provide informal bench seating (can be low window sills).
- Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.
- Medium density mixed-use developments should provide basement or podium car parking sleeved with other uses that provide active frontages.
- Buildings on corner allotments should address both street frontages with commercial/ shop front windows at street level.
- Design new buildings with the ground floor located responding to the natural ground level (NGL) to promote a strong connection with the public street space and ensure access to all.
- The scale of built form in Commercial Place should respond to the narrowness of the street ensuring upper levels are sufficiently setback.
- Redevelopment of properties fronting Main Road between Arthur Street and Luck Street will require basement access from the side street, rather than Commercial Place.
- The building materiality should consist of a mix of timber, stone, mudbrick (or textured render), steel, glass and other natural materials and colours that are in character with the natural environment/ vegetation. The palette of materials may also include recycled, recyclable and/ or renewable materials and elements.

5.1-5 Any other requirements

- Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

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Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments



- 5.2.2** **Precinct objectives**
11/08/2016
C106
- Encourage medium density housing, while also providing some small to medium scale office use.
 - To provide a transition in built form scale between the core commercial area and adjoining residential areas.
 - To ensure non-residential development is consistent with the preferred residential character and role of the precinct.
 - To encourage landscaping in the front, side and rear setbacks.
 - To protect and enhance the amenity within the Activity Centre and surrounding established residential neighbourhoods. For example, by providing significant use of landscaping, including canopy trees and well vegetated setbacks.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBE PLANNING SCHEME

- To ensure development adequately responds to flooding constraints at the northern end of the precinct (identified by application of the Special Building Overlay).

5.2.3

11/08/20 18
C106

Precinct requirements

Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
2A	None specified.	3 storeys (10.5m).	<p>2 storey street wall with 5.5m front setback along all street frontages.</p> <p>Landscaped setback along all street frontages.</p> <p>Minimum 4m side setbacks to allow for landscaping including trees that contribute to the landscape character.</p> <p>Minimum 7m rear setback to respond to the existing backyard character.</p> <p>A 3m upper setback above the 2 storey street wall.</p>
2B	4 storeys (14m).	None specified.	<p>2 storey street wall with 5.5m front setback along all street frontages.</p> <p>Landscaped setback along all street frontages.</p> <p>Minimum 4m side setbacks to allow for landscaping including trees that contribute to the landscape character.</p> <p>Minimum 7m rear setback to respond to the existing backyard character.</p> <p>A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.</p>

Commented [PF 19]: An example of how additional guidance and preference for landscaped setbacks is articulated in this proposed schedule to the ACZ1.

5.2.4

11/08/20 18
C106

Precinct guidelines

- Use and development of non-residential uses should:
 - be compatible with surrounding residential use, scale and intensity
 - generally serve local community needs
 - reflect the pattern of existing building siting and massing within the precinct.
- Consideration will be given to increased residential density on sites with larger footprints of 1500 square metres or greater, on which development should be designed with split levels to respond to the natural topography.
- Main pedestrian entrances should be clearly legible from the street and demarcated with strong architectural and landscape features including wayfinding signage.

ACTIVITY CENTRE ZONE - SCHEDULE 1

COUNCIL MEETING - 14/12/2021 - NILL C143

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PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBIK PLANNING SCHEME

- New development should appear to have domestic quality and respond to the treed residential character of the area through appropriate building siting that allows for provision for open landscaped front yards, canopy tree planting, and avoiding high solid fencing.
- Developments sited alongside boundaries should be massed in a staggered manner to avoid overlooking of adjacent properties and reduce overshadowing impacts.
- Building siting should provide the opportunity for open space areas and allow for canopy tree landscaping to be integrated with the total development.
- On-site car parking should be sited underground, or alternatively to the side and rear of dwellings to minimise visibility from the public realm.
- Crossovers and driveways to access car parking garages from the front should be limited.
- Building materiality should consist of a selection of timber, stone, mudbrick, galvanised corrugated sheet metal and other natural materials and colours that are in character with the natural environment/ vegetation. The palette of materials may also include recycled, recyclable and/ or renewable materials and elements.

5.2.5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

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NILLUMBE PLANNING SCHEME

- To promote the role of the station as a sustainable transport hub, to provide for improved pedestrian, cycle and public transport connections and facilities.
- To encourage for removal of the level crossing to create better pedestrian and cyclist connectivity between the eastern and western sides of the rail line and Main Road, and improve the centre's walkable catchment.
- To encourage traffic calming measures on Main Road to improve conditions for pedestrians and cyclists on Main Road, while appropriately maintaining traffic flow.
- To encourage car parking in basements or alternatively, with limited views from the public realm.
- To improve car park management and design by providing landscaping, high levels of accessibility, safe pedestrian connections and by ensuring car parking structures are not visually dominating.
- To encourage transit oriented development (TOD) including integrated residential, retail and office.

Precinct requirements

Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
3A	5 storeys (17.5m).	None specified.	2 storey street wall with 0m front setback front setback along Main Road. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
3B	4 storeys (14m).	None specified.	2 storey street wall with 0m front setback front setback along Main Road. 2 storey street wall with 5.5m front setback along Youth Road Landscaped setback along north eastern edge along Main Road frontage, and along Youth Road frontage. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
3C	None specified.	3 storeys (10.5m).	2 storey street wall with 5.5m front setback along Youth Road and Diamond Street. Landscaped setback along Youth Road and Diamond Street frontage. A 3m upper setback above the 2 storey street wall.

- The preferred built form character for Precinct 3 includes a 2 storey street wall, with levels above setback to reduce their visibility from the public realm. Section Diagrams

Commented [PF20]: The proposed ACZ1 schedule provides for some additional building height within the station precinct, which includes land in Precinct 3 and land in Precinct 5, as defined in the proposed schedule and the Eltham MAC Structure Plan (2020). This is in accordance with the recommended changes to height limits that are detailed on pages 95-96 of the Structure Plan.

5.3.3
11/05/2014
C143

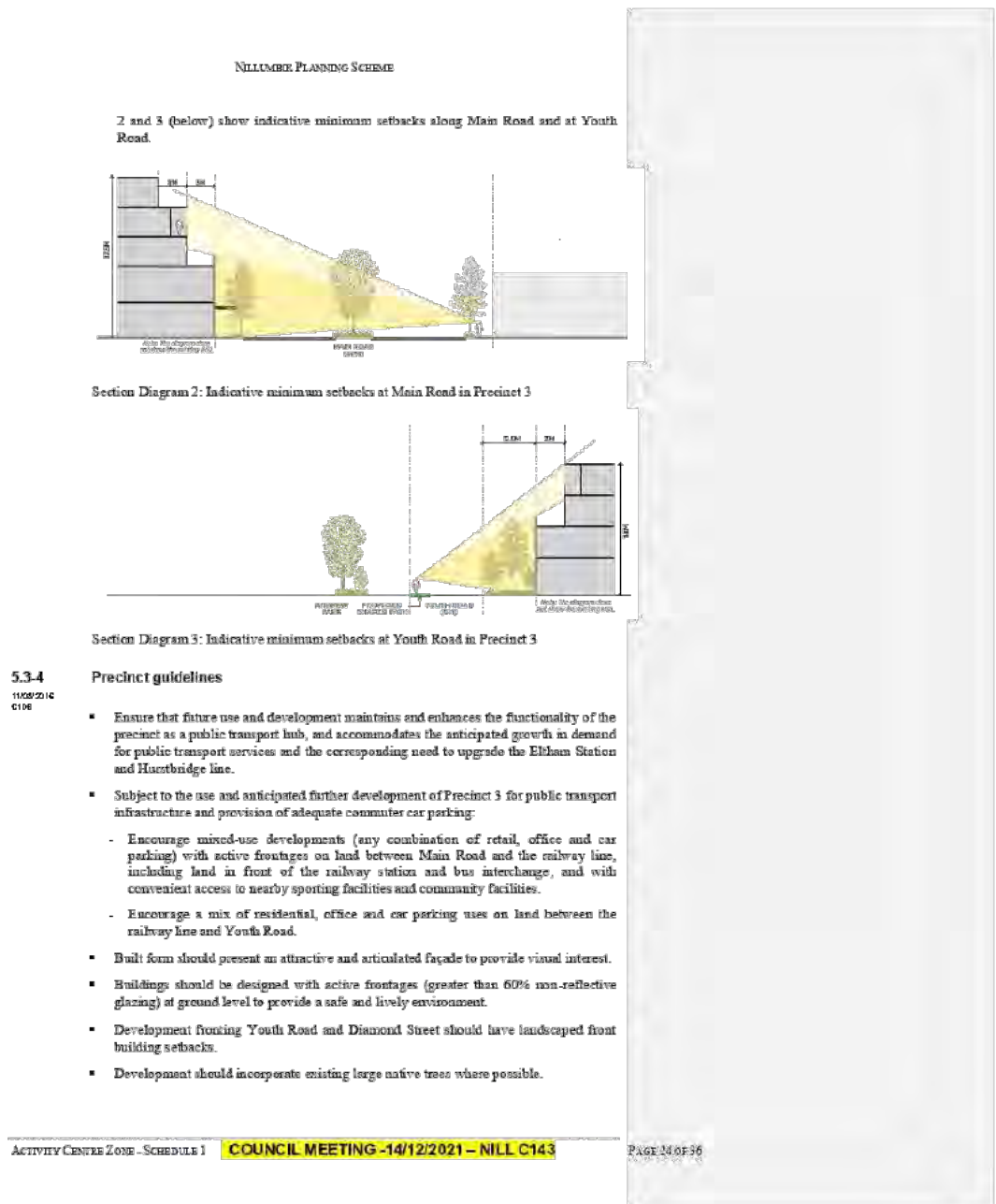
ACTIVITY CENTRE ZONE - SCHEDULE 1

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- NILLUMBİK PLANNING SCHEME
- New developments should incorporate feature architectural or landscape features at exposed locations as viewed from Main Road and axial views available from east-west running streets, namely Luck Street, Pryor Street and Diamond Street
 - Developments to the western side of the railway line should provide a transition with community uses along Diamond Street and Youth Road.
 - The design of any buildings backing onto the railway line and the train station car park should present interesting façade treatments, allow for passive surveillance and incorporate vegetative or architectural screening devices.
 - Where relevant, new development should incorporate acoustic treatments responding to the railway environment to minimise adverse amenity impacts.
 - Car parking entryways should be located to the edge of sites, shared with other car parking entries.
 - Redevelopment of existing at-grade car parking (e.g. for mixed use development) should deck any commuter parking into the building or sleeved with other uses that provides active frontages, or passive surveillance at a minimum
 - Support the preferred character and optimise passive surveillance by minimising the use of roller shutters.
- 5.3-5 Any other requirements
- Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

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NILLUMBİK PLANNING SCHEME

- To ensure that development is designed to provide passive observation of the car park beside the railway line.
- To encourage a new landmark/iconic building at the former Eltham Shire Office site at 895 Main Road.
- To promote the consolidation of community halls along Youth Road.
- To ensure buildings transition in height and scale from the north end of the precinct to the Eltham Library.
- To ensure buildings are of a high quality design, with a commitment to universal access for everyone.
- To be the preferred location for one or more major employment anchors to support local non-tradeable activity (e.g. health, education or civic).
- To reimagine and reconnect community uses.
- To improve pedestrian and cycling amenity between the precinct and the train station.
- To provide a multi-purpose Community Hub.

5.4-3
11/08/2016
C168

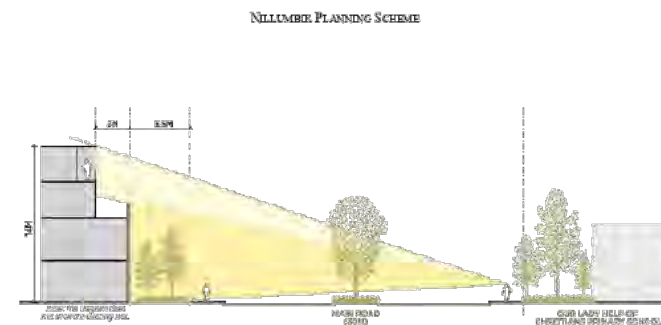
Precinct requirements

Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
5A and 5D	5 storeys (17.5m).	None specified.	2 storey street wall with 0m front setback along Main Road frontage. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
5B and 5E	4 storeys (14m).	None specified.	2 storey street wall with 5.5m front setback along Main Road frontage. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey. Landscaped setback along frontages.
5C	None specified.	3 storeys (10.5m)	2 storey street wall with 5.5m front setback along Main Road frontage. A 3m upper setback above the 2 storey street wall. Landscaped setback along frontages.
<ul style="list-style-type: none"> The preferred built form character for Precinct 5 includes a 2 storey street wall, with levels above setback to reduce their visibility from the public realm. Section Diagram 4 (below) shows indicative minimum setbacks along Main Road. The setbacks will be varied as required to respond to community assets and heritage values (e.g. heritage cypress trees and cenotaph precinct). 			

Commented [PF22]: The proposed ACZ1 schedule provides for some additional building height within the entire precinct which includes land in Precinct 3 and land in Precinct 5, as defined in the proposed schedule and the Eltham MAC Structure Plan 2020. This is in accordance with the recommended changes to height limit detailed on pages 93-98 of the Structure Plan.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments



Section Diagram 4: Indicative minimum setbacks at Main Road in Precinct 5

5.4.4
11/04/2018
C143

Precinct guidelines

- Development fronting to Main Road and the railway line should provide safe and convenient access to the adjacent public transport facilities.
 - Buildings fronting Main Road including and to the north of 909 Main Road should:
 - Include mixed use development (any combination of retail, office, medium density housing and community services).
 - Be designed with active frontages to the street at ground level including facade articulation, incursions of windows and entries.
 - Provide 65-80% clear glazing (non-reflective) between a height of 0.5m and 2.4m above the footpath offering unobstructed views into the building.
 - Provide pedestrian entries at least every 15m.
 - Provide continuous weather protection (such as cantilevered canopies/verandahs) over footpaths.
 - Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.
 - Provide upper levels that are articulated with building recesses and balcony treatments.
 - Investigate opportunities north of 903-907 Main Road to:
 - redevelop indented car parking to support a more active and engaging pedestrian environment.
 - create an engaging pedestrian zone in St Lawrence Lane.
- The above investigations should particularly be conducted as part of any redevelopment of adjacent sites.
- Development to the south of 909 Main Road (including the former Eltham Shire Office site) should include landscaped front setbacks and retain established vegetation.
 - Development on the former Eltham Shire Office site (895 Main Road) should provide a boundary treatment and interface with the Eltham Library site which is sympathetic and responsive to that site.
 - Development on the former Eltham Shire Office site should maintain generous landscaped setbacks from the street and retain established vegetation, including the heritage nominated Italian Cypress trees.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme -
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NILLUMBİK PLANNING SCHEME

- Development backing onto the railway car park should provide internal pedestrian connections through to Main Road.
- Development fronting Library Place and the car park should include active frontages.
- Development adjacent to the Eltham Girl Guide Hall (Youth Road) should manage the sensitive interface by:
 - Providing a minimum 4.0m side setback to allow for small, slender trees that contribute to the landscape character. Any part of the building above 2 storeys should setback beyond a 45 degree plane from the sides of the level below.
 - Complying with the rear setback requirements outlined in the Part 4.4 of this schedule.
- Development backing onto the railway line and station should provide for a variation and articulation in facade treatments and allow for passive surveillance by incorporating active areas and glazing to the rear wall facing the railway line and car park.
- Thick and robust building elements such as colonnades should be incorporated into the design of new buildings.
- Service areas and car parking should be located at the rear of buildings or serviced from laneways and concealed from the public realm.
- Avoid the excessive use of roller shutters.
- Where relevant, new development should incorporate acoustic treatments responding to the railway environment to minimise adverse amenity impacts.
- Built form should achieve a general stepping of the building in a westerly direction from the high point along Main Road.
- Development should respect and respond to heritage elements within the precinct.

5.4-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBIK PLANNING SCHEME

5.5

Precinct 10 – Peripheral Mixed Use

5.5.1

Precinct map

5.6.2

Precinct objectives

- To support medium and small scale offices and indoor recreation/health facilities supported by limited retail and food premises.
- Provide a wide range of employment opportunities and services to local residents.
- To encourage visually interesting built form and promote a positive image for both the BSBA and the broader Activity Centre.
- To minimise off-site amenity impacts to sensitive residential interfaces, such as on Brougham Street.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBI PLANNING SCHEME

5.5-3 Precinct requirements

Precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
10	3 storeys (12m).	None specified.	<p>2 storey street wall height with:</p> <ul style="list-style-type: none"> 0m front setback along Brisbane Street and 5.5m setback from Sherbourne Road. 4m front setback along Brougham Street and Bolton Street. 0m along Susan Street. <p>Landscaped setback along Sherbourne Street and railway frontage.</p> <p>A 3rd storey (and above) should be setback a 1:1 ratio from 2 storey street wall.</p>

5.5-4 Precinct guidelines

- Buildings should be either at the street edge or have a shallow front setback (4.0-5.5m) to allow for some landscaping in response to adjacent residential character.
- There should be minimal gaps between adjacent buildings.
- Development should respond to the sloping topography to minimise the need for cut and fill.
- Retail frontages should incorporate:
 - 65-80% clear glazing between a height of 0.5m and 2.4m above the footpath offering unobstructed views into the building;
 - pedestrian entries at least every 15m; and
 - footpath trading or outdoor dining where possible (taking care to avoid obstructing then footpath)
 - continuous weather protection (such as cantilevered canopies/ verandahs) over footpaths.
- Office frontages should incorporate:
 - 50-80% clear glazing between a height of 1m and 2.4m above the footpath, offering unobstructed views into the building; and
 - Pedestrian entries at least every 30m.

5.5-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

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NILLUMBIK PLANNING SCHEME

5.6

Precinct 11 – Restricted retail

5.6-1

Precinct map

The map shows Precinct 11, a rectangular area outlined in red. It is bounded by Bridge Street to the north, Silver Street to the east, and a dashed line to the south. The map includes labels for various streets: Bridge Street, Silver Street, and a dashed line. It also shows landmarks such as Eltham Race Club, Eltham Golf Course, and Eltham Park. A scale bar and north arrow are present in the bottom right corner. A legend at the bottom left identifies various planning zones and boundaries.

5.6-2

Precinct objectives

- Encourage the precinct to be the preferred location for restricted retailing.
- Provide a small civic space that is well connected to the balance of the Activity Centre.
- Recognise and improve Bridge Street as a significant Gateway to Eltham.
- Encourage high quality and visually interesting contemporary forms using materiality which reflect the grain and quality of traditional 'shed' forms as well as the township's bush character and landscape
- Establish a civic focal point opposite the T-intersection of Bridge Street and Silver Street.
- Encourage the urban form to emphasise key entrances, the civic focal point and intersections in the Centre.
- Create a safe pedestrian and cycle environment with reconfiguration of vehicle access and carparking along Bridge Street in an organised and continuous manner.

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Attachment 10. Proposed ACZ1 Schedule (Eltham MAC) with some explanatory comments

NILLUMBE PLANNING SCHEME

- Encourage the use of environmentally sustainable design principles for the built form and surrounding land.

5.6-3

Precinct requirements

Precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
11	4 storeys (16m)	None specified.	<p>2 storey street wall with:</p> <ul style="list-style-type: none"> 6m front setback along Bolton Street, Brisbane Street, Silver Street, and Susan Street 4m front setback from Bolton Street 6m front setback along Susan Street <p>3 storey street wall with 22m landscaped setback from Bridge Street.</p> <p>A 3rd storey (and above) should be setback a 1:1 ratio from the street wall.</p>

5.6-4

Precinct guidelines

- Buildings fronting Bridge Street should be setback 22m which contains two facing rows of right-angle parking off a single access way, with landscaping separating the parking area and a pedestrian path on each side of the accessway.
- Frontages should incorporate:
 - 50-80% clear glazing between a height of 1m and 2.4m above the footpath, offering unobstructed views into the building;
 - Pedestrian entries at least every 30m; and
 - Provide continuous weather protection (such as cantilevered canopies/ verandahs) over footpaths.

5.6-5

Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

ACTIVITY CENTRE ZONE - SCHEDULE 1

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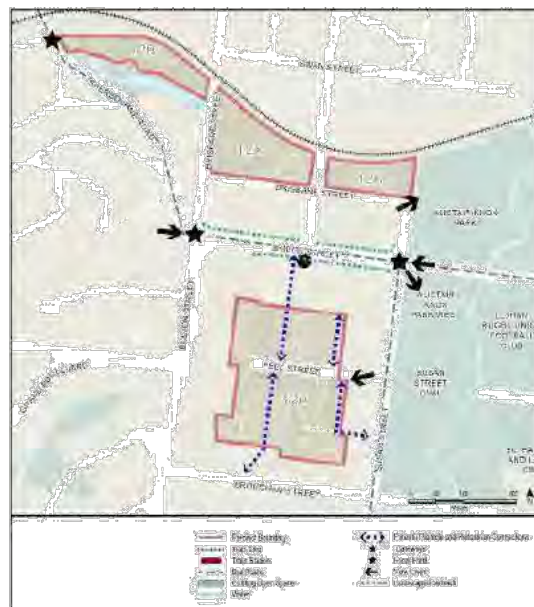
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NILLUMBİK PLANNING SCHEME

5.7 Precinct 12 – Industrial/Emergent

5.7.1 Precinct map



5.7.2 Precinct objectives

- To continue to support light industrial uses, supported by emergent industries.
- To encourage ancillary office spaces with active uses and passive surveillance opportunities to the front of industrial sheds and warehouses.
- To encourage design and façade treatment which demarcates building entries.
- To avoid pedestrian and vehicle conflict by separating access points and ensuring that car parking does not impinge on or erode the quality of pedestrian areas.
- To encourage improvements to streets with provision of direct, connected and well maintained public footpaths which create an attractive environment for pedestrians.
- To encourage the use of environmentally sustainable design principles for the built form and surrounding land.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

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NILLUMBOR PLANNING SCHEME

5.7.3 Precinct requirements

Precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
12A	3 storeys (12m)	None specified.	2 storey street wall with 0m front setback from all street frontages. A 3rd storey (and above) should be setback a 1:1 ratio from the 2 storey street wall.
12B	4 storeys (16m)	None specified.	

5.7.4 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

6.0 Application requirements

None specified.

7.0 Notice and review

11/08/2016
C106

An application to use land under Clause 37.08-2 is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

An application for buildings and works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the development exceeds the 'Discretionary Height' or the 'Preferred Minimum Setbacks' specified in the relevant precinct requirements contained within this schedule.

To remove any doubt, where the preferred height limit is specified in both storeys and metres, if the proposal would exceed either of those figures, then the application is not exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

8.0 Decision guidelines

11/08/2016
C106

Before deciding on an application, in addition to the decision guidelines in Clause 65 the responsible authority must consider, as appropriate:

Design and built form

Whether the proposed development:

- Provides a high standard of urban design and well designed site responsive architecture.
- Does not present a blank façade to a pedestrian activity area or street.
- Provides for appropriate setbacks which respect the siting of adjacent developments where the schedule promotes landscaped setbacks to the street frontage.

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NILLUMBİK PLANNING SCHEME	
	<ul style="list-style-type: none"> Incorporates any signs as an integral part of the architecture. The construction and design of signs should be of a high quality and should maintain and enhance the Eltham form and character.
	<p>Access</p> <p>Whether the proposed development limits the number of vehicle crossings to each development.</p>
	<p>Subdivision</p> <p>Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule.</p>
<p>9.0 11/06/2018 C106</p>	<p>Advertising signs</p> <p>Advertising sign requirements are at Clause 52.05. All land located within Precinct 2 is in Category 3 and all land within Precincts 5B, 5C are in Category 4. All remaining land is in Category 1.</p>
<p>10.0 11/06/2018 C106</p>	<p>Reference documents</p> <p><i>Eltham Major Activity Centre Structure Plan, July 2020</i></p> <p><i>Eltham Major Activity Centre Car Parking Strategy Report, 2013</i></p> <p><i>Nillumbik Major Activity Centres Sustainable Transport Study and Strategy, 2010</i></p>

Commented [PF23]: The last reference document has been updated. Further, the list has been shortened, noting further guidance is provided within the schedule, rather than relying on reference documents to do this. The latter approach can create problems for Council's ability to deliver its business at VCAI.

ACTIVITY CENTRE ZONE - SCHEDULE 1

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Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

	NILLUMBİK PLANNING SCHEME	
2.0	Land use and development objectives to be achieved	
11/09/2016 C106	<p>Land use</p> <ul style="list-style-type: none"> To achieve the vision, objectives and strategies of the Diamond Creek Major Activity Centre Structure Plan (September 2020). To develop shopping, services, facilities, employment and meeting places which complement those available in the regional network of activity centres and facilities. To expand employment floor-space, particularly emergent industries, to meet an increased proportion of projected demand and reduce 'escape expenditure' and travel to nearby centres. To focus retail activity in a compact core east of the railway, on the 'landscaped civic spine' of Main Hurstbridge Road, with a retail node in Chute Street. To enable employment anchors in the Diamond Creek Activity Centre, particularly in the civic or health sectors. To provide accessible and affordable housing options close to public transport. To improve access to and integrate greater diversity and density of retail, commercial and housing development with the railway station and its surrounds. <p>Built form and character</p> <ul style="list-style-type: none"> To retain the semi-rural township character of Diamond Creek by clustering new development and activity in existing key locations that remain visually segregated by open spaces and vegetation. To develop a local Diamond Creek architectural style that complements and reflects its natural landscape setting, and ensure new or redeveloped buildings are of high architectural quality appropriate to the character of the centre. To design new buildings with well articulated facades and a fine grain to provide interest at street level and reinforce the human scale of shopping areas. To guide development to meet the township's character and natural landscape setting with architectural design, and medium scale buildings that are respectful to existing buildings, materials that complement the setting and a broad landscape of predominantly local indigenous trees. To maintain appropriate levels of solar access to existing and proposed public spaces. To protect and enhance the amenity within the Activity Centre and surrounding established residential neighbourhoods and ensure new development mitigates detrimental offsite amenity impacts. To avoid underdevelopment of land within the activity centre. To increase activity and passive surveillance in the main retail and mixed use areas. To reduce the visual dominance of car parking and ensure the design of parking and access areas is safe, practical and attractive. To ensure that pedestrian routes, streets, footpaths and open spaces interact with and are overlooked by buildings, and for these routes to be continuously accessible. <p>Environmental sustainability</p> <ul style="list-style-type: none"> To improve the ecological integrity of environmental features within the centre. To promote sustainable development including water sensitive urban design. To establish energy efficient developments that are appropriate to local conditions. <p>Movement and access</p>	<p>Commented [PF2]: Updated throughout to refer to the 2020 structure plan.</p>
ZONES - CLAUSE 37.08 - SCHEDULE 2	COUNCIL MEETING - 14/12/21 - NILL C144	PAGE 3 OF 27

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NILLUMBİK PLANNING SCHEME

- To optimise the potential to reduce car dependency within the community by developing a network of local and regional shared paths for recreational and functional use, and by encouraging upgrades to the railway station and Hurstbridge line to increase the frequency of public transport services.
- To create better pedestrian and cyclist connectivity through the centre, including across the railway line, while protecting the opportunity for the removal of the level crossing.
- To improve car park management and design and improve pedestrian connectivity, safety and amenity through existing at grade car parks.
- To establish the commercial and retail precincts of the township as 'pedestrian priority areas'.
- To improve access to the Activity Centre for all modes of travel, link the precincts of the Activity Centre physically with clear pedestrian/cycle paths and visually with landscape treatments.
- To expand the range of public transport linking the centre and the role of the railway station as a multi-modal interchange.
- To encourage traffic calming measures to Main Hurstbridge Road to improve conditions for pedestrians and cyclists.

Landscape and place activation

- To promote the creation of a public space/plaza in the retail core of the Activity Centre.
- To develop more attractive public spaces to enhance social interaction and the image of the Activity Centre.
- To incorporate references to European and indigenous heritage in the landscape and use art in public spaces.
- To retain and develop the open spaces within the Activity Centre and the links to parkland and to create a 'landscaped civic spine' along Main Hurstbridge Road as a key connecting feature of the Activity Centre.
- To ensure that the front, side and rear setbacks of development sites are extensively and effectively landscaped with canopy trees and other vegetation, particularly indigenous where appropriate.
- To maintain the visual dominance of the well vegetated natural landscape throughout the residential, commercial and open space areas of Diamond Creek.
- To use vegetation to mitigate against the heat-island effect within the centre, particularly in key public areas.

Community and leisure

- To provide for a network of spaces and facilities to meet projected community needs.
- To ensure community and leisure facilities are accessible to everyone, regardless of age or ability.
- To provide a multi-purpose community facility in the Activity Centre.
- To facilitate the location of a civic building (Council Offices or the like) within the Activity Centre.

Land configuration and ownership

- To discourage subdivision that fragments existing land holdings and reduces development opportunities and active frontages.
- To encourage the consolidation of land to create lots of a size sufficient to accommodate the visual and amenity impacts associated with more intense development.

Commented [P13]: This and certain other clauses are designed to articulate and/or support the need to plant good shade providing trees to combat urban heating particularly in public areas. Whilst still promoting a preference for indigenous vegetation in the MAC.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME																									
3.0 07/02/2019 C11/1911	<p>Table of uses</p> <p>Section 1 - Permit not required</p> <table> <tr> <th>Use</th><th>Condition</th></tr> <tr> <td>Accommodation (other than Corrective institution, Dependent person's unit, Dwelling, Residential aged care facility)</td><td>Must be in Precinct 1, 3A, 4 or 6. In Precinct 1, 3A or 4, any frontage at ground floor level must not exceed 2 metres.</td></tr> <tr> <td>Bed and breakfast</td><td>Must be in Precinct 1, 3A, 4 or 6. No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td></tr> <tr> <td>Convenience shop</td><td>Must be in Precinct 1, 3, 4 or 5. In Precinct 1B, the leasable floor area must not exceed 150 square metres.</td></tr> <tr> <td>Food and drink premises (other than Convenience restaurant, Hotel)</td><td>Must be in Precinct 1B, 3A or 4. In Precinct 1B, the leasable floor area must not exceed 150 square metres.</td></tr> <tr> <td>Home occupation</td><td></td></tr> <tr> <td>Informal outdoor recreation</td><td></td></tr> <tr> <td>Medical centre</td><td>Must be in Precinct 1, 3A, 4 or 6. The gross floor area of all buildings must not exceed 250 square metres. In Precinct 1, 4 and 6: <ul style="list-style-type: none"> site must adjoin or have access to a road in a Road Zone must not require permit under clause 52.06-3. </td></tr> <tr> <td>Minor utility installation</td><td></td></tr> <tr> <td>Office (other than Medical centre)</td><td>Must be in Precinct 1B, 3A, 4A and 4C. In Precinct 1B, the leasable floor area must not exceed 250 square metres.</td></tr> <tr> <td>Place of worship</td><td>Must be in Precinct 1, 3A, 4 or 6. The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin or have access to a road in a Road Zone.</td></tr> <tr> <td>Railway</td><td></td></tr> </table>	Use	Condition	Accommodation (other than Corrective institution, Dependent person's unit, Dwelling, Residential aged care facility)	Must be in Precinct 1, 3A, 4 or 6. In Precinct 1, 3A or 4, any frontage at ground floor level must not exceed 2 metres.	Bed and breakfast	Must be in Precinct 1, 3A, 4 or 6. No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.	Convenience shop	Must be in Precinct 1, 3, 4 or 5. In Precinct 1B, the leasable floor area must not exceed 150 square metres.	Food and drink premises (other than Convenience restaurant, Hotel)	Must be in Precinct 1B, 3A or 4. In Precinct 1B, the leasable floor area must not exceed 150 square metres.	Home occupation		Informal outdoor recreation		Medical centre	Must be in Precinct 1, 3A, 4 or 6. The gross floor area of all buildings must not exceed 250 square metres. In Precinct 1, 4 and 6: <ul style="list-style-type: none"> site must adjoin or have access to a road in a Road Zone must not require permit under clause 52.06-3. 	Minor utility installation		Office (other than Medical centre)	Must be in Precinct 1B, 3A, 4A and 4C. In Precinct 1B, the leasable floor area must not exceed 250 square metres.	Place of worship	Must be in Precinct 1, 3A, 4 or 6. The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin or have access to a road in a Road Zone.	Railway	
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Railway																									
<p>Commented [PF4]: A range of changes are proposed to the existing table of use and each change typically for one or more of the following reasons:</p> <ol style="list-style-type: none"> 1. To update the number of precincts in be consistent with the structure plan contained within the 2020 structure plan 2. To update the table of use, to be consistent with the required format and style of planning schemes. For example, to update particular land use terms and planning scheme clauses referred to in conditions. 3. To address inconsistencies and issues that were created by the existing ACZ2 schedule having been created as a direct translation of the previous VPP zones (e.g. C12 and RC2). Some examples of proposed changes in relation to this matter are: <ul style="list-style-type: none"> a) Removing certain uses listed only because they were listed in a translated VPP and which otherwise are not necessary to be listed in the ACZ2 Schedule. Examples of uses removed from the proposed table for this reason are: "Tramway", "Stableyard" and "Home Stables" b) Making modifications to better reflect the outcomes sought by the structure plan, rather than the blunt, generic condition taken earlier from a VPP. For example, to remove the capacity translated from the C12, for a cinema based entertainment facility to establish without a planning permit in key parts of the MAC. c) Correcting any errors found in the earlier translation. <p>Further explanation for some of the proposed settings in the table of uses are provided in the comments below.</p>																									
<p>Commented [PF5]: Updates the condition to reflect new sub-precinct boundaries.</p>																									

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NILLUMBİK PLANNING SCHEME

Use	Condition
Railway station	Must be in Precinct 4B or 4C. The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.
Residential aged care facility	Must be in Precinct 1, 3A, 4 or 6. Any frontage at ground level must not exceed 2 metres.
Restricted retail premises	Must be in Precinct 3, 4C or 5.
Retail premises (other than Shop, Food and drink premises)	Must be in Precinct 1, 3A, 4 or 5.
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises, Supermarket)	Must be in Precinct 1, 3A, 4 or 5.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Caretaker's house)	Must be in Precinct 1, 3A, 4 or 6.
Adult sex product shop	Must be in Precinct 1B, 3A, 4 or 5A. Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 6, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.
Amusement parlour	
Brothel	Must be in Precinct 3B, 3C or 5. Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 6, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.

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NILLUMBİK PLANNING SCHEME	
Use	Condition
Car park	In Precinct 1A or 6 must be used in conjunction with another use in Section 1 or 2.
Car wash	In Precinct 1B, 4B or 6 the site must adjoin or have access to a road in a Road Zone.
Childcare centre	
Cinema	Must be in Precinct 1B, 3, 4 or 5.
Cinema based entertainment facility	
Convenience restaurant	The site must adjoin or have access to road in Road Zone.
Education centre	In Precinct 3B, 3C or 5 must not be a Primary or Secondary school.
Exhibition centre	
Food and drink premises (other than Convenience restaurant, Take away food premises)	
Hospital	Must be in Precinct 3, 4 or 5.
Industry (other than Car wash, Transfer station)	Must be in Precinct 3B, 3C or 5. Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation, Motor racing track)	
Nightclub	Must be in Precinct 1B, 3, 4 or 5.
Place of assembly (other than Amusement parlour, Cinema, Cinema based entertainment facility, Exhibition centre, Nightclub, Place of worship)	
Plant nursery	
Restricted retail premises	Must be in Precinct 1, 3, 4 or 5.

Commented [PF6]: The condition is unenforced as it applies to protect the amenity of the centre while still adequately providing for the use.

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NILLUMBİK PLANNING SCHEME	
Use	Condition
Retail premises (other than Food and drink premises, Shop, Plant nursery)	
Service station	Must be in Precinct 5B.
Shop (other than Adult sex product shop, Restricted retail premises, Supermarket)	
Store	
Supermarket	Must be in Precinct 1B, 3A, 4 or 5.
Take away food premises	Must be in Precinct 1B, 3A, 4 or 5.
Utility installation (other than Minor utility installation, Telecommunications facility)	
Warehouse (other than Mail centre, Store)	Must be in Precinct 3 or 5. Must not be for a purpose listed in table to Clause 53.10.
Any other use not in Section 1 or 3	
Section 3 – Prohibited	
Use	
Corrective institution	
Intensive animal husbandry	
Motor racing track	
4.0 11/02/2016 C143	Centre-wide provisions
4.1 11/02/2016 C143	Use of land
	A permit is not required to use land for the purpose of local government, recreation, education, transport, police or health providing the use is undertaken by, or on behalf of, the public land manager.
	Amenity of the neighbourhood
	A use must not adversely affect the amenity of the neighbourhood, including through the:
	<ul style="list-style-type: none"> Transport of materials, goods or commodities to or from the land. Appearance of any stored goods or materials.
ZONES – CLAUSES 37.08 – SCHEDULE 2 COUNCIL MEETING – 14/12/21 – NILL C144 PAGE 7 OF 27	

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NILLUMBİK PLANNING SCHEME

- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

4.2

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C1/06

Subdivision

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.

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NILLUMBİK PLANNING SCHEME	
Class of subdivision	Objectives and standards to be met
16-59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3-15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3, 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.08 to 56.09-2.
4.3 11/02/2016 C143	<p>Buildings and works</p> <p>A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.</p> <p>No permit is required for:</p> <ul style="list-style-type: none"> The installation of an automatic teller machine unless it occupies more than 10% of the frontage. Alter an existing commercial building façade, provided that: <ul style="list-style-type: none"> the alteration does not include installation of an external roller shutter; at least 80 per cent of the building façade at ground floor is maintained as an entry or window with clear glazing. Construct an awning that projects over a road if it is authorised by the relevant public land manager. <p>Construction and extension of one dwelling on a lot</p> <p>In Precincts 1A and 6, a permit is not required to:</p> <ul style="list-style-type: none"> Construct or extend one dwelling on a lot of more than 300 square metres and not on common property. Construct or carry out works normal to a dwelling. Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than three metres above ground level. Construct one dependent person's unit on a lot. A development must meet the requirements of Clause 54, unless otherwise stated in this Schedule. <p>Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings</p> <p>In Precinct 1A and 6:</p> <ul style="list-style-type: none"> A permit is not required to construct a front fence within three metres of a street associated with two or more dwellings on a lot or a residential building provided it does not exceed the maximum height specified in Clause 55.06-2. A development must meet the requirements of Clause 55, unless otherwise stated in this Schedule. This does not apply to a development of five or more storeys, excluding a basement. <p>All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.</p>
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NILLUMBİK PLANNING SCHEME

Buildings on lots that abut a residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone or Neighbourhood Residential Zone must meet the requirements of Clauses 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

4.4
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C160

Design and development

Building height

A permit cannot be granted to vary the 'Mandatory Height' provisions specified at Part 5.0 of this Schedule (where applicable).

Permit applications which seek to exceed any 'Discretionary Height' specified in Part 5.0 of this Schedule, should demonstrate that:

- The objectives listed in Part 1.0 of this Schedule are satisfied, particularly those listed under Built form and character and Landscape and place activation.
- The objectives and guidelines of the relevant precinct of this Schedule are satisfied.
- Increased setbacks are provided for landscaping which includes additional canopy trees to assist in visually softening the development at street level and providing increased permeable surfaces.
- Design principles are included which provide landscaping beyond the ground level and green facades.
- The development positively contributes to the appearance of the Diamond Creek Activity Centre through its architectural quality and responsiveness to the character of the Activity Centre.

For the purposes of this Schedule, building height excludes service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- They are no more than four metres above the maximum height of the building.
- They occupy no more than 20 per cent of the floor area of the top building level.
- The service equipment is located so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Building setbacks

Minor works including verandahs, architectural features, balconies, sunshades, screens and artworks may be constructed within the setback area specified at Part 5.0 of this Schedule, provided they are designed and located to the satisfaction of the responsible authority.

Basement levels should not encroach into landscape areas.

Where the precinct provisions specify a front setback, that setback is measured from the property boundary.

The following design guidelines apply to all development within the Activity Centre, unless otherwise specified in Precinct provisions in Part 5.0 of this Schedule:

- Development should include a front setback as specified in the Precinct provisions in Part 5.0 of this Schedule.

Any part of the building above 2 storeys should be:

- Setback at least 3 metres from the front building line. Above 4 storeys the building should be setback a further 3 metres.

Commented [PF8]: The guidelines for roof form have been justified and made more flexible. For example, a requirement has been removed for the existing schedule that all roofs should be pitched, gabled or hipped greater than 10 percent. Further, any requirement for a top storey to be in the roof has been removed.

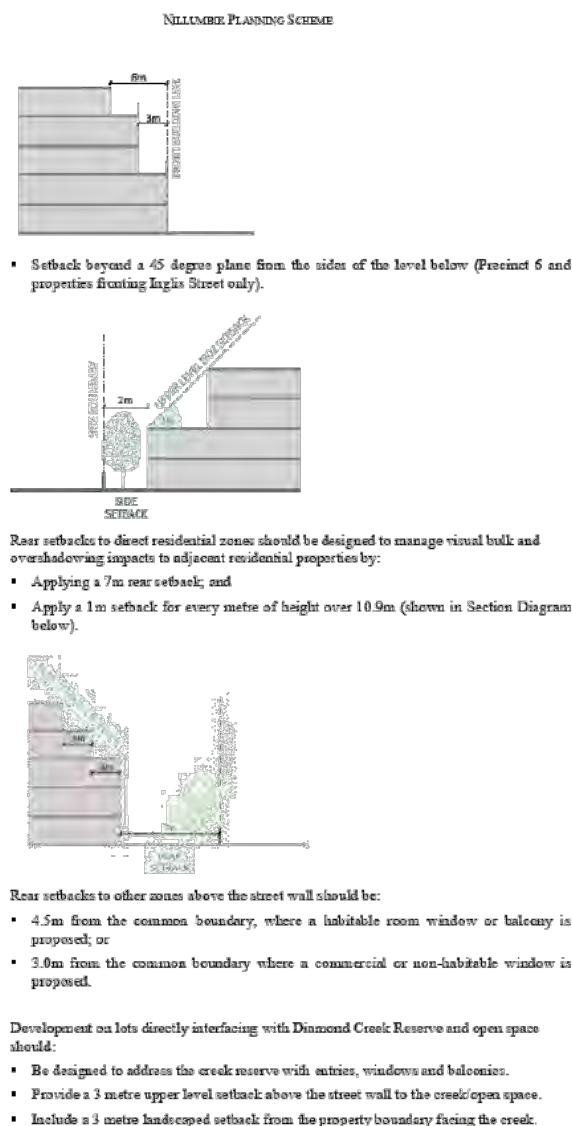
Commented [PF9]: As recommended by the 2020 structure plan, the front setback is now to be measured from the front property boundary. This brings the schedule into line with common planning practice.

Commented [PF 10]: The schedule has been modified to provide more guidance, including by use of diagrams, of the design outcomes sought. Council understands that this is in line with the State Government's preference for such guidance to be within the planning provision, rather than in a reference document (which is the practice used by the existing ACZ2 schedule which references a design guidelines document).

ZONES - CLAUSE 37.08 - SCHEDULE 2 COUNCIL MEETING - 14/12/21 - NILL C144 Page 10 of 27

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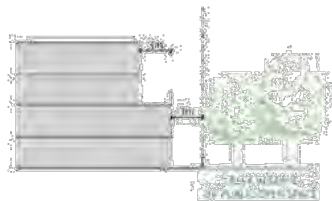


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NILLUMBİK PLANNING SCHEME

- Incorporate a low, visually permeable fence to clearly define the public realm while retaining the potential for visual interaction (shown in Section Diagram below).



Landscape design

Landscape design should:

- Create private and public open space areas that are accessible, safe, attractive and functional.
- Retain established indigenous vegetation within all streets that contributes to the 'green and leafy' appearance of the area, in both the private and public realm.
- Limit the removal of vegetation to the minimum required to allow the land to satisfy its development potential.
- A high standard landscape treatment should be provided in the front setback where buildings are setback from the street.

PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

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NILLUMBİK PLANNING SCHEME

- To create a safe, accessible and attractive pedestrian environment activated through a range of shop-fronts, cafes, places to sit and stop with established trees and other attractions.
- To develop a strong sense of identity through a coordinated approach to building design, signage and landscape treatments.
- To protect the amenity of adjoining residential properties.
- To improve pedestrian and cyclist connectivity and amenity.

5.1.3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
1A	4 storeys (14m).	None specified.	Consistent 1 storey street wall with 5.5m landscaped front setback to Hyde Street. A 3m upper level setback above the 1 storey street wall.
1B	None specified.	3 storeys (10.5m)	Consistent 1 storey street wall with 5m setback along Chute Street, Main Street and Cowi Street. 1 storey street wall with 5.5m front setback along Hyde Street, Diamond Street and lots fronting Inglis Street. A 3m upper level setback above the 1 storey street wall.

Commented [PF11]: The existing ACZ2 schedule sets a mandatory requirement for a top storey to be in the roof. Any such requirement has been removed from the proposed ACZ2 schedule. This is in line with a recommendation of the 2020 structure plan.

Commented [PF12]: For each precinct greater guidance is given regarding preferred minimum setbacks, reflecting the detail on this matter within the 2020 structure plan.

- The preferred built form character for Precinct 1 includes a single storey street wall, with levels above setback to avoid overwhelming the public realm (Section Diagram 1).

Section Diagram 1 – Indicative minimum setbacks at Chute Street in Precinct 1

5.1.4 Precinct guidelines

- Use and development of non-residential uses should:

ZONE – CLAUSE 37.08 – SCHEDULE 2 COUNCIL MEETING – 14/12/21 – NILL C144 Page 14 of 27

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NILLUMBİK PLANNING SCHEME

- be compatible with surrounding residential use, scale and intensity.
- generally serve local community needs.
- reflect the pattern of existing building siting and massing within the precinct.
- Industrial uses are strongly discouraged in Precinct 1. Precincts 3 and 5 are the preferred location in the Diamond Creek Activity Centre for industry.
- Develop the density of retail, office and entertainment activities in and around Chute Street for local convenience shopping, a range of food and restaurant outlets and professional and other office based services but little if any retail floor-space expansion.
- Encourage development to have a high quality design. Facade proportions and building articulation should be diverse in pattern to create visual interest.
- Driveways and fencing should not dominate the front setback of the property or the streetscape.
- Buildings on corner allotments should address both street frontages with shop front windows at street level.
- Buildings should respond to the topography ensuring the front door to the ground floor use is at the same level as the footpath.
- Development on lots directly interfacing with the creek should be designed to address the creek with entries, windows and balconies.
- Development fronting Hyde Street and Inglis Street should respond to surrounding residential use, scale, and intensity and adopt consistent setback distances to adjacent buildings and seek to retain any existing vegetation along property boundaries.
- Redevelopment adjacent to 69 Main Street should be designed to reflect and respond to its heritage features.
- Ensure that new buildings do not significantly overshadow or overlook the private open spaces and habitable windows of adjoining residential properties.

Buildings fronting Chute Street should:

- Be designed with well-articulated facades, roof forms, fenestration, parapet treatments and other detail and materials to provide interest at the street level and reinforce the human scale of Chute Street.
- Provide active frontages at ground level to provide a safe and lively environment.
- Provide continuous weather protection (such as cantilevered canopies/verandahs) over footpaths, subject to protecting existing tree canopies.
- Utilise the front wall to provide informal bench seating (can be low window sills).
- Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.

5.1-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

5.2 Precinct 3 – Elizabeth Street/Station Street

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C106

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments



CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME

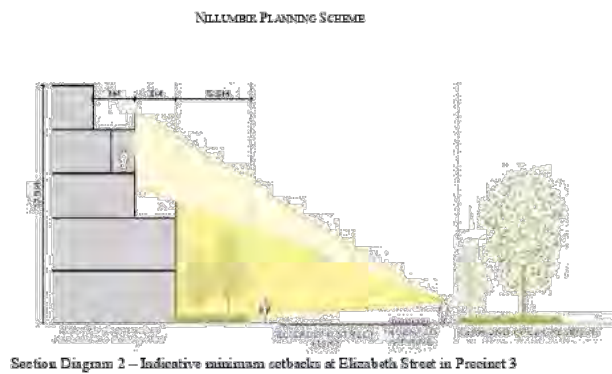
5.2.3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
3A	None specified.	3 storeys (10.5m).	2 storey street wall with 5.5m front setback along Elizabeth Street and Gipson Street. Consistent 2 storey street wall with 0m front setback along Station Street and Main Hurlbridge Road. A 3m upper level setback above the 2 storey street wall. Landscaped setback along Elizabeth Street frontage.
3B	4 storeys (14m).	None specified.	2 storey street wall with 5.5m front setback. A 3m upper level setback above the 2 storey street wall. Landscaped setback along Elizabeth Street frontage.
3C	5 storeys (17.5 m).	None specified.	2 storey street wall with 5.5m front setback along Elizabeth Street. Consistent 2 storey street wall with 0m front setback along Station Street. A 3m upper level setback above the 2 storey street wall. A further 3m front setback above the fourth storey. Landscaped setback along Elizabeth Street frontage.

- The preferred built form character for Precinct 3 includes a two storey street wall, with levels above setback to avoid overwhelming the public realm (Section Diagram 2).

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments



5.2.4 Precinct guidelines

- Maintain a range of light industrial and service industries to provide local employment and services.
- Change the functions along the Main Humebridge Road frontage to intensify the land use and increase the amenity along this spine of the Activity Centre.
- Minimise the impacts of development on adjoining sensitive land uses.
- Limit convenience parking areas to front setbacks landscaped to screen parking areas.
- Developments should not provide storage areas within the frontage.
- Front fencing along the street boundary is highly discouraged.
- New developments should provide no side setbacks.
- Design office/display areas of industrial shed developments to provide an interface to the street.
- Any future redevelopment of the Diamond Creek Tavern should be reflective of its heritage features and mark the entry to the Activity Centre.
- Redevelopment adjacent to the Diamond Creek Tavern should ensure it does not dominate the heritage form.
- Buildings should be designed with active frontages (greater than 60% non-reflective glazing) at ground level to provide a safe and lively environment.
- Buildings should present an attractive and articulated facade to provide visual interest to the overall development and offset bulky forms to the rear.

5.2-5 Any other requirements

5.3 Precinct 4 – Retail Core

5.3-1 Precinct map



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CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME

- To enable mixed use, accessible development and housing including accessible housing options, shops, offices and to support growth in retail floorspace.
- To create a town centre 'heart' away from the traffic congestion on Main Hurstbridge Road.
- To create a 'landscaped civic spine' along Main Hurstbridge Road as the connecting feature of Diamond Creek.
- To advocate for the removal of the level crossing.
- To encourage traffic calming measures to Main Hurstbridge Road to improve conditions for pedestrians and cyclists.
- To develop a long-term plan for car parking including designated accessible parking bays to ensure an adequate and sustainable supply.

5.3-3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
4A	5 storeys (17.5m).	None specified.	Consistent 2 storey street wall with 0m front setback. A 3m upper setback above the 2-storey street wall. A further 3m front setback above the fourth storey.
4B	4 storeys (14m).	None specified.	Consistent 2 storey street wall with 0m front setback along Main Hurstbridge Road, Fyffe Street and Station Street. Consistent 2 storey street wall with 5.5m front setback along Brooks Crescent, Walgro Way and Wensley Street. A 3m upper setback above the 2-storey street wall.
4C	None specified.	3 storeys (10.5m)	Consistent 2 storey street wall with 0m front setback along Station Street and Main Hurstbridge Road. Consistent 2 storey street wall and 5.5m front setback along George Street. A 3m upper setback above the 2-storey street wall.
<ul style="list-style-type: none"> The preferred built form character for Precinct 4 includes a 2 storey street wall, with levels above setback to avoid overwhelming the public realm (Section Diagram 3). 			

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments



5.3.4 Precinct guidelines

- Develop this precinct as the primary focus for more intensive retail activity and floorspace in the Activity Centre, and generally contain retail activity within a compact pedestrian friendly core bound by the railway, Brooks Crescent, Waigo Way and Wensley Street/George Street.
- Encourage mixed use residential and office buildings north of the railway.
- Buildings on corner allotments should address both street frontages with shop front windows at street level.
- Design new buildings with the ground floor located responding to the natural ground level (NGL) to promote a strong connection with the public streetspace and ensure access to all.
- Plant substantial native and exotic trees where appropriate to provide shade in car parks and screen car parking areas.
- Front and side fencing is strongly discouraged.
- The use of roller shutters on shop-front windows and doors at street level is strongly discouraged.
- If required, at-grade or deck car parking is encouraged behind developments with an emphasis on landscaping to minimise visual impact on adjoining residential areas.
- Encourage activity and surveillance oriented towards the station and railway line interface through articulated facades, habitable rooms and windows which look onto the station or railway corridor.

In sub-precinct 4B (south of Main Hurstbridge Road):

- Use and development of non-residential uses should:
 - Be compatible with surrounding residential use, scale and intensity.
 - Generally serve local community needs.
 - Reflect the pattern of existing building siting and massing within the precinct.
- New development at 42 and 46 Main Hurstbridge Road should provide for the retention and improvement of the site as a local landmark building.

Buildings fronting Main Hurstbridge Road should:

- Be designed with well-articulated facades, roof forms, fenestration, parapet treatments and other detail and materials to provide interest at the street level.
- Be built to the front boundary, with car parking (including designated accessible parking bays) behind.
- Provide active frontages at ground level to provide a safe and lively environment.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBIK PLANNING SCHEME


- Provide continuous weather protection (such as cantilevered canopies/ verandahs) over footpaths.
- Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.

5.3.5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

5.4 Precinct 5 – East of George Street, North of Main Hursbridge Road
11/08/2016
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5.4-1 Precinct map



5.4-2 Precinct objectives

- To encourage a range of industrial, commercial, office, civic and other employment generating uses complementing the use mix in Precinct 4.
- To minimise off site effects on adjoining sensitive land uses.
- To maintain the 'rural periphery' and landscape setting of this section of Main Hursbridge Road as the defining feature of the eastern entrance to the Activity Centre.
- To encourage an attractive and safe environment for pedestrians and cyclists.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME

5.4.3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (EXCLUDING basement)	Preferred minimum setbacks
5A	5 storeys (17.5m).	None specified.	Consistent 2 storey street wall and 5.5m front setback along George Street. A 3m upper setback above the 2 storey street wall and a further 3m front setback above the fourth storey along George Street.
5B	4 storeys (14m).	None specified.	Consistent 2 storey street wall and 5.5m front setback along Main Hurstbridge Road and George Street. A 3m upper setback above the 2 storey street wall.

Commented [PF 13]: Slight increase in the size of 5B at the expense of 5A (currently 4B and 4A), which reduces the height limit in the relevant land.

5.4.4 Precinct guidelines

- Support retail or semi-retail development that requires larger floor spaces, trade supplies or bulky goods.
- Design new buildings with ground floor street frontages to provide windows with displays, doors and main building entrances at the street level to contribute to the activation of the street.
- Locate habitable spaces on upper levels along the street frontage, with windows overlooking the street or parklands/railway corridor to create a sense of surveillance.
- Locate storage yards, loading docks and large car-parking areas to the side or rear of the buildings to reduce their visual prominence.
- Larger scale commercial and industrial buildings to be set in well landscaped surroundings to contribute to the rural township character of the Activity Centre.
- Provide space in front setbacks for adequate landscaping including indigenous grasses, shrubs and canopy trees and sufficient permeable surface to ensure plant growth.
- Maintain a suitable landscape buffer treatment along the eastern precinct boundary to act as a buffer to adjacent sensitive land uses.
- Minimise the number of driveway crossovers to improve footpath safety and opportunities for on-street parking.
- All industrial sheds should include a glazed office/display component to provide an interface with the street and to assist in concealing the bulky form behind.
- Front fencing along the street boundary is strongly discouraged.

Buildings fronting Main Hurstbridge Road should:

- Provide active frontages at ground level to provide a safe and lively environment.
- Be designed with ground floor street frontages with windows with displays and doors at the street level.

PCC.002/22 **Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)**

Attachment 1. **CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting**

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBIK PLANNING SCHEME

5.4-5

Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

5.5

11/08/2016
C106

Precinct 6 – East of Wensley Street, South of Main Hurstbridge Road

5.5.1

Precinct map

5.5.2

Precinct objectives

- To encourage more intensive development that provides increased floorspace which integrates with the existing residential character of the area and takes advantage of the main road frontage in an efficient land use manner.
- To encourage new development to present a predominantly residential appearance in respect to form, heights, setbacks, streetscape and landscape.
- To create a strong presence of indigenous vegetation on the main road.
- To protect and enhance the amenity within the Activity Centre and surrounding established residential neighbourhoods.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)

Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME

5.5.3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
6A	4 storeys (14m).	None specified.	Consistent 2 storey street wall with 5.5m front setback along Main Hurstbridge Road and Wensley Street. A 3m upper setback above the 2-storey street wall. Landscaped setback along Main Hurstbridge Road and Wensley Street.
6B	None specified.	3 storeys (10.5m).	Consistent 2 storey street wall with 5.5m front setback along Main Hurstbridge Road, Wensley Street and Phipps Crescent. A 3m upper setback above the 2-storey street wall. Landscaped setback along Main Hurstbridge Road, Wensley Street and Phipps Crescent.

Commented [PF 14]: Slight increase in the size of 6B in the expense of 6A (currently 2B and 5A), which reduces the height limit in the relevant land

Landscaping

Development fronting 'landscaped setback' on the Precinct map should provide a 5.5 metre deep landscape setback to Main Hurstbridge Road.

5.5.4 Precinct guidelines

- Encourage an active frontage and mix of activities including higher density housing, office development and medical services along the Main Hurstbridge Road frontage.
- Upgrade streets to provide footpaths along the Main Hurstbridge Road edge and provide protection to pedestrians.
- Facade proportions and building articulation should be diverse in pattern, to create a visually interesting development.
- Provide upper level setbacks to reduce the visual bulk of buildings when viewed from Main Hurstbridge Road and from adjoining residential zoned land.
- Buildings should be designed with a predominantly residential appearance with front side and rear setbacks to allow for substantial landscaping.
- Buildings should transition in height and scale downwards to the residential hinterland to the south.
- Landscaping in the front, side and rear setbacks should include grasses, shrubs, substantial trees and sufficient permeable surface to ensure plant growth.
- Carparking should be provided in a basement or to the rear of the buildings to reduce their visual prominence.

CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme -
Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans
(2020)
Attachment 11. Proposed ACZ2 Schedule (Diamond Creek MAC) with some explanatory comments

NILLUMBİK PLANNING SCHEME	
	<p>Non-residential development should:</p> <ul style="list-style-type: none"> Locate habitable spaces on upper levels along the street frontage, with windows overlooking the street to create a sense of surveillance. Locate windows with displays, doors, and the main building entrance on the street frontage, so that it is visible and easily recognised and provide access paths to building entrances. Minimise the number of driveway crossovers to improve footpath safety and opportunities for on-street parking. Minimise overshadowing and overlooking of private open space and habitable windows by applying the relevant provisions of Clause 54 and Clause 55. <p>Buildings fronting Main Hurstbridge Road should:</p> <ul style="list-style-type: none"> Encourage an active street frontage at ground level. Be designed to provide natural surveillance by addressing the street and overlooking the public realm. Include building articulation to create a visually interesting development. Locate the main building entrance on the street frontage, so that it is visible and easily recognised and provide access paths to building entrances.
5.5.5	<p>Any other requirements</p> <p>Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.</p>
6.0	<p>Application requirements</p> <p>None specified.</p>
7.0	<p>Notice and review</p> <p>An application to use land under Clause 37.08-2 is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.</p> <p>An application for buildings and works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the development exceeds the 'Discretionary Height' or 'Preferred Minimum Setbacks' specified in the relevant precinct requirements contained within this schedule.</p> <p>To remove any doubt, where the preferred height limit is specified in both storeys and metres, if the proposal would exceed either of those figures, then the application is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.</p>
8.0	<p>Decision guidelines</p> <p>Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08, the responsible authority must consider, as appropriate:</p> <p>Design and built form</p> <p>Whether the proposed development:</p> <ul style="list-style-type: none"> Provides a high standard of urban design and well designed site responsive architecture. Does not present a blank façade to a pedestrian activity area or street.

- PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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- CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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		NILLUMBİK PLANNING SCHEME	
		<ul style="list-style-type: none"> Provides for appropriate setbacks which respect the siting of adjacent developments where the schedule promotes landscaped setbacks to the street frontage. Incorporates any signs as an integral part of the architecture. The construction and design of signs should be of a high quality and should maintain and enhance the Diamond Creek form and character. 	
		Subdivision	
		Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule.	
		Access	
		Whether the proposed development limits the number of vehicle crossings to each development.	
9.0 07/02/2019 C116/11		Signs	
		Sign requirements are at Clause 52.05.	
		All land located within Precincts 3 and 5 is in Category 2.	
		All land located in Precincts 1A and 6 is in Category 3.	
		All remaining land is in Category 1.	
10.0 07/02/2019 C116/11		Other provisions of the scheme	
		None specified.	
11.0 07/02/2019 C116/11		Reference documents	
		<i>Diamond Creek Major Activity Centre Structure Plan, September 2020</i>	
		<i>Nillumbik Major Activity Centres Sustainable Transport Study and Strategy, 2010</i>	
		<i>Diamond Creek Major Activity Centre Car Parking Strategy, 2013</i>	
			Commented [PF15]: The list of reference documents has been updated. Further, the list has been shortened, noting further guidance is provided within the schedule, rather than relying on reference documents to do this.

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CM.160/21	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 12.	Proposed SLO1 (Eltham Town Centre) with points of change highlighted

NILLUMBİK PLANNING SCHEME

25/09/2014
C51

SCHEDULE 1 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

ELTHAM TOWN CENTRE

1.0

25/09/2014
C51

Statement of nature and key elements of landscape

The *Eltham Major Activity Centre Structure Plan (July 2020)* recognises that the Eltham Town Centre has a distinctive character which in part is defined by the integration of the built form and vegetation, particularly canopy trees, which should be preserved and enhanced. The Eltham Town Centre is also a designated area of substantial change, where the development potential of sites is to be realised in accordance with the *Eltham MAC Structure Plan*. Future development should thus seek to strike a balance between the retention and planting of vegetation and the accommodation of higher intensity development.

In the future, new development will contribute to a strong sense of place by reflecting the special qualities of the Eltham Town Centre through the achievement of the following preferred character:

- New development will employ earthy muted tones, natural building materials and innovative design.
- Buildings will not exceed the predominant tree canopy height and while visible from the street, their appearance will be softened through landscaping.
- Building forms will be modest and compact in scale and avoid excessive bulk through the use of articulation, low roof pitches, and other design elements.
- Vegetation, both native and exotic canopy trees, will dominate long distance views, the skyline of streetscape views, and front gardens.
- There will be little physical evidence of the boundary between private and public property at the front of buildings, and no solid fences.

2.0

25/09/2014
C51

Landscape character objectives to be achieved

- To recognise, protect and enhance the contribution provided by canopy trees, particularly native trees, to the existing and preferred character of the Eltham Town Centre.
- To ensure that the health of existing canopy trees is not unnecessarily jeopardised by buildings and works.
- To restrict removal of vegetation to the minimum required to allow land to satisfy its development potential in accordance with the *Eltham Major Activity Centre Structure Plan (July 2020)*.
- To ensure that new development contributes to the achievement of the preferred character through additional landscaping, particularly canopy trees.
- To reinforce the indigenous planting regime within the Eltham Town Centre.

3.0

25/09/2014
C51

Permit requirement

A permit is not required to construct a building or carry out works more than five (5) metres from the base of any substantial tree.

A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.

A permit is required to remove, destroy or lop any substantial tree. This does not apply to:

- The pruning of a tree for regeneration or ornamental shaping

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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CM.160/21	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 12.	Proposed SLO1 (Eltham Town Centre) with points of change highlighted

NILLUMBIK PLANNING SCHEME

- The removal of dead trees or dead limbs, or
- The partial removal of limbs and branches directly overhanging buildings.

For the purpose of this clause a substantial tree is defined as vegetation that has a trunk circumference greater than 0.5m at one metre above ground level, and/or a height greater than 6 metres.

4.0

25/03/2014
C51

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the site is being restricted from realising its development potential in accordance with the *Eltham Major Activity Centre Structure Plan (July 2020)* by the retention of the vegetation.
- Whether the removal or lopping of the vegetation will detract from the achievement of the preferred character of the Eltham Town Centre.
- Whether the design of any proposed buildings and works has been adequately responsive to the objective of avoiding and/or minimising the extent of vegetation removal, destruction or lopping.
- Whether the proposed location or design of any buildings or works will impair the appearance or health of the vegetation.
- The need for additional landscaping and screen planting to contribute to the achievement of the preferred, landscape qualities of the Eltham Town Centre.
- In the event that an adverse impact on vegetation cannot be avoided, the need for a comprehensive landscape plan which provides an adequate proposal to provide and manage replacement vegetation.
- The extent to which the proposed landscaping complements the landscape treatments of adjoining public realm areas.
- Whether the proposed landscaping is of a high quality and uses indigenous species, including canopy trees.
- The extent to which front setbacks are landscaped to reinforce the appearance of vegetation dominating private allotments when viewed from the street.

5.0

25/03/2014
C51

Reference Documents

Eltham Major Activity Centre Structure Plan (July 2020)

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 1.	CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting
CM.160/21	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 13.	Proposed SLO6 (Diamond Creek MAC) with points of change highlighted

NILLUMBIK PLANNING SCHEME

25/09/2014
C53

SCHEDULE 6 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO6.

DIAMOND CREEK MAJOR ACTIVITY CENTRE

1.0

25/09/2014
C53

Statement of nature and key elements of landscape

The Diamond Creek Major Activity Centre Structure Plan (September 2020) identifies a strong presence of vegetation and the town's semi-rural and bushland landscape setting as key contributing factors to an existing and preferred character for the Diamond Creek Major Activity Centre. The town contains many significant landscapes due to the vegetation planted throughout, the corridor of open space that runs through the centre and the surrounding bushland and open pastoral land.

While the Structure Plan encourages higher intensity development within the activity centre, future development should seek to strike a balance between the realisation of the development potential of sites, and the retention of the distinct semi-rural township character.

All new development shall contribute to the preservation and enhancement of the unique landscape setting of the Diamond Creek Major Activity Centre through the achievement of the following preferred character:

- Buildings will be sited and designed to integrate with the landscape setting and maintain views across the Diamond Creek valley.
- New development shall complement and reflect the historic qualities of the township and its landscape setting through the use of natural materials and colours.
- Buildings will be modest in scale to ensure the dominance of the tree canopy over built form, and avoid excessive bulk and create interest through articulation, roof forms, fenestration, parapets and other design elements.
- The use and retention of indigenous vegetation, particularly canopy trees, to reflect and reinforce the vegetation dominated character of the area.
- Use of exotic species in selected locations as an expression of the European heritage of the area.

2.0

25/09/2014
C53

Landscape character objectives to be achieved

- To retain and encourage the dominance of canopy trees in keeping with the distinct rural township image and character of Diamond Creek.
- To ensure that development is sensitive to the natural characteristics of the land including slope, terrain and existing vegetation.
- To ensure that the health of existing trees is not unnecessarily jeopardised by new development.
- To restrict removal of vegetation to the minimum required to allow land to satisfy its development potential in accordance with the Diamond Creek Major Activity Centre Structure Plan (September 2020).
- To ensure that new development contributes to the achievement of the preferred character through additional landscaping, particularly canopy trees.
- To reinforce the indigenous planting regime within the Diamond Creek Major Activity Centre.

3.0

25/09/2014
C53

Permit requirement

A permit is not required to construct a building or carry out works more than five (5) metres from the base of any substantial tree.

PCC.002/22	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
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CM.160/21	Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
Attachment 13.	Proposed SLO6 (Diamond Creek MAC) with points of change highlighted

NILLUMBIK PLANNING SCHEME

A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.

A permit is required to remove, destroy or lop any substantial tree. This does not apply to:

- the pruning of a tree for regeneration or ornamental shaping
- the removal of dead trees or dead limbs, or
- the partial removal of limbs and branches directly overhanging buildings.

For the purpose of this clause a substantial tree is defined as vegetation that has a trunk circumference greater than 0.5m at one metre above ground level, and/or a height greater than 6 metres.

4.0

25/09/2014
C53

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the site is being restricted from realising its development potential [outlined in the *Diamond Creek Major Activity Centre Structure Plan (September 2020)*] by the retention of the vegetation.
- Whether the removal or lopping of the vegetation will detract from the achievement of the preferred character of the Diamond Creek Major Activity Centre.
- Whether the design of any proposed buildings and works has been adequately responsive to the objective of avoiding and/or minimising the extent of vegetation removal, destruction or lopping.
- Whether the proposed location or design of any buildings or works will impair the appearance or health of the vegetation.
- The need for additional landscaping and screen planting to contribute to the achievement of the preferred, landscape qualities of the Diamond Creek Major Activity Centre.
- In the event that an adverse impact on vegetation cannot be avoided, the need for a comprehensive landscape plan which provides an adequate proposal to provide and manage replacement vegetation.
- The extent to which the proposed landscaping complements the landscape treatments of adjoining public realm areas.
- Whether the proposed landscaping is of a high quality and uses indigenous species, including canopy trees.
- The extent to which front setbacks are landscaped to reinforce the appearance of vegetation dominating private allotments when viewed from the street.

5.0

25/09/2014
C53

Reference Documents

Diamond Creek Major Activity Centre Structure Plan (September 2020)

- PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
- Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major Activity Centres - Officer report and attachments 14 December 2021 Council Meeting

- CM.160/21 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme - Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans (2020)
- Attachment 14. Proposed Clause 11.03-1L (Activity Centres in Nillumbik) with additions highlighted.

NILLUMBIK PLANNING SCHEME

11.03-1L-01 Activity centres in Nillumbik

22/07/2021
C135mJ

Strategies

Concentrate major retail activities in the Eltham and Diamond Creek Major Activity Centres.

Encourage development that facilitates opportunities for meeting and community interaction in the Eltham and Diamond Creek Major Activity Centres.

Plan for the Eltham Major Activity Centre in accordance with The Eltham Major Activity Centre Structure Plan (July 2020)

Plan for the Diamond Creek Major Activity Centre in accordance with the Diamond Creek Major Activity Centre (September 2020)

- PCC.002/22 Proposed Amendments C143 and C144 to the Nillumbik Planning Scheme -
Implementation of the Eltham and Diamond Creek Major Activity Centre Structure Plans
(2020)**
- Attachment 1. CM160/21 - Draft Amendments C143 and C144 for the Eltham and Diamond Creek Major
Activity Centres - Officer report and attachments 14 December 2021 Council Meeting**

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From: [REDACTED]
To: [Strategic Planning](#)
Subject: Municipal Planning Strategy email to address "Vision"
Date: Wednesday, 22 September 2021 12:30:35 PM

To whom it may concern

Nillumbik plays a major role in metro Melbourne as an accessible area of natural landscape beauty -particularly in these hard times of rolling lockdowns. This natural environment is a significant reason why my family and I chose to live and work in Nillumbik. Lots of vegetation exists, particularly in the outlying areas of the Shire, and also in inner more urbanised areas like parts of Eltham and North Warrandyte, especially around the Yarra and creeks. Nillumbik plays a pivotal role in protecting the region's biodiversity.

Strategic habitat links that continue into surrounding municipalities connect extensive areas of native vegetation. A significant number of rare and endangered species are found in these native environments. Indeed, I am blessed to have a number of these species in my own local area just on the outskirts of the urban area of Research and Warrandyte.

Vision:

- Nillumbik will remain a metropolitan 'green wedge,' maintaining a large natural resource for the benefit of all Melburnians.
- The planning of Nillumbik will continue to focus on the ongoing sustainability of the 'green wedge' in physical, social and economic terms.
- To preserve and nurture the natural environment of the Green Wedge for future and current generations.

As identified in Melbourne 2030, the Nillumbik Green Wedge is of social, economic and environmental value because of the following features:

- environmental and landscape quality (particularly the Yarra River and surrounds)
- river red gums and other habitat areas
- national parks
- metropolitan water storages.

A Nilumbik Vision which includes these essential elements is respectful of the results of community-wide surveys conducted by Council that showed the Top Three Things valued in Nillumbik are:

- Preservation of the Green Wedge
- Protection of environment and biodiversity
- Action on climate

The Municipal Planning Strategy Vision must be consistent with the community's aspirations for 2040 and reflect the intent for Nillumbik as a Green Wedge Conservation Shire.

An overarching statement could be (borrowed from elsewhere):

In 2040 Nillumbik is a National leader in - biodiversity protection and reinvigoration - community stewardship of the environment; - climate change mitigation and adaptation; - sustainable urban design and living; - community inclusiveness, equity and connection, with a focus on its First Nations People; - community participation in the Arts and celebration of its Cultural Heritage

Thank you for considering these ideas

Regards

[REDACTED]

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation



THIS SUBMISSION ATTACHMENT HAS BEEN REDACTED IN ACCORDANCE
WITH COUNCIL'S PRIVACY OBLIGATIONS

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Submitter 2

From: [REDACTED]
Sent: Thursday, 7 October 2021 5:13 PM
To: Strategic Planning [REDACTED]
Subject: Municipal Planning Statement written submission

Hi Bea

Please find my written submission for draft MPS attached.

Regards

[REDACTED]
North Warrandyte

Nillumbik Municipal Planning Strategy Review

This submission has two parts. Part one seeks to clarify points I made during the workshops. Part 2 is a discussion of the merits of the new framework proposed for the MPS.

PART 1 Clarification of Workshop contributions

ACTIVITY CENTRES: The small group discussion canvassed the idea of extending the breadth and scale of offerings at MACs. I raised Council historic strategic concerns about a '*leakage*' of consumption spending to department stores in Doncaster and Greensborough. So called *leakage* of this kind is seen as a problem by some Councils (Hume eg) where consultants have been commissioned to measure its impact, the 'loss' to the shire, and advise on remedial strategies.

I sought to make the point that when applied to LGAs the concept of leakage of consumption expenditure can lead to decisions that, in the end make, everyone worse off. (Assuming the market is better than Councils in determining the best location of such stores.)

I make this point because of concern that the written record (to which I have no access) might show the opposite point being made. If so it is due to the complexity of the concept and limited time allocated to small group mode.

ECONOMIC DEVELOPMENT: This discussion canvassed the ratio of workplace location to LGA of residence. Knowing that Council's has a stated aim of increasing the: '*Number of local residents who work within the Shire*.' I made a point similar to the above. That is from the point of view of the most effective and efficient allocation of resources, market economies rely on the perfect mobility of labour. It is not in the economic interest of the entire population, therefore, to control the movement of labour in the quest for (unspecified) local benefits.

PART 2 Assessment of proposed MPS draft

The OPOPOF process revealed the propensity of Council to steer an engagement process by basing it on a structured framework of its own making, then avoiding discussion of the relative merits of the framework. This reduces costs but shifts engagement towards the 'Inform' and away from the 'Empower' end of the IAP2 spectrum (*Council Engagement Policy P.6*). A Council established framework can be a beneficial starting point, but to truly empower the community, the framework itself needs to be based on community input.

This mirrors my experience in the subsequent MPS workshops. I submit the following assessment by way of illustration.

- When it was pointed out that two (1 & 2) of the Climate Change objectives had nothing to do with land use, the Council representative was defensive, alleging that given the State monopoly, there was little room for Council to establish its own LPP in the field.
- When it was pointed out that the introduction of layers of social capital outcomes into MPS objectives (accessibility, inclusiveness, health and well being eg) may be adding to capital and budgetary costs beyond Council's current financial capacity, the Council rep was again defensive, alleging that the draft related to an ideal world uninhibited by capital and cash limitations.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Regardless of the merits of the interchanges, the treatment of feedback about the framework indicated a lack of flexibility. I remain concerned that the MPS draft framework suffers from some basic flaws, the leading one being divergence from the VPF without substantial reason.

THE 11 POINT FRAMEWORK

Nillumbik Council has established an 11-part framework for the redrafting the MPS. *'These eleven themes will form the base of the new MPS'*.

Council's framework

- retains half the current 9 sections of the Victorian Planning Framework (VPF),
- creates 4 new sections and
- promotes what were sub headings to head the balance.

Each of the 11 Sections has from 3 – 9 associated objectives. There are 46 objectives in all. The objectives range in type from land use and development strategy:

'Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.'

to feel good statements of quasi political intent:

'Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.'

About half a dozen are either redundant or ultra-vires.

The proposed framework is not always mindful of the purpose and objectives of the Act (Section 4). It is also at odds with the intent of the state's current structural reform agenda, which seeks a more user friendly alignment of local and state provisions. The need for this kind of alignment has been a focus of suggested reforms by the VAGO, and is fundamental to the restructure of the state's 79 planning schemes: *'...unnecessary complexity due to the inclusion of a number of local planning controls that do not effectively support the intent of state policy planning objectives.'*²

It is therefore incumbent upon Council to explain the advantages of the proposed framework over integration into the VPF as presently structured. The following raises some of the issues raised by the creation of the proposed new sections.

ASSESSMENT of SELECTED NEW SECTIONS

As indicated above, the proposed framework includes 46 objectives which seems disproportionate given that Nillumbik's LPPs include less than a dozen objectives altogether. In so doing it adds new sections to house the LPPs, including Green Wedge, Climate Change, Heritage Arts and Culture and Open Space. The following considers the relative strength of some of the new sections:

GREEN WEDGE: The existing planning provisions for the green wedge are complex, diverse and mostly beyond the control of local governments. The proposed framework's objectives relate to a range of issues, notably avoiding the currently contentious clean fill dumping amendments. Some are vacuous (8) or redundant (3, 5, 7), while others are simply misplaced (5). The fourth points to an as yet unannounced (and unfunded) dispute settlement process.

While there may be merit in bringing these and related issues together in a dedicated local planning section, it risks oversimplifying green wedge landowners rights and responsibilities. Alternatively local green wedge policy provisions would seem to fit comfortably into VPPs 12-14.

CLIMATE CHANGE: It is heartening to see that Council is willing to explore planning provisions around the theme Climate Change. However there are questions about the best strategic approach. Strategic considerations are important because:

1: Information Package. Workshop Attendees P.1

2: Managing Victoria's Planning System for Land Use and Development (March 2017).

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1. It is not clear that Climate Change and related (hypothesised) outcomes are an accepted basis for making land use decisions. Climate is not listed amongst the accepted considerations at Section 4.
2. the section's 7 objectives reveal a low level of research and strategic support. Compared to other Councils, mitigation objectives (7 & 6) are weak. 1, 2 have no relationship to land use/development. Objective 6 is encouraging although Council has had similar objectives in the past yet its emissions have continued to grow. Objectives 3 & 4 are also encouraging, although neither they, nor the proposed new Climate Action Plan include commitments to the kinds of sustainable planning requirements introduced long since by neighbouring Councils.
3. when presented with the logic associated with the need to reduce emissions because of Climate Change, VCAT has been ambivalent.
4. it lacks a collaborative basis. Working through organisations like CASBE (Council Alliance for Sustainable Built Environments) many Victorian Councils have found ways to integrate climate change solutions into sustainable land use provisions (see Appendix A). Sustainability is an accepted consideration at Section 4 of the Act.

CULTURE AND LOCAL HERITAGE: This is also an important initiative. My concerns are threefold.

1. it is weak (15.03 appears to offer greater and better based heritage protections).
2. it treats culture by way of commodification and history rather than living and current.
3. objective 4 references the outcome of Culture and Heritage responses in the 'Connected Engaged' section of the OPOPOF engagement process. I note that the '**Culture and Local heritage**' item in the associated survey attracted leading interest from just 24 of the 750 potential respondents. The intention to promote it (objective 4) is likely to not only prove expensive, but also such a project does not fit the purpose and objectives of the Act.

OPEN SPACE: Shares many of the limitations of the above 3, being based mostly on recreational and leisure uses while ignoring the pressing environmental issues expressed in Council's (albeit dated) Open Space strategy. Especially it ignores the need to protect and extend biolinks.

CONCLUSION

An audit of the proposed new framework against existing LPPs and adopted strategies and policies reveals that either the framework is based on inside knowledge about comprehensive changes to both in the medium term, or a complete failure to conform to the state government brief around drafting a new MPS. That is not to say that the proposed 11 point framework is without merit, rather to question the solidity and ultimate operational effectiveness of the framework as it is currently proposed.

RECOMMENDATIONS

Would the Shire be better off in the long run if, instead of naming a section Climate Change, for example, Council found ways to integrate sustainability planning regulations such as Banyule's sustainable housing clause throughout the 9 VPPs in the existing framework?

It would also be helpful if, during the extended engagement process for the MPS, Council gave residents a clear indication of what strategies it intends incorporating into the scheme to support the new directions implied by the 11 point framework.

For support and to boost its leadership role in this and related matters, Council might also join forces with half the Victorian municipalities already members of CASBE, and strengthen its participation in the Northern Alliance for Greenhouse Action (NAGA).

Consider joining forces with the global United Cities and Local Governments organisation to better understand and work towards the implementation of the UN sustainable development goals, including culture as the fourth pillar of sustainability (the others are economic, social and environmental sustainability).

I said I would provide more information on the Earth Canvas project in Connection with theme 'Open Space' managing rural urban conflict. See brochure Appendix B. For more go to <https://earthcanvas.com.au/>

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APPENDIX A - Extract from LPP 'Environmentally Sustainable Development' Banyule Planning Scheme

22.05-4
19/11/2015
C73

Application Requirements

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A Sustainable Design Assessment will usually not need to be prepared by a suitably qualified professional. It should:

- provide a simple assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- identify environmentally sustainable development measures proposed in response to policy objectives, having regard to the site's opportunities and constraints.

A Sustainability Management Plan should:

- provide a detailed assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- identify achievable environmental performance outcomes having regard to the objectives of this policy (as appropriate); and
- demonstrate that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site's opportunities and constraints; and
- document the means by which the performance outcomes can be achieved.

Various assessment tools have been listed in Table 1 which may be used to assess how the proposed development addresses the objectives of this policy, as appropriate.

Table 1 – ESD Application Requirements

Type of Development	Application requirements	Example tools
Accommodation/Mixed Use with residential component of:		
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From: [REDACTED]
Sent: Friday, 8 October 2021 8:56 AM
To: Strategic Planning <Strategic.Planning@nillumbik.vic.gov.au>
Subject: Add on to MPS submission

Hi

I sent through my MPS submission last night but forgot that I had promised to provide more info about the Earth Canvas project in respect of rural/urban conflict management under 'Open Spaces'. The attached version adds an Appendix B with a brochure and weblink.

Hoping you can substitute this version for the last.

Regards

[REDACTED]
Warrandyte Nth

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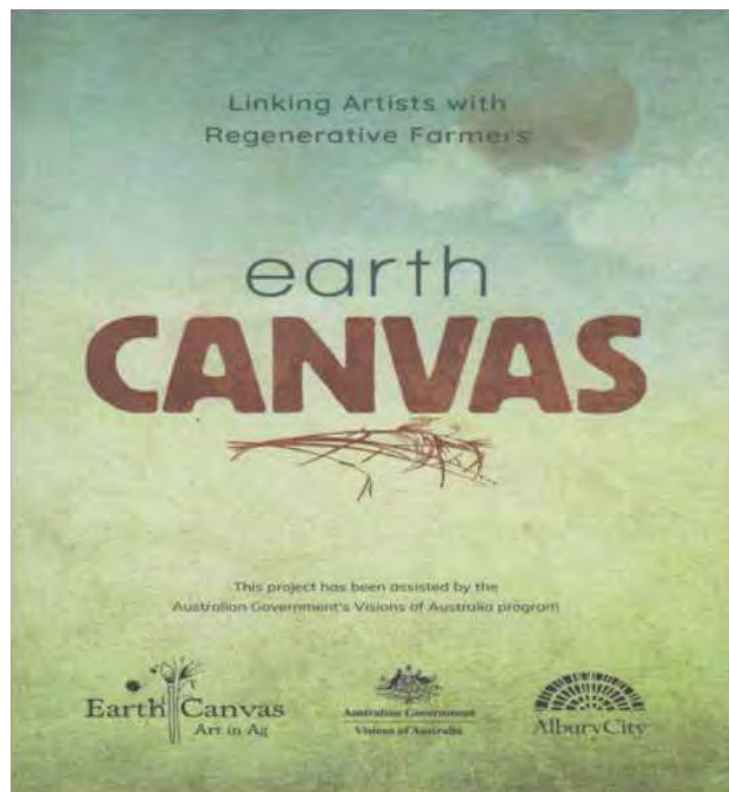
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APPENDIX B - Brochure promoting Earth Canvas exhibition in connection with project.



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Jo Davenport WORKING WITH THE AUSTIN FAMILY AT MUNDARLO, MUNDARLO

Jo has studied extensively including the completion of a Master of Fine Art (Visual Arts) at the Victorian College of the Arts, University of Melbourne. Jo paints in oil on Belgian linen and paper and her works are predominantly concerned with the language of point and painting. She has exhibited comprehensively in solo and group shows, and her work is represented in public, tertiary and private collections in Australia and internationally.



Jo Davenport, Mundarlo, 2020

Jenny Bell WORKING WITH THE COUGLAN FAMILY AT MT NARRA NARRA, HOBROOK

Jenny attended the National Art School and completed a Bachelor of Art at Sydney College of the Arts. She works in a range of mediums including charcoal, oil paint and mixed media. Her works, which revolve around the farm she has lived on for almost thirty years, combine her two great passions of regenerative farming practices and art. In addition to regular solo exhibitions in Sydney, she has exhibited in Canberra, Melbourne and regional galleries in New South Wales.



Jenny Bell, Lifeblood (detail), 2019

Idris Murphy WORKING WITH THE COUGLAN FAMILY AT EURIMBLA, GERRIGERTY

Idris attended the National Art School and undertook postgraduate studies at Winchester College of Art in the UK. He completed a Doctor of Creative Arts at the University of Wollongong. A renowned landscape artist and respected educator, Idris served as Head of Drawing at the National Art School and has lectured at the University of Wollongong and the College of Fine Art, UNSW. He has exhibited extensively throughout Australia and internationally, including over 40 solo exhibitions. His work is represented in public collections including the National Gallery of Australia, National Library of Australia and the Bibliothèque Nationale de France.



Idris Murphy, Eurimbla no.1, 2019

John Wolseley WORKING WITH GILLIAN SANBROOK AT BIBBARRINGA, BOWRA

John studied at St Martins School of Art and the Byam Shaw School of Art, London. After working in the UK and Europe, John relocated to Australia and travelled extensively through the outback, teaching painting in communities in the Northern Territory. A painter, printmaker and installation artist, John has held solo exhibitions in Melbourne, Sydney and Canberra. His work has been part of group exhibitions at the National Museum of Australia, the National Gallery of Australia and the Museum of Contemporary Art, Sydney. His work is represented in state, regional and tertiary collections throughout Australia and internationally in collections in England and Yugoslavia.



John Wolseley, Healing the Fowlers Creek gulch, Bibbarringa B, 2019-20

Janet Laurence WORKING WITH REBECCA GORMAN & FAMILY AT YARBREE WEST, MUNDARLO

Janet completed a Graduate Diploma in Professional Art Studies and holds a Master of Fine Arts from the University of New South Wales. Practicing and exhibiting for over thirty five years, Janet is a multi-disciplinary artist working across painting, sculpture, installation, photography and video. She exhibits extensively in solo and group exhibitions throughout Australia and overseas. She has worked on many public artworks and site-specific installations including the Australian War Memorial (Hyde Park, London), Changi Airport and the Sydney Sculpture Walk. She is a recipient of Australia Council, Rockefeller and Churchill Fellowships, and her work is represented in public, university, corporate and private collections nationally and internationally.



Janet Laurence, Notes from the Land, 2019

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Strategic Planning

Nillumbik Shire Council



Nillumbik Draft Housing Strategy

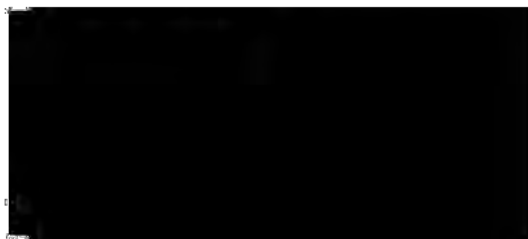
To Whom It May Concern,

We are and have been resident ratepayers of the above address for forty nine (49) years. We are concerned over the proposed inclusion of our property and area as that of "incremental change" zone (ref. page 2). The back fence of our property is the end boundary of the bushfire-prone danger zone - an area with tall canopies of native and indigenous trees - and yet at least six (6) high density or multiple occupancy dwellings have been permitted to be built in our street.

As the crow flies, our property may appear to be in close proximity to "activity centres"; however, if the steep gradients of Silver and Diamond Streets are taken into account, our part of the zone is not easily accessible – especially for those with physical disability. Likewise, access from St Helena, Diamond Creek and Eltham North via Ryans Road involve extremely steep gradients and yet our street is being used as a shortcut by motorists from these dormitory suburbs as well as those wanting to avoid traffic in Main Road and Bridge Street (including large schoolbuses from the Catholic Ladies College in Diamond Street). Any further "incremental change" to our area would further reduce our quality of life and render living here untenable.

We therefore submit that our area be considered as "no more change" zone.

Yours sincerely,



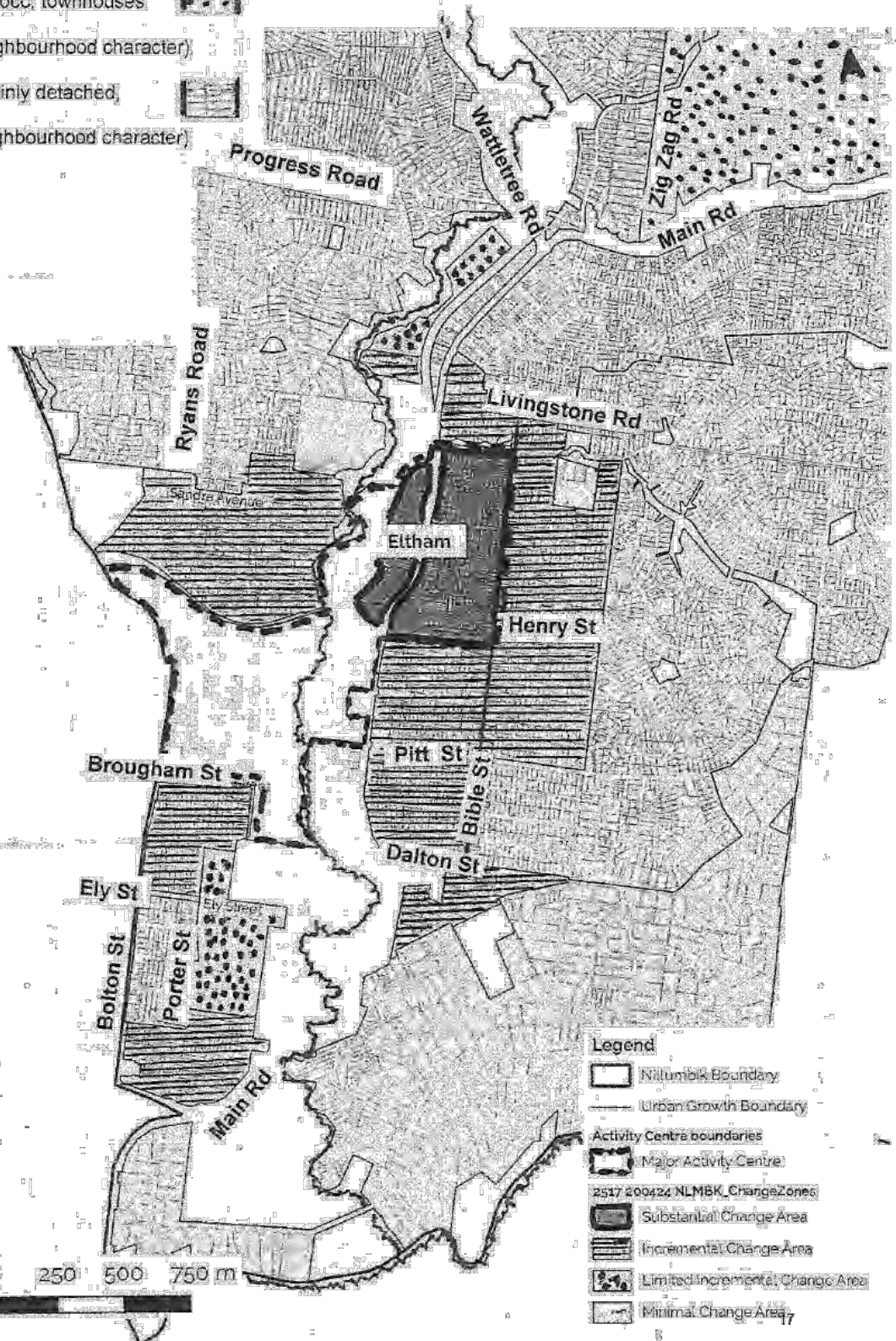
Substantial change area = townhouses, villa units, terraced houses & apartments to 5 storey

Incremental Change = a mix of Detached dwellings, dual occ, townhouses, villa units & terraces (if consistent with neighbourhood character)

Limited Incremental Change = mainly detached, some dual occ, townhouses & villa units (if consistent with neighbourhood character)

Minimal Change = mainly detached, occasional dual occ (if consistent with neighbourhood character)

Where do you live?



From: [REDACTED]
To: [Strategic Planning](#)
Cc: [REDACTED]
Subject: Municipal Planning Strategy submission from [REDACTED]
Date: Monday, 4 October 2021 12:57:25 PM

Dear Strategic Planners

Below is a submission from [REDACTED] regarding the Draft Municipal Planning Strategy. She would appreciate her comments being included and considered as part of the current consultation.

[REDACTED]

[REDACTED]

Kind Regards

[REDACTED]

To all concerned

I am unable to respond as much as I would like and hope that there are many positive responses received by residents.

It does concern me that pesticides are used in parks along the creeksides. It bothers me that pesticides will affect birdlife and animal life and poison the creeks. The use of pesticides along road sides appears to me to be unnecessary rather than Whipper snipping. It is also dangerous for water Contamination along private and Main roadside guttering's.

It concerns me that the pavements through parks are not wide enough to allow for walkers and cyclists. And paths are in poor repair. We also need more seating along pathways through parks and we need more rubbish bins.

We need to retain our trees and not allow them to be destroyed for new developments or unnecessary destruction By residents.

And good shading (blinds) along Main Road in front of shops should be considered as protection from the heat and rain.

I am only able to dictate this so please accept my apologies if any typos. This is all that I can add for the time being.

Many thanks and kind regards to all concerned.

[REDACTED]

From: [REDACTED]
To: [Strategic Planning; Karen Egan](#)
Subject: Themes Municipal Planning Strategy Feedback Attached
Date: Wednesday, 6 October 2021 9:20:19 AM
Attachments: [Municipal Planning.docx](#)

Hi Bea

Hope you are well.

My feedback is attached because I note council appears to "loose" or "crop" my feedback when I complete it on line.

I am not able to access any of the proposed MPS outside of the themes - not clear why this is - so am unable to provide input to or feedback on this.

There appears to be an error in the on line forms that require personal information to be provided for themes 1, 2, 7 and 11 - and do not require personal information for themes 3, 4, 5, 6, 8, 9, 10. This may skew the feedback you receive.

I strongly recommend council obtains credible legal advice prior to progressing this - my assessment based on advice received is that council has now published in the public domain it's intention to participate in property speculation and is attempting to alter, and decrease, the economic value of rural lifestyle grazing and hobby farming properties in rural Nillumbik. This activity is both unconscionable and unlawful - so it is probably worth ensuring advisors at council are briefed and prepared. I am going to seek advice from IBAC and the Ministers just to clarify.

Happy to discuss and work with council on a municipal statement that serves the needs and interests of rural lifestyle grazing and hobby farming landowners, residents and families if council decides to develop and interest in acknowledging us. Until this happens please confirm that our lands are excluded from this MPS - they certainly don't represent ground truth, and as I understand it council does not have the \$2.4 billion plus to fund it do they?

Thanks. Have a great day

Cheers

[REDACTED]

Feedback on the Municipal Planning Statement Engagement

This engagement is about the Nillumbik Planning Scheme – Municipal Statement. The scheme dictates how private land is used, and what activities require a permit. The Municipal Statement dictates the conditions of the area, and its values. These things are used by council to decide on permits and will be used by VCAT to make determinations when council refuses to grant a permit.

Summary – The Municipal Statement Themes and Objectives ignore the existence of rural grazing and hobby farming lifestyle property owners and lands in rural Nillumbik. This is problematic because 20 per cent of Nillumbik, and 25 per cent of rural Nillumbik is rural grazing and hobby farming residents and their land holdings. Future consequences of not being included specifically according to this proposal is the consolidation of rural landholdings, rural economic decline and significant limitations and restrictions imposed on rural land use. This is unfunded by council.

Summary: Themes and objectives as they pertain to rural areas are not based on ground truth, or Victorian Government policy and practice. Themes and objectives contain numerous errors of fact. Themes and objectives fail to acknowledge rural lifestyle grazing and hobby farming residents and their properties, which make up 25 per cent of rural Nillumbik. This means they are not fit for purpose. Themes and objectives as proposed can be expected to have the effect of supporting a planning scheme locally that compounds housing insecurity for rural residents and promotes property speculation and economic decline in rural areas, particularly rural lifestyle grazing and hobby farming properties. This is measurable and quantifiable. Themes and objectives therefore represent unconscionable conduct for a council, breach council's duty and are unlawful.
Specific comments are listed in the right hand column.

What the proposal says	Lifestyle grazing and hobby farming resident response
THEME ACTIVITY CENTRES <u>Key Objective 1</u> The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub. <u>Key Objective 2</u> The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments). <u>Key Objective 3</u> The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.	Activity Centres have limited relevance to grazing and hobby farming residents. The only consideration for rural residents in the planning scheme for these areas is that there must be sufficient road access and car parking so that rural residents can park to conduct family and property business. If these needs are ignored, we will conduct this business elsewhere. This move would not contribute to the economic sustainability of Nillumbik Activity Centres.
THEME GREEN WEDGE <u>Key Objective 1</u> Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource based activities and residences.	Delete Key Objective 1 and replace with this objective – Private land Zoning in rural areas reflects ground truth and is fit for purpose. Zoning in the Nillumbik Green Wedge areas is currently not fit for purpose. Zones imposed on land do not reflect the actual settlement on the ground. 85 per cent of rural residents experience housing insecurity because of this failure. Amending the planning scheme to correct this anomaly will be welcomed by rural residents. Note the Victorian government does

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<p><u>Key Objective 2</u> Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation</p> <p><u>Key Objective 3</u> Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.</p> <p><u>Key Objective 4</u> Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.</p> <p><u>Key Objective 5</u> Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.</p> <p><u>Key Objective 5</u> Ensure development in rural areas mitigates potential fire risk.</p> <p><u>Key Objective 6</u> Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.</p> <p><u>Key Objective 7</u> Protect and enhance agricultural land for both its productive potential and environmental value.</p> <p><u>Key Objective 8</u> Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.</p>	<p>not support Nillumbik containing sites of environmental and landscape significance. The state requires significance sites to be identified as significant from a state-wide or regional perspective. Regional planning does not identify significance of landscapes in Nillumbik. State planning doesn't either. A current ground truth assessment would determine if Nillumbik has places with environmental and landscape significance worthy of recognition. There is no current ground truth assessment to inform this.</p> <p>Delete Key Objective 2 and replace with this objective – Nillumbik welcomes and celebrates the diversity of land use of rural green wedge areas. This diversity includes rural agricultural use, and rural lifestyle use including grazing and hobby farming, and bush living. About 20 per cent of Nillumbik and 25 per cent of rural Nillumbik is lifestyle grazing and hobby farming properties. About 25 per cent of Nillumbik is public land, 20 per cent is agricultural land and the balance is lifestyle properties that are bush blocks. Council has a long history of ignoring rural lifestyle grazing and hobby farming residents and the landholdings they own and live on. This does not mean these residents, and their landholdings do not exist. It just means Council would prefer we didn't. The effect of the purposeful alienation is the perception that council does not serve the needs of these residents, and council, and the planning scheme are irrelevant to these residents and their land. If council wants meaningful, equitable, acceptable, and enforceable land use planning, council should acknowledge and celebrate the diversity of land use in rural areas. The green wedge is already protected, and the Victorian government is currently taking steps to enshrine this protection. Council does not need to duplicate what Vic Gov is already doing</p> <p>Delete Key Objective 3 - this recognition serves no useful purpose and does not benefit rural residents or landholdings. It ignores the major infrastructure that is located here (Melbourne's Water purification and storage at Sugarloaf Dam, Melbourne's Power Lines, Melbourne's Water pipelines), and the state assets of significance (Warrandyte State Park). It ignores Victorian government planning to address essential communications and services infrastructure in rural areas.</p> <p>Delete Key objective 4 – there is no land use conflict in Nillumbik. There are few opportunities for further sub-division in rural Nillumbik. There is little risk of further residential development in Green Wedge areas in Nillumbik (with the possible exceptions of replacement housing in Christmas Hills and potentially some vacant acreage parcels – neither of which is significant). See comments for Objective 2. This objective is based on a misunderstanding of ground truth. Perpetuating the ongoing lie about land use in rural areas does not make it true, it simply perpetuates a lie.</p> <p>Delete Key Objective 5 (a) – there are no issues of land use conflict, resource use and environmental management arising from diversity of uses in Nillumbik. This misrepresents the truth (again).</p> <p>Amend Key Objective 5 (b) – support development and management of land in rural areas mitigating fire risk (note delete the word potential – the use of this word is misleading).</p> <p>Delete Key Objective 6 – This is not a priority for the planning scheme in rural areas</p>
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	<p>and its meaning and application are unclear. Delete Key Objective 7 – It is not clear what this means. No opinion unless clarity is provided Delete Key Objective 8 – What does this mean within the context of the planning scheme? Its purpose and application is not clear. The connection to the Green Wedge is not celebrated by rural grazing and hobby farming residents who moved here for lifestyle reasons that council does not appear to welcome, acknowledge, or celebrate. Clarify this or delete it. Consider adding an objective about recognising and celebrating the multigenerational rural residents. Rural Nillumbik has many families with multi-generational occupancy and use of rural land, mainly agricultural, lifestyle and hobby farming land, and artistic pursuits. These relationships should be encouraged, welcomed, and recognised for cultural and heritage value in rural areas.</p>
<p>THEME NATURAL ENVIRONMENT <u>Key Objective 1</u> Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals. <u>Key Objective 2</u> Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the Plenty River. Use and development have the potential to affect stormwater quality and adversely affect downstream areas. <u>Key Objective 3</u> Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards. <u>Key Objective 4</u> Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.</p>	<p>Amend Key Objective 1 – Planning decisions should balance the need to protect and conserve biodiversity, provide habitats for native flora and fauna, control pest plants and animals, and manage bushfire risk. The biggest threats to the natural environment is fire, then weed and pest species, then drought, then erosion. Delete Key Objective 2 – Nillumbik does not have an urban growth area Delete Key Objective 3 or rewrite – encourage development and vegetation removal that plans for and accommodates stormwater quality, reduces soil erosion, expansion, and landslip, and manages hazards. Delete Key Objective 4 – write this in plain English or delete it. Refer earlier comments, the landscape values of the shire are unknown and much land use is not acknowledged by council – so any objective mentioning it is meaningless. -</p>
<p>THEME BUILT ENVIRONMENT <u>Key Objective 1</u> Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment. <u>Key Objective 2</u> Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its</p>	<p>Key objectives 1 – 3 are irrelevant to rural grazing and hobby farming residents as they deal exclusively with urban built development. If car parking for rural residents coming into these areas could be specifically mentioned this would be useful. Rewrite Key Objective 4 is already covered – needs to be rewritten to read – providing for the safety and amenity of rural residents and their properties, minimising fire risk, minimising flood and erosion and protecting habitat links are important considerations in siting buildings and works in rural areas. If the same is required in urban areas it is suggested this is already protected in</p>

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<p>attractiveness, distinctiveness, safety and accessibility.</p> <p><u>Key Objective 3</u> Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.</p> <p><u>Key Objective 4</u> Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.</p>	<p>waterways planning, and public land planning.</p>
<p><u>THEME HOUSING</u></p> <p><u>Key Objective 1</u> Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.</p> <p><u>Key Objective 2</u> Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.</p> <p><u>Key Objective 3</u> Ensure a considered approach to planning and development will retain and enhance Nillumbik's unique environment and neighbourhood character.</p>	<p>This is all urban and is irrelevant to rural areas and residents. Rural housing needs are not considered by Council in this, or any other council document. Note this reinforces the perception that council is unable to acknowledge and serve the needs of rural communities, and specifically rural lifestyle grazing and hobby farming communities and agricultural communities.</p> <p>If council were to decide it had an interest in serving rural communities, consideration of existing and historic multi-generational land management and use would require council to acknowledge these communities, and their need to accommodate secondary dwellings to facilitate growing and ageing in place options, and ongoing needs for property management in bushfire prone areas and areas covered by bushfire management overlay. This would be welcomed by these communities.</p>
<p><u>THEME ECONOMIC DEVELOPMENT</u></p> <p><u>Key Objective 1</u> Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.</p> <p><u>Key Objective 2</u> Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres (which includes the commercial and industrial areas), Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.</p> <p><u>Key Objective 3</u> Protect industrial precincts from non-industrial use and development unless otherwise identified.</p> <p><u>Key Objective 4</u> Agriculture is an important area of economic development: Promote land use in rural areas in accordance with the capability and productive potential of the land. Retain existing agricultural land for soil based agricultural production.</p>	<p>Key objectives 1 – 3 are irrelevant to rural residents.</p> <p>Review and rewrite Key objective 4 – this is contradictory – the productive potential of the land is not necessarily soil based agricultural production – sustainable agricultural activities are not necessarily soil based agricultural production – land management practices that minimise adverse impacts of primary production and environmental values may not be soil based agriculture either. Agricultural land is already being protected by the Victorian Government. Nillumbik does not need to duplicate what is already occurring.</p> <p>Delete Key objective 5 and replace it with something more appropriate – this objective is not true or desirable. Green wedge rural areas house significant home business and “commercial” activities (whatever these are). They always have and always will. This is appropriate now and into the future. What is a rural industry? Horse agistment is a significant economic activity in rural Nillumbik now, and will remain so into the future. This is appropriate.</p> <p>Where is the tourism, accommodation and day stay destination economic development objective? The purpose of green wedge areas is to provide infrastructure, recreation opportunities, environmental benefits, and agriculture for metropolitan Melbourne. If council removes opportunities for this area to deliver to it's purpose the area will continue to be vulnerable. Let's be really clear on this – most</p>

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<p>Promote sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment.</p> <p>Protect and enhance agricultural land for both its productive potential and environmental value.</p> <p><u>Key Objective 5</u></p> <p>In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.</p>	<p>lifestyle grazing and hobby farming families do not particularly value the influx of visitors driving through here on weekends – but we all recognise it is important for the viability and sustainability of the area and so we share. It is interesting to us that our sharing is reciprocated with proposals that seek to ignore, undermine, punish, limit, restrict, economically and socially disadvantage and harm us for no benefit – which is what council proposals have consistently done for more than 16 years.</p>
<p><u>THEME TRANSPORT</u></p> <p><u>Key Objective 2</u></p> <p>Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.</p> <p><u>Key Objective 2</u></p> <p>Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.</p> <p><u>Key Objective 3</u></p> <p>Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.</p> <p><u>Key Objective 4</u></p> <p>Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.</p> <p><u>Key Objective 5</u></p> <p>Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.</p>	<p>Key objectives 1 (or 2a) through 4 are irrelevant to rural residents except for the ability to travel to and from activity centres and park when we get there.</p> <p>Key objective 5 – support the principle – noting that it is poorly written</p>
<p><u>THEME INFRASTRUCTURE</u></p> <p><u>Key Objective 1</u></p> <p>Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options</p> <p><u>Key Objective 2</u></p> <p>Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.</p> <p><u>Key Objective 3</u></p> <p>Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.</p>	<p>Key objectives 1, 2 and 4 are irrelevant to rural residents.</p> <p>Delete or rewrite Key objective 3 – amend see earlier comments about Victorian Government planning to improve communications infrastructure in rural areas.</p> <p>Delete Key objective 5 – it is factually incorrect - all lots are capable of containing effluent on site regardless of their size. This is a function of engineering design and execution. We know this because areas like St Andrews and many other rural areas in Victoria, New South Wales, South Australia, Northern Territory, Queensland, Western Australia and Tasmania have lots smaller than a quarter of an acre with on-site effluent containment. This stated purpose is therefore demonstrably false. Do not under any circumstances support the consolidation of rural lots. It is neither desirable, or practical, and is unfunded. If council proceeds with this proposed objective, be aware that the likely cost to council of consolidating rural lifestyle grazing and hobby farming lots can be expected to be more than \$2.4 billion. To publish this is to signal</p>

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<p><u>Key Objective 4</u> Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.</p> <p><u>Key Objective 5</u> Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site.</p>	<p>to the market the intention to engage in property speculation and devalue the local property market. This action by council appears to be in breach of several laws. Is council planning to fund this? Suggest seeking legal advice.</p>
<p>THEME OPEN SPACE</p> <p><u>Key Objective 1</u> Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.</p> <p><u>Key Objective 2</u> Ensure open space and recreational facilities are equitable and accessible to all community members.</p> <p><u>Key Objective 3</u> Facilitate the provision of active and passive recreational facilities as an integral part of each township.</p> <p><u>Key Objective 4</u> In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.</p> <p><u>Key Objective 5</u> Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.</p>	<p>Objectives 1 – 4 and 5 are irrelevant to rural residents.</p> <p>Key Objective 4 needs to be reviewed and amended – the emphasis in rural areas is on local open space that serves the needs of local rural residents, open space that serves, supports, and compliments rural economic development, tourism and visitation to rural areas, and developing comprehensive multi use trail networks to link to those in Yarra Ranges, Murrindindi, Whittlesea, Manningham and Banyule. (note that regional cross over does not incorporate all surrounding local government areas)</p>
<p>THEME CLIMATE CHANGE</p> <p><u>Key Objective 1</u> Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.</p> <p><u>Key Objective 2</u> Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.</p> <p><u>Key Objective 3</u> Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.</p> <p><u>Key Objective 4</u> Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.</p> <p><u>Key Objective 5</u> Reduce Council's direct contribution to climate change</p> <p><u>Key Objective 6</u> Prepare for, respond and adapt to the risks and impacts of a changing climate</p>	<p>Do not support the insertion of these key objectives into the planning scheme.</p> <p>Delete Key Objectives 1, 2, 5, 6 and 7 – these are irrelevant for planning purposes and the planning scheme.</p> <p>Delete Key Objective 3 – this is factually incorrect – it is not location, design, or use of property that intensifies risk – as much as it is management of private property, the management of surrounding private property and the management of surrounding public properties. These activities are not covered by the planning scheme.</p> <p>Amend Key Objective 4 is already covered by the Bushfire Management Overlay and Bushfire Prone Areas Mapping, planning and building codes. These should be referenced.</p>

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<p>on our community, environment, infrastructure and services. <u>Key Objective 7</u> Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts</p>	
<p><u>THEME HERITAGE ARTS AND CULTURE</u> <u>Key Objective 1</u> Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance. <u>Key Objective 2</u> Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance. <u>Key Objective 3</u> The culture and heritage of the Wurundjeri Woi Wumung people is understood and recognised as a proud part of our shared identity <u>Key Objective 4</u> Promote our shared heritage, history, arts and artistic culture to strengthen our community – Aspiration from OPOPOF engagement: “Residents enjoy a wide variety of recreational and cultural pursuits and have a strong sense of feeling part of their local community and townships.” <u>Key Objective 5</u> Implement goals of the Arts and Cultural Plan 2018-2022: Public participatory arts as an everyday experience Develop and grow creative and cultural industries and; Support and promote arts and cultural activities that maximise access.</p>	<p>Key Objective 1, 2 and 3 is already achieved through the application of aboriginal heritage overlays across much of the shire. It is not required. Key Objective 4 – is nice but does not say anything much and has no place in the planning scheme. Key Objective 5 – agree – and again, it's nice – but it has no place in the planning scheme</p>

Draft Municipal Planning Strategy

Eltham Community Action Group submission

Whilst in agreement with the general thrust of the Draft Municipal Planning Strategy, we consider several areas need to be strengthened in order to more fully protect now, and for future generations, the many aspects of Nillumbik highly valued by the community.

CONTEXT AND VISION

The community's feedback to Council's recent Vision 2040 consultation should be taken into account when writing the Vision statement for the Municipal Planning Strategy.

In both Context and Vision, the importance of Nillumbik as a sustainable 'green wedge' with its unique natural environment should underline all planning in the shire, be it social, physical or economic.

The vision should be based around the statement made in 1994 on the formation of the shire. 'A conservation shire with the Green Wedge as its focus'.

Preservation of the Green Wedge, Protection of the Environment and Biodiversity and Action on Climate were the community's top priorities for the shire in the 'Our People, Our Place, Our Future' survey. These should be reflected in the Vision statement in the strongest terms.

THEME 1: ACTIVITY CENTRES

Objectives

- 1. The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.*
- 2. The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments).*
- 3. The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.*

Comments:

- a) Any development in the Activity Centres should be based on the vision and guidelines of the Structure Plans specific to each area.
- b) Development should fit with and maintain the overall local neighbourhood character.

- c) The importance of retaining tree canopy should be highlighted and form a separate point, not merely be included as a part of neighbourhood character.
- d) Definitions of the diversity of housing allowable in each activity centre would be useful.
- e) Encouragement of increased levels of walking and cycling should be included eg as in the recent Eltham Urban Congestion plans.
- f) In a post COVID world informal social connections should be facilitated.
- g) Public spaces should be developed to enable social cohesion.
- h) Seating in public spaces should be placed to encourage conversation eg rather than a single 3 seat bench taken up by 1 person, two 2 person benches appropriately placed. This form of seating should also be replicated along pedestrian /bike paths as well as in Activity Centres.
- i) As Nillumbik is not in an Urban Growth Corridor and State Government expectations are that population growth will be low, Council should grasp this opportunity and not see itself under pressure to provide more and denser housing.
- j) Nillumbik should continue to highlight its distinctive urban areas as a positive point of difference to other Metropolitan suburbs.
- k) It is possible to develop different housing styles and grow in a way that sustains and retains our local heritage and environment.

THEME 2: GREEN WEDGE

Objectives

- 1. Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource-based activities and residences.*
- 2. Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation*
- 3. Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.*
- 4. Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.*
- 5. Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.*
- 6. Ensure development in rural areas mitigates potential fire risk.*
- 7. Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.*
- 8. Protect and enhance agricultural land for both its productive potential and environmental value.*
- 9. Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.*

Comments:

- a) Protecting the Green Wedge, climate change, and biodiversity were top priorities for residents in the recent survey.
- b) These should be the umbrella under which all other areas fall. Activities, whether for example, agricultural or residential, should always have protection of the environment as their base line.
- c) Development in rural areas should mitigate bushfire risk but should not be permitted where such development would result in destruction or damage to the environment. Agricultural practices must employ sustainable and regenerative practices.

THEME 3: NATURAL ENVIRONMENT

Objectives

- 1. Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals.*
- 2. Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the **Plenty River**. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.*
- 3. Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards.*
- 4. Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.*

Comments

- a) The need to establish and maintain connecting habitat corridors, both land and waterways should be mentioned.
- b) Drainage and sewerage concerns relating to runoff into any waterway, river or creek, throughout the shire is of concern, whether it be from residential development, sporting fields or road infrastructure.
- c) Promote and protect indigenous vegetation, particularly canopy trees and connectivity within and between urban areas should be included.
- d) "Biodiversity urban sensitive design" should be included as a requirement in urban areas, in line with contemporary practice such as those described by RMIT and University of Melbourne.
- e) The environment enforcement system should be properly resourced including environmentally qualified Council Officers to enforce regulations.
- f) In all areas but especially in Urban areas, the Councils own document 'Live Local Plan Local' should be followed when assessing development and extension applications.
- g) Council landscapers should also follow this same document in order to protect and enhance the unique landscape qualities found in Nillumbik's indigenous vegetation. If not followed by Council the reason should be demonstrated as to why this divergence is proposed.

THEME 4: BUILT ENVIRONMENT

Objectives

- 1. Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment.*
- 2. Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility.*
- 3. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.*
- 4. Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.*

Comments:

- a) The Natural Environment, particularly through retention, but also increase, in indigenous tree canopy and understorey, should be a mandatory prerequisite for any type of development.
- b) 'Biodiversity sensitive urban design' should be introduced.
- c) Siting of buildings in rural areas of bushfire risk should not be allowed if mitigating the risk of fire involves large clearing of native vegetation.
- d) Any buildings should reflect and nestle within the landscape rather than impose themselves on the landscape
- e) Buildings should not be allowed on ridgelines

THEME 5: HOUSING

Objectives

- 1. Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.*
- 2. Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.*
- 3. Ensure a considered approach to planning and development will retain and enhance Nillumbik's unique environment and neighbourhood character.*

Comments

- a) A stronger word than 'direct' is needed if the intention is to contain and restrict housing growth to activity centres. To not contain or restrict would be to seriously endanger the whole of the urban areas.

- b) Most of the 'unique environment and neighbourhood character' (point 3 above) of for instance Eltham, is as a result of the tree canopy and native and bushy gardens. This would not exist if housing growth and in particular, diversity of housing, was to spread throughout the urban area.
- c) Tree loss is occurring in urban areas at an alarming rate which will destroy local character and increase the impact of global warming.
- d) Developments where the application requires tree removal should be required to be strongly assessed against neighbourhood character and zone requirements.
- e) As stated in relation to Activity Centres, Nillumbik is not a Growth Corridor and is not expected to see a large growth in population.
- f) We therefore are able to plan for an increase in housing that is both sustainable and will retain our unique character, notably our indigenous vegetation.
- g) A Nillumbik Urban Forestry Strategy covering streets, parks and industrial areas as well as the introduction of Biodiversity Sensitive Urban Design would be welcome additions.
- h) Developments aimed to attract smaller households should be encouraged to include opportunities for informal social interaction of residents – joint stairwells, internal letterboxes with adequate space for a seat/pot plants, lift areas with space for a seat.

THEME 6: ECONOMIC DEVELOPMENT

Objectives

- 1. Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.*
- 2. Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres (which includes the commercial and industrial areas), Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.*
- 3. Protect industrial precincts from non-industrial use and development unless otherwise identified.*
- 4. Agriculture is an important area of economic development: • Promote land use in rural areas in accordance with the*
- 5. In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.*

Comments

- a) Economic Development should not be pursued at the expense of community, neighbourhood character, the natural environment.
- b) Commercial enterprises must reflect and sit within the ethos of a green wedge shire in relation to sustainability, natural environment.
- c) Tourism and commercial activities outside urban areas should be restricted to those that are part of the prime business of the property/area. 'CAN be used in conjunction with' is too broad a statement and would potentially allow commercial enterprises that are out of keeping with the rural area.

- d) A permit for a development proposal in the Green Wedge Shire that states that it will potentially comply with any existing requirements should not be granted unless there is proof of that connection eg. ruit trees need to have been planted.

THEME 7: TRANSPORT

Objectives

- 1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.*
- 2. Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.*
- 3. Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.*
- 4. Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.*
- 5. Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.*

Comments

- a) Encouragement of electric vehicle use could be included and the recharging facilities installed where needed. The numbers of these should be regularly reviewed and increased in line with the uptake of electric cars in Nillumbik
- b) Active transport ie walking and cycling should be mentioned.
- c) Facilitating road networks should make reference to balancing this against retention of the neighbourhood character in particular tree canopy and indigenous vegetation.

THEME 8: INFRASTRUCTURE

Objectives

- 1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options*
- 2. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.*
- 3. Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.*

4. Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.

5. Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site.

Comments

- a) Why Is 'low density residential' considered an appropriate or a necessary inclusion in the objective 'Facilitate efficient provision of infrastructure to areas designated for residential and low density residential development'?
- b) Encouragement of reduction in waste and consumption in all sectors and use of renewable energy and recycling materials to reduce the need for service infrastructure is important.

THEME 9: OPEN SPACE

Objectives

1. Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.

Note that enhancement needs to be consistent with the value of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity, & action on climate change. Open space development prioritises protection of indigenous flora and fauna.

2. Ensure open space and recreational facilities are equitable and accessible to all community members.

3. Facilitate the provision of active and passive recreational facilities as an integral part of each township

4. In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.

5. Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.

Comments

- a) Enhancement of open space should prioritise the retention and protection of indigenous vegetation.
- b) Passive and individual unstructured recreation should be included as a more important use of open space than activating passive spaces.
- c) Succession planting of canopy trees should be carried out annually in public places to ensure that in future mature trees will still form part of the public open space as well as in the overall landscape of Nillumbik.

THEME 10: CLIMATE CHANGE

Objectives

- 1. Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.*
- 2. Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.*
- 3. Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.*
- 4. Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.*
- 5. Reduce Council's direct contribution to climate change*
- 6. Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.*
- 7. Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts*

Comments

- a) Include the crucial importance of tree canopy, green spaces, bushy gardens and tree lined streets and public spaces in mitigating the effects of a warming climate.
- b) Include encouragement of housing that positively demonstrates sustainable contribution to the mitigation of climate change and its effects.

THEME 11: HERITAGE, ARTS AND CULTURE

Objectives

- 1. Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.*
- 2. Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.*
- 3. The culture and heritage of the Wurundjeri Woi Wurrung people is understood and recognised as a proud part of our shared identity.*

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*4. Promote our shared heritage, history, arts and artistic culture to strengthen our community –
Aspiration from OPOPOF engagement: “Residents enjoy a wide variety of recreational and cultural
pursuits and have a strong sense of feeling part of their local community and townships.”*

5. Implement goals of the Arts and Cultural Plan 2018-2022:

- *Public participatory arts as an everyday experience*
- *Develop and grow creative and cultural industries and;*
- *Support and promote arts and cultural activities that maximise access.*

Comments

- a) Place the recognition of the culture and heritage of the Woi Wurrung people as the first objective.
- b) As all aspects of their culture and history are tied to the natural environment it should be an integral part of our stated intentions for protecting the environment and biodiversity of the green wedge.
- c) The Natural Environment is part of our culture and could be included in this section.
- d) Our heritage of alternative building materials should be included.
- e) Buildings of local or wider interest and significance should be noted, maintained and heritage listed.
- f) Through signage and other information systems the whole population of Nillumbik now and in the future should be educated and made aware of the heritage of the area. As residents come and go more easily nowadays our history and culture is in danger of being lost. ‘If you don’t understand the past how can you make decisions for the future?’.

Thank you for the opportunity to provide input into the Municipal Planning Strategy. For clarification or to discuss any of the points mentioned please contact Eltham Community Action Group at elthamcag@yahoo.com

or Carlota Quinlan, President, at [REDACTED] or Sue Dyet, Secretary [REDACTED]

Carlota Quinlan

6/10/21

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

From: [REDACTED]
To: [Rosa Zouzoulas](#); [Nillumbik](#); [REDACTED]; [Strategic Planning](#); [REDACTED]
Cc: [Peter Perkins](#); [Frances Eyre](#); [Carl Cowie](#); [Leigh Northwood](#)
Subject: Submission to MPS
Date: Thursday, 7 October 2021 1:46:52 PM
Attachments: [Submission to MPS.pdf](#)

7.10.21

Dear Rosa Executive Manager Planning and Community Safety,

Attention: Strategic Planning Team at Nillumbik Council responsible for the MPS.

Please find attached my submission to the Municipal Planning Strategy MPS due today.

I give permission for my submission to be made public. The attachments however must remain confidential to Councillors, Council Staff, State and Federal Government, Service providers and not publicly available.

Please provide me with my submission number.

Many thanks

[REDACTED]

6.10.21

INDIVIDUAL SUBMISSION TO MUNICIPAL PLANNING STATEMENT MPS

I reserve all my rights. Equity issues matter and Justice does not date.

I or nominee wish to be heard by Council. If my objections and suggestions cannot be accommodated I wish to be heard by an independent panel appointed by the Minister.

My submission concerns lots [REDACTED] and [REDACTED] Purchased in early 1940's. Comprising ½ km of road frontage with urban reticulated infrastructure to the entire area of the acreages. And in opinion acreage landowners likewise affected in Nillumbik's Green Wedge.

As a first priority all planning mistakes, irregularities and anomalies in the Nillumbik Planning Scheme must be equitably corrected before any changes are made to or re-write of the MSS/MPS and the Local Planning Policy Framework. This applies specifically to above lands. Please see confidential evidence attached.

These properties must be removed from the Green Wedge and returned to within Melbourne's new metropolitan boundary irrespective of final site specific land use.

New community aspirations such as Green Wedge, conservation and Climate change cannot be used as an excuse to deny this.

Major missing gap is the overwhelming omission of the impact of the MPS and the Local Planning Policies on acreage landowners who are forced to provide the Green Wedge for the benefit of all without consideration of their own security, planning and expectations.

The Context, Vision and strategic direction in the MPS need to be amended accordingly.

Please incorporate my suggestions into your submission to Melbourne's Future Planning Framework and all documents that inter-relate to the MPS.

All those gaining by the Green Wedge amenity include:

- urban landowners whose land/house value have increased thanks to the proximity to the Green Wedge
- those who value and appreciate the natural environment and choose to live in Nillumbik because it provides this
- city dwellers who can escape to the Green Wedge for their 'nature fix' without having to travel for hours
- city dwellers who can breath cleaner air because of the 'green lungs' that the Green Wedges provide

There appears to be a lack of empathy towards the acreages landowners. I feel for those like myself, who have relied on a well-planned life investment and are now

being treated as if their land does not even belong to them! The rural land, Green Wedge and conservation restrictions/prohibitions are so extreme they are effectively confiscating our land.

There is in Nillumbik a growing division between angry, very distressed acreage owners who have worked hard in good faith for their investments and those who now see the Green Wedge as an asset that they expect to get at zero cost to themselves. I believe a large proportion of acreage landowners in Nillumbik's Green Wedge are being trampled on, robbed of their rights/entitlements and even going bankrupt or forced off their land. There is an increasing concentration of more rules, expensive regulations, and prohibitions. Many are being made to feel like 'criminals' for simply fighting for their rights.

We have been lost in the rush to 'green wash' Melbourne Planning.

There is a pandemic going on and no one knows where it is going to go, what it is going to change and we need to be realistic about peoples need to survive.

There needs to be more emphasis on a fair and workable Green Wedge with understanding and reasonable changes for those acreage landowners forced to provide it.

I suggest voluntary partnership and co-operation with acreage landowners with incentives and rewards to achieve a Green Wedge that suits all. Please work together amicably with them and you will be surprised by how co-operative and resourceful most will be. This can be on a case to case basis, maybe street by street or even township by township or suburb by suburb. They are all different, with different aspirations, entitlements, history, land use and other relied on in short and long term planning.

Yet they are given the same blanket, overarching boia constrictive rural land use and conservation laws as if they are one. I question where else in planning do you have such a blanket, one size fits all approach?

A common argument in support of the extreme and rigid rural, conservation planning restrictions in Nillumbik is the line 'I choose to live in Nillumbik because it is providing and protecting the Green Wedge'.

Our family too chose to live in Nillumbik (previously City of Heidelberg then Diamond Valley) since the 1940's when the Green Wedge did not exist. I was born in Diamond Creek, it has always been my home town and I challenge anyone who thinks I don't treasure the area and the properties I am a stakeholder of. My family and I have held on to this land with blood, sweat and tears. This has been our life time vision for myself, family members, friends and others and I continue to enjoy and share this beautiful land every-day.

This land is big enough and not fragmented for that ultimate vision. After 2000 we dismantled our self-sufficient, private water and diesel electric systems (that supplied intensive farming) to make way for our long term planned vision that included a retirement village. We made the application to Council to allow aging in place for those needing various living options from independent to full care. This didn't even

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get off the ground due to new policy, even though it complied with zoning rules. We also made other applications that allowed the sharing of the acreages with others with considerable open space.

The disregard of rural acreage landowners cannot be justified with the line 'it is for the greater or net good of the community'. Nobody in Nillumbik should be targeted as sacrificial lambs.

The Green Wedge must be achieved with respect, integrity and dignity for ALL.

Please see relevant objective suggestions/additions in [REDACTED] submission as they apply to these properties. I also advocate for these entirely.

I give permission for this submission to be made public. All attachments however must remain confidential and not be made available to the public.

Please note this experience has for me been stressful and traumatic. Yet another process has again discarded our pleas.

[REDACTED]

[REDACTED]

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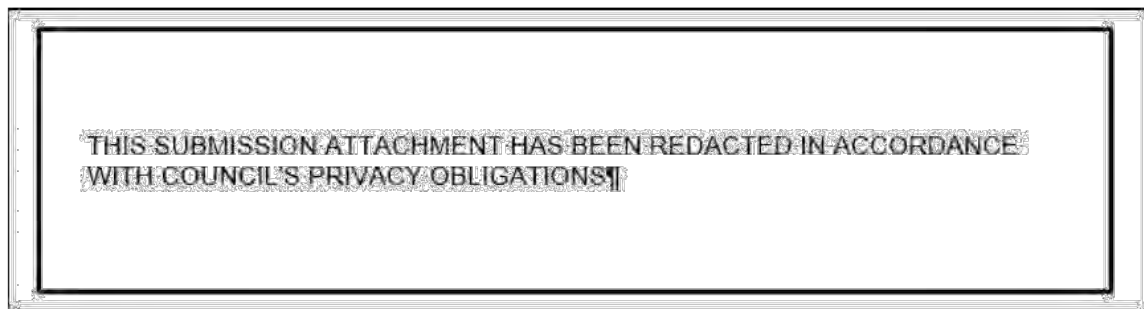
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Submitter 9

From: [REDACTED]
To: [Rosa Zouzoulas](#); [Nillumbik Strategic Planning](#); [REDACTED]; [REDACTED]
Cc: [Carl Cowie](#); [Peter Perkins](#); [Frances Eyre](#)
Subject: [REDACTED] Submission to MPS with permitted public attachments
Date: Thursday, 7 October 2021 2:50:51 PM
Attachments: [REDACTED]

[Individual Submission MPS.pdf](#)

7.10.21

Dear Rosa Executive Manager Planning and Community Safety,

Attention: Strategic Planning Team at Nillumbik Council responsible for the MPS.

Please find attached my submission to the Municipal Planning Strategy MPS due today.

I give permission for my submission and all attachments to be made public.

An email will follow directly with a copy of my submission together with its *confidential* attachments.

Please provide me with my submission number.

Many thanks

[REDACTED]

22.9.21 PART ONE

[REDACTED] as an Individual Submission to the Nillumbik MPS.

I/we reserve all my/our rights. Justice does not date.

I or nominees wish to be heard on this submission by Council. I will expand on this submission when I speak. If my objections and suggestions can-not be accommodated I wish to be heard by an independent panel appointed by the Minister.

All contents are directly relevant to the new Nillumbik MPS, the Local Planning Policy Framework LPPF and the new Melbourne State Planning Policy Framework MSPPF. Scope, terms of reference, purview or other cannot be used as an excuse to disqualify any of this submission.

This submission concerns the materially impacted properties:

[REDACTED] bought early 1940's

[REDACTED] bought early 1940's. And in opinion like neighbouring properties.

We plead with Nillumbik Shire Council to assist us in the course and cause of justice by ensuring our lands are included rightfully and equitably, as general residential in the suburb of Diamond Creek and included within Melbourne's new Metropolitan urban boundary. This is irrespective of any final site specific land use. The outstanding zoning and mapping mistakes for our lands, continuously drawn to the attention of Council and others must be corrected as a first priority, together with other like lands in Diamond Creek and Yarrambat. This is to ensure there is no impact whatsoever on our lands by Councils new Municipal Planning Strategy MPS. Failure to do so will mean this strategy and Councils Planning scheme will continue to have a flawed and unacceptable foundation.

In 2000/2001 when the planning mistake/anomaly/irregularity for our lands was first made we lobbied the then infrastructure sector of Premier and Cabinet. Shortly afterwards Premier Steve Bracks issued a directive to Nillumbik Council stating that land with infrastructure was to be released with Metropolitan Strategy and that Green Wedge was not to be an excuse to fail to do so. We remain mystified as to why this did not occur with our lands. We question if others have been included in some way for the future while we have been inequitably excluded?

If at any point in time these lands were planned differently to like lands with mandatory urban infrastructure, be it by mistake, jealousy, discrimination, financial advantage or any other reason, then the owners were not notified and proper process was not followed. If this was/is the case immediate equitable rectification is required, not perpetuation of same.

We have participated continually in processes since year 2000 requesting this equitable urban correction to no avail. This is despite Council acknowledging at that time that our

lands had distinctive infrastructure. There is a direct connection between the infrastructure and the lands correct urban status. The excuse given for ignoring both as not being of strategic merit is baseless. It was strategic to Diamond Creek, Plenty and Yarrambat and this was the very reason it became urban to begin with. It is not acceptable to make new 'strategic' directions that 'knowingly' exclude these lands as general residential, thereby allowing our paid for, established urban reticulated infrastructure to be eroded or diverted to others instead. Doing so 'knowingly' allows these lands to become infrastructure stripped unmanageable, rural bush blocks worse in value and use to that of 80 years ago. It is not a matter of Council determining their preferred housing locations but a rather an obligation on their part to release our lands for urban housing. They have a duty of care and trust to do so. These lands are not subject to new criteria and goalposts of this or any other new strategy or policies.

It is understood that Nillumbik will need an additional 4,200 new dwellings by 2036 (draft of abandoned Housing Strategy). There is also an acknowledgment that various housing density/requirements will be necessary. We argue subject lands remain ideal for any residential development. This includes retirement homes or small groups of homes surrounded by and including abundant open green space. There could easily be a plan that incorporates high to medium density housing options or indeed for a retirement precinct that would appeal to those who have spent their life on a rural property. This opportunity is the very reason people are choosing to come to Diamond Creek. Subject lands are the very essence of liveability!

Subject lands combined with [REDACTED], cover 60 acres. They have dual road frontages and dual infrastructure supply options, urban reticulated infrastructure to the whole area of the lands, they are situated in an area that offers the best of both worlds and they are located on a main road (rightfully arterial) that connects Diamond Creek and Yarrambat. At the very least it makes strong financial sense for Council to correct the mistake and allow these lands to utilise their urban infrastructure as was always the intention. Our lands have both the capacity and capability called for by the Key objectives.

In terms of the safety and security as to any Bushfire threat to the population of Diamond Creek and surrounding areas, subject lands remain immensely strategic as to their location and reticulated infrastructure. If subject lands are not developed for housing they risk creating a 'funnel' of unmanaged rural space with eventual spreading of a bushfire to the densely developed suburb of Diamond Creek. If by Council planning, the infrastructure is diverted to other catchments the ability to fight and prevent fire is removed as well. The danger presented by both of these scenarios to the township of Diamond Creek is very real. Development of these lands would preserve the urban reticulated infrastructure with the pressures and flows measured at 21 00 kpa. It would also remove the threat that unmanaged rural space creates. The original environment was heavily farmed and completely altered. What exists there today has been introduced in the last 10-15 years. Giving the land an environmental value is disingenuous.

Although Council is saying this is a new MPS it can-not be separated from preceding policies and strategies. In our case this includes the Mernda Doreen and inter-related Diamond Creek (and Nillumbik) 2020 dating from 2001/2002. The former discriminatorily and wrongly omitted our lands. Our distinctive urban infrastructure was acknowledged by Nillumbik Shire Council in the year 2000 when the New format Nillumbik Planning Scheme was adopted and yet to date it is being ignored in all urban strategies and policies. We fear the recent major infrastructure works passing our door, along Ironbark Rd are evidence of our exclusion. All new strategies must include our lands and importantly allow us to utilise our infrastructure for residential development. This certainty was and is being relied on in our families long term financial planning.

If Council fails to do so the consequences for our lands and our Family will be devastating and there can-not be any objectivity for any further processes. Major losses and damages will occur, thwarting and compromising otherwise equitable remedies at the least cost to Council and others.

True urban values (not rural) must be preserved for these lands. We must be returned to the original suburban area of Diamond Creek. The major equity issues can no longer be ignored. Please again review all our hard evidence, professional supporting statements, together with what is known or ought to be known in support of our case (the latest being that submitted for the Green Wedge and Agricultural Land Review, the Council Plan, Council Budget and State electoral boundary changes).

New community aspirations such as Green Wedge or Climate change are not to be used as an excuse to deny our requests as they can be protected and incorporated in to the site specific property plan.

We remind Council that should there be any changes to Shire boundaries we continue to ask for our lands return to the City of Banyule and not be gerrymandered out to City of Whittlesea.

Therefore I ask for the following suggestions to be included in the Municipal Planning Strategy MPS and associated Local Planning policy Framework LPPF.

As Nillumbik did not consult with ratepayers on their submission to Melbourne's State Planning Policy Framework, I now ask for these suggestions to be incorporated into same.

Clause 02.01 Context

* Nillumbik covers an area that extends approximately 23-38km from Melbourne GPO. The only areas included within 25kms are Diamond Creek, Yarrambat, Plenty and Research. Areas such as Arthurs Creek, Strathewen and Kinglake National Park are well beyond 25km from Melbourne GPO. The urban fringe starts beyond Diamond Creek.

*Yarrambat must be listed as a township or suburb as demonstrated in the Study area of the Yan Yean rd upgrade Stage 2. Please add to all MPS mapping and text.

Yarrambat has been recognised as a township at least since the 1960's. Diamond Creek Plenty and Yarrambat were originally part of the North Ward of the City of Heidelberg. After this broke away they became part of the Diamond Valley Shire. It was the city of Heidelberg that established the Plenty Yarrambat Waterworks Trust to supply water reticulation to the townships of Yarrambat and Plenty.

*All townships, suburbs, neighbourhood centres should be listed and included in the MPS Context and Mapping. Diamond Creek and Eltham must be listed as suburbs.

* Correct the population statistics to current numbers. Please indicate the population breakdown and area size in both rural and urban areas of Nillumbik.

* Include hobby farms in the uses of land in Nillumbik.

Clause 02.04-1 Strategic Framework Plan Map

*Review and reinstate Ironbark Rd as an Arterial Rd not a minor road network. Include all of Pioneer Rd as its collector road. Lobby State Government for same.

*Review and extend township boundaries to include all land to the boundary of the suburb of Diamond Creek with utility infrastructure attached.

*Include all of original Diamond Creek town centre within the Activity Centre. This includes Collins st and Main St an integral part of Diamond Creek. Point marked as town centre must be west of the train station as originally planned since 1950's.

*Areas with infrastructure must be marked as urban.

As per the Themes and Key Objectives I have identified gaps and would make the following additions/changes to address these:

Activity Centres

Key objective 4

All of original Diamond Creek will be included within the Activity Centre. Collins st and Main st must be included.

I believe commercial, tourism and education uses in the Green Wedge should not be limited to within Activity Centres. They are essential for land sustainability and maintenance e.g. large acreages can provide innovative and creative options for self-contained communities that share in the costs of maintaining that particular Green Wedge pocket, like retirement living, student accommodation.

The 20 minute neighbourhood is a wrong fit strategy for Nillumbik. Variety in location and lot sizes is more applicable for Nillumbik.

Green Wedge

Key Objective 9

Achieve a Green Wedge with respect, integrity and dignity for ALL.

Key objective 10

Recognise and correct planning mistakes, mapping errors and irregularities in the Nillumbik Planning Scheme. The Green wedge must be based on a correct planning foundation.

Key Objective 11

Recognise agricultural pursuits as an as of right use to all rural land irrespective of zoning.

This is necessary for land sustainability, land management and fire protection.

Key objective 12

Mapping tools will not be used in a discriminatory manner to exclude lands from various land uses based on soil type, depth, climate change or other. Options for use must be site specific and based on past ability/ land use, it should not be based on broad acreage mapping.

See our submission to the Future of Agriculture in Nillumbik process.

Natural Environment

Key objective 5

Consider the role major road upgrades, traffic, transport, utility assets and land uses play in the protection of wildlife.

Housing

Key objective 4

Permit a variety of housing options and lot sizes (including low density) in original areas of Diamond Creek, Plenty and Yarrambat. A variety of housing density options must be available to those outside the major activity centres.

These areas are being impacted by the leapfrogging of development in the new outer northern suburbs, to Nillumbik's notable exclusion. This poses new land use threats e.g traffic, flora and fauna.

Key objective 5

Council should support an Aging in place strategy to allow residents to stay in their own home.

Such a strategy would prevent the trauma involved when the elderly are forced to leave their cherished home to access care. It would also aid those who have adult children that require care and cannot live independently.

Economic Development

Key objective 5

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This needs to be replaced with ‘Tourism, and commercial activities should not be restricted to the Activity Centres or township boundaries. Retirement homes, education or accommodation will be optional uses in the Green Wedge’. These are essential options for the survival and economic support of the Green Wedge’.

Key objective 6

Recognise agriculture as key to land sustainability.

Key objective 7

Soft urban edge needed in Diamond Creek.

Infrastructure

Key objective 6

Recognise infrastructure and associated planning/zoning irregularities, anomalies, mistakes and major inequities.

Key objective 7

Facilitate the corrections needed for all zoning/mapping/planning irregularities.

Key objective 8

Ensure recognition and then equitable utilisation of existing utility infrastructure.

Key objective 9

Include [REDACTED] in the Eltham Sewer Catchment.

Open Space

Key objective 5

Ensure open spaces have been achieved equitably.

Climate Change

Key objective 8

Consider the role major road upgrades, traffic, transport, utility assets and land uses play in Nillumbik’s Bushfire Mitigation Strategy.

[REDACTED]

[REDACTED]

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22.9.21 PART ONE

[REDACTED] as an Individual Submission to the Nillumbik MPS.

I/we reserve all my/our rights. Justice does not date.

I or nominees wish to be heard on this submission by Council. I will expand on this submission when I speak. If my objections and suggestions can-not be accommodated I wish to be heard by an independent panel appointed by the Minister.

All contents are directly relevant to the new Nillumbik MPS, the Local Planning Policy Framework LPPF and the new Melbourne State Planning Policy Framework MSPPF. Scope, terms of reference, purview or other cannot be used as an excuse to disqualify any of this submission.

This submission concerns the materially impacted properties:

[REDACTED] early 1940's

[REDACTED] bought early 1940's. And in opinion like neighbouring properties.

We plead with Nillumbik Shire Council to assist us in the course and cause of justice by ensuring our lands are included rightfully and equitably, as general residential in the suburb of Diamond Creek and included within Melbourne's new Metropolitan urban boundary. This is irrespective of any final site specific land use. The outstanding zoning and mapping mistakes for our lands, continuously drawn to the attention of Council and others must be corrected as a first priority, together with other like lands in Diamond Creek and Yarrambat. This is to ensure there is no impact whatsoever on our lands by Councils new Municipal Planning Strategy MPS. Failure to do so will mean this strategy and Councils Planning scheme will continue to have a flawed and unacceptable foundation.

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Key objective 4

All of original Diamond Creek will be included within the Activity Centre. Collins st and Main st must be included.

I believe commercial, tourism and education uses in the Green Wedge should not be limited to within Activity Centres. They are essential for land sustainability and maintenance e.g. large acreages can provide innovative and creative options for self-contained communities that share in the costs of maintaining that particular Green Wedge pocket, like retirement living, student accommodation.

The 20 minute neighbourhood is a wrong fit strategy for Nillumbik. Variety in location and lot sizes is more applicable for Nillumbik.

Green Wedge

Key Objective 9

Achieve a Green Wedge with respect, integrity and dignity for ALL.

Key objective 10

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Key Objective 11

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Key objective 12

Mapping tools will not be used in a discriminatory manner to exclude lands from various land uses based on soil type, depth, climate change or other. Options for use must be site specific and based on past ability/ land use, it should not be based on broad acreage mapping.

See our submission to the Future of Agriculture in Nillumbik process.

Natural Environment

Key objective 5

Consider the role major road upgrades, traffic, transport, utility assets and land uses play in the protection of wildlife.

Housing

Key objective 4

Permit a variety of housing options and lot sizes (including low density) in original areas of Diamond Creek, Plenty and Yarrambat. A variety of housing density options must be available to those outside the major activity centres.

These areas are being impacted by the leapfrogging of development in the new outer northern suburbs, to Nillumbik's notable exclusion. This poses new land use threats e.g traffic, flora and fauna.

Key objective 5

Council should support an Aging in place strategy to allow residents to stay in their own home.

Such a strategy would prevent the trauma involved when the elderly are forced to leave their cherished home to access care. It would also aid those who have adult children that require care and cannot live independently.

Economic Development

Key objective 5

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Key objective 6

Recognise agriculture as key to land sustainability.

Key objective 7

Soft urban edge needed in Diamond Creek.

Infrastructure

Key objective 6

Recognise infrastructure and associated planning/zoning irregularities, anomalies, mistakes and major inequities.

Key objective 7

Facilitate the corrections needed for all zoning/mapping/planning irregularities.

Key objective 8

Ensure recognition and then equitable utilisation of existing utility infrastructure.

Key objective 9

Include listed properties and adjoining [REDACTED] in the Eltham Sewer Catchment.

Open Space

Key objective 5

Ensure open spaces have been achieved equitably.

Climate Change

Key objective 8

Consider the role major road upgrades, traffic, transport, utility assets and land uses play in Nillumbik's Bushfire Mitigation Strategy.

[REDACTED]

[REDACTED]

Submitter 11

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From: [REDACTED]
To: [Rosa Zouzoulas](#); [Nillumbik](#); [Strategic Planning](#); [REDACTED]; [REDACTED]
Cc: [Carl Cowie](#); [Peter Perkins](#); [Frances Eyre](#)
Subject: G.Schnapp Submission to MPS with confidential attached documents.
Date: Thursday, 7 October 2021 2:51:22 PM
Attachments: [REDACTED]

[Individual Submission MPS.pdf](#)

7.10.21

Dear Rosa Executive Manager Planning and Community Safety,

Attention: Strategic Planning Team at Nillumbik Council responsible for the MPS.

Please find attached my submission to the Municipal Planning Strategy MPS due today.

I give permission for my submission to be made public. The attachments however must remain confidential to Councillors, Council Staff, State and Federal Government, Service providers and not publicly available.

Please provide me with my submission number.

Many thanks

[REDACTED]

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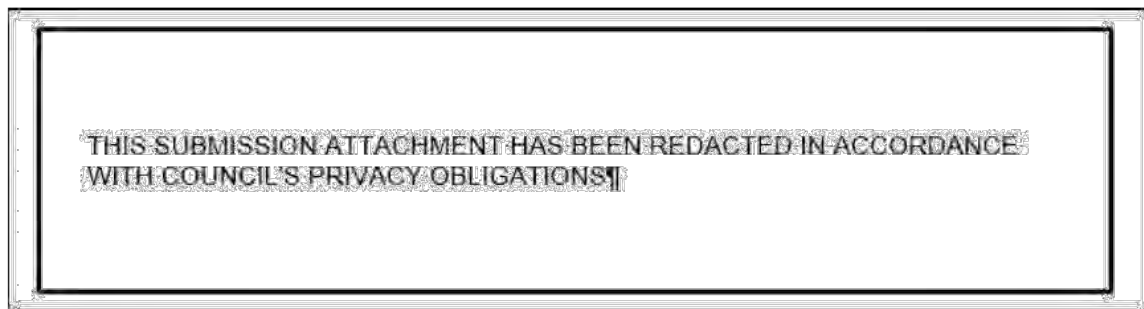
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22.9.21 PART ONE

██████████ as an Individual Submission to the Nillumbik MPS.

I/we reserve all my/our rights. Justice does not date.

I or nominees wish to be heard on this submission by Council. I will expand on this submission when I speak. If my objections and suggestions can-not be accommodated I wish to be heard by an independent panel appointed by the Minister.

All contents are directly relevant to the new Nillumbik MPS, the Local Planning Policy Framework LPPF and the new Melbourne State Planning Policy Framework MSPPF. Scope, terms of reference, purview or other cannot be used as an excuse to disqualify any of this submission.

This submission concerns the materially impacted properties:

██████████ (40 acres) bought early 1940's

██████████ (5 acres) bought early 1940's. And in opinion like neighbouring properties.

We plead with Nillumbik Shire Council to assist us in the course and cause of justice by ensuring our lands are included rightfully and equitably, as general residential in the suburb of Diamond Creek and included within Melbourne's new Metropolitan urban boundary. This is irrespective of any final site specific land use. The outstanding zoning and mapping mistakes for our lands, continuously drawn to the attention of Council and others must be corrected as a first priority, together with other like lands in Diamond Creek and Yarrambat. This is to ensure there is no impact whatsoever on our lands by Councils new Municipal Planning Strategy MPS. Failure to do so will mean this strategy and Councils Planning scheme will continue to have a flawed and unacceptable foundation.

In 2000/2001 when the planning mistake/anomaly/irregularity for our lands was first made we lobbied the then infrastructure sector of Premier and Cabinet. Shortly afterwards Premier Steve Bracks issued a directive to Nillumbik Council stating that land with infrastructure was to be released with Metropolitan Strategy and that Green Wedge was not to be an excuse to fail to do so. We remain mystified as to why this did not occur with our lands. We question if others have been included in some way for the future while we have been inequitably excluded?

If at any point in time these lands were planned differently to like lands with mandatory urban infrastructure, be it by mistake, jealousy, discrimination, financial advantage or any other reason, then the owners were not notified and proper process was not followed. If this was/is the case immediate equitable rectification is required, not perpetuation of same.

We have participated continually in processes since year 2000 requesting this equitable urban correction to no avail. This is despite Council acknowledging at that time that our

lands had distinctive infrastructure. There is a direct connection between the infrastructure and the lands correct urban status. The excuse given for ignoring both as not being of strategic merit is baseless. It was strategic to Diamond Creek, Plenty and Yarrambat and this was the very reason it became urban to begin with. It is not acceptable to make new 'strategic' directions that 'knowingly' exclude these lands as general residential, thereby allowing our paid for, established urban reticulated infrastructure to be eroded or diverted to others instead. Doing so 'knowingly' allows these lands to become infrastructure stripped unmanageable, rural bush blocks worse in value and use to that of 80 years ago. It is not a matter of Council determining their preferred housing locations but a rather an obligation on their part to release our lands for urban housing. They have a duty of care and trust to do so. These lands are not subject to new criteria and goalposts of this or any other new strategy or policies.

It is understood that Nillumbik will need an additional 4,200 new dwellings by 2036 (draft of abandoned Housing Strategy). There is also an acknowledgment that various housing density/requirements will be necessary. We argue subject lands remain ideal for any residential development. This includes retirement homes or small groups of homes surrounded by and including abundant open green space. There could easily be a plan that incorporates high to medium density housing options or indeed for a retirement precinct that would appeal to those who have spent their life on a rural property. This opportunity is the very reason people are choosing to come to Diamond Creek. Subject lands are the very essence of liveability!

Subject lands combined with 40-60 Pioneer Rd, cover 60 acres. They have dual road frontages and dual infrastructure supply options, urban reticulated infrastructure to the whole area of the lands, they are situated in an area that offers the best of both worlds and they are located on a main road (rightfully arterial) that connects Diamond Creek and Yarrambat. At the very least it makes strong financial sense for Council to correct the mistake and allow these lands to utilise their urban infrastructure as was always the intention. Our lands have both the capacity and capability called for by the Key objectives.

In terms of the safety and security as to any Bushfire threat to the population of Diamond Creek and surrounding areas, subject lands remain immensely strategic as to their location and reticulated infrastructure. If subject lands are not developed for housing they risk creating a 'funnel' of unmanaged rural space with eventual spreading of a bushfire to the densely developed suburb of Diamond Creek. If by Council planning, the infrastructure is diverted to other catchments the ability to fight and prevent fire is removed as well. The danger presented by both of these scenarios to the township of Diamond Creek is very real. Development of these lands would preserve the urban reticulated infrastructure with the pressures and flows measured at 21 00 kpa. It would also remove the threat that unmanaged rural space creates. The original environment was heavily farmed and completely altered. What exists there today has been introduced in the last 10-15 years. Giving the land an environmental value is disingenuous.

Although Council is saying this is a new MPS it can-not be separated from preceding policies and strategies. In our case this includes the Mernda Doreen and inter-related Diamond Creek (and Nillumbik) 2020 dating from 2001/2002. The former discriminatorily and wrongly omitted our lands. Our distinctive urban infrastructure was acknowledged by Nillumbik Shire Council in the year 2000 when the New format Nillumbik Planning Scheme was adopted and yet to date it is being ignored in all urban strategies and policies. We fear the recent major infrastructure works passing our door, along Ironbark Rd are evidence of our exclusion. All new strategies must include our lands and importantly allow us to utilise our infrastructure for residential development. This certainty was and is being relied on in our families long term financial planning.

If Council fails to do so the consequences for our lands and our Family will be devastating and there can-not be any objectivity for any further processes. Major losses and damages will occur, thwarting and compromising otherwise equitable remedies at the least cost to Council and others.

True urban values (not rural) must be preserved for these lands. We must be returned to the original suburban area of Diamond Creek. The major equity issues can no longer be ignored. Please again review all our hard evidence, professional supporting statements, together with what is known or ought to be known in support of our case (the latest being that submitted for the Green Wedge and Agricultural Land Review, the Council Plan, Council Budget and State electoral boundary changes).

New community aspirations such as Green Wedge or Climate change are not to be used as an excuse to deny our requests as they can be protected and incorporated in to the site specific property plan.

We remind Council that should there be any changes to Shire boundaries we continue to ask for our lands return to the City of Banyule and not be gerrymandered out to City of Whittlesea.

Therefore I ask for the following suggestions to be included in the Municipal Planning Strategy MPS and associated Local Planning policy Framework LPPF.

As Nillumbik did not consult with ratepayers on their submission to Melbourne's State Planning Policy Framework, I now ask for these suggestions to be incorporated into same.

Clause 02.01 Context

* Nillumbik covers an area that extends approximately 23-38km from Melbourne GPO. The only areas included within 25kms are Diamond Creek, Yarrambat, Plenty and Research. Areas such as Arthurs Creek, Strathewen and Kinglake National Park are well beyond 25km from Melbourne GPO. The urban fringe starts beyond Diamond Creek.

*Yarrambat must be listed as a township or suburb as demonstrated in the Study area of the Yan Yean rd upgrade Stage 2. Please add to all MPS mapping and text.

Yarrambat has been recognised as a township at least since the 1960's. Diamond Creek Plenty and Yarrambat were originally part of the North Ward of the City of Heidelberg. After this broke away they became part of the Diamond Valley Shire. It was the city of Heidelberg that established the Plenty Yarrambat Waterworks Trust to supply water reticulation to the townships of Yarrambat and Plenty.

*All townships, suburbs, neighbourhood centres should be listed and included in the MPS Context and Mapping. Diamond Creek and Eltham must be listed as suburbs.

* Correct the population statistics to current numbers. Please indicate the population breakdown and area size in both rural and urban areas of Nillumbik.

* Include hobby farms in the uses of land in Nillumbik.

Clause 02.04-1 Strategic Framework Plan Map

*Review and reinstate Ironbark Rd as an Arterial Rd not a minor road network. Include all of Pioneer Rd as its collector road. Lobby State Government for same.

*Review and extend township boundaries to include all land to the boundary of the suburb of Diamond Creek with utility infrastructure attached.

*Include all of original Diamond Creek town centre within the Activity Centre. This includes Collins st and Main St an integral part of Diamond Creek. Point marked as town centre must be west of the train station as originally planned since 1950's.

*Areas with infrastructure must be marked as urban.

As per the Themes and Key Objectives I have identified gaps and would make the following additions/changes to address these:

Activity Centres

Key objective 4

All of original Diamond Creek will be included within the Activity Centre. Collins st and Main st must be included.

I believe commercial, tourism and education uses in the Green Wedge should not be limited to within Activity Centres. They are essential for land sustainability and maintenance e.g. large acreages can provide innovative and creative options for self-contained communities that share in the costs of maintaining that particular Green Wedge pocket, like retirement living, student accommodation.

The 20 minute neighbourhood is a wrong fit strategy for Nillumbik. Variety in location and lot sizes is more applicable for Nillumbik.

Green Wedge

Key Objective 9

Achieve a Green Wedge with respect, integrity and dignity for ALL.

Key objective 10

Recognise and correct planning mistakes, mapping errors and irregularities in the Nillumbik Planning Scheme. The Green wedge must be based on a correct planning foundation.

Key Objective 11

Recognise agricultural pursuits as an as of right use to all rural land irrespective of zoning.

This is necessary for land sustainability, land management and fire protection.

Key objective 12

Mapping tools will not be used in a discriminatory manner to exclude lands from various land uses based on soil type, depth, climate change or other. Options for use must be site specific and based on past ability/ land use, it should not be based on broad acreage mapping.

See our submission to the Future of Agriculture in Nillumbik process.

Natural Environment

Key objective 5

Consider the role major road upgrades, traffic, transport, utility assets and land uses play in the protection of wildlife.

Housing

Key objective 4

Permit a variety of housing options and lot sizes (including low density) in original areas of Diamond Creek, Plenty and Yarrambat. A variety of housing density options must be available to those outside the major activity centres.

These areas are being impacted by the leapfrogging of development in the new outer northern suburbs, to Nillumbik's notable exclusion. This poses new land use threats e.g traffic, flora and fauna.

Key objective 5

Council should support an Aging in place strategy to allow residents to stay in their own home.

Such a strategy would prevent the trauma involved when the elderly are forced to leave their cherished home to access care. It would also aid those who have adult children that require care and cannot live independently.

Economic Development

Key objective 5

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This needs to be replaced with ‘Tourism, and commercial activities should not be restricted to the Activity Centres or township boundaries. Retirement homes, education or accommodation will be optional uses in the Green Wedge’. These are essential options for the survival and economic support of the Green Wedge’.

Key objective 6

Recognise agriculture as key to land sustainability.

Key objective 7

Soft urban edge needed in Diamond Creek.

Infrastructure

Key objective 6

Recognise infrastructure and associated planning/zoning irregularities, anomalies, mistakes and major inequities.

Key objective 7

Facilitate the corrections needed for all zoning/mapping/planning irregularities.

Key objective 8

Ensure recognition and then equitable utilisation of existing utility infrastructure.

Key objective 9

Include listed properties and adjoining [REDACTED] in the Eltham Sewer Catchment.

Open Space

Key objective 5

Ensure open spaces have been achieved equitably.

Climate Change

Key objective 8

Consider the role major road upgrades, traffic, transport, utility assets and land uses play in Nillumbik’s Bushfire Mitigation Strategy.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, 7 October 2021 3:01 PM
To: Strategic Planning <Strategic.Planning@nillumbik.vic.gov.au>
Subject: Municipal Planning Strategy (closes 17Oct21) - Submission [REDACTED]

To whom it concerns,

The below submission primarily concerns the MPS' "ENVIRONMENT" theme.

[REDACTED]

Nillumbik is "The Green Wedge Shire" and a conservation shire; yet our natural environment continues to decline: clearly our current frame work is not working. Given the incessant and unbridled push for economic growth and development, the natural environment is set to become ever more marginalised over time, below are suggested some possible measures that may help to finally start turning the tide. Therefore the MPS should:

1. Recognise:

- That all is interdependent, that we're all part of a larger whole and dependent on a healthy environment (even the economy). Thus, instead of a 'people centric' view, there is the need to take a broader view beyond the personal interests of individual local landholders/people, to adopt a "systems view", and to place guardianship (rather than 'land ownership') and a 'duty of care' central to planning and policy making— particularly as it affects our natural environment.
- That we have a moral responsibility for the sustainability and the needs and rights of the many other species with which we share the natural environment (but which notable do not have a voice).
- The need for a healthy environment, and to embed "environmental/ecological sustainability" in all that we do; and to ensure that development is 'ecologically sustainable'.
- That all areas of vegetation/habitat are significant, must be protected and wherever possible enhanced - not only in the Green Wedge, but throughout the 'Green Wedge Shire'.

2. Recognise indigenous vegetation provides the backbone to country, and environmental and Green Wedge integrity. Therefore, (i) medium and lower storey indigenous vegetation, as well as indigenous trees, should receive the strongest possible protection; (ii) Council should plant indigenous in all its public spaces; and (iii) indigenous vegetation should be encouraged where ever possible (including via planning applications). This will also (i) improve neighbourhood and township characters and landscape and water catchment values, (ii) best attract indigenous wildlife, and best ensure their survival chances, and (iii) reduce household watering requirements.

3. Promote the notion of 'living in harmony with nature', and extent wildlife habitat corridors as widely as possible, and encourage wild life-friendly fencing where ever possible.

4. Strengthening throughout the shire the Environmental Significant Overlays (ESO), Significant Landscape Overlays (SLO) and Neighbourhood Character aspects.

5. Widen Biolinks and protection along watercourses, including along drainage lines (refer ESO4 prepared by Abzeco consultants); and improve indigenous habitat and biodiversity along road reserves.

6. Development applications need to be assessed for their impact beyond their property boundaries, and a landscape-scale and regional-scale approach in assessments needs to be adopted. To prevent death by a thousand cuts, the accumulative impacts of individual planning applications need to be recorded and assessed to properly oversee the bigger picture environmentally – for better or for worse.

7. In planning applications, the impact of the Bushfire Management Overlay on landscape and environmental values, on biodiversity, on wildlife habitat and links, and on neighbourhood character needs to be properly assessed; and where its impact is deemed too severe, the application needs to be reduced or rejected. The MPS should mention this as an ongoing planning process by Council.

8. Investigate an amendment to the BMO rules that instead of requiring virtual denuding of a site (and keeping it so indefinitely), allows land holders/planning applicants to keep their vegetation on the proviso they install an accredited bushfire bunker.

Assuming responsible and environmentally-sensitive fire prevention is undertaken as a matter of course, the added advantage of a fire bunker is that once the fire front has passed, landowners can immediately commence 'post fire front mop-up operations' to help save and secure their properties, while this is obviously not possible with the 'leave early' scenario. On-site fire bunkers have another long term advantage by countering people's tendency towards complacency.

9. Research and encourage sustainable and environmentally sensitive bushfire risk management techniques.

10. Properly evaluate the value of trees and all vegetation, and the great many services they provide; eg. store carbon; provide clean air; fix the ground water table; provide pollination services, habitat for wildlife; provide shade, beauty and ambience, peace of mind. They all are very valuable assets (and increasingly so with growing climate change impacts), but unfortunately routinely get undervalued. Fundamental problems are: they hardly get recognised as assets on balance sheets, and there is little appreciation of how long it takes for them to grow and reach maturity, etc. If their true value was properly realised, people would not be getting rid of them so readily.

11. Recognises that our natural resources are finite, and ensures their sustainable use via effective monitoring, evaluating and accounting measures.

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12. Ensure waste is minimised in all our spheres of activity (household, manufacture, construction, agriculture, etc), and efficient collection and recycling is optimised.

13. Business is not solely motivated by money, profit making and greed, adopts high (ESG) ethical standards, and is encouraged to also adopt and achieve social and environmental goals.

14. The Planning Scheme includes climate change triggers.

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From: [REDACTED]
Sent: Thursday, 7 October 2021 3:05 PM
To: Rosa Zouzoulas <Rosa.Zouzoulas@nillumbik.vic.gov.au>; Strategic Planning <Strategic.Planning@nillumbik.vic.gov.au>; Nillumbik <nillumbik@nillumbik.vic.gov.au>; [REDACTED]
Cc: Peter Perkins <Peter.Perkins@nillumbik.vic.gov.au>; Carl Cowie <Carl.Cowie@nillumbik.vic.gov.au>; Frances Eyre <Frances.Eyre@nillumbik.vic.gov.au>
Subject: D Schnapp Submission to MPS

7.10.21

Dear Rosa Executive Manager Planning and Community Safety

Attention Nillumbik Strategic Planning Team responsible for MPS

Please find attached my submission to the Municipal Planning Strategy due today.

I give permission for my submission to be made public along with all attachments.

Regards
[REDACTED]

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22.9.21

INDIVIDUAL SUBMISSION TO MUNICIPAL PLANNING STATEMENT MPS

I reserve all my rights.

I or nominee wish to be heard by Council. If my objections and suggestions cannot be accommodated I wish to be heard by an independent panel appointed by the Minister.

This submission concerns [REDACTED] approx. 14.5 acres. This property adjoins land on [REDACTED] Diamond Creek. The latter [REDACTED] properties are part of the original urban suburb of Diamond Creek.

As with all of the above lands this property needs to be included within Melbourne's new metropolitan urban boundary. All planning mistakes, irregularities and anomalies in the Nillumbik Planning Scheme need to be corrected and thus allow these lands to utilise their distinct urban infrastructure.

I identify this land as urban with urban planning concerns. My interests and identity are urban, from original residential and infrastructure planning for Metropolitan Melbourne (MMBW and State Rivers and Water supply commission/ Plenty Yarrambat Waterworks Trust). This properties community interests and identity are connected to Diamond Creek, Plenty and Yarrambat (particularly for the protection of the Ironbark/Pioneer Rd infrastructure catchment).

I bought this land in 1989 to enable dual urban infrastructure and dual road frontages for unique combined development options with adjoining [REDACTED] Diamond Creek (which also adjoins [REDACTED] Diamond Creek). All three properties are of the same Ironbark and Pioneer Rd infrastructure catchment (of which they are the urban extension).

I have always identified this property as having common interests with the planning of Diamond Creek and Plenty. It was included in the planned residential expansion of metropolitan Melbourne in the 1970's and 1980's, and were part of the Plenty Growth Corridor, NOT as Green Wedge, together with the above properties. It has urban reticulated infrastructure. It was and still is strategic for such residential development. It forms the boundary between Yarrambat and Diamond Creek and is across the road from the boundary of Yarrambat and Plenty.

If there is to be a review of suburban/post code boundaries I continue to make the request in advance, that this property is included within the boundary of the suburb of Diamond Creek (as has happened with other Yarrambat lands east of Murray Rd). With any subsequently boundary changes to Local Government Areas I will make the request to be included with the City of Banyule NOT the City of Whittlesea.

Consequently as part of this review/rewrite of the MPS I ask Council to include the following:

Clause 2.03-10

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Ensure recognition and then equitable utilisation of existing utility infrastructure

Clause 02.04-1

Review and reinstate Ironbark Rd as an Arterial Rd not a minor road network. Include all of Pioneer Rd as its collector road. Lobby State Government for same.

As per the Infrastructure Key Objectives I would make the following additions:

Key objective 6

Recognise infrastructure and associated planning/zoning irregularities, anomalies, mistakes and major inequities.

Key objective 7

Facilitate the corrections needed for all zoning/mapping/planning irregularities in Nillumbik.

Please see Attachments showing property title with sewerage and drainage easements proving its inclusion in the township plan. This property must be continued to be included with the Eltham sewer catchment.

1955 map showing Melbourne's First Planning Boundary urban expansion MMBW showing lands inclusion within

Plenty Growth Corridor Map showing lands inclusion within

Electoral Maps showing lands history of urban political representation

Please see also hard evidence/information sent as a confidential attachment as part of [REDACTED] submission.

I support [REDACTED] submission in its entirety.

I give my permission for this submission and its attachments to be made public.

[REDACTED]

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Submitter 13
Attachment 6

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Nillumbik Climate Emergency Action Team

Nillumbik Climate Emergency Action team (NCEAT) is a group of local community members dedicated to the aim of lobbying Nillumbik Shire Council to declare a Climate Emergency. We recognise that we need to take emergency action to secure a future for our planet, and we advocate for strong action at the local government level to help deal with this emergency.

Submission on Municipal Planning Strategy

Thank you for the opportunity to help shape the vision for development and land use in the Shire of Nillumbik, via the Municipal Planning Strategy. According to the Participate Nillumbik page on the Council website, 'eleven key themes and associated objectives have been identified through the Our People Our Place Our Future community consultation project. They reflect the priority concerns, issues and values of the Nillumbik community. These eleven themes will form the base of the new MPS.'

This submission will focus on three areas:

- the MPS Vision Statement
- concerns with draft key objectives for the theme of Climate Change
- suggested key objectives for the theme of Climate Change

Municipal Planning Strategy Vision Statement

The MPS needs to include a vision statement that provides a clear framework for the Strategy. This should be in line with the values and goals expressed in the Nillumbik Community Vision 2040, currently in draft form. This vision statement must incorporate the three main priorities of the community that were identified in the Council survey, *Our People, Our Place, Our Future*: 1. Preservation of the Green Wedge; 2. Protection of environment and biodiversity; 3. Action on climate change.

Such a vision statement could read as follows:

Nillumbik is:

- a carbon neutral shire, with strong strategies, goals and targets in place to mitigate, and adapt to, the effects of the accelerating climate emergency.
- a 'green wedge' shire which preserves and nurtures the natural environment as a resource for the benefit of all Melburnians.

- a place where all living things have a right to exist, to thrive and to evolve within a biodiverse ecosystem and a healthy biosphere, in line with [Earth-centred jurisprudence](#) principles.

In the context of this vision statement, the objectives of the MPS must incorporate principles of planning that will lead to a carbon neutral, richly biodiverse shire.

MPS Planning Objectives Based on Identified Community Priorities

As mentioned above, the Council survey, *Our People, Our Place, Our Future* identified three main priorities of the community. They were: 1. Preservation of the Green Wedge; 2. Protection of environment and biodiversity; 3. Action on climate change. In the *Taking Action on Climate Change* survey, 90% of residents expressed concern about climate change, and 82% of online respondents thought Council should consider climate change in its decisions.

Concerns with draft objectives:

Given that the issue of climate change figures prominently in community concerns, one would expect that a foundational planning document such as the MPS would contain objectives that focus on *planning principles* in relation to climate change challenges. This, however, is not the case.

Of particular concern to NCEAT are the Council's objectives on the theme of Climate Change. This theme contains 7 key objectives - the first four relate to bushfire preparedness and adaptation, and the last three relate in a general way to climate change adaptation and mitigation. *None* refer to planning and development controls that would reduce carbon emissions, encourage renewable energy infrastructure initiatives, increase energy efficiency in new and existing buildings or encourage or mandate renewable energy initiatives in new commercial, Council or residential building developments. For a document that purports to be about providing a framework for planning policy, this seems to be a startling omission.

Suggested Key Objectives for the Theme of Climate Change

1. Environmentally Sustainable Design Principles:

It is imperative that climate change impacts are considered in all building and public space design, and steps taken to mitigate the impact of the built environment on the natural environment, including consideration of vegetation removal, stormwater run-off, increased use of energy and water usage. To this end, an overarching planning principle that must be included as a key objective in the Climate Change theme is that Environmentally Sustainable Design principles (ESD) for all new buildings are promoted throughout all planning policies.

Some priority actions for the Nillumbik Planning Scheme that might flow from this objective could include (but would not be limited to) the following:

- engage an ESD consultant as part of design team for new Council-owned developments (new buildings and major refurbishments) to set the highest possible environmental/energy standard for the project (e.g.5 or 6 Green Star Rating for the design of the building, 8 star NABERS [National Australian Built Environment Rating System] or NatHERS [Nationwide House Energy Rating Scheme] rating for its ongoing operational energy efficiency).
- support energy efficient building design and use of renewable energy systems in residential homes and commercial buildings, including a prohibition on the approval of building permits that rely on gas for hot water or heating.
- promote building design that incorporates passive solar design principles including:
 - maximising northern orientation to internal and external living spaces and windows
 - maximising access to natural light and ventilation.
- support adaptive re-use of buildings.
- support the re-use and recycling of building materials, and use of recycled, locally sourced and sustainable building materials.
- support appropriate waste storage and collection facilities being provided on-site for all types of waste streams.
- facilitate a precinct wide energy supply that can be shared between developments, where appropriate. For example, a community solar farm.
- support inclusion of water harvesting and reuse measures within the planning and design stages of development.
- improve local water harvesting through rainwater tanks and greywater irrigation systems.

All building planning policies should support renewable energy building developments without compromising the retention and enhancement of biodiversity and the natural environment.

2. Protection of Tree Canopy:

Within the theme of Climate Change, one of the key issues impacting climate change mitigation effectiveness is the issue of consolidation and subdivision of large lots and increasing density of dwellings in residential areas where tree cover, mid-storey vegetation and herbaceous ground cover is being lost. Council needs to consider implementing an Urban Forest strategy. This would include protecting and increasing tree canopy in urban areas, as well as middle and understorey vegetation, in order to lessen the 'heat island' effect and the impact of increasing temperatures with climate change.

3. Protection of indigenous environment:

In addition to urban areas, Council can increase its direct contribution to mitigating climate change by prioritising protection and enhancement of the indigenous environment and biodiversity throughout the Shire. Nillumbik, with its large areas of bushland, is perfectly placed to play a significant role in sequestration of carbon through its existing tree cover, and this can be further enhanced by active restoration of remnant and degraded bushland in rural areas. As a key climate mitigation strategy, planning objectives need to focus on the goal of preservation, protection and enhancement of indigenous environment. This is to be achieved through strict planning controls on land use in non-urban areas of the shire.

4. Protection of biodiversity:

The role of biodiversity is crucial in maintaining the integrity of carbon storage ecosystems. We need to maintain this ecosystem integrity in order to build the resilience required to counteract severe climate change impacts, a key issue that should be reflected in the planning objectives for the Climate Change theme. An intact biodiverse ecosystem also lessens the severity of bushfire. This involves a proactive approach to biodiversity – it is not enough simply to limit development in areas of indigenous environment – there is a need for comprehensive programs to restore and enhance biodiversity.

5. Regenerative farming:

In the Green Wedge theme, key objective 8 states, 'Protect and enhance agricultural land for both its productive potential and environmental value.' A suggested addition to this for the Climate Change theme would be '...and through the promotion of [regenerative farming methods](#) to increase the ability of soil to sequester carbon as a climate mitigation strategy'. In addition to increasing carbon retention in soils, regenerative farming methods have the added advantage of improving water retention in soil during times of drought, decreasing soil erosion and excess water runoff at times of high rainfall, improving resilience to pests and disease, and increasing biodiversity through retention of natural vegetation and regrowth of vegetation on previously cleared land.

6. Renewable energy technologies.

In the theme of Climate Change, expand key objectives 5 and 7 dealing with the reduction of the Council's and the community's direct contribution to climate change to include the active promotion of renewable energy technologies such as batteries for solar power storage, electric vehicles, heat pump water heaters, reverse cycle air conditioners for heating.

7. Transport

Include in the Climate Change theme a specific objective to reduce emissions through increased facilitation of public transport usage focussing on improved bus

and train connections, as well as support for electric cars, buses and Council vehicles.

8. Circular economy

Promote the values of a circular economy through reducing consumption patterns, encouraging recycling, and developing systems for eco-friendly use of waste from the Council, community, commercial, industrial and retail sectors.

9. Local Food Production

Promote local food production initiatives such as farmers' markets, food share and seed bank initiatives.

Nillumbik Climate Emergency Action Team

SUBMISSION TO NILLUMBIK COUNCIL

Comments for Municipal Planning Strategy (MPS)

It is my contention that much of the current planning strategy is based on, and is an extension of nineteenth century assumptions about land use. The current scheme and much of the current discussion represents a palimpsest of applications of these assumptions.

As a result of unforeseen or neglected changes in fundamental attributes much of the Gordian Knot of regulation, directions, activities and zonings should be rebuilt from scratch.

I wish to concentrate on a few of the areas that seem to have little or no attention in this current documentation.

I will make some short comments to the objectives listed in the MPS overview and then comment on critical issues that seem not to be addressed with respect to agriculture, bushfires & climate change.

Activity Centres & Space

Community activities, services & recreation must consider those outside Eltham & Diamond Creek. Much activity occurs in the villages, townships and homes, and these will increase. See Economic Development below.

Natural Environment

For resilience and sustainability in unstable weather conditions the aim of planning should be increase biodiversity in built, agricultural and forest environments.

The environment in Nillumbik is neither natural nor static. Whether human influences are natural or unnatural is debatable, but it could be usefully considered that humans have changed the direction of landscape evolution in two major epochs. The pre-human landscape changed with Aboriginal, and then with immigrant settlement. The environment we have now is a consequence of extensive land clearing, farming and urbanization and factors including controlled and uncontrolled fires. Fires and land clearing have resulted in large areas of eucalyptus monoculture.

Currently drivers of change include introduced animals and climate change. Many native flora species are out competed by pioneering species like eucalyptus which now dominate what was once a much more diverse environment. Eucalypts are allelopathic thus restricting biodiversity by poisoning other species, mainly plants, but including many insects, which then impacts birds.

Decimation of birds and small animals can be blamed on foxes and cats. The cats are often domestic. Thought should also be given to eradication of feral deer that destroy many plants and lead to soil erosion. Rabbits are also a significant local problem, especially with erosion and vegetable growing.

Economic Development

Employment can be all over the Shire. Outside the towns these include artist studios, agriculture, markets, event centres, workshops, personal training, dog washes, builders & other trades. The Covid 19 pandemic saw many people working from home. This is likely to continue.

Employment should be supported throughout the entire Shire

Infrastructure

Objective 5 – far too vague - no reason to consolidate lots. Small lots are usually capable of treating effluent onsite. Lot consolidation in rural areas is discussed under Lot Size below.

This objective should be deleted.

Further considerations for agriculture

Proximity to Melbourne.

The prime aim of agriculture is the production of food; but also flowers & herbs for health eg. medicinal or culinary plants, or heritage & conservation, maintenance of gene pools, and species used by First Nations peoples, could be considered.

As distance of transportation increases so does increase of costs, pollution, road damage, accident occurrence, road kill, food and time spent unnecessarily. Food availability can be reduced in times disease or landscape restrictions such as fire, flood or storms.

Proximity strengthens resilience.

Much useful land has already been lost due to urban expansion and construction of transport networks.

The areas designated as suitable for agriculture are often the result of conflicting interests rather than scientific evaluation. Conflicts include those motivated by the to develop housing and industry, rural living and conservation and the environment. The latter itself consists of conflicting interests including preservation, rehabilitation, renewal. 'bush' living, human exclusion and others.

Zoning according to agricultural potential

The document Mapping Melbourne for Land Capability (University of Melb. 2013) states that most of Nillumbik is suitable for grazing only. I would strongly dispute this. A large proportion of Nillumbik was once agricultural land. Most of that is now not zoned as agricultural. T

Many of these are no longer relevant or could be circumvented.

Soil Fertility

Since European settlement agriculture has significantly reduced soil fertility. This has resulted in nutrient loss in produce and flora availability to grazing animals.

From 1940 to 1997 vegetable calcium has fallen 46%, Iron 27% , Magenesium 21%.

Soil carbon content has fallen from 4% to less than 1%.

Loss of minerals in meat is similar as animals eat depleted grass & foliage.

The techniques of restoring depleted soils to their potential a process known as regenerative agriculture, depends largely on restoring the micro-biota of the soil. The approach and the knowledge that underpins it are quite recent despite beginning in the early 20th century, for example by the Soil Association in the UK. These early techniques often did not apply to Australian soils particularly in relation to the lower water content. In the 20th C knowledge of soil biota was largely confined to worms.

Appropriate techniques have been developed and applied by a number of individuals and organizations e.g. Graham Sait at Nutri Tech Solutions, the bio dynamic movement initiated in Australia by Alex Podolinsky and Regenerative Australian Farmers. A number of techniques applicable to Australia include those developed in USA by Dr Elaine Ingham of Soil Food Web. These methods largely do not require the application of herbicides, artificial fertilizers, pesticides or soil tilling. The approaches popular in the 20th C, and still used, reduce nutrient availability & soil structure, and plant & animal health. Application as support of appropriate regenerative practices would enable reassignment of land not used for agriculture to sustainable production. New farming techniques can overcome the problem of low farmer income, excessive labor & the use of toxins.

A number of links to organizations & courses at <[soils for life.org.au](http://soilsforlife.org.au)>

Soil restoration for agriculture seems not to have been considered in Victorian zoning applications.

Lot Size

Land used for farming & horticulture is generally more productive as lot size is reduced. Small farmers across the world produce more food per unit area than large lots. Currently only 6% of world farms exceed 5 ha. Farms under 2 ha produce one third of the world's food and 80% of world food is produced on family farms. (University of Oxford – Ritchie & Moser. 2021, Farm Size, Oxford University). The impetus to combine small farms in to large units, often with absentee owners became popular in the 20th century, especially after WW2 as animal power gave way to machines. The introduction of biocides suggested figures for increased efficiency which ignored the accumulation of accelerated soil destruction by disturbance of fungal hyphae, monoculture and poisoning of the microbiota.

Nillumbik planners have sought to follow the belief in land amalgamation which are largely mythical or archaic, and discouraged dwellings on lots generally under 40ha, despite occupier farmers generally being more productive and caring of land than absentee owners. I recognize that in reducing lot size with occupation, a problem could be that those of little productive priorities might take advantage. Overcoming this might be addressed by rating & other approaches.

Agriculture & Fire Mitigation

Nillumbik has been an area of major bushfires including 1939, 1962 & 2009. The 2009 fire was the 8th most deadly recorded in the world. A wind change prevented the fire reach the densely populated areas closer to Melbourne. My own property was burnt losing livestock, a small vineyard, house & outbuildings. The house in adjoining farm survived. The owner, Owen Holmes, told me he saw the fire approaching & watched it divide into two when hitting his well watered vegetable garden. "Like the parting of the Red Sea", he said. Passing the house it recombined & travelled up the road destroying most houses. Planning in Nillumbik needs to encourage approved distances from flammable species such as eucalyptus, (say 100m) & establishment of flame retardant species as well as high degree of water retention.

The use of foliar wind- breaks to catch embers during fires could be encouraged with low plantings providing wild life corridors & refuge. Green roof houses should be encouraged. They reduce fire risk and are generally not intrusive on the landscape.

Climate Change

Climate change will affect all aspects of living in Nillumbik from increased power usage to more extreme weather events and a changed ecology. How this will affect Nillumbik is not certain in detail, but it is likely with temperature rise, storms and fires will be more frequent & more energetic. This suggests still greater importance of regenerative agriculture techniques to increase soil water holding capacity, windbreaks to reduce evaporation and soil loss by wind, and crop diversity so that inter dependence strengthens the system as a whole. The use of swales and terracing on open or agricultural land to slow water during storms should be encouraged. Shading of dams and ponds reduces evaporation and shelters wildlife. Higher water content in soils and plants benefits fire resistance.

A warmer climate will change the conditions for natural species. Species usually found further north could migrate south. Some like ticks & cane toads would not be welcome. Nillumbik Council should have a contingency plan for maladies such as Murray Valley encephalitis and Dengue Fever. Some sub tropical plants might be considered for agriculture. All this needs close observation & attendance in planning.

I'm happy to expand on any of the above.

Thanks for coming this far.

[REDACTED]
[REDACTED]
[REDACTED]

Additional References

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<http://www.levyinstitute> https://www.abc.net.au/news/2021-06-26/cultural-burning-to-protect-from-catastrophic-bushfires/100241046org/pubs/wp_490.pdf

More on request

From: [REDACTED]
Sent: Friday, 17 September 2021 10:32 AM
To: Strategic Planning <Strategic.Planning@nillumbik.vic.gov.au>
Subject: Re: Help us develop a vision to effectively and sustainably plan for land use and development in Nillumbik

The major problem with Nillumbik council (as with all councils) is the blatant disregard for residents wishes . The number of high density dwellings , four units to a 1/4 acre etc has transformed Eltham drastically from the a unique district that drew us to it many years ago to the heavy traffic area it now is , the main reason for this is create high wages within council for little resident return . Unfortunately this will not change ...will it .Yours cynically [REDACTED]
[REDACTED] long time resident

On Thu, Sep 16, 2021 at 11:05 AM Strategic Planning
<Strategic.Planning@nillumbik.vic.gov.au> wrote:

Good Morning

We are reaching out to you as you have made a submission to the Our People, Our Place, Our Future program. As you may be aware, this program has helped inform a number of Council Plans and Strategies. One of them is the Municipal Planning Strategy (MPS).

Council is seeking to update the MPS and we need your help.

The MPS sets the vision for future land use and development in all planning schemes in Victoria.

It is 'future looking' over a 10 – 20 year timeframe and sits at the front of the planning scheme.

The MPS is essentially an overview of local planning issues that influence the Shire and it sets out the vision and direction for future land use and development in planning for future impacts of identified issues and influences.

Together with the Victorian Planning Policy Framework, the MPS forms the strategic basis of the Nillumbik Planning Scheme.

Consultation has commenced and there are a number of ways you could give us your feedback.

We encourage you to provide your views online, register to attend programmed virtual workshops or send your submission to:

Strategic Planning PO Box 476 Greensborough 3088

OR

Email: strategic.planning@nillumbik.vic.gov.au

Feedback closes 11.59pm Thursday 7 October 2021.

Please visit <https://participate.nillumbik.vic.gov.au/mps> for more information.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

If you have any enquiries, please contact Bea Guevara, Senior Strategic Planner, at 9433 3269 or email strategic.planning@nillumbik.vic.gov.au

Kind Regards

Strategic Planning
Nillumbik Shire Council
Strategic.Planning@nillumbik.vic.gov.au



NILLUMBIK MUNICIPAL PLANNING STRATEGY

Nillumbik Pro Active Landowners (PALS) Submission

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NILLUMBIK MUNICIPAL PLANNING STRATEGY

Nillumbik Pro Active Landowners (PALS) Submission



INTRODUCTION

PALS CALLS FOR THE COMPREHENSIVE CORRECTION OF THE ALLEGED HISTORIC MALFEASANCE IN THE REDRAFTING OF THE PREVIOUS MUNICIPAL STRATEGIC STATEMENT ("MSS"). NSC IS SPECIFICALLY PUT ON NOTICE REGARDING THE PROSPECTIVE RISK OF LEGAL EXPOSURE IF THE MSS IS "TRANSLATED" INTO THE MPS. PALS INSISTS THAT THE MPS IS DEVELOPED FROM SCRATCH - ONLY AFTER NSC LEGITIMATELY ESTABLISHES AND CONFIRMS THE INPUT, VIEWS AND THE RIGHTS OF THE SECTOR OF THE NILLUMBIK COMMUNITY WHICH IS THE MOST AFFECTED BY IT.

Nillumbik PALS input into the current consultation process for the revision of the Municipal Strategic Statement ("MSS") – now known as the Municipal Planning Strategy ("MPS") – provides Nillumbik Shire Council ("NSC") with a critical opportunity not only to deliver a responsible and informed renewal of one of the most important components of the suite of documents which make up the Nillumbik Planning Scheme ("NPS"), but in particular it also presents the opportunity for NSC to transparently demonstrate that it acknowledges, appreciates and is prepared to act to rectify an historic aberration in the previous MSS – repeatedly and unambiguously identified in several previous PALS submissions.

Since becoming aware of the wholesale and allegedly improper redrafting of the previous MSS – which is specifically referred to in the FAQ as follows: *".....the current MPS is essentially the translated MSS"*, which PALS understands (and of which PALS has put NSC on notice previously in several published detailed submissions) was committed via the preparation, introduction and ostensibly improperly deceptive and covert passage of Planning Scheme Amendment C86 in 2014, PALS has both sought leading Queen's Counsel opinion in relation to the legal authority of this current amendment – and also regarding the prospectively serious mischief in and NSC's prospective legal exposure for the formulation of the MPS if *"the translated MSS"* is incorporated without addressing this critical and fundamental issue.

DEMONSTRABLY MISLEADINGLY AND DECEPTIVELY INTRODUCED PLANNING SCHEME AMENDMENT C86

PALS refer NSC to "Addendum 1" of August 2019 published:

"SUBMISSION TO NILLUMBIK SHIRE COUNCIL("NSC") ON THE DRAFT GREEN WEDGE MANAGEMENT PLAN ("GWMP")

Go to: <https://www.dropbox.com/s/bcpwg5ee4bkhivc/Nillumbik%20PALS%20Submission%20to%20Draft%20Green%20Wedge%20Management%20Plan%20%28E2%80%9CGWMP%E2%80%9D%29%20Final%20with%20Addenda%20190810.pdf?dl=0>

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

PALs insists that by purporting to translate the MSS, NSC is bound to deliver a fundamentally flawed MPS – essentially and deliberately failing to distill the views, values, interests and priorities of rural landowners which have been resoundingly communicated to it.

The erosion in NSC/landowner relations, which PALs has been determined to avert, is likely to be exacerbated if the litany of our clear concerns is ignored.

The historic marginalisation of landowners was to have been consigned to history. Purporting to incorporate into a new MPS provisions demonstrably rejected by landowners, characterised by proposed components analogous to the aborted thrusts of C81 and C101, while intending to increase controls with persistent and improper misuse of planning mechanisms – with both the aim and the inevitable result of the thwarting of landowners aspirations and plans for responsible land usage is simply irresponsible local government.

THEME 1 – ACTIVITY CENTRES

1. The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.
2. The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments).
3. The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.

PALs RESPONSE

The key component in relation to all the themes is the repeated failure to address the overriding issue of the reduction of red and green tape. This is an equally critical issue in the suburban areas of Nillumbik as it is in the rural areas.

PALs has made several submissions regarding the trend for the use of plain English in regulations and legislation and the reduction in red and green tape State-wide and refers NSC to the PALs library of submissions included at the conclusion of this submission.

The major controls with respect to Activity Centres are controlled by the State Government. The underlying principle that NSC in its planning function has, and is, repeatedly failing to apply is to present a face to applicants that provides an environment of "how can we work with you to achieve an outcome both acceptable to you as the Applicant, as well as the community". NSC's default approach (and Government generally) appears to be to refuse applications in the first instance and to then expend ratepayers'/taxpayers' money at VCAT to justify their positions.

However, the principle of the above in relation to the Eltham and Diamond Creek Major Activity Centres is supported. The emphasis should be placed on "housing opportunities" as it is these Major Activity Centres that will have to support predicted population increases. NSC must be pro-active in this space and be innovative and responsive to industry initiatives.

The Hurstbridge and Research Neighbourhood Activity Centres will also play an increasingly important role for growth in population. This can be achieved yet still be consistent with the "Village Character" aspects by accommodating innovative opportunities for future development.

NSC should be open to the concept of mixed use (commercial/residential) opportunities, as well as medium density housing within this space as this will encourage and support village populations within the precincts, thus reducing the importance of car usage and car parking obligations, whilst fostering local enjoyment – minimising the needs to travel outside the village.

This can be especially important for an ageing (in place) population who wish to retain contact with the area within which they lived their younger lives.

THEME 2 – GREEN WEDGE

1. Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource-based activities and residences.
2. Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation.
3. Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.
4. Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.
5. Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.
6. Ensure development in rural areas mitigates potential fire risk.
7. Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.
8. Protect and enhance agricultural land for both its productive potential and environmental value.
9. Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.

PALs RESPONSE

The issues of Use and Occupation within the Green Wedge sits at the epicentre of this document and is of paramount importance.

NSC should not be swayed by extreme green activist dogma in this area, rather it should concentrate on what is important and what contributes to a healthy, vital, safe Green Wedge that will continue to provide an attractive landscape to both visit and live in. NSC has a duty to safeguard the rights of landowners to quiet enjoyment of their land.

1. There is no dispute that the rural areas of Nillumbik contain sites of environmental and landscape significance. However, it is important to accept that not ALL areas within the Green Wedge are of that same significance. Much of the land is of no particular significance at all, but may still contribute to the overall ambience of the Green Wedge.

It is also critical for NSC to accept and understand that any site which is considered to be of environmental and/or landscape significance does not necessarily mean that the relevant land contains native vegetation. It can, and does, also include grazing land, land for agricultural pursuits, land for rural residential occupation, land for hobby farm uses, or even just open grasslands. All of the above contribute to a vibrant Green Wedge.

All of the land within the Green Wedge (which notably excludes land within the suburban and township areas, despite what suburban residents may believe) is, effectively, already subdivided into allotments consistent with the existing planning controls set out in the Nillumbik Planning Scheme (NPS).

The area of existing allotments have either been approved by council (or VCAT) as complying with the intent of those controls, or are existing or remnant tenements from earlier times.

The land titles registration system provides legal ownership of land parcels to the proprietor as registered on their respective title document. Ownership is guaranteed by Government.

Consistent with that legal ownership there are both legal rights and moral obligations.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

The moral obligations centre around the medical principle of "do no harm". Overwhelmingly rural landowners seek to improve their properties, not degrade them. The goal is to leave their land in a better condition for future generations than when they acquired it. This does not equate to leaving their land untouched, or unmaintained, or neglected. The principle is applied to properly maintain their land, adequately improve their land and actively minimise the likelihood of the uncontrolled ravages of major bushfire events across their landscape.

This principle does not equate to the destruction of existing vegetation, nor a depletion in tree cover. Vegetation cover across the Green Wedge has steadily increased over the last 60 – 70 years, despite the increase in dwellings and subdivided lands.

For activists to, on the one hand, claim that the Green Wedge is a thriving natural environment, whilst simultaneously on the other hand, decry the ongoing, massive destruction of native vegetation foisted upon a hapless community by ever greedy "developers" (read -> landowners) is hypocrisy at its zenith.

The legal rights for legal landowners relate to the legal principle that council (or Governments) do not have any legal right to overtly and purposefully diminish the value of their land without adequate and fair compensation.

Yet consistently and repeatedly, this is precisely what this Council has done (and continues to do) for decades.

This has manifested itself, in part, in the following manner:

- Ever increasing development and application of highly restrictive planning controls, overlays, planning permit requirements and aggressive and regressive relationships with rural landowners.

(As predicted by PALs during the council elections in 2020, green activist groups are, once again, advocating for Council to revisit C81 and C101 – now described under their generic categorisation of SLO and ESO Overlays – despite the unambiguous rejection which rendered them dead and buried. Their eradication was final.

- Misleading and potentially unlawful application of planning scheme amendment processes, such as Planning Scheme Amendment C86 from 2014 which fundamentally changed the wording to the then MSS to purport to introduce prohibiting planning permits to build on allotments of area less than 8 hectares. (For C86, council submitted to the Minister for Planning an amendment falsely categorised as comprising only "administrative corrections" that had "no material changes and was policy neutral" and, as such, did not require ANY advertising or community consultation. Amendment C86 contained in excess of 40 pages of changes).

(For detail on C86 and other relevant PALs submissions see links at the bottom of this submission).

- Denial and/or refusal of a landowners right to have their planning application to build considered by Council on its merits rather than by an ideological pre-determined agenda biased to green activist biased viewpoints.

(Council has consistently and erroneously cited grounds for refusal for planning applications to build on land that is less than 8 hectares knowing that there is NO specific minimum area requirements for sites in the RCZ and Green Wedge, save and except for subdivision applications. The reference to 8 hectares is for resultant lot size AFTER a subdivision – nothing to do with a lots suitability for a dwelling.

This ground for refusal has been incorrectly and inappropriately applied as a Planning Scheme control for decades and has repeatedly deprived Applicants from having their application considered on its merits.

- Recent and ongoing efforts by this current council to place increasing restrictions on landowners through regulatory controls (such as By Law changes) which involve little or no consultation and no effective oversight by State Government.
- Potential negligence by council in relation to any practical or effective works to mitigate the impacts of major fire events across the Green Wedge.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

(By refusing to undertake these necessary mitigation works on any sort of consistent basis, or deflecting or deferring genuine and real works on the ground, both along road reserves and on council owned lands, leaves both the council and its relevant Officers potentially vulnerable to legal action (and potentially Councillors) if a major fire event caused loss of either (or both) human life and/or infrastructure.

Council has an approved and adopted Fire Mitigation Strategy, but lacks any effective Implementation Plan which is a requirement of the Strategy. Not complying with the requirements of its own Strategy could potentially generate an allegation of negligence. An allegation, if proved, exposes the Council and its relevant Officers (and Councillors) to legal action.

Further, the lack of any partnership, support and relationship with rural landowners with respect to maintenance and mitigation works across private lands (also a requirement of the Strategy) further demonstrates the vulnerability of human life and animal life should a major fire occur.)

- Improper, inappropriate and potentially illegal use of the MPS (previously the MSS) to categorise planning applications to build on any lot less than 8 hectares minimum as prohibited.

(Council have a duty and responsibility to assess any planning application on its merits. An Applicant has a right to expect Council assess their application in adherence to the controls set out in the NPS. Failure to do so, which is the current and likely future position of Council, contravenes its responsibility to act in the best interests of its ratepayers and community).

All of the above points result in a likely devaluation of legally existing parcels resulting in a loss of value to the owners, as well as a loss of amenity and a loss to potential use of those parcels into the future. To this point in time Council appear to have thereby contravened the Local Government Act 2020 as they have not considered the impacts of their actions on those directly and immediately affected, being rural landowners.

It is a legal requirement of the Local Government Act 2020 that those directly affected must be consulted Their circumstances must form part of any policy or process going forward. This has not occurred and, it is suspected, that Council have acted wilfully in this regard for decades. The indications currently are that Council have been independently advised of this requirement and, to date, have chosen to disregard its legal obligations.

-
2. PALs support the initiative to *"Protect our Green Wedge and its environmental integrity"*. However, this implies that ALL other uses, works, occupation and pastimes (being either commercial or private enjoyment) cannot co-exist with *"a safe haven for native wildlife, thriving biodiversity and native vegetation"*.

This is not correct, nor should it be allowed to perpetuate the myth that a Green Wedge can only thrive if there is NO human footprint upon it.

A successful Green Wedge is comprised of many facets, only a part of which is its natural environment. This is dictated by Government, and it is not the role of Council to overtly change and undermine that Government principle.

PALs request Council to reflect that above broader principle of co-existence be included in its statement of *Protecting our Green Wedge*.

-
3. PALs support the statement *"Recognise that the rural areas often lack existing infrastructure"* as it is clearly factual. However, this statement should also give some indication of a process to rectify these issues. It appears clear that suburbanites fail to appreciate or comprehend the disparity in service and amenity provision. A lack of existing infrastructure should be addressed as a Council obligation.
-

4. The point should be deleted from consideration as it is not accurate.

PALs REJECT any proposition that there should be "Acknowledgment of land use conflict between agricultural and rural residential land uses".

What evidence does NSC rely on when proposing this wantonly ideological statement "acknowledgement? What conflict? The lands now used for rural residential purposes have been generated from legal processes and comply with the controls and requirements of the NPS.

This statement is false. It has no basis in fact. PALs is concerned that it may well have been proposed or generated by anti landowners seeking to influence or drive the Council narrative. The end game is to remove the human footprint from the land, or at least, to seek to impose consolidation requirements onto existing legally generated parcels and force landowners into a position where there can be no "use" on any allotment unless it is considered to be of a viable minimum area. PALs overwhelmingly object to this unsupported proposition.

It denies legal and human rights of rural landowners who, in good faith and supported by the full entitlements of the legal land tenure system, own their land and thereby have a right to "use" it within reasonable parameters.

The statement "*risk that further residential development will fragment rural land into unviable land parcels*" is a nonsense statement and should be immediately removed.

The land within the Green Wedge and RCZ are controlled by the NPS with a plethora of Controls, Overlays, Restrictions and Agreement requirements that punishingly restrict what a landowner can, and cannot, do on their own land. A strong component in relation to rural lands is an existing control on the area of new lots created as part of a subdivision process.

To change this reality would require a significant planning scheme amendment.
PALs are not advocating for this change and never have.

Therefore, the proposed "acknowledgement" sits in direct conflict with the reality of the NPS. The controls that exist within the NPS take priority and Council must not introduce any statement or control that is in conflict, or suggestive of controlling any given outcome of the NPS.
It must be removed.

5. The statement "Manage the issues of land use conflict....." is both redundant and non-sensical. The statement should be removed.

6. The statement "Ensure development in rural areas mitigates potential fire risk" is a statement of the obvious. There are significant controls already within the NPS that restrict and/or stipulate matters that must address the potential fire risk. This statement is therefore redundant and should be removed.

7. The statement "Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken" would establish the same conflict that occurred with the dumping of land fill in Doreen, the subject of misleading controversy in the lead up to the last council elections.

By making this type of statement Council would establish a mechanism for a landowner to, in fact, instigate those "uses" provided they have done the "testing and necessary remedial treatment". There is no process required within this statement to ensure that the outcome is appropriate and/or approved, purely that the testing has been done. This is the exact situation that occurred in Chapel Lane with the dumping of fill and the fact that someone, somewhere had determined that there would be no downstream effect. Once that determination had been made, Council had no mechanism to contest the works.

This statement is also redundant as there are extensive and ample controls already within the NPS, or that will be contained in the current planning scheme amendment brought about by the Chapel Lane exercise.

This statement should be removed.

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8. The statement *"Protect and enhance agricultural land for both its productive potential and environmental value"* suggests that it is both unnecessary and in conflict with itself.

In making this statement does Council now agree, in contrast to its previous statements and inferences, that agricultural pursuits can be of *"environmental value"*?

PALs do not see any instances across the rural areas of the Shire where agricultural land is NOT being protected with the added potential for enhancement. This point goes to the fact that landowners who are using their land for agricultural pursuits will intuitively only wish to both protect it and enhance it. This is purely commercial reality.

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9. The statement *"Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it"* is a seemingly inclusive motherhood statement. Regrettably, this Council is systematically ensuring a very significant number of those who *"live... in it"* are excluded and marginalised in favour of the very small number of environmental activists and a large number of those who do not *"live...in it"*.

PALs propose three additional statements that should be added if there is any genuine desire to include those that in fact, do live in it.

10. Acknowledge and protect the rights of rural landowners to undertake responsible maintenance and fire mitigation activities on their properties to help protect themselves and the broader Nillumbik community from the passage of significant bushfire events across the rural landscapes.

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11. Acknowledge the significant work undertaken by rural landowners on an ongoing basis to protect and enhance the rural landscape which is so important for a vibrant Green Wedge and Rural Landscape.

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12. Undertake to reduce red and green tape, reduce in number and decrease the complexity of restrictions, controls and application requirements in relation to rural land use. Replace restrictions, management plans, formal agreements with a consultative relationship with rural landowners built on trust. Maintain Trust for Nature Covenants as a purely voluntary procedure between individual landowners and the council. Undertake to not impose these Covenants as a condition for the issuing of any planning permit.
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THEME 3 – NATURAL ENVIRONMENT

1. Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals.
2. Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the **Plenty River**. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.
3. Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards.
4. Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.

PALs RESPONSE

The issue of the natural environment and, as inferred, its continuing decline and fragmentation should be a point of discussion, not mandate. There have been several references by council to the high quality environment and standing vegetation as contributing to the high overall quality of the Green Wedge.

Yet there is a continual inference or direct reference to just how much of the natural environment is being eroded by "greedy developers" (read -> rural landowners).

PALs are not aware of anyone who wilfully seeks to actively degrade or destroy the environment in which they live. This is a distortion intended to have the broader community believe that the bushlands are disappearing and the trees are being destroyed in favour of bitumen and concrete.

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1. PALs challenge the statement that a *"large number of threatened native species and threats occurring to those species in the Shire"*. The largest threat to native species are a combination of feral animals that decimate native populations, ongoing road kill and domestic cats. NSC should provide evidence for any proposition being put forward.

PALs acknowledge and recognise the excellent work being done by council currently in relation to feral animals (most particularly foxes and deer). This is an ongoing problem and council should ensure adequate funding for this very worthwhile initiative.

(Maybe redirect some of the funding from that proposed for the KG Memorial Tower towards programs that will deliver real benefits to the Green Wedge).

Planning already protects native flora and fauna but needs to do much more in the space of weed eradication and remediation works on council lands and roadsides before looking to, once again, impose restrictions on landowners.

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2. PALs support the consideration of downstream effects for stormwater runoff and quality. We note that there are already stringent controls on residential development in this regard within the Urban Growth Boundary. Within the rural context there are also sufficient controls in place, but suggest that the impacts across a rural property are , almost always, able to be contained within the property boundaries.
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3. PALs support in principle where development *"degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards"*. However, it needs to be stipulated that this assessment will not apply where there are NO issues in relation to *"potential risk of soil erosion, expansion and landslip or other hazards"* as past experience has shown that this assessment has been applied multilaterally across all applications, irrespective of the relevance to the particular application circumstances.

The MPS needs to confine this issue to specific waterways, initially and correctly specifying the Plenty River. It should not, under any circumstance, be expanded to include "all" waterways within the Green Wedge and rural areas.

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4. PALs condemns the use of terms such as *"threatening processes"* within the context of a Management Plan Strategy (MPS).

The definition or context around *"threatening processes"* is undefined and should be removed.

PALs contest *"the loss and degradation of the natural and built environment"* statement. It lacks veracity and evidence. What is meant by a loss to the built environment?

Viewed in terms of the desire to *"maintain the landscape values in the Shire"* PALs submit that the supposed loss is illusory. It is not supported by evidence.

To connect these two statements is to infer that what has been built is destroying both the natural and the built environment. In its initial sense it is contradictory. In its overall sense it is incorrect.

As an overview is this aimed at the suburban environment or the rural environment?

It would appear that the mechanism is to suggest the suburban environment, but more than likely it will be used as a tool to refuse rural development planning applications broadly across the rural areas.

THEME 4 – BUILT ENVIRONMENT

1. Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment.
2. Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility. Note that enhancement and attractiveness need to be consistent with the values of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity and action on climate change.
3. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.
4. Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.

PALs RESPONSE

1. PALs agree in principle with the *"design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods"*. There are already very tight controls within the NPS so statements of this nature are redundant and unnecessary.

Further, the statement should include and commit Council to considering and implementing innovative built solutions that cater for a combination of uses consistent with an ageing population and/or first home buyers wishing to become part of a local community but prevented from being so due to high real estate costs. This may include multi use options that combine commercial opportunities with residential opportunities, typical medium density housing with social housing as well as providing for localised open spaces.

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2. As above.

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3. As above.

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4. With reference to *"siting buildings and works, particularly in rural areas"*, PALs fail to understand why rural areas are being highlighted when, in fact, there is almost always significant opportunity and choice on rural properties, but little or no choice on suburban properties.

Therefore, it is obvious that suburban siting is covered by extensive controls already with virtually no opportunity to protect habitat links. This statement implies further restrictive measures on rural landowners across the spectrum.

It is also critical to acknowledge that rural landowners have a legal right to build and live on their land. Their right is NOT subservient to the environment, it is a higher right in principle and should be acknowledged as such in the MPS.

This statement must be removed as it is both redundant and self evident.

THEME 5 – HOUSING

- 1. Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.
- 2. Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.
- 3. Ensure a considered approach to planning and development will retain and enhance Nillumbik’s unique environment and neighbourhood character.

PALs RESPONSE

- 1. PALs support this assessment.
- 2. PALs support this assessment. It should be expanded to include opportunities to mixed use developments and innovative design solutions whilst maintain township character.
- 3. As above.

THEME 6 – ECONOMIC DEVELOPMENT

1. Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.
2. Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres (which includes the commercial and industrial areas), Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.
3. Protect industrial precincts from non-industrial use and development unless otherwise identified.
4. Agriculture is an important area of economic development:
 - Promote land use in rural areas in accordance with the capability and productive potential of the land.
 - Retain existing agricultural land for soil based agricultural production.
 - Promote sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment.
 - Protect and enhance agricultural land for both its productive potential and environmental value.

In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.

PALs RESPONSE

1. PALs support this proposition.

2. PALs support this proposition.

3. In general terms PALs support this but it should include being open to innovative initiatives and opportunities where there is a community benefit and where it can be demonstrated that the proposed use is not to the detriment of existing precincts and their intent.

4. In principle PALs do not support this proposition. Given the existing use of rural land within the Green Wedge areas, as well as the legal existing tenement areas for parcels, it is too prescriptive to tie down allowable uses.

Innovative or small scale uses on parcels of 8 hectares or less are potentially just as viable, and in many cases far more viable, than attempting to restrict agricultural uses to large scale ventures located on large parcels. Those days are gone within the context of a peri-urban Green Wedge.

Whilst there may often be large scale successful and viable agricultural enterprises on larger parcels within the Green Wedge, it must not be mandated.

For lands within this type of Green Wedge flexibility is key to success. Whether or not a commercial enterprise on rural land within the Green Wedge should proceed, or not, should be at the discretion of the landowner, not as mandated by the Council of the day.

It is a complete overreach to make council the arbiter of appropriate land management and then require rural landowners to *"minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment"* when there are no adverse effects on adjoining properties and their use and enterprise is wholly contained within their own boundaries.

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Hobby farms and the small-scale enterprises which may be generated from small-scale requirements can be just as legitimate and, potentially, just as successful as any other.

Further, why is there indeed any requirement for landowners on parcels of 8 hectares or less to undertake any agricultural enterprises at all?

The wording of this item is geared towards further restriction and controls on rural landowners. If this is to be applied fairly, why is there no requirement for suburban landowners to:

- guarantee habitat links across their properties,
 - Limit the area of hard paving,
 - Limit the site coverage,
 - Control the type and colour of housing,
 - Require 100% native or indigenous gardens,
 - Require a minimum of large tree planting,
 - Require night-time blackouts to facilitate the ability of native fauna to move around safely,
 - Ban cats..... the list could on and on.
 - In relation to ***"the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery"*** the proposition to restrict tourism to activity centres or to a narrow range of purposes is both unsophisticated and demonstrates a disregard or ignorance regarding tourist aims or appetites. Part of the attraction of Nillumbik for tourism visits is to depart from activity centres. This proposition for baseless tourism restrictions shows that whoever developed this proposition fails to understand and appreciate (particularly in a Covid impacted community the dynamic shift in consumer/tourist behaviour towards experienced based tourism pursuits – not the limited domain of wineries, agricultural destinations or other rural industry activities.
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THEME 7 – TRANSPORT

1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.
2. Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.
3. Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.
4. Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.
5. Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.

PALs RESPONSE

PALs support this theme.

A note to council in relation to point 5. The delivery of safe and efficient roads also requires council to undertake appropriate fire mitigation works on road reserves.

This component in relation to transport is very important as it relates to the safe passage for emergency vehicles and emergency personnel along our local road systems.

It should also address the safe passage along the verges of our local roads as this is, and will continue to be, an aspect all too often neglected.

Both of these facts should be included into the transport theme.

THEME 8 – INFRASTRUCTURE

1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.
2. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.
3. Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.
4. Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.
5. Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site.

PALs RESPONSE

1. PALs support this proposition.

2. As above.

3. As above.

4. As above.

5. The statement *"Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site"* encapsulates one of the most deceitful thrusts of the MPS.

It is a complete misrepresentation to assert that any reference to consolidation of rural lots relates this issue to efficient disposal of effluent.

- What has the issue of infrastructure got to do with the consolidation of rural lots?
- Why are rural lots being targeted when exactly the same argument could be applied to suburban or semi-suburban lots that remain unsewered?
- All rural lots currently do contain their effluent on site, otherwise they would not have achieved a planning permit to build in the first place. So why the need for this statement at all?

It is obvious that the underlying intent and strategy, advanced by green activist groups and thrust onto Council Officers and the majority of Councillors who remain generally unaffected by any change to the MPS, is to use whatever means and whatever it takes to punish rural landowners.

The obvious underlying push is to minimise human impact. It ignores that the indigenous peoples managed the landscape to the extent that their resultant landscape is now the safest and most appropriate landscape for both flora and fauna, as well as for human occupation.

Human occupation cannot be eliminated from this landscape as there is no legal authority to do so.

This is an abject betrayal by Council when their mandate and legal obligation is to represent and consider the effects of any actions on their ratepayers and on those who are impacted by their actions and decisions.

This statement must be removed.

THEME 9 – OPEN SPACE

1. Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.
2. Ensure open space and recreational facilities are equitable and accessible to all community members.
3. Facilitate the provision of active and passive recreational facilities as an integral part of each township.
4. In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.
5. Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.

PALs RESPONSE

1. PALs agree with this proposition.

2. As above.

3. As above.

4. This proposition is misleading and does not provide any clarity or detail in relation what is meant by *"the emphasis is towards protecting native flora and fauna ..."*.

The principle is not contentious, however the mechanisms and application of it is unclear. Given the history of this Council and the longer term history of the Shire, rural landowners may expect additional restrictions to be placed over their rights and their properties as the go to option in order to satisfy this aim.

It is clear that in the last 50 years or so the majority of the loss of native vegetation and vegetation understorey have been on lands inside the Urban Growth Boundary (UGB).

There has been significant loss within newly created residential subdivisions. PALs acknowledge that this loss probably cannot be prevented due to the zoning of the land as well as the controls within the NPS inserted by State Government. However, this situation does not authorise NSC to therefore turn its attention to placing further restrictions and controls over rural lands in an effort to "regain" lost vegetation from the suburbs, when, in fact, rural areas have not "lost" any significant vegetation over the same period.

There are a multitude of mechanisms already in the NPS that are directed at protecting native flora and fauna, all of which enjoy the legal legitimacy of planning scheme requirements.

PALs have no issue with the continuing plans to expand the trail networks, on the proviso that any acquisition of private land which may be required provides fair and equitable compensation to affected (either directly or indirectly) landowners. This includes measures to ensure that there is no opportunity for trespass onto private property once the trails are open and operational.

5. PALs remain confused as to how the *"provision and linking of open space and local recreational facilities to form a network across the Shire"* will occur when there appears to be little or no opportunity to achieve this feel good outcome due to the fact that most, if not all, of the potentially affected land is in private ownership. Council must include a statement of how it intends to achieve this goal, what lands may be affected and on what terms would acquisition of private lands be provided.

Whilst the sentiment appears benign, the mechanism and process to achieve the outcome appears ominous.

THEME 10 – CLIMATE CHANGE

1. Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.
2. Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.
3. Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.
4. Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.
5. Reduce Council's direct contribution to climate change.
6. Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.
7. Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts

PALs RESPONSE

It is a sad indictment of this Council that the issue of bushfires has been relegated to the category under climate change. Whilst there are a range of differing opinions in relation to the frequency and intensity of bushfire events and their connection to a changing climate, it is most likely that a significant contribution to bushfire events here and now relates to the ground fuel loads and the volume of those ground fuels being unacceptably high due to a longstanding lack of conscious ground fuel reduction works.

The issue of whether a change in long term policy to emissions and the subsequent reduction of emissions over the coming decades will reduce the threat of bushfires is irrelevant to the major issue of addressing the bush fire safety for our community at present.

It is surprising that Council does not acknowledge (and thereby chooses not to address) the by far and away leading issue that was revealed in the consultation completed by Council, presumably, in preparation for the MPS and its content was, in fact, the threat of bushfire.

This is of clear and paramount importance to the community, yet this Council with prospective future potential to exposure to litigation, chooses not to address these major community concerns.

The statements under this theme 10 continue (as they have for decades) to ignore the following facts:

- a) the people who currently (and legitimately) live on land within the BMO are continually ignored and treated as if they do not exist,
- b) there are circumstances where new residents can address and satisfy the suite of very restrictive requirements in relation to bushfire safety and thereby should be able to build and live in relative safety on rural lands in the Green Wedge.

Instead, this Council both assumes that existing rural residents have no rights and that the only mechanism available to council to maximise bushfire safety and minimise the loss of human life is to exclude humans from living within these areas in the first place.

The wilful disregard that this Council continues to display towards rural residents manifests itself in the total lack of awareness that Council has a moral and legal responsibility to minimise the risk of major bushfire events by properly and continually undertaking mitigation works as required under its approved Bush Fire Management Strategy and its operational document the Bush Fire Implementation Plan.

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This negligence extends to the basic lack of understanding of the fundamental principle that the without appropriate and proper maintenance of lands in private ownership, any minimisation of bushfire risk is inconsequential. Yet this council refuses to address the issue of private land maintenance and continues to place heavy restrictions (and penalties) on rural landowners who appreciate the benefits of proper maintenance of their properties. The extensive and expensive requirements required by council that must be provided in conjunction with a planning permit application in order to undertake even the most minor works even deters the local CFA brigades from applying.

The end result is typically no works, or at best ineffective works, are conducted.

Why authority is not given to the local CFA brigades to control, design and undertake these types of mitigation works is a mystery to PALs and many within the local rural community. This issue does not fall within the parameters of planning, it falls directly and immediately within the parameter of community safety.

For over a decade the recognition in the Bushfire Royal Commission 2009 recommendations of the importance of the contribution to community safety of the proper maintenance of private property for fire mitigation have failed to significantly move the needle away from the counter-intuitive restrictive stance.

The tension between the primacy of human life and the protection of flora and fauna is one of the most difficult challenges of this Council. Relegating human life to any secondary consideration is unjustifiable.

THEME 11 – HERITAGE ARTS AND CULTURE

1. Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.
2. Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.
3. The culture and heritage of the Wurundjeri Woi Wurrung people is understood and recognised as a proud part of our shared identity
4. Promote our shared heritage, history, arts and artistic culture to strengthen our community – Aspiration from OPOPOF engagement: "Residents enjoy a wide variety of recreational and cultural pursuits and have a strong sense of feeling part of their local community and townships."
5. Implement goals of the Arts and Cultural Plan 2018-2022:
 - Public participatory arts as an everyday experience
 - Develop and grow creative and cultural industries and;
 - Support and promote arts and cultural activities that maximise access.

PALs RESPONSE

PALs support this theme.

As a note careful attention should be given to the actual words that appear increasingly on council literature in relation to indigenous recognition.

It is noted that this wording increasingly includes the words *"We acknowledge that sovereignty was never ceded."*

This assumes that Council has both the authority and community consensus to make this statement which goes to the fundamental principle of the legal land tenure system currently existing in Victoria.

By making this statement Council presumes to speak on behalf of all landowners but potentially raises land ownership issues that are not reflected in the legitimacy and absolute authority of the legal land titles system and leaves open future opportunities for a challenge to that legal land ownership.

PALs RESPONSE TO CONTEXT AND VISION

Council exhibits poor vision when it comes to the *Context* and *Vision* statements.

Council continues to effectively discriminate against and ignore many concerns of rural landowners, rural properties, rural pursuits, rural lifestyles and rural contributions to the Green Wedge, rural contributions to the Nillumbik Community and the invaluable contribution that the rural landscapes make, not only to the Green Wedge, but the minimisation of bushfire risk into the future.

The context statement MUST encapsulate more than just the bush and vegetation. The State Government requirements for a Green Wedge cover a broad range of landscapes, uses, lifestyles, economic and social perspectives as well as encouraging visitation, development, tourism and enterprise.

The Nillumbik Green Wedge IS NOT a suburban green wedge. ALL of the Nillumbik Green Wedge is located in the rural areas of Nillumbik. It is false to state otherwise and suggests an attempt by suburban landowners to claim an interest, which they do not have, in the lands and landscapes that actually form the green wedge.

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Proposed Amended Context and Vision statements below.

Context

Nillumbik's high landscape value plays a regional role for Melbourne as an accessible area of ~~natural~~ ~~overall~~ landscape beauty. The natural environment ~~is combined with the beautiful rural landscapes~~ ~~together form~~ a significant reason for people deciding to live and work in Nillumbik. Much of it remains heavily vegetated, particularly in the non-urban undulating regions and along the major rivers and creeks. ~~Nillumbik acknowledges the increase in vegetation cover over the preceding 60 – 70 years~~ ~~and the ongoing work and contribution of rural landowners to provide the ambience and rolling rural landscapes which when combined with the areas of indigenous vegetation provide the vistas we all enjoy.~~

Nillumbik plays a pivotal role in protecting the region's biodiversity. Strategic habitat links that continue into surrounding municipalities connect extensive areas of native vegetation. ~~A Empirical evidence suggests a significant number of rare and endangered species are found in these native environments. Flora and Fauna are protected but share the landscape with rural properties. Whilst there is no up to date or current biodiversity assessments available to ground proof the above, there is significant evidence that demonstrates that there has been no significant loss in flora or fauna which would compromise the future of the Nillumbik Green Wedge.~~

Rural landowners also play a pivotal role in ensuring that rural landscapes are preserved and maintained by the ongoing farming, agricultural pursuits, grazing and hobby farm interests that when combined all deliver the Nillumbik Green Wedge in accordance with the State Government vision for Green Wedges.

Vision

Nillumbik will remain a ~~metropolitan~~ rural 'green wedge' ~~situated on the edge of the Urban Growth Boundary, maintaining a large natural resource for the benefit of all Melburnians. The planning of Nillumbik will continue to focus on~~ ~~balance the ongoing farming and rural based uses in combination with the ongoing sustainability of the 'green wedge' in physical, social and economic terms. Nillumbik will embrace all the components necessary to deliver a vibrant Green Wedge.~~

To preserve and nurture the natural environment of the Green Wedge ~~and combine the rural residential lifestyles and rural based uses~~ for future and current generations.

~~In addition it is important to note that:~~

~~As identified in Melbourne 2030~~ ~~identifies~~ the Nillumbik Green Wedge is of social, economic and environmental value ~~because of and include~~ the following features:

- ~~environmental and landscape quality (particularly the Yarra River and surrounds)~~
- ~~vibrant and successful economic activities~~
- ~~broad rural landscapes incorporating rural grazing lands and rural enterprises~~
- ~~existing river red gums and other existing habitat areas~~
- ~~national parks~~
- ~~metropolitan water storages~~

~~It must also~~ ~~The Vision recognises that the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples. As such, their value must be~~ ~~is recognised and protected throughout the Shire in conjunction with the recognition of existing landowners as the current custodians. This is also in keeping with community-wide surveys conducted by Council that showed the Top Three Things valued in Nillumbik are:—~~

~~Preservation of the Green Wedge; Protection of environment and biodiversity; Action on climate~~

~~(NOTE: This is not correct and therefore cannot be included. The single most identified issue was the threat of bushfire and bushfire mitigation.~~

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This Shire IS NOT a "Conservation Shire". It is a Rural Shire that sits adjacent to the Urban Growth Boundary. This Shire has an obligation and a legal requirement to look after the best interests of ALL its residents. It has NO authority to ignore or disrespect the existence of its rural residents.)))

*The MPS Vision must be consistent with the community's aspirations for 2040 and reflect the intent for Nillumbik as a Green Wedge **Conservation Shire**. The statements must be ambitious and written in the present tense – with intention and achievement, as well as aspiration. An overarching statement could be:*

*In 2040 Nillumbik **is** a world leader in*

- biodiversity protection and reinvigoration*
- community stewardship of the environment;*
- climate change mitigation and adaptation;*
- sustainable urban design and living;*
- community inclusiveness, equity and connection, with a focus on its First Nations People;*
- community participation in the arts and celebration of its cultural heritage*

THE VISION – NILLUMBIK 2040

- Develop and deliver strong ongoing bushfire mitigation programs to maximise bushfire safety for all residents and landowners in the Shire*
- Continue biodiversity protection*
- Develop strong community partnerships with the current custodians of green wedge lands*
- Continue appropriate climate change adaptation commensurate with factual real time assessment*
- Support and encourage best practice initiatives for viable urban and rural design and living*
- Community inclusiveness, equity and connection acknowledging the history and practices of the First Nations People*
- Continue to develop the Arts and the Green Wedge as a repository for Arts based programs*

SUPPLEMENTARY INFORMATION LINKS

To access all of the PALs information which is to be considered integral to this submission, please use the links below to access some of the relevant PALs material.

<https://www.dropbox.com/s/bcpwg5ee4bkhivc/Nillumbik%20PALs%20Submission%20to%20Draft%20Green%20Wedge%20Management%20Plan%20%28%E2%80%99CGWMP%E2%80%9D%29%20Final%20with%20Addenda%20190810.pdf?dl=0>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-DRAFT-BUSHFIRE-MITIGATION-STRATEGY-2019-2023-DBMS.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Dismantling-Victorian-Native-Vegetation-Clearing-Regulations-V8.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Nillumbik-Housing-Strategy-discussion-paper-v2.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Planning-And-Building-Approvals-Process-Review-%E2%80%93-Discussion-Paper.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-The-Royal-Commission-into-National-Natural-Disaster-Arrangements-Bushfires-Royal-Commission-BRC-2020-.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-CHRISTMAS-HILLS-LAND-SALES-.pdf>

<https://www.dropbox.com/s/ofzkids6rvxobsw/PALs%20submission-Planning%20for%20Melbourne%E2%80%99s%20Green%20Wedges%20and%20Agricultural%20Land%20FINAL.pdf?dl=0>

PALs thanks NSC for the opportunity to contribute to this important process of review of the MSS and development of the MPS.

This submission, together with the library of supplementary information contained in each and every PALs submission (the links to which are included above and which are to be read in conjunction for the purposes of rural landowners' views being unmistakably understood and seriously considered – to inform a new MPS) is commended to NSC, its Councillors and its relevant Council Officers for consideration.

PALs welcomes any inquiry for clarification of any of the serious matters detailed in this submission.



Damian Crock
Chair
Working Group
Nillumbik PALs
+61 412 066 666

NILLUMBIK – MUNICIPAL PLANNING STRATEGY

Comments by [REDACTED], Resident, Nillumbik

Date: 6.10.21

Theme 2: Green Wedge

Concern with objectives

Key Objective 1

Suggested be revised to read:

Recognise the rural areas (land zoned Rural Conservation and Green Wedge) have as their primary purpose the natural environment, rural landscape, natural resource based uses and soil-based agriculture.

- My first concern is that referring to 'sites of environmental' significance can lead to a narrow focus on Commonwealth significance under the EPBC Act or State significance under the Flora and Fauna Guarantee and the like. My experience is that will be a common default in both consideration of planning scheme amendments and VCAT cases with expert witness down playing environment significance based on may a lack of Commonwealth or State significant species.
- My second concern is that reference to the Green Wedge in Nillumbik containing 'residences' implies that residential land use is supported in the Green Wedge zones. This is not the case in the RCZ or GWZ and to imply otherwise is contrary to the purposes of those zones.

Key Objective 4

- Built form development and associated infrastructure cannot be at the detriment of natural environment and/or lead to the further loss of soil-based agricultural land. Needs to be acknowledgement that rural resident development is not supported in the GWZ or RCZ. There should be a rural building envelope to reduce the risk of fragmentation and rural land uses fundamental to the Green Wedges (e.g. the natural environment and soil-based agriculture) must always be the primary use of the land.

Gaps

- Need to ensure that the natural environment and/or existing soil based agriculture are the primary land use in the RCZ and other Green Wedge zones.
- Application of design requirements where built form and associated infrastructure is subordinate to the natural environment and/or existing areas of soil based agriculture in the Green Wedges.

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- Apply a building envelope to minimise the development footprint in rural areas for built form and associated infrastructure by minimising fragmentation otherwise caused by scattered development.
- Review the application of ESO and SLO across the Green Wedge zones in line with Government policy, ensuring enforcement of protections and adequate resourcing.
- Requirement for a land management plan for all proposed built developments and their associated infrastructure to ensure the primary use of the land is for natural environment and/or agriculture where cleared land is already available. This is in line with the in conjunction requirement for certain uses that should be applied to all proposed built developments.

Theme 3: Natural Environment

Key Objective 1

In Line with Plan Melbourne, needs to be revised to highlight the need to maintain and enhance biodiversity of the indigenous flora and fauna for the whole of Nillumbik

Also, as spelt out in Plan Melbourne, needs to support the need to achieve net gain (rather than no net loss in the quality and quantity of native vegetation).

Gaps

- In urban areas, promote 'Biodiversity Urban Sensitive Design' such as described by RMIT and Melbourne University.
- Recognise the essential value of waterways as wildlife corridors.
- Recognise the need to provide wildlife/biolink corridors for native flora and fauna to both increase habitat and enable species to move in response in response to climate change.
- Promote the protection and enhancement of indigenous vegetation communities for fauna habitat of native species.
- For planning permits and planning scheme amendments (particularly any proposes to review the ESOs) that have potential environmental impacts to be referred to the appropriate Council environmental officer(s) for the opportunity to review and advise the planning department of issues.

Theme 4: Built Environment

Objectives

Needs to be a fifth objective to protect the indigenous tree canopy and understory in urban areas. In this respect consider the introduction of 'Biodiversity Sensitive Urban Design' as a planning tool to achieve this outcome.(as is already done with Water Sensitive Urban Design).

Gaps

In rural areas, the need to recognise that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be sub-ordinate to a primary rural land uses of the natural environment and/ or agriculture on existing cleared land.

Theme 5: Housing

Gaps

- Need to protect the urban tree canopy in urban to mitigate the impact of increasing temperature in urban areas with global warming, with an urgent focus on residential areas where consolidation in existing urban areas where subdivision of large lots and increasing density of dwellings is taking place and tree cover is being lost. .
- Development of an overall Nillumbik Urban Forestry Strategy that looks at residential, parks, streetscapes, industrial and commercial areas. Urban in this context refers to the whole of the municipality not just the areas zoned urban in the planning scheme. This is consistent with Living Melbourne that was following by an Urban Forest Strategy for the whole Greater Melbourne Metropolitan Area and is referenced in the draft Regional *Northern Metro Land Use Plan* (p123).
- *Need to avoid housing growth and sensitive land uses within and in proximity to bushfire prone areas.* This is Strategy 87 in the draft Regional Northern Metro Land Use Plan and goes on to say: *In order to prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated. Development within areas of the highest bushfire risk must achieve acceptable levels of risk reduction. These areas should be avoided for development that will accommodate more vulnerable populations, such as elderly or very young, that may have difficulties evacuating in the event of bushfire.*

Theme 10: Climate Change

Objectives

Need to be additional objectives as there is currently a disproportionate emphasis of bushfire.

See propose additional objectives under gaps.

Gaps

- Recognising the role that protecting and increasing of our rural indigenous vegetation and wildlife corridors takes in reducing emissions and helping to mitigate the impact of climate change on our native fauna.
- For agricultural land use help to encourage new technologies and practices that help reduce emissions.
- Promoting Environmentally Sustainable Design throughout planning policy.
- Facilitating the uptake of renewable energy technologies without compromising biodiversity and conservation values (e.g. solar farms in already cleared areas)

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- Planning for passive 'energy reduction' design (such as the use of treecover to shade buildings that reduces energy consumption for cooling during summer).
- Ensuring new residential development is well-designed, durable and resilient to climate change and built to a high quality standard.
- Protecting and increasing tree canopy from ongoing loss in urban areas to date to mitigate the impact of increasing temperatures with global warming. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree canopy being lost.
- Mitigating exposure to natural hazards and adapt to impacts of climate change (fire and flooding).
- Requiring climate change risks to be taken into account in infrastructure planning.
- Reducing pressure on water supplies by making best use of water resources. This describes how issues such as climate change impact on water security through reduced rainfall, increased evaporation and increased flood risk.
- Protecting and enhancing the health of urban waterways. This recognises that the impacts of climate change combined with urban development influence the quality and quantity of urban stormwater run-off and pose a number of challenges for the health of waterways.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date: 7 October 2021

Thank you also for making this project open to input from the whole Nillumbik Community.

Recommendation

There should be an overarching statement preceding the themes, consistent with the overarching statement of the Community Vision and the Council Plan, reflecting the Top 3 things valued in N'bk, from the Community Engagement Survey, "Our People, Our Place, Our Future":

- Preservation of the Green Wedge
- Protection of environment and biodiversity
- Action on Climate Change

Presented as a summary graphic [here](#) Found in the [attachments to the May 25 Council meeting 2021](#)

THEMES

1. ACTIVITY CENTRES

Gaps

New Key Objective 1

Activity Centres within Nillumbik, the Green Wedge Shire, will be distinguished from other urban suburbs by a distinctive neighbourhood character of greenery, with setbacks for indigenous tree canopies and understorey required, an emphasis on blending into the environment and an increase in biodiversity..

Other points for inclusion

- The terms "medium density housing (including mid-rise commercial development and apartments)" need to be defined
- Township or structure plans must guide the strategic vision for each activity centre

2. GREEN WEDGE

Key Objective 1 Add to wording

Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites, of environmental and landscape significance (both current and potential), natural resource based activities and residences, and that preservation of the GW and protection of the environment and biodiversity, together contribute to climate change mitigation reflecting the top three priorities of the Nillumbik Community, as described in the opening recommendation of this submission and that these contribute..

["Our People Our Place Our Future. Key Findings 15 February – 28 March", shown [here](#) and found in the [attachments to the May 25 Council meeting 2021](#)].

Key Objective 4 Add to wording

Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development must not be permitted to fragment rural land into unviable land parcels.

Key Objective 5 Add to wording

Manage with adequate resources, the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management, facilitated by the development, enforcement and ongoing review of land management plans, in conjunction with environmental protection strategies and the application and oversight of the Planning Scheme to prioritize preservation of the GW and protection of the environment and biodiversity,

Key Objective 6 Add to wording

Ensure development in rural areas mitigates potential fire risk in a way which is acceptable to, and compatible with, First Nations People's stewardship of the land, following the principle of avoiding and minimising loss of native vegetation, as well as being compatible with Climate Change mitigation

Key Objective 8 Add to wording

Protect and enhance agricultural land for both its productive potential and environmental value, ensuring that agricultural practices reflect the importance of protecting the GW and enhancing biodiversity .

3. Natural Environment

Key Objective 1 *Add to wording*

Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to:

- protect and conserve biodiversity
- acknowledge the essential value of waterways as wildlife corridors and the need for enforced planning controls to protect them
- provide and connect habitats for native flora and fauna (including corridors identified in the NEROC and State of Environment reports)
- control pest plants and animals.

Key Objective 2 *Add to wording*

Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given the importance of the health of all waterways in Nillumbik. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.

4. Built Environment

Add another Objective as Key Objective 1

Key Objective 1

The Built Environment within Nillumbik, the Green Wedge Shire, will allow for settings of indigenous tree canopies and understorey, reflecting the community priorities as defined in "Our People Our Place Our Future. Key Findings 15 February – 28 March" [Attachment to Council Meeting Agenda May 25, 2021].

Key Objective 3 *Add to wording*

Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, biodiversity, safety and accessibility.

5. Housing

Add an Objective as Key Objective 1

Key Objective 1

Ensure that planning for housing within ALL of Nillumbik, the Green Wedge Shire, allows space for settings of indigenous tree canopies and understorey, reflecting the community

priorities as defined in "Our People Our Place Our Future. Key Findings 15 February – 28 March" [Attachment to Council Meeting Agenda May 25, 2021].

6. Economic Development

Key Objective 4 Add to/ change wording

Sustainable Agriculture is an important area of economic development:

- Promote land use in rural areas in accordance with the capability and **sustainable** productive potential of the land.
- Retain existing agricultural land for soil based, sustainable, eco-friendly agricultural production.
- Promote sustainable, **eco-friendly**, agricultural activities and land management practices that **avoid** adverse impacts on the primary production and environmental values of surrounding land and the catchment.
- Protect and enhance agricultural land for both its productive potential and environmental value.

Key Objective 5

Add to wording

In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery, while ensuring that any "in conjunction uses" or other modifications to existing use are according to approved *Land Management Plans*, which detail how the environment, habitat links and biodiversity are protected

10. Climate Change

Add an Objective to follow on from Key Objective 5

Key Objective 5

Reduce Council's direct contribution to climate change

Key Objective 6

Increase Council's direct contribution to mitigating climate change by prioritising protection and enhancement of the indigenous environment and biodiversity, reflecting the community priorities as defined in "Our People Our Place Our Future. Key Findings 15 February – 28 March" [Attachment to Council Meeting Agenda May 25, 2021)

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Submitter 20

From: [REDACTED] <[REDACTED]>
Sent: Monday, 11 October 2021 3:18 PM
To: Nillumbik <nillumbik@nillumbik.vic.gov.au>
Subject: Changing places - Strat Planning / Infrastructure

Afternoon all,

Thought this may be of interest:

Nillumbik does not appear to have any CHANGING PLACES located in the area.

Would be good to get this included into a future project in the area - possibly somewhere along the trail like at Diamond creek / Eltham & Hurstbridge. (And elsewhere)
Would encourage disability access for people to use the trail.

Not sure whether that can be rolled into the high level of access key objectives in the MPS - and/or funnelled through to the infrastructure department to roll some out when doing upgrades + new facilities

Could be a good one to get local community designers / schools to put in proposals for the build that that each township could have a sense of ownership + contribution to the provision of disability services.

<https://changingplaces.org.au>



Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Submitter 21

From: [REDACTED]
Sent: Thursday, 21 October 2021 11:45 PM
To: Nillumbik <nillumbik@nillumbik.vic.gov.au>; Rosa Zouzoulas
<Rosa.Zouzoulas@nillumbik.vic.gov.au>; Carl Cowie <Carl.Cowie@nillumbik.vic.gov.au>
Subject: Fwd: M.P.S of submissions

Begin forwarded message:

Date: 21 October 2021 at 11:40:46 pm AEDT
To: [REDACTED]
Subject: M.P.S of submissions

Please include this addendum to M.P.S of submissions as individuals by [REDACTED]
[REDACTED]

We request as other rural landowners have as

1. That Nillumbik Shire Council draft the M.P.S from scratch, and **not simply translate it from the 20 year old M.S.S.** We don't see this as being policy neutral. We are alarmed to see many rural policies and strategies in the M.S.S. (now translated to the exhibited new M.P.S.) that may have been put there in mistake or other or were not publicly exhibited or didn't complete their full open and transparent processes. This includes independent panels appointed by the Planning Minister to hear objections or suggestions to submissions that Council didn't accommodate or cater for. Example those relating to the Green Wedge Management Plan (and plan itself), utility infrastructure changes, consolidation of titles to contain effluent on site, and numerous others.

We wish to actively be included together with others, with consultation with Council to facilitate serious and urgent changes needed to the exhibited new M.P.S. Please additionally consider all our submissions and evidence to this new council and past Nillumbik Council's (this includes that to the Green Wedge Management Plan) also for this submission to the new M.P.S and full new Nillumbik Planning Scheme.

Many Thanks
[REDACTED]

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

[REDACTED]

From: [REDACTED]
Sent: Thursday, 21 October 2021 11:45 PM
To: Nillumbik <nillumbik@nillumbik.vic.gov.au>; Rosa Zouzoulas
<Rosa.Zouzoulas@nillumbik.vic.gov.au>; Carl Cowie <Carl.Cowie@nillumbik.vic.gov.au>
Subject: Fwd: M.P.S of submissions

Begin forwarded message:

Date: 21 October 2021 at 11:40:46 pm AEDT
To: [REDACTED]
Subject: M.P.S of submissions

Please include this addendum to M.P.S of submissions as individuals by [REDACTED]
[REDACTED] .

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1. That Nillumbik Shire Council draft the M.P.S from scratch, and **not simply translate it from the 20 year old M.S.S.** We don't see this as being policy neutral. We are alarmed to see many rural policies and strategies in the M.S.S. (now translated to the exhibited new M.P.S.) that may have been put there in mistake or other or were not publicly exhibited or didn't complete their full open and transparent processes. This includes independent panels appointed by the Planning Minister to hear objections or suggestions to submissions that Council didn't accommodate or cater for. Example those relating to the Green Wedge Management Plan (and plan itself), utility infrastructure changes, consolidation of titles to contain effluent on site, and numerous others.

We wish to actively be included together with others, with consultation with Council to facilitate serious and urgent changes needed to the exhibited new M.P.S. Please additionally consider all our submissions and evidence to this new council and past Nillumbik Council's (this includes that to the Green Wedge Management Plan) also for this submission to the new M.P.S and full new Nillumbik Planning Scheme.

Many Thanks
[REDACTED]

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Submitter 23

From: [REDACTED]
Sent: Friday, 22 October 2021 10:16 AM
To: lufp@delwp.vic.gov.au; [REDACTED]
Cc: daniel.andrews@parliament.vic.gov.au; richard.wynne@parliament.vic.gov.au;
matthew.guy@parliament.vic.gov.au; lisa.neville@parliament.vic.gov.au;
steph.ryan@parliament.vic.gov.au; tim.smith@parliament.vic.gov.au; Rosa Zouzoulas
<Rosa.Zouzoulas@nillumbik.vic.gov.au>; Peter Perkins <Peter.Perkins@nillumbik.vic.gov.au>;
Richard Stockman <Richard.Stockman@nillumbik.vic.gov.au>
Subject: [REDACTED] to MFPF

22.10.21

Dear Consultation team MFPF,

Please find attached Part One of my submission with attachments to the MFPF-
Northern Metro LUPF.

Part Two will follow before Nov 1st as per our extension granted.

I give permission for this submission and the document 'Equitable correction to legal
irregularity brief with evidence and brief explanation' to be made public.

All other attachments however must remain confidential and not be made available
to the public unless otherwise advised in writing.

Many thanks

[REDACTED]
[REDACTED]

17th October 2021 Part A

Individual Submission to **MELBOURNE'S FUTURE PLANNING FRAMEWORK PLAN MFPP**

OBJECTIONS to the Northern Metropolitan Land use framework plan LUPF

Affected lands [REDACTED] Diamond Creek (40 acres) [REDACTED] Diamond Creek (5 acres). Purchased in early 1940's. Comprising ½ km of road frontage with urban reticulated infrastructure to the entire area of the acreages. And in opinion neighbouring acreage landowners likewise affected in Diamond Creek and Yarrambat.

I reserve all my rights. Justice does not date. I or nominee, wish to be heard on this individual submission by those responsible for the outcome of this process. This submission is being rushed in distress and I reserve my right to add, edit and clarify where needed.

Subject lands are directly relevant to this process because their paid for, established urban reticulated infrastructure guarantees their rightful place within urban Melbourne. Subject lands are an integral part of the urban suburb of Diamond Creek and have been since the 1950's. They belong within the urban area of the Northern Metro framework plan.

Subject lands have accrued urban reticulated infrastructure and associated property/development rights/entitlements from State, Regional and Local Planning. We were planned urban from Melbourne, Diamond Creek and Yarrambat.

As a first priority all planning/mapping mistakes, irregularities and anomalies in the Northern Metro LUPF and thus the Nillumbik Planning Scheme must be equitably corrected before the implementation of and legislation is passed for MFPP. This include specifically the above lands and is irrespective of any final site specific land use.

We have made submissions, presentations and representations to numerous State process and all levels of government ever since the New Format Nillumbik Planning Scheme was adopted with changes made to the State VPPs in 2000. Our issues are known and/or ought to be known.

Failure to do so will mean the Northern Metro LUPF and the Nillumbik Planning Scheme will remain flawed and the public can then legitimately question the veracity of this entire 'engage Victoria' process.

Failure to correct known mistakes, irregularities and anomalies cannot be justified with the line 'it is for the net good of the greater community'. No family or land in Nillumbik should be targeted as 'sacrificial lambs'.

Please see confidential and open evidence/professional support attached, as well as all previous substantial submissions to Plan Melbourne, Plan Melbourne Refresh, the review of Agricultural land in the Green Wedge, 30yr Infrastructure Strategy and the Yan Yean Rd upgrade stage 2.

I do not support the Nillumbik Shire Council submission in its application to subject lands, rural lands and the Diamond Creek Activity Centre Structure Plan. It was done without public input as they said there was no time for public consultation.

Subject lands must be included as part of the urban area of Diamond Creek and as such a part of the urban area in the Northern Metro Land use Framework plan, as entitles and befits old established suburbs of Melbourne with urban utility infrastructure in place.

Without correction these lands will 'knowingly' revert to infrastructure stripped, sterilised, unmanageable rural bush blocks comparatively worse in value and use to that of 80 years ago.

Subject lands have strictly urban considerations e.g. traffic, housing density, water/sewerage provision. They must keep their urban metropolitan water interests not rural regional water interests, urban reticulated water, not rural, urban land capability, not rural, urban planning, not rural, urban identity, not rural. Their distinctive urban services, urban capacity and urban land capability must be protected by their inclusion as urban within Melbourne's Urban Growth Boundary in the Northern Metro LUPF.

For some background. Our family first purchased the acreage lands as an orchard (apples, pears, plums) in Diamond Creek in the early 1940s and they were located within the City of Heidelberg. This was where my late father went on the train to pay his rates. Our family was raised on the Ironbark Rd properties. Our family all went to the local Diamond Creek primary school and took part in community activities in Diamond Creek. All our business were in original Diamond Creek suburb (Chute St being the town centre). Our social life and *long term vision* revolved around Diamond Creek and its people.

We were always considered part of original metropolitan Melbourne and were included inside the boundary for Melbourne's first metropolitan residential expansion (MMBW-see attached map). We have paid urban residential (not rural) rates from the 1970's until 2000 (with the adoption of the New format Nillumbik Planning Scheme and Victorian Planning Provisions). Our urban planning was from both Diamond Creek suburb (telecommunications, postal, electricity) and Yarrambat (water, sewerage, drainage).

From the mid 1950's we were an integral part of the original urban area of the suburb of Diamond Creek (not township!). In the late 1960's we paid for the extension of the high voltage electricity from Diamond Creek. We were part of the original Plenty Growth Corridor on the east of Yan Yean Rd. Following a full statutory process subject lands were gazetted in 1975 by the Governor in Council (i.e. Cabinet) as an extension to both the Plenty Yarrambat Urban District and Waterworks Trust District. High costs necessitated our participation in a Commonwealth Government Loan Scheme (11.5% interest) to fund the infrastructure required. Subject lands were made compulsorily liable for the highest contribution based on them having the highest urban residential land value and thus capability (NB: Values presented in evidence are at their dated year prices).

Our urban planning history as part of Metropolitan Melbourne, corresponded with our political representation as such at all levels. From 1967-1992 our lands were 'rightly' included within the District of Greensborough (Legislative Assembly) and Templestowe Province (Legislative Council).

Given our 80 year family connection to the area, we would expect our accounts to reveal a history that demands recognition and thus accurate correction.

It is most important to me that the lands I have an interest in, those west and north-west of the creek/ train station that were also part of original Diamond Creek suburb of Melbourne, are kept together and not further divided as part of ANY boundary changes (be they State or Federal electoral or Local Council). Should they be changed we expect to be included as part of the City of Banyule.

I am always happy that new areas are added to the suburb of Diamond Creek (urban part) but I strenuously object to any new boundary lines that exclude or come at the expense of the original part of Diamond Creek (See map attached- especially including those lands in which I have an interest). Such gerrymandering is unacceptable and inequitable. Instead of cohesion in the area it will create division, friction and competition. This division will negatively impact residential development, housing strategies, commercial development, community infrastructure and urban reticulated infrastructure for the areas of original Diamond Creek west and North West of the train station.

We have relied on the promise and certainty of maintaining our Metropolitan Melbourne and Diamond Creek urban identity, community interests, sense of place, connectivity and urban land use with utilisation of our distinctive urban reticulated infrastructure and associated property/development rights in our long term financial planning. There is a huge difference between our lands inappropriate and incorrect inclusion as frozen and sterilised rural conservation land in the Green Wedge of the Northern Metro LUFP and its rightful inclusion within the UGB.

There is a pandemic going on and no one knows where it is going to go, what it is going to change and we need to be realistic about peoples need to survive. Additional considerations such as changing housing aspirations, the effects of Climate change (especially Bushfire risk/management) and the leapfrogging of development in the adjacent growth corridor must also inform Housing strategies in the Northern metro LUFP.

Whilst we maintain subject lands must be removed from the Green Wedge there needs to be more emphasis on a fair and workable Green Wedge in the Northern Metro region, with understanding and reasonable, sustainable land use changes for those acreage landowners forced to provide it.

Our family too chose to live in Nillumbik (previously City of Heidelberg then Diamond Valley) since the 1940's when the Green Wedge did not exist. I was born in Diamond Creek, it has always been my home town and I challenge anyone who thinks I don't

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treasure the area and the properties I am a stakeholder of. My family and I have held on to this land with blood, sweat and tears. This has been our life time vision for myself, family members, friends and other with the expectation of its fulfilment. I continue to enjoy and share this beautiful land every-day.

Please see relevant objective suggestions/additions in G. Schnapp submission as they apply to these properties. I also advocate for these entirely.

I give permission for this submission and the document 'Equitable correction to legal irregularity brief with evidence and brief explanation' to be made public. All other attachments however must remain confidential and not be made available to the public unless otherwise advised in writing.

Please note this experience has for me been stressful and traumatic. Yet another process has again discarded our pleas sending us backwards.

We need your help to right this wrong.

Attachments

[REDACTED]

[REDACTED]

PS See Part B for my comments on specifics on MFPF Vision, Strategies, Policies etc

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

THIS SUBMISSION ATTACHMENT HAS BEEN REDACTED IN ACCORDANCE
WITH COUNCIL'S PRIVACY OBLIGATIONS.

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■■■■■ submission for Municipal Planning Strategy (MPS) – Themes 3 and 2.

Theme 3 – Natural Environment

- The Municipal Planning Strategy (MPS) should outline that steward or guardianship recognises that we are all part of a larger whole and depend on a having a healthy environment. Thus, there is the need to take a broader view beyond the personal interests of individual local landholders/people, adopt a systems view, and place guardianship, a 'duty of care' central to planning – particularly as it affects our Natural Environment.
- Indeed, Nillumbik is a conservation shire, and yet our natural environment continues to decline. Clearly, our current frameworks are not working, and need to be made fit to address current and future environmental challenges. The MPS is a good place to start.
- Biodiversity is an irreplaceable resource and a key part of planning strategies and again, the MPS is a good place to start making the needs for biodiversity more prominent in our Planning Scheme.
- At the recent Wattle Glen Public Realm Project workshops the single most important aspect identified was the value of the Natural Environment. Given Wattle Glen straddles the Urban Growth Boundary (UGB) residents attending the workshop came from both sides of the UGB, but were consistent with the appreciation of the bush feel of their neighbourhood.

So, within the Planning Scheme MPS there should be recognition that all areas of vegetation/habitat are significant, must be protected and wherever possible enhanced; not only in the Green Wedge, but **for the whole 'Green Wedge Shire.'**

- Generally, I support the Natural Environment objectives given by Council, but the words must be backed by a strong Planning Scheme to meaningfully address these objectives. Also, as happened with the last GWMP Review where a contrary minority report was included, other sections of the MPS must not be allowed to contradict the Natural Environment objectives.

Most fundamentally, in policy-making through the MPS we need to:

- Adopt a 'systems view' (eg. ecosystems and services; bio-security system; food system) that places centrally 'guardianship' (rather than 'people' and 'land ownership') and a duty of care.
- Recognise the need for a healthy environment, and to embed "environmental/ecological sustainability" in all that we do; and ensure that development is 'ecologically sustainable'.

A. Within the MPS and the Planning Scheme, priority needs to be given to:

- Recognising that indigenous vegetation is the backbone of country, and essential to the integrity of environmental (eco) systems, the Green Wedge, and habitat for

indigenous wildlife, as well as promoting a cohesive neighbourhood character in the whole of The Green Wedge Shire.

Stronger protection of lower and medium storey indigenous vegetation, and indigenous vegetation needs to be encouraged wherever possible, including in public areas and street scapes, and in individual planning applications.

- Enhancing and expanding habitat and corridors across the landscape; and that development proposals clearly demonstrate how they contribute to this nurturing.
- Strengthening through the MPS/Planning Scheme and throughout the shire the **Environmental Significant Overlays (ESO), Significant Landscape Overlays (SLO) and Neighbourhood Character** aspects.

For example.

1. All of Nillumbik's waterways feed into the Yarra River and the State Government is keen to improve the quality and quantity of water – and may even provide grants for improving tributaries. So, Council MPS/Planning Scheme priority should be given to strengthening the ESO4 for the protection of all watercourses whether they are in the rural or residential part of the shire. [This is not a big decision for including in the MPS as Nillumbik Council already have the Abzeco maps that cover all of the watercourses ranging in size from drainage lines up to the two rivers that border Nillumbik with riparian areas, and their varying (10 to 50metres) buffer zones, depending on the size category of the watercourse].
2. Along with encouraging waterways as wildlife corridors with controls protecting and enhancing them, the same should go for road reserves with commensurate indigenous vegetation protection to enhance them as fauna habitat corridors across the shire.
3. To ensure residential areas are not a gap in such habitat corridors as outlined in point 2 above, residential nature strips need to be planted out with locally indigenous vegetation (in practice mostly trees and bushes). To continue the road reserve corridors integrity, in residential areas plantings should be indigenous vegetation, rather than exotic or even rather than native vegetation, and then protected by the MPS/Planning Scheme through SLOs and the designated Neighbourhood Character.
4. The use of SLOs in residential areas is great, but their distribution throughout the Shire is piecemeal at best eg Diamond Creek misses out, and should be made more consistent and inclusive to embrace all residential areas.
5. How good would it be to get SLOs over the rural areas as well?
6. Neighbourhood Character needs to be given more creditability within the MPS/Planning Scheme so it has more clout to help officers at VCAT and within Nillumbik it provides more protection and enhancement of the natural environment aspect that we know residents appreciate.

7. In planning applications, the impact of the Bushfire Management Overlay on landscape and environmental values, on biodiversity, on wildlife habitat and links, and on neighbourhood character needs to be properly assessed; and where its impact is deemed too severe, the application needs to be reduced or rejected. The MPS should mention this as an ongoing planning process by Council.
 8. Development applications need to be assessed for their impact beyond their property boundaries, and a landscape-scale and regional-scale approach in assessments needs to be adopted. To prevent death by a thousand cuts, the accumulative impacts of individual planning applications need to be recorded and assessed to see the bigger picture environmentally – for better or for worse.
- B. Support the need to achieve net gain (rather than no net loss) in the quality and quantity of native vegetation as also identified in Plan Melbourne.**
- Graeme Samuel's finding in his recent review of the EPBC Act needs to be heeded: that the current system of environmental offsets is failing, delivering losses for the environment due to poor design and implementation. He recommends that offsets only be used as a last resort when other options to avoid or mitigate environmental damage have been "demonstrably exhausted".
- C. Planning schemes either need climate triggers, or require development proposals to specifically address how their projects will mitigate or avoid climate damage.**
- D. To promote biodiversity, an active planning scheme action or amendment is needed that requires or encourages all fencing to be wildlife friendly and be mentioned as goal in the MPS.**
- E. The weaknesses within the environmental enforcement system need to identified, addressed and appropriately resourced.**
- Eg. Planning scheme ambiguities need to be removed to enable the restricting and policing of grazing domestic and agricultural animals on bushland blocks with their bio-diverse areas or steep terrain, or too near waterways to protect the natural environment including water and to prevent soil degradation through erosion.
- F. Planning Scheme Enforcement.** Too often earthworks or vegetation removal happens without a permit. If officers become aware, too often they then suggest nothing more than a retrospective application be made. I suggest that as well as the property owner being responsible, the planning scheme should also place the onus on the machine operators to confirm all planning approvals have been gained before they start any works. (The rationale is that the property owner may not know about permits, but the machine operators should know when permits need to be obtained by the Council Planning Scheme – particularly if they have to pay the fines or undo the works.) The MPS should suggest that Council is keen to work with the community to ensure the Planning Scheme is adhered to by owners and those responsible for the works in the interest of the Natural Environment.
-

Theme 2 – Green Wedge

The biggest threat to land management in the Nillumbik Green Wedge is how the Planning Scheme deals with small lots – what Council officers now seem to call “unviable land parcels.”

This priority of discouraging dwellings on small lots needs to be emphasised in the MPS.

Recently two small lots (between 1 and 2 ha from memory) on RCZ land near the corner of Flat Rock Rd and Watery Gully Rd, Kangaroo Ground were subdivided off a larger block and were then sold. When dwellings were wanted on these two new properties, based on the Planning Scheme, the council officers refused to issue permits, but were then overturned at VCAT when appealed. The MPS and the rest of the Planning Scheme obviously need a stronger indication of the importance of not over developing the Green Wedge.

In 2019/20, in the name of cleaning up sundown clauses, the then Nillumbik Council removed most of arguments against creating small lots from the Nillumbik Planning Scheme and **replaced them ... with nothing.**

Quite a few years earlier the Nillumbik Planning Scheme also included Tenement Controls for RCZ and GW zoned land – or whatever the rural zones were called back then. Given that it is now recognized that for many small lots BMOs allow, and new Land Management Plans insist, that most of the trees are to be removed for fire protection reasons. This means that there is now an even greater need to discourage any type of residential development on Small Lots or on “unviable land parcels” in the Green Wedge.

Put succinctly, for the two block above on the corner of Watery Gully Rd and Flat Rock Rd, permits would not have happened had Tenement Controls not years ago been taken out of the Nillumbik Planning Scheme for RCZ land.

So the MPS should be advocating that council will work towards discouraging small lots or “unviable land parcels” in the Green Wedge and say that, this will be done with a stronger planning scheme to protect Green Wedge land for agricultural pursuits and/or to protect natural vegetation from removal, or limit the scope for more intensive development in areas that have previously been subdivided into inappropriately small lots, and/or the realignment of boundaries of rural properties for the purpose of creating defacto residential lots will not be supported etc etc.

My suggestion

The below parts of previous Nillumbik Planning Schemes should be updated and reinstated in total **into the current Nillumbik Planning Scheme** as the **tracked changes below** suggest.

The MPS in its motherhood statements can foreshadow that this will happen to support the Nillumbik Green Wedge from over development.

Small Lots now called “unviable land parcels” by Council - Revising the Planning Scheme

(BTW The clause numbers mentioned will of course need to be mostly changed to fit the latest dated planning scheme.)

22.02 SUBDIVISION IN GREEN WEDGE AREAS

30/05/2008
C57

This policy applies to land in the Rural Conservation and the Green Wedge Zones.

Policy Basis

The provisions of the Rural Conservation Zone and Green Wedge Zone provide for subdivision as well as the creation of small lots by the re-subdivision of existing lots. As stated in the Municipal Strategic Statement, the creation of additional lots within rural areas has the potential to compromise the productive agricultural potential of land by removing it from production as well as introducing uses (generally residential) which may conflict with agricultural through the introduction of pets and increased traffic on local roads. Additionally residential use is often incompatible with farming practices such as the use of fertilisers and pesticides as well as noise, associated with dawn to dusk farming operations.

Additional lots and their associated development may also impact on the integrity of the rural landscapes of the Shire and the environmental features such as waterways, water catchments, habitat and native vegetation. Appropriate physical and social infrastructure and services may also be unavailable.

This policy aids discretion to the zone provisions in assessing applications to subdivide lots in rural areas so as to ensure that the resulting lots will not create pressures for residential services and infrastructure and are not detrimental to the agricultural, landscape and environmental values of the Shire. The policy ensures that the purposes of the Green Wedge Zone and the Rural Conservation Zone retain their primacy.

Objectives

- ☐ To guide discretionary decision making regarding the subdivision of rural land.
- ☐ To protect the agricultural, landscape and environmental values of the Shire.
- ☐ To protect the productive agricultural potential of land so as to maintain farmland as a long term resource.
- ☐ To maintain farm scale and avoid constraints on rural land use resulting from increasing development densities in rural areas.
- ☐ To prevent further fragmentation of remnant vegetation or agricultural land as a result of inappropriate subdivision.
- ☐ To retain large lots in single ownership for the purposes of improving conservation or agricultural management

Policy

Subdivision

It is policy to:

- ☐ Strongly discourage subdivision that effectively creates lots primarily for rural residential or hobby farm use.
- ☐ Encourage retention of large lots in single ownership for the purpose of improving conservation or agricultural management which may require a larger subdivision size.

Re-subdivision (re-alignment) of existing lots:-

It is policy that:

- ☐ The re-subdivision of existing lots reflects minor common boundary changes to reflect man-made features (such as fence-lines) or natural characteristics of the land.
- ☐ Proposals for re-subdivision of lots demonstrate that new property boundaries are based on planning grounds including consideration of the land capability and the environmental characteristics of the site.
- ☐ Proposals for re-subdivision of lots demonstrate that the subdivision will result in net environmental and/or agricultural benefits for the site and surrounding area.

= Maintaining, through Clause ? a tenement holding control in green wedge areas to limit the scope for more intensive development in areas that have previously been subdivided into inappropriately small lots.

- ☐ Proposals for re-subdivision of lots should not include former reservations or lots

subject to flooding or lots otherwise unable to be developed for residential purposes due to location/physical characteristics. Such lots will be encouraged to be consolidated with adjoining lots.

- ☐ A realignment of boundaries which creates the potential for additional lots through further subdivision will not be supported.
- ☐ A realignment of boundaries of rural properties for the purpose of creating defacto residential lots will not be supported.

Decision Guidelines

To ensure the purposes of the Green Wedge and Rural Conservation Zones retain their primacy to the extent that the subdivision or re-subdivision supports the objectives and meets the decision guidelines of the Zones.

Expiry

~~This policy does not apply after 30 November 2009.~~

~~LOCAL PLANNING POLICIES – CLAUSE 22.02 PAGE 2 OF 2~~

~~NILLUMBİK PLANNING SCHEME~~

22.03 RESIDENTIAL USE AND DEVELOPMENT ON SMALL LOTS IN GREEN WEDGE AREAS

30/05/2008

C57

This policy applies to the use of dwellings on small lots in Schedules 3, 4 and 5 of the Rural Conservation Zone and Green Wedge Zone. Small lots in the Rural Conservation Zone are defined as those smaller in size than the minimum subdivision size as specified by the schedule to the zone. In the Green Wedge Zone the term applies to lots smaller in size than 40 hectares.

Policy Basis

Melbourne 2030 identifies the Nillumbik Green Wedge as containing areas of environmental and landscape quality; including the Yarra River, Plenty River, Diamond Creek, Watsons Creek and areas of River Redgum and other habitat. The Nillumbik Green Wedge also includes parts of Kinglake National Park and Metropolitan water storages such as Sugarloaf Reservoir. Much of the northeast part of the green wedge is retained as agricultural land devoted to primary industry. Extensive areas of native vegetation, water courses and undulating terrain are the main features which contribute to the extensive habitat links and the landscape identity of the Shire.

Historically the green wedge area was first designated by the Melbourne Metropolitan Planning Scheme in 1971 and a strong commitment to the green wedge strategy has been supported ever since. However, as a result of its high amenity value and close proximity to metropolitan Melbourne, there is strong demand to use and develop the green wedge for rural-residential use. This situation is further compounded by the large number of vacant lots in the Shire, which were created from Crown allotments or as a result of previous inappropriate subdivision. These existing lots vary in size with many being significantly smaller than the minimum permitted by the relevant zone or schedule. These lots are ~~no longer subject to tenement controls which existed in earlier planning controls, and are~~ particularly sought after for residential use given the high price of rural land. In addition, there is a historical expectation that the existence of a lot is sufficient justification for its 'improvement' with a dwelling.

Recognising the highly subdivided nature of the Nillumbik green wedge, the importance of restricting residential development in non-urban areas is paramount to maintaining the values of green wedge areas. The continued development of dwellings and associated infrastructure in the Green Wedge undermines landscape, water quality, native vegetation, habitat and biodiversity values. In addition rural dwellings cannot be efficiently serviced by social and physical infrastructure at an acceptable and sustainable community cost.

In light of the conflicts and inefficiencies created by rural-residential living, this policy seeks to restrict residential development to that which clearly contributes to the defined values of the Rural Conservation Zone and the Green Wedge Zone.

This policy:

- ☐ Furthers MSS objectives in Clause 21.04-4 The Framework Plan.
- ☐ Builds on the MSS objectives in Clause 21.05-2 relating to Rural Land Use.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

- ☐ Builds on the MSS objectives in Clause 21.05-3 relating to Environment, Conservation and Landscape.
- ☐ Complements Clause 22.04 Siting and Design Policy for Buildings and Works in Non-Urban Areas Policy.
- ☐ Adapts Clause 57 – Metropolitan Green Wedge Land to local circumstances.
- ☐ Adapts Clause 12 – Metropolitan Development to local circumstances.

LOCAL PLANNING POLICIES - CLAUSE 22.03 PAGE 1 OF 2

NILLUMBİK PLANNING SCHEME

Objectives

- ☐ To guide discretionary decision-making about the use and development of land for dwellings on small lots in the green wedge area.
- ☐ To protect land of environmental significance from urban uses, particularly the establishment of dwellings and hobby farms outside areas designated for these purposes.
- ☐ To prevent further fragmentation of remnant vegetation or agricultural land as a result of inappropriate residential development.
- ☐ To limit the social and infrastructure costs of rural-residential land use and development.

Policy

It is policy to:

- ☐ Strongly discourage dwellings that increase the extent of residential living more typical of a residential zone.
- ☐ Strongly discourage any dwelling resulting in the introduction of additional people or infrastructure into an area of environmental hazard such as fire, land slip or erosion.
- ☐ Strongly discourage use of land for a dwelling where the development of the proposed dwelling is not included as part of the application, because this makes proper assessment of the ultimate impacts uncertain.
- ☐ Strongly discourage dwellings that cannot be efficiently serviced by social and physical infrastructure, at an acceptable and sustainable level. ~~Particular consideration will be given to the following:~~
 - ~~☐ Well constructed roads~~
 - ~~☐ Availability of regular garbage collection~~
 - ~~☐ Proximity to shops, schools, sports, recreation and community facilities.~~

Expiry

~~This policy does not apply after 30 November 2009.~~

~~LOCAL PLANNING POLICIES - CLAUSE 22.03 PAGE 2 OF 2~~

BTW: For the tenement holding control proposed above, in the current Nillumbik Planning Scheme Tenement Controls actually apply in the ELZ zone for Bend of Islands, and a Tenement Holding is defined in the current Planning Scheme as:

Clause 73.01

Tenement

Land comprised in:

- a) a lot which does not adjoin another lot in the same ownership; or
- b) lots in the same ownership and which adjoin each other.

Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.

In previous Nillumbik Planning schemes, Tenement Controls were used for GWZ and RCZ properties (or whatever zone name they were called back then) thus:

Clause 53.1

Meaning of tenement holding

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

A tenement holding means one of a lot or all contiguous lots, parcels of land or Crown Allotments held in the same ownership on the following date specified for the zone within which the land is situated:

- 23 July 1982 in a Green Wedge Zone or Rural Conservation Zone

Permit requirement for dwellings

A permit may only be granted to establish one dwelling on land if any of the following apply:

- The land is a parcel of land which existed as a tenement holding.
- The land consists of the consolidation of all parcels or lots within a tenement holding.
- The land is affected by a Restructure Overlay and conforms to the relevant Restructure Plan.
- The land forms part of a tenement holding and that part (and any other part in the tenement holding created) exceeds the site area set down for the zone within which the land is located.

Consolidation of lots within tenement holdings

If a permit is granted to construct a dwelling on a tenement holding or part of a tenement holding which contains more than one lot, the permit must contain a condition requiring all of the land affected by the permit to be consolidated prior to the use of the land for a dwelling.

Tenement Anomalies

Despite the provisions of this Clause, a permit may be granted to establish one dwelling on specific lots, provided it is demonstrated to the satisfaction of the responsible authority that:

- The development will not prejudice the primary purpose of the zone and local planning policies applying to the land.
- The wider objectives of the tenement provisions are protected from incremental erosion and are maintained as a legitimate means of protecting the Green Wedge Zone and Rural Conservation Zone from inappropriate development.
- If the land is in an area identified as having a high risk of wildfire hazard, appropriate building design measures will be undertaken to provide an acceptable level of protection.
- The development will be consistent with the provision of any Overlays.
- There will be no detriment to the ecology of any stream or watercourse on or near the site by virtue of the development.
- Removal of native vegetation is minimised.

Clause 72

Tenement Land comprised in:

- a) a lot which does not adjoin another lot in the same ownership; or
- b) lots in the same ownership and which adjoin each other. Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.



Christmas Hills Landcare Group

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6th October 2021

Nillumbik Municipal Planning Strategy

To whom it may concern

Thank you for the opportunity to provide feedback on the Nillumbik Municipal Planning Strategy (MPS). The Christmas Hills Landcare Group welcomes the opportunity and recognises that the MPS is an important strategic framework for guiding the future land use and development in Nillumbik.

The Christmas Hills Landcare Group currently has 94 financial adult members managing 51 private properties covering over 715 hectares in the Nillumbik and Yarra Ranges shires. The feedback presented in this document has been distributed to our members and with no dissenting views received, is made on behalf of the entire CHLG membership.

Overall comments

The structure and content of what we are being asked to comment on in the Nillumbik MPS consultation does not appear to align with the structure and content required for the preparation of all Municipal Planning Strategies.

The structure and content for Municipal Planning Strategies is prescribed in the [Ministerial Direction "The Form and Content of Planning Schemes" \(August 2020\)](#) with more information in ["A Practitioner's Guide to Victorian Planning Schemes: Version 1.3 \(January 2020\)"](#).

The MPS must succinctly explain the context for a municipality and provide the overarching strategies for the major land use and development matters that affect it.

The content of the MPS should be easily read, expressed in a logical sequence and grouped by related land use and development themes, using this structure:

- Context
- Vision
- Strategic directions
- Strategic framework plan

The preferred approach is to follow the (Planning Policy Framework) PPF themes:

- Settlement
- Environmental and landscape values
- Environmental risks and amenity
- Natural resource management
- Built environment and heritage
- Housing
- Economic development
- Transport
- Infrastructure

The feedback provided in this submission follows the prescribed MPS structure and content guidance.

Context

Needs to make it clear that biodiversity and the natural environment - ie Nillumbik's extensive remnant forests, woodlands, waterways and wetlands, and the diverse indigenous flora and fauna they support, are major and unique qualities of the municipality and occur on both public and private land.

These qualities were recognised in the original establishment of Nillumbik as the Green Wedge Shire, with its boundaries set for the purpose of creating a "conservation council", and the Green Wedge as its strategic focus to allow better protection of the natural resource base, sustainable land management, and provide a high-quality environment for residents and visitors (*Source: Middle and outer Melbourne review: interim report / Local Government Board. Victoria – 1994*)

The Victorian Government policy 'Plan Melbourne 2017-2050' makes it clear on the purpose and role of green wedges:

"As Melbourne grows, planning for Melbourne's green wedges and peri-urban areas is required to:

- protect biodiversity assets, including national and state parks, Ramsar wetlands and coastal areas
- support existing and potential agribusiness activities, forestry, food production and tourism
- protect major state infrastructure and resource assets, including water supply dams and water
- catchments and waste management and recycling facilities
- support renewable energy sources such as wind and solar farms
- protect extractive industries"

Need to make it explicit that a very large proportion (91%) of Nillumbik is a green wedge - non-urban land outside of the Urban Growth Boundary, and that the purpose of the Nillumbik green wedge is primarily to:

- protect biodiversity assets, including national and state parks
- support existing and potential agribusiness activities, and food production
- protect major state infrastructure and resource assets, including water supply dams (Sugarloaf and Yan Yean reservoirs and water treatment plants)

There also needs mention of the prevalence of existing lots within the green wedge that are already sub-divided below the current minimum subdivision lot size, and how this represents a constraint to fulfilling the green wedge purposes of protecting biodiversity and supporting existing and potential agriculture.

This section also needs to make mention of the Wurundjeri Woi-wurrung people as the traditional custodians of the land in Nillumbik, and that the area retains a rich cultural heritage of archaeological sites, objects, places and landscapes, knowledge, lore and storylines that are valued, culturally meaningful and connected to identity and Country for these people.

Nillumbik's remnant forests, woodlands, waterways and wetlands, as well as cleared rural land, should be represented spatially on a map as part of the Context plan in the MPS

Vision

The vision should be derived from the 2040 community vision statement but distilled into a vision for the MPS that focuses on land use and development.

The following are suggested inclusions:

Nillumbik is a place where extensive and healthy natural forest, woodland, waterway and wetland assets predominate and flourish, and the cleared rural land supports complementary and sustainable non-urban land uses, in particular sustainable and regenerative agriculture.

It has accommodated its population growth within its activity centres, primarily the Eltham and Diamond Creek Major Activity Centres, as world-leading examples of well-planned sustainable urban design and living, recognisable by the widespread use of blue-green infrastructure, and its role in mitigating, adapting to, and preparedness for climate change.

Nillumbik's rich cultural heritage is not only valued and protected, but also showcased and celebrated with pride.

Strategic directions

Plan Melbourne, etc. make it clear that Green Wedges are to serve specific non-urban uses, and to direct residential development to locations within the UGB with ready access to public transport, employment and education.

For Nillumbik the predominant non-urban land uses are biodiversity and natural environment conservation, agriculture, and water supply.

The following are suggested inclusions:

Settlement

- Direct Nillumbik's residential growth primarily into the Eltham and Diamond Creek Major Activity Centres with the Hurstbridge and Research Neighbourhood Activity Centres also accommodating minor levels of growth, and in ways that protect the values of the green wedge.
- All development within the green wedge has the primary purpose of serving sustainable agricultural and biodiversity conservation outcomes

Environmental and landscape values

- Use the most up-to-date information available (NEROC, Abzecco mapping?) to comprehensively identify and map the location and extent of Nillumbik's remnant forests, woodlands, waterways, wetlands and other significant biodiversity values on both public and private land, as well as the strategically important habitat corridors they form or have potential to form.
- All land use and development within and adjacent to these natural environmental values must protect, and preferably improve, their integrity, and function as indigenous flora and fauna habitat
- To minimise the cumulative impacts of residential uses of undersized lots, such as vegetation loss, habitat fragmentation, and introduction of pest plants and animals, prevent the development for residential purposes of undersized lots, and facilitate lot amalgamation wherever possible to achieve minimum subdivision size

Environmental risks and amenity

- Acknowledge that the valued forest and woodlands, particularly in the green wedge, present an elevated risk of bushfire, and direct population growth and residential development to lower-risk locations within the Urban Growth Boundary
- Encourage agricultural land uses in the cleared parts of the green wedge that are well-suited to the land's carrying capacity and current and future climates

Natural resource management

- Encourage agricultural land uses in the cleared parts of the green wedge that are sustainable, regenerative, and do not deplete or impact on natural resources such as soil, water, air and native flora and fauna

Built environment and heritage

- Work with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation to identify, assess, document, protect and conserve places of Aboriginal Cultural heritage significance

Thank you again for the opportunity to comment.

Regards

Doug Evans, Chair, CHLG, on behalf of the membership of the Christmas Hills Landcare Group.



Introduction

The Green Wedge Protection Group (GWPG) was formally incorporated in 1995, following municipal amalgamations. Less formally, the Group has existed since the early 1970s. The Purposes of the Green Wedge Protection Group include:-

- Working to ensure that residents and public officials of the Shire of Nillumbik act together to protect the environment; develop a high quality urban lifestyle within limited designated areas; and promote a rural lifestyle with sensitive farming and enhanced conservation objectives.
- Ensuring the Green Wedge is the strategic focus of the Shire of Nillumbik.
- Providing input to the Shire of Nillumbik and other decision making bodies on any matter considered relevant to the Green Wedge.

The Green Wedge Protection Group is heavily involved in state and local planning issues, both currently and prior to the group's formal inception, and will continue to provide advice and direction to authorities to ensure the intent of our Green Wedges is upheld at all levels of Government, and the values protected.

The Green Wedge Protection Group thank you for the opportunity to place this submission on the Municipal Planning Strategy before Council.

Your sincerely,



Kahn Franke,
President
Green Wedge Protection Group

Municipal Planning Strategy 2021

Theme 1 Activity Centres

Key Objective 1

The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.

Key Objective 2

The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments).

Key Objective 3

The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.

We agree with these three objective but believe the following should be included:

Structure plan – each activity centres should have its own structure plan which should include ensuring a net increase in indigenous vegetation within those activity centres. The structure plan should consider minimising the dependence on private vehicles, improving public transport, and ensuring ease of connectivity with improved walking and cycling trails, noting that participation in cycling will increase due to the prevalence of e-bikes. Activity centres will therefore need to cater for bicycle parking facilities.

There needs to be definitions regarding medium density, high density, mid-rise commercial development, apartments.

Housing density levels have been described in a document by a group called Charter 29 – this information is available on the internet.

Theme 2 Green Wedge

Key Objective 1

Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource based activities and residences.

Key Objective 2

Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation

Key Objective 3

Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.

Key Objective 4

Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.

Key Objective 5(a)

Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.

Key Objective 5(b)

Ensure development in rural areas mitigates potential fire risk.

Key Objective 6

Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken.
Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.

Key Objective 7

Protect and enhance agricultural land for both its productive potential and environmental value.

Key Objective 8

Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.

Key Objectives 1 and 2 require the acknowledgement or inclusion of the following recommendations:

- Referring to 'sites of environmental and landscape significance' can lead to a narrow focus on Commonwealth significance under the EPBC Act or State significance under the Flora and Fauna Guarantee etc. A common default (even in planning scheme amendments and VCAT cases) is to down-play environmental significance if there's a lack of Commonwealth or State significant species, rather than recognising that all areas of vegetation/habitat are significant and must be protected.

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- Natural resource-based activities, including agriculture, must not be to the detriment of the environment, and must actively work to enhance the health and abundance of indigenous biodiversity.
- Recognise that the preservation of the green wedge, protection of biodiversity, and action on climate change, hold the greatest value – and are therefore top priority - for the Nillumbik Community. (Consistent with the findings from the Our People, Our Place, Our Future community consultation)
- Referring to the Green Wedge in Nillumbik containing 'residences' implies that residential land use is supported in the Green Wedge zones. This is not the case in the RCZ or GWZ and to imply otherwise is contrary to the purposes of those zones

Key Objective 3: The concept behind Green Wedges was to remove urban expectations from the rural areas. Strategic planning for local townships should accommodate the essential services and community facilities as required.

Key Objective 5(a): Development or land use applications should require land management plans which should resolve conflict issues, providing benefits for both agricultural land and native habitat.

The management of conflicting land-use, resource use and environmental management, is done through the development, enforcement and ongoing review of land management plans, in conjunction with environmental protection strategies and enforcement. These processes must be adequately resourced.

Key Objective 5(b): Development should only proceed where the proposed development meets the first principle of avoiding and minimising loss of native vegetation. RCZ and GWZ are not residential zone

GWPG agrees with Key Objective 6.

A suggested addition to Key Objective 7 is:

- whilst ensuring agricultural practices employ sustainable and regenerative practices, protect the Green Wedge and reinvigorate biodiversity.

A suggested additional Key Objective is:

- Review the application of Environmental Significance Overlays and Significant Landscape Overlays across the Green Wedge zones in line with Government policy, ensuring enforcement of protections and adequate resourcing

Theme 3 Natural Environment

Key Objective 1

Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals.

Key Objective 2

Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the Plenty River. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.

Key Objective 3

Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards.

Key Objective 4

Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.

Suggest the following be considered in the preamble for this theme:

- Melbourne 2030 identifies the Nillumbik Green Wedge as being of social, economic and environmental value because of the following features: environmental and landscape quality (particularly the Yarra River and surrounds); river red gums and other habitat areas; national parks; metropolitan water storages.

Suggested overarching objective for this theme:

- The protection of the environment and biodiversity should guide all planning in Nillumbik.

Suggested additional objectives:

- The rights of nature must be recognised in the application of all planning decisions (for example, as enacted by Blue Mountains City Council). This extends the principle demonstrated when the Yarra River was declared a living entity in 2017.
- Protect and enhance indigenous vegetation communities as habitat for all indigenous fauna species.
- Promote and protect indigenous vegetation and habitat connectivity within and between urban areas and townships.
- Planning permit conditions to promote wildlife-friendlier fencing.
- The essential value of waterways as wildlife corridors is acknowledged and enforced planning controls protect them, in line with Melbourne Water's Stream Frontage Management Program.
- "Biodiversity urban sensitive design" is a requirement in urban areas, in line with contemporary practice such as those described by RMIT and University of Melbourne.
- The weaknesses within the environmental enforcement system are identified, addressed and appropriately resourced.

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- Environmental Officer input to all planning applications that have environmental impacts, in line with state government statutory requirements, prioritising areas where the application triggers the Clause 52.17, any Environmental Significance Overlay (ESO), Vegetation Protection Overlay (VPO), Significant Landscape Overlay (SLO) & Bushfire Management Overlay (BMO)

Other suggested objectives:

- Extend and support Trust for Nature covenants, including promotion of Native Vegetation Offsetting potential for covenanted land, where applicable.
- Develop policies to effectively control invasive plant and animal populations, and restrict planting of environmental weeds.

Theme 4 Built Environment

Key Objective 1

Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment.

Key Objective 2

Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility.

Key Objective 3

Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.

Key Objective 4

Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.

Additions to this objective:

- Restrict the granting of building permits if vegetation must be cleared in order to provide a 'safe' site in bushfire/flood events
- Apply a building envelope to minimise the development footprint for built form and associated infrastructure by minimising fragmentation otherwise caused by scattered development.
- Continue to investigate the feasibility of planning permit conditions defining a maximum footprint for domestic areas (avoiding fragmentation) on lots with Green Wedge and Rural Conservation Zone taking into consideration biodiversity, landscape and agriculture.

Suggested overarching objective (as also stated for Activity Centres)

- Indigenous tree canopy and understorey are protected throughout Nillumbik, including the built environment and all new developments within the Shire. Council actively pursues net increase of indigenous vegetation in both urban and rural areas.

In urban areas, introduce 'Biodiversity Sensitive Urban Design.

In rural areas, the need to recognise that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be sub-ordinate to primary rural land uses/conservation.

Theme 5 Housing

Key Objective 1

Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.

Key Objective 2

Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.

Key Objective 3

Ensure a considered approach to planning and development will retain and enhance Nillumbik's unique environment and neighbourhood character.

As currently expressed, the objectives do not address the need to protect and increase the urban tree canopy in urban areas to mitigate the impact of increasing temperature with global warming, and ongoing loss to date. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree cover, mid storey vegetation and herbaceous ground cover is being lost.

Neighbourhood character needs to be maintained.

Tree canopy need to be maintained and increased to reduce the heat island effect. It is disappointing that Nillumbik is one of the few councils not to sign up to "Living Melbourne".

Theme 6 Economic Development

Key Objective 1

Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.

Key Objective 2

Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres (which includes the commercial and industrial areas), Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.

Key Objective 3

Protect industrial precincts from non-industrial use and development unless otherwise identified.

Key Objective 4

Agriculture is an important area of economic development:

- Promote land use in rural areas in accordance with the capability and productive potential of the land.
- Retain existing agricultural land for soil based agricultural production.
- Promote sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment.
- Protect and enhance agricultural land for both its productive potential and environmental value.

Key Objective 5

In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.

GWPG support these 5 Key Objectives, with the following inclusions/considerations:

Sustainable Agriculture is an important area of economic development, thus the Theme should include some sustainable/regenerative agriculture Objectives, such as:

- Promote land use in rural areas in accordance with the natural capability and sustainable productive potential of the land. This must be locally responsive, and be protective of local soils, waterways, vegetation, and fauna. This also ensures no further clearing of vegetation.
- Retain existing agricultural land for soil based, sustainable, regenerative, ecologically friendly agricultural production.
- Promote sustainable, regenerative, ecologically friendly agricultural activities and enforce land management PLANS (not "practices") that do not have adverse impacts on the environmental values and/or primary production of surrounding land and the catchment.
- Protect agricultural land for both its productive potential and environmental value. Apply regenerative practices that are responsive to, and care for, local soils, slope, climate,

indigenous flora and fauna, waterways and the community; reduce and eliminates dependence on chemical inputs, particularly herbicides, phosphates, and insecticides; encourages the use of contemporary best practice to achieve the above. This includes rehabilitating indigenous biodiversity, use of wildlife-friendlier fencing, maintaining soil coverage, harnessing renewable energy sources, conversion to indigenous grasses and other foods, increase of habitat connectivity.

Theme 7 Transport

Key Objective 1

Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.

Key Objective 2

Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.

Key Objective 3

Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.

Key Objective 4

Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.

Key Objective 5

Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.

GWPG support the 5 Key Objectives.

Reducing car dependence is an admirable aim and may be achievable in and around the activity centres with strategic planning. As the use of Ebikes rises, there will need to be careful consideration of the trail network. Ebikes will be used for commuting, will travel at higher speeds than recreation cyclists and pedestrians, requiring separate lanes or trails. As commuter cycling increases, secure parking areas within activity centres will need to be planned for.

Pressure on both the off-road trails and on-road routes will require the planning of trail heads and suitable parking areas.

Theme 8 Infrastructure

Key Objective 1

Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options

Key Objective 2

Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.

Key Objective 3

Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.

Key Objective 4

Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.

Key Objective 5

Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site.

GWPG agrees with Key Objectives 1 and 2.

For Key Objectives 3 and 4 need to identify the “full range of infrastructure services” envisaged. Do we assume that this refers to the “basic” water, sewage, roads, power and internet/phone coverage? A full description of the level of infrastructure for the diverse areas covered by the Planning Strategy would clarify to residents which services they could expect to receive.

Key Objective 5 requires expansion to outline the many reasons for lot consolidation, most of which carry greater planning precedence than the containment of effluent on site - a factor that if not met would rule out any application for a dwelling.

Rather than attempting to “provide a full range of infrastructure”, Nillumbik should be advocating stand-alone energy systems that support the move towards Net Zero carbon emissions.

Theme 9 Open Space

Key Objective 1

Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.

Key Objective 2

Ensure open space and recreational facilities are equitable and accessible to all community members.

Key Objective 3

Facilitate the provision of active and passive recreational facilities as an integral part of each township.

Key Objective 4

In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.

Key Objective 5

Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.

GWPG agrees with all Key Objectives, with the following inclusions:

- Acknowledgment that, as a Green Wedge, Nillumbik is “the lungs of Melbourne” and, as part of our planning ‘being’, is the responsibility of providing passive recreational opportunities to Greater Melbourne.
- Open space is important within urban areas and the provision of community gardens and the concept of productive streetscapes should be promoted.
- Further development of Edendale into a local and regional educational facility on environment and rural pursuits.

Key Objective 4: Residents of Nillumbik and greater Melbourne alike enjoy the system of parks and reserves across Nillumbik, and thus, these reserves are often overwhelmed by visitors.

Nillumbik has the opportunity to plan for a new regional park located at Wannaroo in Christmas Hills adjacent to the WCNR and Kinglake NP. This land is currently owned by Melbourne Water (MW) and is to be sold. To create this vision, whether now or at some time in the future, Nillumbik, MW and the State Government need to ensure that the land is put aside for future recreational use.

Theme 10 Climate Change

Key Objective 1

Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.

Key Objective 2

Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.

Key Objective 3

Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.

Key Objective 4

Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.

Key Objective 5

Reduce Council's direct contribution to climate change

Key Objective 6

Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.

Key Objective 7

Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts

The objectives within in this theme fall into two categories, the first four and even the sixth deal with Bushfire, the remaining two actually address, in a mediocre way, the culminating disaster of Climate Change that is looming on our doorstep. It is therefore suggested that a twelfth Theme be created dealing with Natural Disaster.

Key Objective 4 could and should be incorporated into either Theme 4 or 5 as it has nothing to do with mitigating Climate Change.

At the very least Nillumbik could, like the UN, NZ and 30 other nations, cities and states around the globe and multiple Councils across Melbourne, adopt the "Declare a Climate Emergency Now" - it is not onerous but DOES send a message.

Nillumbik could –

- Adopt green audits
- Adopt and promote ESD [environmentally sustainable design]
- Adopt the many Climate Change objectives outlined in Plan Melbourne
- Recognise the "heat island effect" and the benefits of greening and thereby cooling urban areas.

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- Endorse “Living Melbourne: our metropolitan urban forest” as the majority of Shires and Cities across Melbourne have already done, whereas the “Green Wedge Shire” is MIA.
- EV charging points
- Aim for Zero emissions

This list is by no means exhaustive - it is hoped that these and many other issues and opportunities are recognised within the current draft Nillumbik Climate Action Plan.

Theme 11 Heritage, Arts and Culture

Key Objective 1

Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.

Key Objective 2

Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.

Key Objective 3

The culture and heritage of the Wurundjeri Woi Wurrung people is understood and recognised as a proud part of our shared identity

Key Objective 4

Promote our shared heritage, history, arts and artistic culture to strengthen our community –
Aspiration from OPOPOF engagement: “Residents enjoy a wide variety of recreational and cultural pursuits and have a strong sense of feeling part of their local community and townships.”

Key Objective 5

Implement goals of the Arts and Cultural Plan 2018-2022:

- Public and participatory arts as an everyday experience;
- Develop and grow creative and cultural industries; and
- Support and promote arts and cultural activities that maximise access.

GWPG support the five Key Objectives, with the following inclusions:

- The awakening of our joint custodial responsibility to ensuring that the heritage, cultural and arts of both the First Nations Peoples and the shared recent history is recognised, and that elements of our past are still to be unearthed, discovered, acknowledged and documented.
- Acknowledgment of Aboriginal connection to country and the interconnectivity of people, place and environment, and our shared responsibility for improving our relationship and understanding of the land, its waterways and the habitat.



NILLUMBIK MUNICIPAL PLANNING STRATEGY

Nillumbik Pro Active Landowners (PALS) Submission

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NILLUMBIK MUNICIPAL PLANNING STRATEGY

Nillumbik Pro Active Landowners (PALS) Submission



INTRODUCTION

PALs CALLS FOR THE COMPREHENSIVE CORRECTION OF THE ALLEGED HISTORIC MALFEASANCE IN THE REDRAFTING OF THE PREVIOUS MUNICIPAL STRATEGIC STATEMENT ("MSS"). NSC IS SPECIFICALLY PUT ON NOTICE REGARDING THE PROSPECTIVE RISK OF LEGAL EXPOSURE IF THE MSS IS "TRANSLATED" INTO THE MPS. PALS INSISTS THAT THE MPS IS DEVELOPED FROM SCRATCH - ONLY AFTER NSC LEGITIMATELY ESTABLISHES AND CONFIRMS THE INPUT, VIEWS AND THE RIGHTS OF THE SECTOR OF THE NILLUMBIK COMMUNITY WHICH IS THE MOST AFFECTED BY IT.

Nillumbik PALS input into the current consultation process for the revision of the Municipal Strategic Statement ("MSS") – now known as the Municipal Planning Strategy ("MPS") – provides Nillumbik Shire Council ("NSC") with a critical opportunity not only to deliver a responsible and informed renewal of one of the most important components of the suite of documents which make up the Nillumbik Planning Scheme ("NPS"), but in particular it also presents the opportunity for NSC to transparently demonstrate that it acknowledges, appreciates and is prepared to act to rectify an historic aberration in the previous MSS – repeatedly and unambiguously identified in several previous PALS submissions.

Since becoming aware of the wholesale and allegedly improper redrafting of the previous MSS – which is specifically referred to in the FAQ as follows: *".....the current MPS is essentially the translated MSS"*, which PALS understands (and of which PALS has put NSC on notice previously in several published detailed submissions) was committed via the preparation, introduction and ostensibly improperly deceptive and covert passage of Planning Scheme Amendment C86 in 2014, PALS has both sought leading Queen's Counsel opinion in relation to the legal authority of this current amendment – and also regarding the prospectively serious mischief in and NSC's prospective legal exposure for the formulation of the MPS if *"the translated MSS"* is incorporated without addressing this critical and fundamental issue.

DEMONSTRABLY MISLEADINGLY AND DECEPTIVELY INTRODUCED PLANNING SCHEME AMENDMENT C86

PALS refer NSC to "Addendum 1" of August 2019 published:

"SUBMISSION TO NILLUMBIK SHIRE COUNCIL("NSC") ON THE DRAFT GREEN WEDGE MANAGEMENT PLAN ("GWMP")

Go to: <https://www.dropbox.com/s/bcpwg5ee4bkhivc/Nillumbik%20PALS%20Submission%20to%20Draft%20Green%20Wedge%20Management%20Plan%20%28%E2%80%9CGWMP%E2%80%9D%29%20Final%20with%20Addenda%20190810.pdf?dl=0>

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PALs insists that by purporting to translate the MSS, NSC is bound to deliver a fundamentally flawed MPS – essentially and deliberately failing to distill the views, values, interests and priorities of rural landowners which have been resoundingly communicated to it.

The erosion in NSC/landowner relations, which PALs has been determined to avert, is likely to be exacerbated if the litany of our clear concerns is ignored.

The historic marginalisation of landowners was to have been consigned to history. Purporting to incorporate into a new MPS provisions demonstrably rejected by landowners, characterised by proposed components analogous to the aborted thrusts of C81 and C101, while intending to increase controls with persistent and improper misuse of planning mechanisms – with both the aim and the inevitable result of the thwarting of landowners aspirations and plans for responsible land usage is simply irresponsible local government.

THEME 1 – ACTIVITY CENTRES

1. The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.
2. The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments).
3. The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.

PALs RESPONSE

The key component in relation to all the themes is the repeated failure to address the overriding issue of the reduction of red and green tape. This is an equally critical issue in the suburban areas of Nillumbik as it is in the rural areas.

PALs has made several submissions regarding the trend for the use of plain English in regulations and legislation and the reduction in red and green tape State-wide and refers NSC to the PALs library of submissions included at the conclusion of this submission.

The major controls with respect to Activity Centres are controlled by the State Government. The underlying principle that NSC in its planning function has, and is, repeatedly failing to apply is to present a face to applicants that provides an environment of "how can we work with you to achieve an outcome both acceptable to you as the Applicant, as well as the community". NSC's default approach (and Government generally) appears to be to refuse applications in the first instance and to then expend ratepayers'/taxpayers' money at VCAT to justify their positions.

However, the principle of the above in relation to the Eltham and Diamond Creek Major Activity Centres is supported. The emphasis should be placed on "housing opportunities" as it is these Major Activity Centres that will have to support predicted population increases. NSC must be pro-active in this space and be innovative and responsive to industry initiatives.

The Hurstbridge and Research Neighbourhood Activity Centres will also play an increasingly important role for growth in population. This can be achieved yet still be consistent with the "Village Character" aspects by accommodating innovative opportunities for future development.

NSC should be open to the concept of mixed use (commercial/residential) opportunities, as well as medium density housing within this space as this will encourage and support village populations within the precincts, thus reducing the importance of car usage and car parking obligations, whilst fostering local enjoyment - minimising the needs to travel outside the village.

This can be especially important for an ageing (in place) population who wish to retain contact with the area within which they lived their younger lives.

THEME 2 – GREEN WEDGE

1. Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource-based activities and residences.
2. Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation.
3. Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.
4. Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.
5. Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.
6. Ensure development in rural areas mitigates potential fire risk.
7. Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.
8. Protect and enhance agricultural land for both its productive potential and environmental value.
9. Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.

PALs RESPONSE

The issues of Use and Occupation within the Green Wedge sits at the epicentre of this document and is of paramount importance.

NSC should not be swayed by extreme green activist dogma in this area, rather it should concentrate on what is important and what contributes to a healthy, vital, safe Green Wedge that will continue to provide an attractive landscape to both visit and live in. NSC has a duty to safeguard the rights of landowners to quiet enjoyment of their land.

1. There is no dispute that the rural areas of Nillumbik contain sites of environmental and landscape significance. However, it is important to accept that not ALL areas within the Green Wedge are of that same significance. Much of the land is of no particular significance at all, but may still contribute to the overall ambience of the Green Wedge.

It is also critical for NSC to accept and understand that any site which is considered to be of environmental and/or landscape significance does not necessarily mean that the relevant land contains native vegetation. It can, and does, also include grazing land, land for agricultural pursuits, land for rural residential occupation, land for hobby farm uses, or even just open grasslands. All of the above contribute to a vibrant Green Wedge.

All of the land within the Green Wedge (which notably excludes land within the suburban and township areas, despite what suburban residents may believe) is, effectively, already subdivided into allotments consistent with the existing planning controls set out in the Nillumbik Planning Scheme (NPS).

The area of existing allotments have either been approved by council (or VCAT) as complying with the intent of those controls, or are existing or remnant tenements from earlier times.

The land titles registration system provides legal ownership of land parcels to the proprietor as registered on their respective title document. Ownership is guaranteed by Government.

Consistent with that legal ownership there are both legal rights and moral obligations.

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The moral obligations centre around the medical principle of "do no harm". Overwhelmingly rural landowners seek to improve their properties, not degrade them. The goal is to leave their land in a better condition for future generations than when they acquired it. This does not equate to leaving their land untouched, or unmaintained, or neglected. The principle is applied to properly maintain their land, adequately improve their land and actively minimise the likelihood of the uncontrolled ravages of major bushfire events across their landscape.

This principle does not equate to the destruction of existing vegetation, nor a depletion in tree cover. Vegetation cover across the Green Wedge has steadily increased over the last 60 – 70 years, despite the increase in dwellings and subdivided lands.

For activists to, on the one hand, claim that the Green Wedge is a thriving natural environment, whilst simultaneously on the other hand, decry the ongoing, massive destruction of native vegetation foisted upon a hapless community by ever greedy "developers" (read -> landowners) is hypocrisy at its zenith.

The legal rights for legal landowners relate to the legal principle that council (or Governments) do not have any legal right to overtly and purposefully diminish the value of their land without adequate and fair compensation.

Yet consistently and repeatedly, this is precisely what this Council has done (and continues to do) for decades.

This has manifested itself, in part, in the following manner:

- Ever increasing development and application of highly restrictive planning controls, overlays, planning permit requirements and aggressive and regressive relationships with rural landowners.

(As predicted by PALs during the council elections in 2020, green activist groups are, once again, advocating for Council to revisit C81 and C101 – now described under their generic categorisation of SLO and ESO Overlays – despite the unambiguous rejection which rendered them dead and buried. Their eradication was final.

- Misleading and potentially unlawful application of planning scheme amendment processes, such as Planning Scheme Amendment C86 from 2014 which fundamentally changed the wording to the then MSS to purport to introduce prohibiting planning permits to build on allotments of area less than 8 hectares. (For C86, council submitted to the Minister for Planning an amendment falsely categorised as comprising only "administrative corrections" that had "no material changes and was policy neutral" and, as such, did not require ANY advertising or community consultation. Amendment C86 contained in excess of 40 pages of changes).

(For detail on C86 and other relevant PALs submissions see links at the bottom of this submission).

- Denial and/or refusal of a landowners right to have their planning application to build considered by Council on its merits rather than by an ideological pre-determined agenda biased to green activist biased viewpoints.

(Council has consistently and erroneously cited grounds for refusal for planning applications to build on land that is less than 8 hectares knowing that there is NO specific minimum area requirements for sites in the RCZ and Green Wedge, save and except for subdivision applications. The reference to 8 hectares is for resultant lot size AFTER a subdivision – nothing to do with a lots suitability for a dwelling.

This ground for refusal has been incorrectly and inappropriately applied as a Planning Scheme control for decades and has repeatedly deprived Applicants from having their application considered on its merits.

- Recent and ongoing efforts by this current council to place increasing restrictions on landowners through regulatory controls (such as By Law changes) which involve little or no consultation and no effective oversight by State Government.
- Potential negligence by council in relation to any practical or effective works to mitigate the impacts of major fire events across the Green Wedge.

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(By refusing to undertake these necessary mitigation works on any sort of consistent basis, or deflecting or deferring genuine and real works on the ground, both along road reserves and on council owned lands, leaves both the council and its relevant Officers potentially vulnerable to legal action (and potentially Councillors) if a major fire event caused loss of either (or both) human life and/or infrastructure.

Council has an approved and adopted Fire Mitigation Strategy, but lacks any effective Implementation Plan which is a requirement of the Strategy. Not complying with the requirements of its own Strategy could potentially generate an allegation of negligence. An allegation, if proved, exposes the Council and its relevant Officers (and Councillors) to legal action.

Further, the lack of any partnership, support and relationship with rural landowners with respect to maintenance and mitigation works across private lands (also a requirement of the Strategy) further demonstrates the vulnerability of human life and animal life should a major fire occur.)

- Improper, inappropriate and potentially illegal use of the MPS (previously the MSS) to categorise planning applications to build on any lot less than 8 hectares minimum as prohibited.

(Council have a duty and responsibility to assess any planning application on its merits. An Applicant has a right to expect Council assess their application in adherence to the controls set out in the NPS. Failure to do so, which is the current and likely future position of Council, contravenes its responsibility to act in the best interests of its ratepayers and community).

All of the above points result in a likely devaluation of legally existing parcels resulting in a loss of value to the owners, as well as a loss of amenity and a loss to potential use of those parcels into the future. To this point in time Council appear to have thereby contravened the Local Government Act 2020 as they have not considered the impacts of their actions on those directly and immediately affected, being rural landowners.

It is a legal requirement of the Local Government Act 2020 that those directly affected must be consulted Their circumstances must form part of any policy or process going forward. This has not occurred and, it is suspected, that Council have acted wilfully in this regard for decades. The indications currently are that Council have been independently advised of this requirement and, to date, have chosen to disregard its legal obligations.

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2. PALs support the initiative to *"Protect our Green Wedge and its environmental integrity"*. However, this implies that ALL other uses, works, occupation and pastimes (being either commercial or private enjoyment) cannot co-exist with *"a safe haven for native wildlife, thriving biodiversity and native vegetation"*.

This is not correct, nor should it be allowed to perpetuate the myth that a Green Wedge can only thrive if there is NO human footprint upon it.

A successful Green Wedge is comprised of many facets, only a part of which is its natural environment. This is dictated by Government, and it is not the role of Council to overtly change and undermine that Government principle.

PALs request Council to reflect that above broader principle of co-existence be included in its statement of *Protecting our Green Wedge*.

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3. PALs support the statement *"Recognise that the rural areas often lack existing infrastructure"* as it is clearly factual. However, this statement should also give some indication of a process to rectify these issues. It appears clear that suburbanites fail to appreciate or comprehend the disparity in service and amenity provision. A lack of existing infrastructure should be addressed as a Council obligation.
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4. The point should be deleted from consideration as it is not accurate.

PALs REJECT any proposition that there should be "Acknowledgment of land use conflict between agricultural and rural residential land uses".

What evidence does NSC rely on when proposing this wantonly ideological statement "acknowledgement? What conflict? The lands now used for rural residential purposes have been generated from legal processes and comply with the controls and requirements of the NPS.

This statement is false. It has no basis in fact. PALs is concerned that it may well have been proposed or generated by anti landowners seeking to influence or drive the Council narrative. The end game is to remove the human footprint from the land, or at least, to seek to impose consolidation requirements onto existing legally generated parcels and force landowners into a position where there can be no "use" on any allotment unless it is considered to be of a viable minimum area. PALs overwhelmingly object to this unsupported proposition.

It denies legal and human rights of rural landowners who, in good faith and supported by the full entitlements of the legal land tenure system, own their land and thereby have a right to "use" it within reasonable parameters.

The statement "*risk that further residential development will fragment rural land into unviable land parcels*" is a nonsense statement and should be immediately removed.

The land within the Green Wedge and RCZ are controlled by the NPS with a plethora of Controls, Overlays, Restrictions and Agreement requirements that punishingly restrict what a landowner can, and cannot, do on their own land. A strong component in relation to rural lands is an existing control on the area of new lots created as part of a subdivision process.

To change this reality would require a significant planning scheme amendment.
PALs are not advocating for this change and never have.

Therefore, the proposed "acknowledgement" sits in direct conflict with the reality of the NPS. The controls that exist within the NPS take priority and Council must not introduce any statement or control that is in conflict, or suggestive of controlling any given outcome of the NPS.
It must be removed.

5. The statement "Manage the issues of land use conflict....." is both redundant and non-sensical. The statement should be removed.

6. The statement "Ensure development in rural areas mitigates potential fire risk" is a statement of the obvious. There are significant controls already within the NPS that restrict and/or stipulate matters that must address the potential fire risk. This statement is therefore redundant and should be removed.

7. The statement "Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken" would establish the same conflict that occurred with the dumping of land fill in Doreen, the subject of misleading controversy in the lead up to the last council elections.

By making this type of statement Council would establish a mechanism for a landowner to, in fact, instigate those "uses" provided they have done the "*testing and necessary remedial treatment*". There is no process required within this statement to ensure that the outcome is appropriate and/or approved, purely that the testing has been done. This is the exact situation that occurred in Chapel Lane with the dumping of fill and the fact that someone, somewhere had determined that there would be no downstream effect. Once that determination had been made, Council had no mechanism to contest the works.

This statement is also redundant as there are extensive and ample controls already within the NPS, or that will be contained in the current planning scheme amendment brought about by the Chapel Lane exercise.

This statement should be removed.

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8. The statement "*Protect and enhance agricultural land for both its productive potential and environmental value*" suggests that it is both unnecessary and in conflict with itself.

In making this statement does Council now agree, in contrast to its previous statements and inferences, that agricultural pursuits can be of "*environmental value*"?

PALs do not see any instances across the rural areas of the Shire where agricultural land is NOT being protected with the added potential for enhancement. This point goes to the fact that landowners who are using their land for agricultural pursuits will intuitively only wish to both protect it and enhance it. This is purely commercial reality.

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9. The statement "*Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it*" is a seemingly inclusive motherhood statement. Regrettably, this Council is systematically ensuring a very significant number of those who "*live... in it*" are excluded and marginalised in favour of the very small number of environmental activists and a large number of those who do not "*live...in it*".

PALs propose three additional statements that should be added if there is any genuine desire to include those that in fact, do live in it.

10. Acknowledge and protect the rights of rural landowners to undertake responsible maintenance and fire mitigation activities on their properties to help protect themselves and the broader Nillumbik community from the passage of significant bushfire events across the rural landscapes.

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11. Acknowledge the significant work undertaken by rural landowners on an ongoing basis to protect and enhance the rural landscape which is so important for a vibrant Green Wedge and Rural Landscape.

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12. Undertake to reduce red and green tape, reduce in number and decrease the complexity of restrictions, controls and application requirements in relation to rural land use. Replace restrictions, management plans, formal agreements with a consultative relationship with rural landowners built on trust. Maintain Trust for Nature Covenants as a purely voluntary procedure between individual landowners and the council. Undertake to not impose these Covenants as a condition for the issuing of any planning permit.
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THEME 3 – NATURAL ENVIRONMENT

1. Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals.
2. Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the **Plenty River**. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.
3. Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards.
4. Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.

PALs RESPONSE

The issue of the natural environment and, as inferred, its continuing decline and fragmentation should be a point of discussion, not mandate. There have been several references by council to the high quality environment and standing vegetation as contributing to the high overall quality of the Green Wedge.

Yet there is a continual inference or direct reference to just how much of the natural environment is being eroded by "greedy developers" (read -> rural landowners).

PALs are not aware of anyone who wilfully seeks to actively degrade or destroy the environment in which they live. This is a distortion intended to have the broader community believe that the bushlands are disappearing and the trees are being destroyed in favour of bitumen and concrete.

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1. PALs challenge the statement that a *"large number of threatened native species and threats occurring to those species in the Shire"*. The largest threat to native species are a combination of feral animals that decimate native populations, ongoing road kill and domestic cats. NSC should provide evidence for any proposition being put forward.

PALs acknowledge and recognise the excellent work being done by council currently in relation to feral animals (most particularly foxes and deer). This is an ongoing problem and council should ensure adequate funding for this very worthwhile initiative.

(Maybe redirect some of the funding from that proposed for the KG Memorial Tower towards programs that will deliver real benefits to the Green Wedge).

Planning already protects native flora and fauna but needs to do much more in the space of weed eradication and remediation works on council lands and roadsides before looking to, once again, impose restrictions on landowners.

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2. PALs support the consideration of downstream effects for stormwater runoff and quality. We note that there are already stringent controls on residential development in this regard within the Urban Growth Boundary. Within the rural context there are also sufficient controls in place, but suggest that the impacts across a rural property are , almost always, able to be contained within the property boundaries.
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3. PALs support in principle where development *"degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards"*. However, it needs to be stipulated that this assessment will not apply where there are NO issues in relation to *"potential risk of soil erosion, expansion and landslip or other hazards"* as past experience has shown that this assessment has been applied multilaterally across all applications, irrespective of the relevance to the particular application circumstances.

The MPS needs to confine this issue to specific waterways, initially and correctly specifying the Plenty River. It should not, under any circumstance, be expanded to include "all" waterways within the Green Wedge and rural areas.

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4. PALs condemns the use of terms such as *"threatening processes"* within the context of a Management Plan Strategy (MPS).

The definition or context around *"threatening processes"* is undefined and should be removed.

PALs contest *"the loss and degradation of the natural and built environment"* statement. It lacks veracity and evidence. What is meant by a loss to the built environment?

Viewed in terms of the desire to *"maintain the landscape values in the Shire"* PALs submit that the supposed loss is illusory. It is not supported by evidence.

To connect these two statements is to infer that what has been built is destroying both the natural and the built environment. In its initial sense it is contradictory. In its overall sense it is incorrect.

As an overview is this aimed at the suburban environment or the rural environment?

It would appear that the mechanism is to suggest the suburban environment, but more than likely it will be used as a tool to refuse rural development planning applications broadly across the rural areas.

THEME 4 – BUILT ENVIRONMENT

1. Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment.
2. Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility. Note that enhancement and attractiveness need to be consistent with the values of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity and action on climate change.
3. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.
4. Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.

PALs RESPONSE

1. PALs agree in principle with the *"design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods"*. There are already very tight controls within the NPS so statements of this nature are redundant and unnecessary.

Further, the statement should include and commit Council to considering and implementing innovative built solutions that cater for a combination of uses consistent with an ageing population and/or first home buyers wishing to become part of a local community but prevented from being so due to high real estate costs. This may include multi use options that combine commercial opportunities with residential opportunities, typical medium density housing with social housing as well as providing for localised open spaces.

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2. As above.

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3. As above.

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4. With reference to *"siting buildings and works, particularly in rural areas"*, PALs fail to understand why rural areas are being highlighted when, in fact, there is almost always significant opportunity and choice on rural properties, but little or no choice on suburban properties.

Therefore, it is obvious that suburban siting is covered by extensive controls already with virtually no opportunity to protect habitat links. This statement implies further restrictive measures on rural landowners across the spectrum.

It is also critical to acknowledge that rural landowners have a legal right to build and live on their land. Their right is NOT subservient to the environment, it is a higher right in principle and should be acknowledged as such in the MPS.

This statement must be removed as it is both redundant and self evident.

THEME 5 – HOUSING

1. Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.
2. Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.
3. Ensure a considered approach to planning and development will retain and enhance Nillumbik's unique environment and neighbourhood character.

PALs RESPONSE

1. PALs support this assessment.
2. PALs support this assessment. It should be expanded to include opportunities to mixed use developments and innovative design solutions whilst maintain township character.
3. As above.

THEME 6 – ECONOMIC DEVELOPMENT

1. Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.
2. Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres (which includes the commercial and industrial areas), Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.
3. Protect industrial precincts from non-industrial use and development unless otherwise identified.
4. Agriculture is an important area of economic development:
 - Promote land use in rural areas in accordance with the capability and productive potential of the land.
 - Retain existing agricultural land for soil based agricultural production.
 - Promote sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment.
 - Protect and enhance agricultural land for both its productive potential and environmental value.

In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.

PALs RESPONSE

1. PALs support this proposition.

2. PALs support this proposition.

3. In general terms PALs support this but it should include being open to innovative initiatives and opportunities where there is a community benefit and where it can be demonstrated that the proposed use is not to the detriment of existing precincts and their intent.

4. In principle PALs do not support this proposition. Given the existing use of rural land within the Green Wedge areas, as well as the legal existing tenement areas for parcels, it is too prescriptive to tie down allowable uses.

Innovative or small scale uses on parcels of 8 hectares or less are potentially just as viable, and in many cases far more viable, than attempting to restrict agricultural uses to large scale ventures located on large parcels. Those days are gone within the context of a peri-urban Green Wedge.

Whilst there may often be large scale successful and viable agricultural enterprises on larger parcels within the Green Wedge, it must not be mandated.

For lands within this type of Green Wedge flexibility is key to success. Whether or not a commercial enterprise on rural land within the Green Wedge should proceed, or not, should be at the discretion of the landowner, not as mandated by the Council of the day.

It is a complete overreach to make council the arbiter of appropriate land management and then require rural landowners to *"minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment"* when there are no adverse effects on adjoining properties and their use and enterprise is wholly contained within their own boundaries.

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Hobby farms and the small-scale enterprises which may be generated from small-scale requirements can be just as legitimate and, potentially, just as successful as any other.

Further, why is there indeed any requirement for landowners on parcels of 8 hectares or less to undertake any agricultural enterprises at all?

The wording of this item is geared towards further restriction and controls on rural landowners. If this is to be applied fairly, why is there no requirement for suburban landowners to:

- guarantee habitat links across their properties,
 - Limit the area of hard paving,
 - Limit the site coverage,
 - Control the type and colour of housing,
 - Require 100% native or indigenous gardens,
 - Require a minimum of large tree planting,
 - Require night-time blackouts to facilitate the ability of native fauna to move around safely,
 - Ban cats..... the list could on and on.
 - In relation to ***"the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery"*** the proposition to restrict tourism to activity centres or to a narrow range of purposes is both unsophisticated and demonstrates a disregard or ignorance regarding tourist aims or appetites. Part of the attraction of Nillumbik for tourism visits is to depart from activity centres. This proposition for baseless tourism restrictions shows that whoever developed this proposition fails to understand and appreciate (particularly in a Covid impacted community the dynamic shift in consumer/tourist behaviour towards experienced based tourism pursuits – not the limited domain of wineries, agricultural destinations or other rural industry activities.
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THEME 7 – TRANSPORT

1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.
2. Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.
3. Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.
4. Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.
5. Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.

PALs RESPONSE

PALs support this theme.

A note to council in relation to point 5. The delivery of safe and efficient roads also requires council to undertake appropriate fire mitigation works on road reserves.

This component in relation to transport is very important as it relates to the safe passage for emergency vehicles and emergency personnel along our local road systems.

It should also address the safe passage along the verges of our local roads as this is, and will continue to be, an aspect all too often neglected.

Both of these facts should be included into the transport theme.

THEME 8 – INFRASTRUCTURE

1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.
2. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.
3. Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.
4. Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.
5. Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site.

PALs RESPONSE

1. PALs support this proposition.

2. As above.

3. As above.

4. As above.

5. The statement *"Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site"* encapsulates one of the most deceitful thrusts of the MPS.

It is a complete misrepresentation to assert that any reference to consolidation of rural lots relates this issue to efficient disposal of effluent.

- What has the issue of infrastructure got to do with the consolidation of rural lots?
- Why are rural lots being targeted when exactly the same argument could be applied to suburban or semi-suburban lots that remain unsewered?
- All rural lots currently do contain their effluent on site, otherwise they would not have achieved a planning permit to build in the first place. So why the need for this statement at all?

It is obvious that the underlying intent and strategy, advanced by green activist groups and thrust onto Council Officers and the majority of Councillors who remain generally unaffected by any change to the MPS, is to use whatever means and whatever it takes to punish rural landowners.

The obvious underlying push is to minimise human impact. It ignores that the indigenous peoples managed the landscape to the extent that their resultant landscape is now the safest and most appropriate landscape for both flora and fauna, as well as for human occupation.

Human occupation cannot be eliminated from this landscape as there is no legal authority to do so.

This is an abject betrayal by Council when their mandate and legal obligation is to represent and consider the effects of any actions on their ratepayers and on those who are impacted by their actions and decisions.

This statement must be removed.

THEME 9 – OPEN SPACE

1. Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.
2. Ensure open space and recreational facilities are equitable and accessible to all community members.
3. Facilitate the provision of active and passive recreational facilities as an integral part of each township.
4. In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.
5. Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.

PALs RESPONSE

1. PALs agree with this proposition.
2. As above.
3. As above.

4. This proposition is misleading and does not provide any clarity or detail in relation what is meant by *"the emphasis is towards protecting native flora and fauna ..."*.

The principle is not contentious, however the mechanisms and application of it is unclear. Given the history of this Council and the longer term history of the Shire, rural landowners may expect additional restrictions to be placed over their rights and their properties as the go to option in order to satisfy this aim.

It is clear that in the last 50 years or so the majority of the loss of native vegetation and vegetation understorey have been on lands inside the Urban Growth Boundary (UGB).

There has been significant loss within newly created residential subdivisions. PALs acknowledge that this loss probably cannot be prevented due to the zoning of the land as well as the controls within the NPS inserted by State Government. However, this situation does not authorise NSC to therefore turn its attention to placing further restrictions and controls over rural lands in an effort to "regain" lost vegetation from the suburbs, when, in fact, rural areas have not "lost" any significant vegetation over the same period.

There are a multitude of mechanisms already in the NPS that are directed at protecting native flora and fauna, all of which enjoy the legal legitimacy of planning scheme requirements.

PALs have no issue with the continuing plans to expand the trail networks, on the proviso that any acquisition of private land which may be required provides fair and equitable compensation to affected (either directly or indirectly) landowners. This includes measures to ensure that there is no opportunity for trespass onto private property once the trails are open and operational.

5. PALs remain confused as to how the *"provision and linking of open space and local recreational facilities to form a network across the Shire"* will occur when there appears to be little or no opportunity to achieve this feel good outcome due to the fact that most, if not all, of the potentially affected land is in private ownership. Council must include a statement of how it intends to achieve this goal, what lands may be affected and on what terms would acquisition of private lands be provided.

Whilst the sentiment appears benign, the mechanism and process to achieve the outcome appears ominous.

THEME 10 – CLIMATE CHANGE

1. Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.
2. Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.
3. Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.
4. Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.
5. Reduce Council's direct contribution to climate change.
6. Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.
7. Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts

PALs RESPONSE

It is a sad indictment of this Council that the issue of bushfires has been relegated to the category under climate change. Whilst there are a range of differing opinions in relation to the frequency and intensity of bushfire events and their connection to a changing climate, it is most likely that a significant contribution to bushfire events here and now relates to the ground fuel loads and the volume of those ground fuels being unacceptably high due to a longstanding lack of conscious ground fuel reduction works.

The issue of whether a change in long term policy to emissions and the subsequent reduction of emissions over the coming decades will reduce the threat of bushfires is irrelevant to the major issue of addressing the bush fire safety for our community at present.

It is surprising that Council does not acknowledge (and thereby chooses not to address) the by far and away leading issue that was revealed in the consultation completed by Council, presumably, in preparation for the MPS and its content was, in fact, the threat of bushfire.

This is of clear and paramount importance to the community, yet this Council with prospective future potential to exposure to litigation, chooses not to address these major community concerns.

The statements under this theme 10 continue (as they have for decades) to ignore the following facts:

- a) the people who currently (and legitimately) live on land within the BMO are continually ignored and treated as if they do not exist,
- b) there are circumstances where new residents can address and satisfy the suite of very restrictive requirements in relation to bushfire safety and thereby should be able to build and live in relative safety on rural lands in the Green Wedge.

Instead, this Council both assumes that existing rural residents have no rights and that the only mechanism available to council to maximise bushfire safety and minimise the loss of human life is to exclude humans from living within these areas in the first place.

The wilful disregard that this Council continues to display towards rural residents manifests itself in the total lack of awareness that Council has a moral and legal responsibility to minimise the risk of major bushfire events by properly and continually undertaking mitigation works as required under its approved Bush Fire Management Strategy and its operational document the Bush Fire Implementation Plan.

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This negligence extends to the basic lack of understanding of the fundamental principle that the without appropriate and proper maintenance of lands in private ownership, any minimisation of bushfire risk is inconsequential. Yet this council refuses to address the issue of private land maintenance and continues to place heavy restrictions (and penalties) on rural landowners who appreciate the benefits of proper maintenance of their properties. The extensive and expensive requirements required by council that must be provided in conjunction with a planning permit application in order to undertake even the most minor works even deters the local CFA brigades from applying.

The end result is typically no works, or at best ineffective works, are conducted.

Why authority is not given to the local CFA brigades to control, design and undertake these types of mitigation works is a mystery to PALs and many within the local rural community. This issue does not fall within the parameters of planning, it falls directly and immediately within the parameter of community safety.

For over a decade the recognition in the Bushfire Royal Commission 2009 recommendations of the importance of the contribution to community safety of the proper maintenance of private property for fire mitigation have failed to significantly move the needle away from the counter-intuitive restrictive stance.

The tension between the primacy of human life and the protection of flora and fauna is one of the most difficult challenges of this Council. Relegating human life to any secondary consideration is unjustifiable.

THEME 11 – HERITAGE ARTS AND CULTURE

1. Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.
2. Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.
3. The culture and heritage of the Wurundjeri Woi Wurrung people is understood and recognised as a proud part of our shared identity
4. Promote our shared heritage, history, arts and artistic culture to strengthen our community – Aspiration from OPOPOF engagement: "Residents enjoy a wide variety of recreational and cultural pursuits and have a strong sense of feeling part of their local community and townships."
5. Implement goals of the Arts and Cultural Plan 2018-2022:
 - Public participatory arts as an everyday experience
 - Develop and grow creative and cultural industries and;
 - Support and promote arts and cultural activities that maximise access.

PALs RESPONSE

PALs support this theme.

As a note careful attention should be given to the actual words that appear increasingly on council literature in relation to indigenous recognition.

It is noted that this wording increasingly includes the words *"We acknowledge that sovereignty was never ceded."*

This assumes that Council has both the authority and community consensus to make this statement which goes to the fundamental principle of the legal land tenure system currently existing in Victoria.

By making this statement Council presumes to speak on behalf of all landowners but potentially raises land ownership issues that are not reflected in the legitimacy and absolute authority of the legal land titles system and leaves open future opportunities for a challenge to that legal land ownership.

PALs RESPONSE TO CONTEXT AND VISION

Council exhibits poor vision when it comes to the *Context* and *Vision* statements.

Council continues to effectively discriminate against and ignore many concerns of rural landowners, rural properties, rural pursuits, rural lifestyles and rural contributions to the Green Wedge, rural contributions to the Nillumbik Community and the invaluable contribution that the rural landscapes make, not only to the Green Wedge, but the minimisation of bushfire risk into the future.

The context statement MUST encapsulate more than just the bush and vegetation. The State Government requirements for a Green Wedge cover a broad range of landscapes, uses, lifestyles, economic and social perspectives as well as encouraging visitation, development, tourism and enterprise.

The Nillumbik Green Wedge IS NOT a suburban green wedge. ALL of the Nillumbik Green Wedge is located in the rural areas of Nillumbik. It is false to state otherwise and suggests an attempt by suburban landowners to claim an interest, which they do not have, in the lands and landscapes that actually form the green wedge.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Proposed Amended Context and Vision statements below.

Context

Nillumbik's high landscape value plays a regional role for Melbourne as an accessible area of ~~natural~~ ~~overall~~ landscape beauty. The natural environment ~~is combined with the beautiful rural landscapes together form~~ a significant reason for people deciding to live and work in Nillumbik. Much of it remains heavily vegetated, particularly in the non-urban undulating regions and along the major rivers and creeks. ~~Nillumbik acknowledges the increase in vegetation cover over the preceding 60 – 70 years and the ongoing work and contribution of rural landowners to provide the ambience and rolling rural landscapes which when combined with the areas of indigenous vegetation provide the vistas we all enjoy.~~

Nillumbik plays a pivotal role in protecting the region's biodiversity. Strategic habitat links that continue into surrounding municipalities connect extensive areas of native vegetation. ~~A Empirical evidence suggests a significant number of rare and endangered species are found in these native environments. Flora and Fauna are protected but share the landscape with rural properties. Whilst there is no up to date or current biodiversity assessments available to ground proof the above, there is significant evidence that demonstrates that there has been no significant loss in flora or fauna which would compromise the future of the Nillumbik Green Wedge.~~

Rural landowners also play a pivotal role in ensuring that rural landscapes are preserved and maintained by the ongoing farming, agricultural pursuits, grazing and hobby farm interests that when combined all deliver the Nillumbik Green Wedge in accordance with the State Government vision for Green Wedges.

Vision

Nillumbik will remain a ~~metropolitan~~ rural 'green wedge' ~~situated on the edge of the Urban Growth Boundary, maintaining a large natural resource for the benefit of all Melburnians. The planning of Nillumbik will continue to focus on~~ balance the ongoing farming and rural based uses in combination with the ongoing sustainability of the 'green wedge' in physical, social and economic terms. Nillumbik will embrace all the components necessary to deliver a vibrant Green Wedge.

To preserve and nurture the natural environment of the Green Wedge ~~and combine the rural residential lifestyles and rural based uses~~ for future and current generations.

~~In addition it is important to note that:~~

~~As identified in Melbourne 2030~~ identifies the Nillumbik Green Wedge is of social, economic and environmental value ~~because of and include~~ the following features:

- environmental and landscape quality (particularly the Yarra River and surrounds)
- vibrant and successful economic activities
- broad rural landscapes incorporating rural grazing lands and rural enterprises
- existing river red gums and other existing habitat areas
- national parks
- metropolitan water storages

~~It must also~~ The Vision recognises that the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples. As such, their value ~~must be~~ is recognised and protected throughout the Shire in conjunction with the recognition of existing landowners as the current custodians. This is also in keeping with community-wide surveys conducted by Council that showed the Top Three Things valued in Nillumbik are:—

~~Preservation of the Green Wedge; Protection of environment and biodiversity; Action on climate~~

(NOTE: This is not correct and therefore cannot be included. The single most identified issue was the threat of bushfire and bushfire mitigation.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

This Shire IS NOT a "Conservation Shire". It is a Rural Shire that sits adjacent to the Urban Growth Boundary. This Shire has an obligation and a legal requirement to look after the best interests of ALL its residents. It has NO authority to ignore or disrespect the existence of its rural residents.)))

*The MPS Vision must be consistent with the community's aspirations for 2040 and reflect the intent for Nillumbik as a Green Wedge **Conservation Shire**. The statements must be ambitious and written in the present tense – with intention and achievement, as well as aspiration. An overarching statement could be:*

*In 2040 Nillumbik **is** a world leader in*

- biodiversity protection and reinvigoration*
- community stewardship of the environment;*
- climate change mitigation and adaptation;*
- sustainable urban design and living;*
- community inclusiveness, equity and connection, with a focus on its First Nations People;*
- community participation in the arts and celebration of its cultural heritage*

THE VISION – NILLUMBIK 2040

- Develop and deliver strong ongoing bushfire mitigation programs to maximise bushfire safety for all residents and landowners in the Shire*
- Continue biodiversity protection*
- Develop strong community partnerships with the current custodians of green wedge lands*
- Continue appropriate climate change adaptation commensurate with factual real time assessment*
- Support and encourage best practice initiatives for viable urban and rural design and living*
- Community inclusiveness, equity and connection acknowledging the history and practices of the First Nations People*
- Continue to develop the Arts and the Green Wedge as a repository for Arts based programs*

SUPPLEMENTARY INFORMATION LINKS

To access all of the PALs information which is to be considered integral to this submission, please use the links below to access some of the relevant PALs material.

<https://www.dropbox.com/s/bcpwg5ee4bkhivc/Nillumbik%20PALs%20Submission%20to%20Draft%20Green%20Wedge%20Management%20Plan%20%28%E2%80%9CGWMP%E2%80%9D%29%20Final%20with%20Addenda%20190810.pdf?dl=0>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-DRAFT-BUSHFIRE-MITIGATION-STRATEGY-2019-2023-DBMS.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Dismantling-Victorian-Native-Vegetation-Clearing-Regulations-V8.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Nillumbik-Housing-Strategy-discussion-paper-v2.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Planning-And-Building-Approvals-Process-Review-%E2%80%93-Discussion-Paper.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-The-Royal-Commission-into-National-Natural-Disaster-Arrangements-Bushfires-Royal-Commission-BRC-2020-.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-CHRISTMAS-HILLS-LAND-SALES-.pdf>

<https://www.dropbox.com/s/ofzkids6rvxobsw/PALs%20submission-Planning%20for%20Melbourne%E2%80%99s%20Green%20Wedges%20and%20Agricultural%20Land%20FINAL.pdf?dl=0>

PALs thanks NSC for the opportunity to contribute to this important process of review of the MSS and development of the MPS.

This submission, together with the library of supplementary information contained in each and every PALs submission (the links to which are included above and which are to be read in conjunction for the purposes of rural landowners' views being unmistakably understood and seriously considered – to inform a new MPS) is commended to NSC, its Councillors and its relevant Council Officers for consideration.

PALs welcomes any inquiry for clarification of any of the serious matters detailed in this submission.



Damian Crock
Chair
Working Group
Nillumbik PALs
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Nillumbik Municipal Planning Strategy

We have read in detail council's draft Municipal Planning Strategy and given the importance of this document relating to our shire's future planning we are generally disappointed in this initial draft. By translating the previous MSS and simply adding a raft of virtue signalling narrative and platitudes to each sub section appears a somewhat lazy approach. We believe this important strategy document ideally needs to be drafted afresh- in its own right.

There also appears to be a severe **anti** development bias in the draft not just seeking **appropriate** development but suggesting virtually locking away parts of the shire in the cause of conservation! The draft suggests further limits on the construction of new homes and ancillary buildings on rural allotments, the min. size of which are already prescribed.

We already have a complex array of overlays and controls on farmland and subdivisions which have proven more than effective. It may also be noted that, rather than any urban myth to the contrary, tree coverage on Nillumbik's rural properties has increased substantially over the past 30 years. We may also recall several onerous planning overlays proposed by a previous Nillumbik council which were resoundly rejected by a majority of the shire's ratepayers leading to the departure of a number of senior council staff. It would be counterproductive to revisit this approach.

It may be overlooked that approximately 90% of our Nillumbik shire lies outside the shire's residential zones and that to sustain our successful 'Green wedge' we are reliant upon our small rural landholders to be the longstanding true custodians of our green environment and as well as maintaining their own livelihoods, we depend upon them, for CFA, to slash grass, control weed and pest infestation, and to prepare for each bushfire season. The Shire should celebrate the tireless efforts of its small rural landholders who generally believe they are under appreciated, already over regulated and controlled by extensive planning overlays.

Rather than respond to each subsection of council's draft, we recently evaluated a detailed submission prepared following extensive community consultation by Nillumbik proactive landowners (PALS) and we would soundly endorse this submission which systematically analyzes line by line, council's draft within each sub section, agreeing with a number of points whilst recommending alternatives where necessary to enhance the document.

Should council not be prepared to draft an entirely fresh and current Planning strategy, we would propose that alternatives detailed within the PALS submission be adopted by council and the draft revised accordingly.

nb. We are not members nor office bearers of Nillumbik proactive landowners (PALS)

[REDACTED]

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation
Submission on Nillumbik's MPS.

Submitter 29

by [REDACTED]

[REDACTED]

[REDACTED]

Thankyou for the opportunity to comment. I begin with some comments on the MPS Context and Vision, which were omitted from the online survey. After that I offer comments under headings that correspond to those used in the online survey.

Context and Vision

The new MPS should retain the following statements:

Context

Nillumbik's high landscape value plays a regional role for Melbourne as an accessible area of natural landscape beauty. The natural environment is a significant reason for people deciding to live and work in Nillumbik. Much of it remains heavily vegetated, particularly in the non-urban undulating regions and along the major rivers and creeks.

Nillumbik plays a pivotal role in protecting the region's biodiversity. Strategic habitat links that continue into surrounding municipalities connect extensive areas of native vegetation. A significant number of rare and endangered species are found in these native environments.

Vision

Nillumbik will remain a metropolitan 'green wedge,' maintaining a large natural resource for the benefit of all Melbournians. The planning of Nillumbik will continue to focus on the ongoing sustainability of the 'green wedge' in physical, social and economic terms.

To preserve and nurture the natural environment of the Green Wedge for future and current generations.

The Context should also state that Nillumbik was established in 1994 as a **Conservation Shire with the Green Wedge as its Strategic focus.**

The Vision should include a statement that Nillumbik's indigenous biodiversity, land and waterways are of vital importance to First Nations Peoples.

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The Vision should also clearly reflect the community's views - as expressed in the results of numerous consultations – that their top priorities are environmental protection, protection of the green wedge and action on climate change.

Activity Centres

Objectives must include encouragement for active transport [walking and cycling] to be used in activity centres. Hence approaches to design in these centres must always consider how best to facilitate walking and cycling.

Other systems that reduce car use should also be encouraged, including community buses and walking school buses.

Indigenous vegetation should be strongly protected in the Shire's Activity Centres.

Council should aim to increase indigenous vegetation and habitat connectivity in urban areas.

Green Wedge

Remove references to 'sites of environmental and landscape significance'. This implies that only some areas are worthy of attention and protection.

All remaining indigenous vegetation is valuable and needs protection. This should be clearly stated. [A single tree in an otherwise bare paddock can act as a critical connection between two larger areas of habitat.]

Natural resource-based activities, such as agriculture, must positively increase environmental health and indigenous habitat. [Regenerative farming principles and techniques aim to do exactly this.]

State clearly that residential development is not supported in the Green Wedge zones. The construction of houses on lots is not 'as of right' but requires a permit, which may be granted after consideration of numerous factors, vegetation loss and bushfire risk included.

Develop policies to effectively control invasive plant and animal populations, and restrict planting of environmental weeds.

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Review the application of Environmental Significance Overlays and Significant Landscape Overlays across the Green Wedge zones. [Current ESOs do not respond sensitively to the differences in ecology and landscape of different areas.]

Natural Environment

Explicit recognition of identified habitat corridors is required. An additional aim to extend and connect them should be added.

Waterways must be recognised as wildlife corridors. Better planning controls are required to protect both the water and riparian verges.

Consideration of the rights of nature must be part of all planning decision processes. [Other councils do this. It is possible, and should apply in Nillumbik, as a Conservation Shire.]

Land management plans protecting indigenous vegetation must be in place if grazing by hard hoofed animals is to occur.

Council must seek environmental officer input for all planning decisions that have environmental impacts, especially where there is an Environmental Significance Overlay (ESO) and/or a Bushfire Management Overlay (BMO).

Built Environment

The issuing of building permits should be severely restricted if vegetation must be cleared in order to provide a 'safe' site in bushfires or floods.

Council should aim to minimise building as far as possible in flood or bushfire prone areas.

Housing

Housing growth should be restricted to activity centres as far as possible.

Residential development, including Low Density Residential development should not occur outside UGBs. [This is essential to the protection of local character and the overall protection of the Green Wedge.]

Housing growth should only occur in low bushfire and flood risk areas that can be easily evacuated.

Indigenous vegetation is critical to local character and therefore must be strongly protected throughout the shire. It contributes to the mitigation of climate change impacts by sequestering carbon, and provides important cooling effects in built up areas.

Increased density of dwellings in urban areas should be offset by reduction in the size of building envelopes/footprints so that indigenous vegetation can be retained and/or planted.

Economic Development

Commercial development and interests must harmonise with neighbourhood character and be socially and environmentally sustainable.

Land use in rural areas must respond sympathetically to the natural capability of the land thereby protecting local soils, waterways, vegetation and overall biodiversity.

Mandate sustainable, regenerative agricultural activities and enforce land management practices that do not reduce environmental values or the primary production capabilities of surrounding land and the catchment.

Transport

Promote and support the safe use of a range of electric vehicle types.

Infrastructure

Promote reductions in consumption and waste throughout the Shire through community education and the use of fees and charges to create incentives. [Eg. Education on composting and provision of cheap compost bins acquired through bulk buying. Use of smaller red, green and yellow bins attract lower waste removal fees.]

Consolidation of rural lots should also be pursued to enable the conservation of indigenous habitat.

Open Space

Open space maintenance and development must prioritise the protection and reinvigoration of indigenous vegetation and habitat.

Climate Change

Bushfire management is important, and bushfire frequency and intensity increase with climate change, but these are symptoms of climate change.

The MPS must be very clear on **acting to mitigate factors that contribute to causing climate change**, for example fossil fuel use, vegetation loss, plus cattle and sheep farming.

Hence council should aim to:

Improve overall performance of buildings through environmentally sustainable design and energy efficiency upgrades.

Facilitate the uptake of renewable energy technologies.

Take account of climate change risks in infrastructure planning.

Protect and increase tree canopy in urban areas and rural areas.

Strongly encourage regenerative farming practices.

Heritage, Arts and Culture

Council should recognize and protect Aboriginal heritage across the shire, not just in specific sites. This includes all indigenous biodiversity, the land and waterways.

Heritage includes natural heritage.

Succession tree planting must therefore be an ongoing priority. [It builds, over the long term, a material expression of our values and helps build community through the shared experience of a well cared for natural environment.]

Draft Municipal Planning Strategy

Eltham Community Action Group submission

Whilst in agreement with the general thrust of the Draft Municipal Planning Strategy, we consider several areas need to be strengthened in order to more fully protect now, and for future generations, the many aspects of Nillumbik highly valued by the community.

CONTEXT AND VISION

The community's feedback to Council's recent Vision 2040 consultation should be taken into account when writing the Vision statement for the Municipal Planning Strategy.

In both Context and Vision, the importance of Nillumbik as a sustainable 'green wedge' with its unique natural environment should underline all planning in the shire, be it social, physical or economic.

The vision should be based around the statement made in 1994 on the formation of the shire. 'A conservation shire with the Green Wedge as its focus'.

Preservation of the Green Wedge, Protection of the Environment and Biodiversity and Action on Climate were the community's top priorities for the shire in the 'Our People, Our Place, Our Future' survey. These should be reflected in the Vision statement in the strongest terms.

THEME 1: ACTIVITY CENTRES

Objectives

- 1. The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.*
- 2. The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments).*
- 3. The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.*

Comments:

- a) Any development in the Activity Centres should be based on the vision and guidelines of the Structure Plans specific to each area.
- b) Development should fit with and maintain the overall local neighbourhood character.

- c) The importance of retaining tree canopy should be highlighted and form a separate point, not merely be included as a part of neighbourhood character.
- d) Definitions of the diversity of housing allowable in each activity centre would be useful.
- e) Encouragement of increased levels of walking and cycling should be included eg as in the recent Eltham Urban Congestion plans.
- f) In a post COVID world informal social connections should be facilitated.
- g) Public spaces should be developed to enable social cohesion.
- h) Seating in public spaces should be placed to encourage conversation eg rather than a single 3 seat bench taken up by 1 person, two 2 person benches appropriately placed. This form of seating should also be replicated along pedestrian /bike paths as well as in Activity Centres.
- i) As Nillumbik is not in an Urban Growth Corridor and State Government expectations are that population growth will be low, Council should grasp this opportunity and not see itself under pressure to provide more and denser housing.
- j) Nillumbik should continue to highlight its distinctive urban areas as a positive point of difference to other Metropolitan suburbs.
- k) It is possible to develop different housing styles and grow in a way that sustains and retains our local heritage and environment.

THEME 2: GREEN WEDGE

Objectives

- 1. Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource-based activities and residences.*
- 2. Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation*
- 3. Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.*
- 4. Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.*
- 5. Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.*
- 6. Ensure development in rural areas mitigates potential fire risk.*
- 7. Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.*
- 8. Protect and enhance agricultural land for both its productive potential and environmental value.*
- 9. Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.*

Comments:

- a) Protecting the Green Wedge, climate change, and biodiversity were top priorities for residents in the recent survey.
- b) These should be the umbrella under which all other areas fall. Activities, whether for example, agricultural or residential, should always have protection of the environment as their base line.
- c) Development in rural areas should mitigate bushfire risk but should not be permitted where such development would result in destruction or damage to the environment. Agricultural practices must employ sustainable and regenerative practices.

THEME 3: NATURAL ENVIRONMENT

Objectives

- 1. Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals.*
- 2. Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the **Plenty River**. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.*
- 3. Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards.*
- 4. Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.*

Comments

- a) The need to establish and maintain connecting habitat corridors, both land and waterways should be mentioned.
- b) Drainage and sewerage concerns relating to runoff into any waterway, river or creek, throughout the shire is of concern, whether it be from residential development, sporting fields or road infrastructure.
- c) Promote and protect indigenous vegetation, particularly canopy trees and connectivity within and between urban areas should be included.
- d) "Biodiversity urban sensitive design" should be included as a requirement in urban areas, in line with contemporary practice such as those described by RMIT and University of Melbourne.
- e) The environment enforcement system should be properly resourced including environmentally qualified Council Officers to enforce regulations.
- f) In all areas but especially in Urban areas, the Councils own document 'Live Local Plan Local' should be followed when assessing development and extension applications.
- g) Council landscapers should also follow this same document in order to protect and enhance the unique landscape qualities found in Nillumbik's indigenous vegetation. If not followed by Council the reason should be demonstrated as to why this divergence is proposed.

THEME 4: BUILT ENVIRONMENT

Objectives

- 1. Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment.*
- 2. Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility.*
- 3. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.*
- 4. Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.*

Comments:

- a) The Natural Environment, particularly through retention, but also increase, in indigenous tree canopy and understorey, should be a mandatory prerequisite for any type of development.
- b) 'Biodiversity sensitive urban design' should be introduced.
- c) Siting of buildings in rural areas of bushfire risk should not be allowed if mitigating the risk of fire involves large clearing of native vegetation.
- d) Any buildings should reflect and nestle within the landscape rather than impose themselves on the landscape
- e) Buildings should not be allowed on ridgelines

THEME 5: HOUSING

Objectives

- 1. Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.*
- 2. Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.*
- 3. Ensure a considered approach to planning and development will retain and enhance Nillumbik's unique environment and neighbourhood character.*

Comments

- a) A stronger word than 'direct' is needed if the intention is to contain and restrict housing growth to activity centres. To not contain or restrict would be to seriously endanger the whole of the urban areas.

- b) Most of the 'unique environment and neighbourhood character' (point 3 above) of for instance Eltham, is as a result of the tree canopy and native and bushy gardens. This would not exist if housing growth and in particular, diversity of housing, was to spread throughout the urban area.
- c) Tree loss is occurring in urban areas at an alarming rate which will destroy local character and increase the impact of global warming.
- d) Developments where the application requires tree removal should be required to be strongly assessed against neighbourhood character and zone requirements.
- e) As stated in relation to Activity Centres, Nillumbik is not a Growth Corridor and is not expected to see a large growth in population.
- f) We therefore are able to plan for an increase in housing that is both sustainable and will retain our unique character, notably our indigenous vegetation.
- g) A Nillumbik Urban Forestry Strategy covering streets, parks and industrial areas as well as the introduction of Biodiversity Sensitive Urban Design would be welcome additions.
- h) Developments aimed to attract smaller households should be encouraged to include opportunities for informal social interaction of residents – joint stairwells, internal letterboxes with adequate space for a seat/pot plants, lift areas with space for a seat.

THEME 6: ECONOMIC DEVELOPMENT

Objectives

- 1. Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.*
- 2. Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres (which includes the commercial and industrial areas), Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.*
- 3. Protect industrial precincts from non-industrial use and development unless otherwise identified.*
- 4. Agriculture is an important area of economic development: • Promote land use in rural areas in accordance with the*
- 5. In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.*

Comments

- a) Economic Development should not be pursued at the expense of community, neighbourhood character, the natural environment.
- b) Commercial enterprises must reflect and sit within the ethos of a green wedge shire in relation to sustainability, natural environment.
- c) Tourism and commercial activities outside urban areas should be restricted to those that are part of the prime business of the property/area. 'CAN be used in conjunction with' is too broad a statement and would potentially allow commercial enterprises that are out of keeping with the rural area.

- d) A permit for a development proposal in the Green Wedge Shire that states that it will potentially comply with any existing requirements should not be granted unless there is proof of that connection eg. ruit trees need to have been planted.

THEME 7: TRANSPORT

Objectives

- 1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.*
- 2. Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.*
- 3. Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.*
- 4. Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.*
- 5. Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.*

Comments

- a) Encouragement of electric vehicle use could be included and the recharging facilities installed where needed. The numbers of these should be regularly reviewed and increased in line with the uptake of electric cars in Nillumbik
- b) Active transport ie walking and cycling should be mentioned.
- c) Facilitating road networks should make reference to balancing this against retention of the neighbourhood character in particular tree canopy and indigenous vegetation.

THEME 8: INFRASTRUCTURE

Objectives

- 1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options*
- 2. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.*
- 3. Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.*

4. Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.

5. Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site.

Comments

- a) Why Is 'low density residential' considered an appropriate or a necessary inclusion in the objective 'Facilitate efficient provision of infrastructure to areas designated for residential and low density residential development'?
- b) Encouragement of reduction in waste and consumption in all sectors and use of renewable energy and recycling materials to reduce the need for service infrastructure is important.

THEME 9: OPEN SPACE

Objectives

1. Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.

Note that enhancement needs to be consistent with the value of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity, & action on climate change. Open space development prioritises protection of indigenous flora and fauna.

2. Ensure open space and recreational facilities are equitable and accessible to all community members.

3. Facilitate the provision of active and passive recreational facilities as an integral part of each township

4. In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.

5. Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.

Comments

- a) Enhancement of open space should prioritise the retention and protection of indigenous vegetation.
- b) Passive and individual unstructured recreation should be included as a more important use of open space than activating passive spaces.
- c) Succession planting of canopy trees should be carried out annually in public places to ensure that in future mature trees will still form part of the public open space as well as in the overall landscape of Nillumbik.

THEME 10: CLIMATE CHANGE

Objectives

- 1. Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.*
- 2. Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.*
- 3. Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.*
- 4. Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.*
- 5. Reduce Council's direct contribution to climate change*
- 6. Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.*
- 7. Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts*

Comments

- a) Include the crucial importance of tree canopy, green spaces, bushy gardens and tree lined streets and public spaces in mitigating the effects of a warming climate.
- b) Include encouragement of housing that positively demonstrates sustainable contribution to the mitigation of climate change and its effects.

THEME 11: HERITAGE, ARTS AND CULTURE

Objectives

- 1. Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.*
- 2. Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.*
- 3. The culture and heritage of the Wurundjeri Woi Wurrung people is understood and recognised as a proud part of our shared identity.*

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*4. Promote our shared heritage, history, arts and artistic culture to strengthen our community –
Aspiration from OPOPOF engagement: “Residents enjoy a wide variety of recreational and cultural
pursuits and have a strong sense of feeling part of their local community and townships.”*

5. Implement goals of the Arts and Cultural Plan 2018-2022:

- *Public participatory arts as an everyday experience*
- *Develop and grow creative and cultural industries and;*
- *Support and promote arts and cultural activities that maximise access.*

Comments

- a) Place the recognition of the culture and heritage of the Woi Wurrung people as the first objective.
- b) As all aspects of their culture and history are tied to the natural environment it should be an integral part of our stated intentions for protecting the environment and biodiversity of the green wedge.
- c) The Natural Environment is part of our culture and could be included in this section.
- d) Our heritage of alternative building materials should be included.
- e) Buildings of local or wider interest and significance should be noted, maintained and heritage listed.
- f) Through signage and other information systems the whole population of Nillumbik now and in the future should be educated and made aware of the heritage of the area. As residents come and go more easily nowadays our history and culture is in danger of being lost. ‘If you don’t understand the past how can you make decisions for the future?’.

Thank you for the opportunity to provide input into the Municipal Planning Strategy. For clarification or to discuss any of the points mentioned please contact Eltham Community Action Group at elthamcag@yahoo.com

or Carlota Quinlan, President, at [REDACTED] or Sue Dyet, Secretary [REDACTED]

Carlota Quinlan

6/10/21

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Submitter 31



PALS SUBMISSION SUPPORT

I live in Nillumbik Rural Green Wedge situated on the edge the Urban Growth Boundary.

I do not live in a suburb with a suburban block.

I enjoy this rural Green Wedge and its beauty and have been lucky enough to have a wonderful chosen lifestyle from 1975 with 2 young daughters at the time. The infrastructures of a C.F.A. kinder, a school, a tennis club, a pony club, a netball team, a church (Sunday school) & a General Store (an invaluable part of their teenage employment in their own community.)

Aren't WE lucky!!

Don't our married daughters wish they could afford to move back into their beloved Kangaroo ground where they lived such a wonderful and fulfilling childhood.

A lifestyle that gave them an appreciation of HOME, FAMILY, COMMUNITY, SPORT, FRIENDS FOR LIFE and the love of the BUSH on their doorstep.

HOWEVER, they also know from their father's active involvement in the local C.F.A. how important it is to address the issue of bushfire & bushfire mitigation & have experienced firsthand anxiety for our family on more than one occasion.

Our Community safety is of utmost importance to us as is our personal contribution of maintaining our property. Especially after our close association with the 2009 Bushfire.

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AFTERALL OUR COMMUNITY IS THE PEOPLE!!! Nobody can discriminate against the concerns of rural land owners – in other words THE PEOPLE who have decided to dwell in rural Nillumbik and make it safe by minimising bushfire risk sensibly.

The scale of maintenance on large blocks is a challenge.

- I AM A PERSON – AN IMPORTANT PERSON.

One of many who want:

- To be protected from bushfire
- To continue to love my bush & help to maintain my rural green wedge.
- To look out of my kitchen window and see kangaroos. Have you counted the number of kangaroos in the paddocks recently?
- To live in Kangaroo Ground & surrounds with local agriculture & viable businesses.
- To belong to & support my community (e.g. Fire Brigade) and all its amenities in a rural setting.
- Feel the connection to the First Nations People (especially I see the shared identity Wurundjeri People plaque at the Kangaroo Ground Cemetery.)
- As well as to be lucky enough to be close to local urban communities with medical & shopping facilities.)

I certainly with my husband [REDACTED] support the PALS submission as together with PALS, the Council should have a clear understanding of how local landowners and residents feel about the Municipal Planning Strategy which is being developed.

Comment on Municipal Planning Statement Key Themes and Objectives

1 Activity Centres:

In general, agree with 3 objectives with some addition to 2 which could more specifically define medium density

Gaps: Suggest an overarching objective which aims to *"Maintain the character of Nillumbik where indigenous tree canopy and understorey are protected and encouraged."*

2 Green Wedge:

Objective 1 Suggest that it begins by saying, *"Whilst Nillumbik aims to protect all areas of vegetation /habitat we recognise the rural areas... resource-based activities and residences community, the key is to maintain a balance between agriculture and the enhancement of health and abundance of indigenous biodiversity"*

Objective 4 Development cannot be to the detriment of the environment and/or lead to further loss of agricultural land.

Objective 5: Requires review of land management plans, environmental protection strategies and enforcement which must be resourced

Objective 6: Reword *"development should only proceed where proposal meets first principle of avoiding and minimising loss of native vegetation to be compatible with Climate change and preservation of biodiversity"*

Objective 8: Suggest addition.... *" whilst ensuring agriculture practices employ sustainable and regenerative practices"*

Gaps: Suggest an overarching objective

"The protection of the environment and biodiversity should guide all planning in Nillumbik including

- *Minimising development footprint for built form and infrastructure*
- *Treat UGB as hard boundary*
- *Develop policies to effectively control invasive plant and feral animal populations*
- *Restrict planting of environmental weeds*

3 Natural Environment

Objective 1: Needs additional recognition of value of habitat corridors, both vegetation and waterways

Objective 2: replace Plenty River with *all waterways in Nillumbik*.
The Yarra River Strategic Plan also needs to be recognised

Gaps: There is a need for additional objectives which are more specific to the natural environment

- The rights of nature must be recognised in the application of all planning decisions as enacted by Blue Mountains City Council. This extends the principle demonstrated when the Yarra River was declared a living entity in 2017.
- Protect and enhance indigenous vegetation communities for fauna habitat of all indigenous species
- Promote and protect indigenous vegetation and connectivity within and between urban areas and townships
- Planning permit conditions to promote wildlife-friendlier fencing.
- The essential value of waterways as wildlife corridors is acknowledged and enforced planning controls protect them
- Land management plans protecting indigenous vegetation are required where hard hoof grazing is proposed
- "Biodiversity urban sensitive design" is a requirement in urban areas, in line with contemporary practice

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- The weaknesses within the environmental enforcement system are identified, addressed and appropriately resourced
- Council structures require environmental officer input to all planning decisions that have environmental impacts and in areas of biodiversity, prioritising areas where there is an Environmental Significance Overlay (ESO) & Bushfire Management Overlay (BMO)

The following Could be considered as Preamble to this theme

Melbourne 2030 identifies the Nillumbik Green Wedge as being of social, economic and environmental value because of the following features: environmental and landscape quality (particularly the Yarra River and surrounds); river red gums and other habitat areas; national parks; metropolitan water storages.

4 Built Environment

Objectives 1- 4 Agree.

Add 1 more "Restrict the granting of building permits if vegetation must be cleared to provide "safe' site in bushfire/flood events'

Gaps: Suggest Overarching objective *"Indigenous tree canopy and understorey are protected throughout Nillumbik, including the built environment and all new developments within the Shire. Council actively pursues net increase of indigenous vegetation in both urban and rural areas.*

5 Housing

Objectives 1-3 Agree but as currently expressed they do not consider matters that are raised by attempting to mitigate climate change.

Eg increase /protect tree canopy for temperature cooling, herbaceous ground cover, midstory vegetation and tree cover being lost where housing density is increasing as well as the necessary avoidance of housing growth insensitive land areas and in proximity to bushfire prone areas.

Gaps: Suggest overarching Objective: *"Planning for housing within ALL of Nillumbik, the Green Wedge Shire, requires retention and increase of indigenous tree canopies and understorey. Any increases in building density around activity centres are not to the detriment of environmental values, require significant plantings of indigenous flora, and are 'offset' by a decrease in what is permissible in the suburban context around those centres, so as to be able to retain and maintain tree canopy for a sustainable future."*

6 Economic Development

Objective 4: Add description of Sustainable/regenerative objectives of agriculture

Objective 5: Add *'Ensure that any In- conjunction uses or other modifications to existing use are in accordance with approved management plans, which detail how the environment/habitat links/biodiversity are protected.'*

Gaps: Suggest addition of overall objective: *Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage, and explore options for increasing connectivity*

7 Transport

Objectives 1-5 Agree with addition where appropriate *"not to the detriment of the environment."*

8 Infrastructure

Objective 5: This objective needs to recognise that there are wider reasons for consolidation of rural lots to increase their size, not least of which is preservation of habitat. Nillumbik is first and foremost a conservation Shire - as described by the Local Government Board.

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Gaps: Greater emphasis must be placed on local renewable energy systems.
Develop systems for innovative and eco-friendly use of waste from farms, local grocers, other businesses, council, community.

9 Open Space

Objective 1: Add, *enhancement must be consistent with preservation of the green wedge, protection of biodiversity, & action on climate change*

Objective 2: Add, *any development prioritises protection of indigenous flora and fauna.*

Objective 4: Add, *ensure that any development of a trail network does not detrimentally impact on areas of environmental significance.*

Objective 5: *Ensure no detriment to environmental values*

Gaps: An overarching objective *must ensure that at all times the natural environment is protected and enhanced.*

10 Climate Change

Objectives 1-4 These objectives have a disproportionate emphasis on bushfire.

For strengthening the objectives in order to address the Climate Change Theme and achieve climate change mitigation, consider

- *Promote Environmentally Sustainable Design (ESD) throughout planning policies*
- *Tree canopy, understory and small herbaceous plant cover are protected and increased in the urban areas*
- *Planning policies should facilitate and enable renewable energy developments without compromising biodiversity and conservation values*
- *Facilitate the uptake of renewable energy technologies*

11 Heritage Arts and Culture

Agree with Objectives

Thankyou



NILLUMBIK MUNICIPAL PLANNING STRATEGY

Nillumbik Pro Active Landowners (PALS) Submission

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PALs insists that by purporting to translate the MSS, NSC is bound to deliver a fundamentally flawed MPS – essentially and deliberately failing to distill the views, values, interests and priorities of rural landowners which have been resoundingly communicated to it.

The erosion in NSC/landowner relations, which PALs has been determined to avert, is likely to be exacerbated if the litany of our clear concerns is ignored.

The historic marginalisation of landowners was to have been consigned to history. Purporting to incorporate into a new MPS provisions demonstrably rejected by landowners, characterised by proposed components analogous to the aborted thrusts of C81 and C101, while intending to increase controls with persistent and improper misuse of planning mechanisms – with both the aim and the inevitable result of the thwarting of landowners aspirations and plans for responsible land usage is simply irresponsible local government.

THEME 1 – ACTIVITY CENTRES

1. The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.
2. The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments).
3. The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.

PALs RESPONSE

The key component in relation to all the themes is the repeated failure to address the overriding issue of the reduction of red and green tape. This is an equally critical issue in the suburban areas of Nillumbik as it is in the rural areas.

PALs has made several submissions regarding the trend for the use of plain English in regulations and legislation and the reduction in red and green tape State-wide and refers NSC to the PALs library of submissions included at the conclusion of this submission.

The major controls with respect to Activity Centres are controlled by the State Government. The underlying principle that NSC in its planning function has, and is, repeatedly failing to apply is to present a face to applicants that provides an environment of "how can we work with you to achieve an outcome both acceptable to you as the Applicant, as well as the community". NSC's default approach (and Government generally) appears to be to refuse applications in the first instance and to then expend ratepayers'/taxpayers' money at VCAT to justify their positions.

However, the principle of the above in relation to the Eltham and Diamond Creek Major Activity Centres is supported. The emphasis should be placed on "housing opportunities" as it is these Major Activity Centres that will have to support predicted population increases. NSC must be pro-active in this space and be innovative and responsive to industry initiatives.

The Hurstbridge and Research Neighbourhood Activity Centres will also play an increasingly important role for growth in population. This can be achieved yet still be consistent with the "Village Character" aspects by accommodating innovative opportunities for future development.

NSC should be open to the concept of mixed use (commercial/residential) opportunities, as well as medium density housing within this space as this will encourage and support village populations within the precincts, thus reducing the importance of car usage and car parking obligations, whilst fostering local enjoyment – minimising the needs to travel outside the village.

This can be especially important for an ageing (in place) population who wish to retain contact with the area within which they lived their younger lives.

THEME 2 – GREEN WEDGE

1. Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource-based activities and residences.
2. Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation.
3. Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.
4. Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.
5. Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.
6. Ensure development in rural areas mitigates potential fire risk.
7. Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.
8. Protect and enhance agricultural land for both its productive potential and environmental value.
9. Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.

PALs RESPONSE

The issues of Use and Occupation within the Green Wedge sits at the epicentre of this document and is of paramount importance.

NSC should not be swayed by extreme green activist dogma in this area, rather it should concentrate on what is important and what contributes to a healthy, vital, safe Green Wedge that will continue to provide an attractive landscape to both visit and live in. NSC has a duty to safeguard the rights of landowners to quiet enjoyment of their land.

1. There is no dispute that the rural areas of Nillumbik contain sites of environmental and landscape significance. However, it is important to accept that not ALL areas within the Green Wedge are of that same significance. Much of the land is of no particular significance at all, but may still contribute to the overall ambience of the Green Wedge.

It is also critical for NSC to accept and understand that any site which is considered to be of environmental and/or landscape significance does not necessarily mean that the relevant land contains native vegetation. It can, and does, also include grazing land, land for agricultural pursuits, land for rural residential occupation, land for hobby farm uses, or even just open grasslands. All of the above contribute to a vibrant Green Wedge.

All of the land within the Green Wedge (which notably excludes land within the suburban and township areas, despite what suburban residents may believe) is, effectively, already subdivided into allotments consistent with the existing planning controls set out in the Nillumbik Planning Scheme (NPS).

The area of existing allotments have either been approved by council (or VCAT) as complying with the intent of those controls, or are existing or remnant tenements from earlier times.

The land titles registration system provides legal ownership of land parcels to the proprietor as registered on their respective title document. Ownership is guaranteed by Government.

Consistent with that legal ownership there are both legal rights and moral obligations.

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The moral obligations centre around the medical principle of "do no harm". Overwhelmingly rural landowners seek to improve their properties, not degrade them. The goal is to leave their land in a better condition for future generations than when they acquired it. This does not equate to leaving their land untouched, or unmaintained, or neglected. The principle is applied to properly maintain their land, adequately improve their land and actively minimise the likelihood of the uncontrolled ravages of major bushfire events across their landscape.

This principle does not equate to the destruction of existing vegetation, nor a depletion in tree cover. Vegetation cover across the Green Wedge has steadily increased over the last 60 – 70 years, despite the increase in dwellings and subdivided lands.

For activists to, on the one hand, claim that the Green Wedge is a thriving natural environment, whilst simultaneously on the other hand, decry the ongoing, massive destruction of native vegetation foisted upon a hapless community by ever greedy "developers" (read -> landowners) is hypocrisy at its zenith.

The legal rights for legal landowners relate to the legal principle that council (or Governments) do not have any legal right to overtly and purposefully diminish the value of their land without adequate and fair compensation.

Yet consistently and repeatedly, this is precisely what this Council has done (and continues to do) for decades.

This has manifested itself, in part, in the following manner:

- Ever increasing development and application of highly restrictive planning controls, overlays, planning permit requirements and aggressive and regressive relationships with rural landowners.

(As predicted by PALs during the council elections in 2020, green activist groups are, once again, advocating for Council to revisit C81 and C101 – now described under their generic categorisation of SLO and ESO Overlays – despite the unambiguous rejection which rendered them dead and buried. Their eradication was final.

- Misleading and potentially unlawful application of planning scheme amendment processes, such as Planning Scheme Amendment C86 from 2014 which fundamentally changed the wording to the then MSS to purport to introduce prohibiting planning permits to build on allotments of area less than 8 hectares. (For C86, council submitted to the Minister for Planning an amendment falsely categorised as comprising only "administrative corrections" that had "no material changes and was policy neutral" and, as such, did not require ANY advertising or community consultation. Amendment C86 contained in excess of 40 pages of changes).

(For detail on C86 and other relevant PALs submissions see links at the bottom of this submission).

- Denial and/or refusal of a landowners right to have their planning application to build considered by Council on its merits rather than by an ideological pre-determined agenda biased to green activist biased viewpoints.

(Council has consistently and erroneously cited grounds for refusal for planning applications to build on land that is less than 8 hectares knowing that there is NO specific minimum area requirements for sites in the RCZ and Green Wedge, save and except for subdivision applications. The reference to 8 hectares is for resultant lot size AFTER a subdivision – nothing to do with a lots suitability for a dwelling.

This ground for refusal has been incorrectly and inappropriately applied as a Planning Scheme control for decades and has repeatedly deprived Applicants from having their application considered on its merits.

- Recent and ongoing efforts by this current council to place increasing restrictions on landowners through regulatory controls (such as By Law changes) which involve little or no consultation and no effective oversight by State Government.
- Potential negligence by council in relation to any practical or effective works to mitigate the impacts of major fire events across the Green Wedge.

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(By refusing to undertake these necessary mitigation works on any sort of consistent basis, or deflecting or deferring genuine and real works on the ground, both along road reserves and on council owned lands, leaves both the council and its relevant Officers potentially vulnerable to legal action (and potentially Councillors) if a major fire event caused loss of either (or both) human life and/or infrastructure.

Council has an approved and adopted Fire Mitigation Strategy, but lacks any effective Implementation Plan which is a requirement of the Strategy. Not complying with the requirements of its own Strategy could potentially generate an allegation of negligence. An allegation, if proved, exposes the Council and its relevant Officers (and Councillors) to legal action.

Further, the lack of any partnership, support and relationship with rural landowners with respect to maintenance and mitigation works across private lands (also a requirement of the Strategy) further demonstrates the vulnerability of human life and animal life should a major fire occur.)

- Improper, inappropriate and potentially illegal use of the MPS (previously the MSS) to categorise planning applications to build on any lot less than 8 hectares minimum as prohibited.

(Council have a duty and responsibility to assess any planning application on its merits. An Applicant has a right to expect Council assess their application in adherence to the controls set out in the NPS. Failure to do so, which is the current and likely future position of Council, contravenes its responsibility to act in the best interests of its ratepayers and community).

All of the above points result in a likely devaluation of legally existing parcels resulting in a loss of value to the owners, as well as a loss of amenity and a loss to potential use of those parcels into the future. To this point in time Council appear to have thereby contravened the Local Government Act 2020 as they have not considered the impacts of their actions on those directly and immediately affected, being rural landowners.

It is a legal requirement of the Local Government Act 2020 that those directly affected must be consulted Their circumstances must form part of any policy or process going forward. This has not occurred and, it is suspected, that Council have acted wilfully in this regard for decades. The indications currently are that Council have been independently advised of this requirement and, to date, have chosen to disregard its legal obligations.

-
2. PALs support the initiative to *"Protect our Green Wedge and its environmental integrity"*. However, this implies that ALL other uses, works, occupation and pastimes (being either commercial or private enjoyment) cannot co-exist with *"a safe haven for native wildlife, thriving biodiversity and native vegetation"*.

This is not correct, nor should it be allowed to perpetuate the myth that a Green Wedge can only thrive if there is NO human footprint upon it.

A successful Green Wedge is comprised of many facets, only a part of which is its natural environment. This is dictated by Government, and it is not the role of Council to overtly change and undermine that Government principle.

PALs request Council to reflect that above broader principle of co-existence be included in its statement of *Protecting our Green Wedge*.

-
3. PALs support the statement *"Recognise that the rural areas often lack existing infrastructure"* as it is clearly factual. However, this statement should also give some indication of a process to rectify these issues. It appears clear that suburbanites fail to appreciate or comprehend the disparity in service and amenity provision. A lack of existing infrastructure should be addressed as a Council obligation.
-

4. The point should be deleted from consideration as it is not accurate.

PALs REJECT any proposition that there should be "Acknowledgment of land use conflict between agricultural and rural residential land uses".

What evidence does NSC rely on when proposing this wantonly ideological statement "acknowledgement? What conflict? The lands now used for rural residential purposes have been generated from legal processes and comply with the controls and requirements of the NPS.

This statement is false. It has no basis in fact. PALs is concerned that it may well have been proposed or generated by anti landowners seeking to influence or drive the Council narrative. The end game is to remove the human footprint from the land, or at least, to seek to impose consolidation requirements onto existing legally generated parcels and force landowners into a position where there can be no "use" on any allotment unless it is considered to be of a viable minimum area. PALs overwhelmingly object to this unsupported proposition.

It denies legal and human rights of rural landowners who, in good faith and supported by the full entitlements of the legal land tenure system, own their land and thereby have a right to "use" it within reasonable parameters.

The statement "*risk that further residential development will fragment rural land into unviable land parcels*" is a nonsense statement and should be immediately removed.

The land within the Green Wedge and RCZ are controlled by the NPS with a plethora of Controls, Overlays, Restrictions and Agreement requirements that punishingly restrict what a landowner can, and cannot, do on their own land. A strong component in relation to rural lands is an existing control on the area of new lots created as part of a subdivision process.

To change this reality would require a significant planning scheme amendment.
PALs are not advocating for this change and never have.

Therefore, the proposed "acknowledgement" sits in direct conflict with the reality of the NPS. The controls that exist within the NPS take priority and Council must not introduce any statement or control that is in conflict, or suggestive of controlling any given outcome of the NPS.
It must be removed.

5. The statement "Manage the issues of land use conflict....." is both redundant and non-sensical. The statement should be removed.

6. The statement "Ensure development in rural areas mitigates potential fire risk" is a statement of the obvious. There are significant controls already within the NPS that restrict and/or stipulate matters that must address the potential fire risk. This statement is therefore redundant and should be removed.

7. The statement "Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken" would establish the same conflict that occurred with the dumping of land fill in Doreen, the subject of misleading controversy in the lead up to the last council elections.

By making this type of statement Council would establish a mechanism for a landowner to, in fact, instigate those "uses" provided they have done the "*testing and necessary remedial treatment*". There is no process required within this statement to ensure that the outcome is appropriate and/or approved, purely that the testing has been done. This is the exact situation that occurred in Chapel Lane with the dumping of fill and the fact that someone, somewhere had determined that there would be no downstream effect. Once that determination had been made, Council had no mechanism to contest the works.

This statement is also redundant as there are extensive and ample controls already within the NPS, or that will be contained in the current planning scheme amendment brought about by the Chapel Lane exercise.

This statement should be removed.

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8. The statement "*Protect and enhance agricultural land for both its productive potential and environmental value*" suggests that it is both unnecessary and in conflict with itself.

In making this statement does Council now agree, in contrast to its previous statements and inferences, that agricultural pursuits can be of "*environmental value*"?

PALs do not see any instances across the rural areas of the Shire where agricultural land is NOT being protected with the added potential for enhancement. This point goes to the fact that landowners who are using their land for agricultural pursuits will intuitively only wish to both protect it and enhance it. This is purely commercial reality.

-
9. The statement "*Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it*" is a seemingly inclusive motherhood statement. Regrettably, this Council is systematically ensuring a very significant number of those who "*live... in it*" are excluded and marginalised in favour of the very small number of environmental activists and a large number of those who do not "*live...in it*".

PALs propose three additional statements that should be added if there is any genuine desire to include those that in fact, do live in it.

10. Acknowledge and protect the rights of rural landowners to undertake responsible maintenance and fire mitigation activities on their properties to help protect themselves and the broader Nillumbik community from the passage of significant bushfire events across the rural landscapes.

-
11. Acknowledge the significant work undertaken by rural landowners on an ongoing basis to protect and enhance the rural landscape which is so important for a vibrant Green Wedge and Rural Landscape.

-
12. Undertake to reduce red and green tape, reduce in number and decrease the complexity of restrictions, controls and application requirements in relation to rural land use. Replace restrictions, management plans, formal agreements with a consultative relationship with rural landowners built on trust. Maintain Trust for Nature Covenants as a purely voluntary procedure between individual landowners and the council. Undertake to not impose these Covenants as a condition for the issuing of any planning permit.
-

THEME 3 – NATURAL ENVIRONMENT

1. Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals.
2. Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the **Plenty River**. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.
3. Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards.
4. Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.

PALs RESPONSE

The issue of the natural environment and, as inferred, its continuing decline and fragmentation should be a point of discussion, not mandate. There have been several references by council to the high quality environment and standing vegetation as contributing to the high overall quality of the Green Wedge.

Yet there is a continual inference or direct reference to just how much of the natural environment is being eroded by "greedy developers" (read -> rural landowners).

PALs are not aware of anyone who wilfully seeks to actively degrade or destroy the environment in which they live. This is a distortion intended to have the broader community believe that the bushlands are disappearing and the trees are being destroyed in favour of bitumen and concrete.

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1. PALs challenge the statement that a *"large number of threatened native species and threats occurring to those species in the Shire"*. The largest threat to native species are a combination of feral animals that decimate native populations, ongoing road kill and domestic cats. NSC should provide evidence for any proposition being put forward.

PALs acknowledge and recognise the excellent work being done by council currently in relation to feral animals (most particularly foxes and deer). This is an ongoing problem and council should ensure adequate funding for this very worthwhile initiative.

(Maybe redirect some of the funding from that proposed for the KG Memorial Tower towards programs that will deliver real benefits to the Green Wedge).

Planning already protects native flora and fauna but needs to do much more in the space of weed eradication and remediation works on council lands and roadsides before looking to, once again, impose restrictions on landowners.

-
2. PALs support the consideration of downstream effects for stormwater runoff and quality. We note that there are already stringent controls on residential development in this regard within the Urban Growth Boundary. Within the rural context there are also sufficient controls in place, but suggest that the impacts across a rural property are , almost always, able to be contained within the property boundaries.
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3. PALs support in principle where development *"degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards"*. However, it needs to be stipulated that this assessment will not apply where there are NO issues in relation to *"potential risk of soil erosion, expansion and landslip or other hazards"* as past experience has shown that this assessment has been applied multilaterally across all applications, irrespective of the relevance to the particular application circumstances.

The MPS needs to confine this issue to specific waterways, initially and correctly specifying the Plenty River. It should not, under any circumstance, be expanded to include "all" waterways within the Green Wedge and rural areas.

4. PALs condemns the use of terms such as *"threatening processes"* within the context of a Management Plan Strategy (MPS).

The definition or context around *"threatening processes"* is undefined and should be removed.

PALs contest *"the loss and degradation of the natural and built environment"* statement. It lacks veracity and evidence. What is meant by a loss to the built environment?

Viewed in terms of the desire to *"maintain the landscape values in the Shire"* PALs submit that the supposed loss is illusory. It is not supported by evidence.

To connect these two statements is to infer that what has been built is destroying both the natural and the built environment. In its initial sense it is contradictory. In its overall sense it is incorrect.

As an overview is this aimed at the suburban environment or the rural environment?

It would appear that the mechanism is to suggest the suburban environment, but more than likely it will be used as a tool to refuse rural development planning applications broadly across the rural areas.

THEME 4 – BUILT ENVIRONMENT

1. Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment.
2. Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility. Note that enhancement and attractiveness need to be consistent with the values of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity and action on climate change.
3. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.
4. Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.

PALs RESPONSE

1. PALs agree in principle with the *"design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods"*. There are already very tight controls within the NPS so statements of this nature are redundant and unnecessary.

Further, the statement should include and commit Council to considering and implementing innovative built solutions that cater for a combination of uses consistent with an ageing population and/or first home buyers wishing to become part of a local community but prevented from being so due to high real estate costs. This may include multi use options that combine commercial opportunities with residential opportunities, typical medium density housing with social housing as well as providing for localised open spaces.

-
2. As above.

-
3. As above.

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4. With reference to *"siting buildings and works, particularly in rural areas"*, PALs fail to understand why rural areas are being highlighted when, in fact, there is almost always significant opportunity and choice on rural properties, but little or no choice on suburban properties.

Therefore, it is obvious that suburban siting is covered by extensive controls already with virtually no opportunity to protect habitat links. This statement implies further restrictive measures on rural landowners across the spectrum.

It is also critical to acknowledge that rural landowners have a legal right to build and live on their land. Their right is NOT subservient to the environment, it is a higher right in principle and should be acknowledged as such in the MPS.

This statement must be removed as it is both redundant and self evident.

THEME 5 – HOUSING

1. Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.
2. Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.
3. Ensure a considered approach to planning and development will retain and enhance Nillumbik's unique environment and neighbourhood character.

PALs RESPONSE

1. PALs support this assessment.
2. PALs support this assessment. It should be expanded to include opportunities to mixed use developments and innovative design solutions whilst maintain township character.
3. As above.

THEME 6 – ECONOMIC DEVELOPMENT

1. Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.
2. Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres (which includes the commercial and industrial areas), Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.
3. Protect industrial precincts from non-industrial use and development unless otherwise identified.
4. Agriculture is an important area of economic development:
 - Promote land use in rural areas in accordance with the capability and productive potential of the land.
 - Retain existing agricultural land for soil based agricultural production.
 - Promote sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment.
 - Protect and enhance agricultural land for both its productive potential and environmental value.

In the Green Wedge (that is areas outside of the Urban Growth Boundary), the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.

PALs RESPONSE

1. PALs support this proposition.

2. PALs support this proposition.

3. In general terms PALs support this but it should include being open to innovative initiatives and opportunities where there is a community benefit and where it can be demonstrated that the proposed use is not to the detriment of existing precincts and their intent.

4. In principle PALs do not support this proposition. Given the existing use of rural land within the Green Wedge areas, as well as the legal existing tenement areas for parcels, it is too prescriptive to tie down allowable uses.

Innovative or small scale uses on parcels of 8 hectares or less are potentially just as viable, and in many cases far more viable, than attempting to restrict agricultural uses to large scale ventures located on large parcels. Those days are gone within the context of a peri-urban Green Wedge.

Whilst there may often be large scale successful and viable agricultural enterprises on larger parcels within the Green Wedge, it must not be mandated.

For lands within this type of Green Wedge flexibility is key to success. Whether or not a commercial enterprise on rural land within the Green Wedge should proceed, or not, should be at the discretion of the landowner, not as mandated by the Council of the day.

It is a complete overreach to make council the arbiter of appropriate land management and then require rural landowners to *"minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment"* when there are no adverse effects on adjoining properties and their use and enterprise is wholly contained within their own boundaries.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Hobby farms and the small-scale enterprises which may be generated from small-scale requirements can be just as legitimate and, potentially, just as successful as any other.

Further, why is there indeed any requirement for landowners on parcels of 8 hectares or less to undertake any agricultural enterprises at all?

The wording of this item is geared towards further restriction and controls on rural landowners. If this is to be applied fairly, why is there no requirement for suburban landowners to:

- guarantee habitat links across their properties,
 - Limit the area of hard paving,
 - Limit the site coverage,
 - Control the type and colour of housing,
 - Require 100% native or indigenous gardens,
 - Require a minimum of large tree planting,
 - Require night-time blackouts to facilitate the ability of native fauna to move around safely,
 - Ban cats..... the list could on and on.
 - In relation to ***"the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery"*** the proposition to restrict tourism to activity centres or to a narrow range of purposes is both unsophisticated and demonstrates a disregard or ignorance regarding tourist aims or appetites. Part of the attraction of Nillumbik for tourism visits is to depart from activity centres. This proposition for baseless tourism restrictions shows that whoever developed this proposition fails to understand and appreciate (particularly in a Covid impacted community the dynamic shift in consumer/tourist behaviour towards experienced based tourism pursuits – not the limited domain of wineries, agricultural destinations or other rural industry activities.
-

THEME 7 – TRANSPORT

1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.
2. Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.
3. Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.
4. Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.
5. Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.

PALs RESPONSE

PALs support this theme.

A note to council in relation to point 5. The delivery of safe and efficient roads also requires council to undertake appropriate fire mitigation works on road reserves.

This component in relation to transport is very important as it relates to the safe passage for emergency vehicles and emergency personnel along our local road systems.

It should also address the safe passage along the verges of our local roads as this is, and will continue to be, an aspect all too often neglected.

Both of these facts should be included into the transport theme.

THEME 8 – INFRASTRUCTURE

1. Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.
2. Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.
3. Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.
4. Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.
5. Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site.

PALs RESPONSE

1. PALs support this proposition.

2. As above.

3. As above.

4. As above.

5. The statement *"Facilitate the consolidation of rural lots to create larger lots capable of containing effluent on site"* encapsulates one of the most deceitful thrusts of the MPS.

It is a complete misrepresentation to assert that any reference to consolidation of rural lots relates this issue to efficient disposal of effluent.

- What has the issue of infrastructure got to do with the consolidation of rural lots?
- Why are rural lots being targeted when exactly the same argument could be applied to suburban or semi-suburban lots that remain unsewered?
- All rural lots currently do contain their effluent on site, otherwise they would not have achieved a planning permit to build in the first place. So why the need for this statement at all?

It is obvious that the underlying intent and strategy, advanced by green activist groups and thrust onto Council Officers and the majority of Councillors who remain generally unaffected by any change to the MPS, is to use whatever means and whatever it takes to punish rural landowners.

The obvious underlying push is to minimise human impact. It ignores that the indigenous peoples managed the landscape to the extent that their resultant landscape is now the safest and most appropriate landscape for both flora and fauna, as well as for human occupation.

Human occupation cannot be eliminated from this landscape as there is no legal authority to do so.

This is an abject betrayal by Council when their mandate and legal obligation is to represent and consider the effects of any actions on their ratepayers and on those who are impacted by their actions and decisions.

This statement must be removed.

THEME 9 – OPEN SPACE

1. Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.
2. Ensure open space and recreational facilities are equitable and accessible to all community members.
3. Facilitate the provision of active and passive recreational facilities as an integral part of each township.
4. In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.
5. Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.

PALs RESPONSE

1. PALs agree with this proposition.
2. As above.
3. As above.

4. This proposition is misleading and does not provide any clarity or detail in relation what is meant by *"the emphasis is towards protecting native flora and fauna ..."*.

The principle is not contentious, however the mechanisms and application of it is unclear. Given the history of this Council and the longer term history of the Shire, rural landowners may expect additional restrictions to be placed over their rights and their properties as the go to option in order to satisfy this aim.

It is clear that in the last 50 years or so the majority of the loss of native vegetation and vegetation understorey have been on lands inside the Urban Growth Boundary (UGB).

There has been significant loss within newly created residential subdivisions. PALs acknowledge that this loss probably cannot be prevented due to the zoning of the land as well as the controls within the NPS inserted by State Government. However, this situation does not authorise NSC to therefore turn its attention to placing further restrictions and controls over rural lands in an effort to "regain" lost vegetation from the suburbs, when, in fact, rural areas have not "lost" any significant vegetation over the same period.

There are a multitude of mechanisms already in the NPS that are directed at protecting native flora and fauna, all of which enjoy the legal legitimacy of planning scheme requirements.

PALs have no issue with the continuing plans to expand the trail networks, on the proviso that any acquisition of private land which may be required provides fair and equitable compensation to affected (either directly or indirectly) landowners. This includes measures to ensure that there is no opportunity for trespass onto private property once the trails are open and operational.

5. PALs remain confused as to how the *"provision and linking of open space and local recreational facilities to form a network across the Shire"* will occur when there appears to be little or no opportunity to achieve this feel good outcome due to the fact that most, if not all, of the potentially affected land is in private ownership. Council must include a statement of how it intends to achieve this goal, what lands may be affected and on what terms would acquisition of private lands be provided.

Whilst the sentiment appears benign, the mechanism and process to achieve the outcome appears ominous.

THEME 10 – CLIMATE CHANGE

1. Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.
2. Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.
3. Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.
4. Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.
5. Reduce Council's direct contribution to climate change.
6. Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.
7. Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts

PALs RESPONSE

It is a sad indictment of this Council that the issue of bushfires has been relegated to the category under climate change. Whilst there are a range of differing opinions in relation to the frequency and intensity of bushfire events and their connection to a changing climate, it is most likely that a significant contribution to bushfire events here and now relates to the ground fuel loads and the volume of those ground fuels being unacceptably high due to a longstanding lack of conscious ground fuel reduction works.

The issue of whether a change in long term policy to emissions and the subsequent reduction of emissions over the coming decades will reduce the threat of bushfires is irrelevant to the major issue of addressing the bush fire safety for our community at present.

It is surprising that Council does not acknowledge (and thereby chooses not to address) the by far and away leading issue that was revealed in the consultation completed by Council, presumably, in preparation for the MPS and its content was, in fact, the threat of bushfire.

This is of clear and paramount importance to the community, yet this Council with prospective future potential to exposure to litigation, chooses not to address these major community concerns.

The statements under this theme 10 continue (as they have for decades) to ignore the following facts:

- a) the people who currently (and legitimately) live on land within the BMO are continually ignored and treated as if they do not exist,
- b) there are circumstances where new residents can address and satisfy the suite of very restrictive requirements in relation to bushfire safety and thereby should be able to build and live in relative safety on rural lands in the Green Wedge.

Instead, this Council both assumes that existing rural residents have no rights and that the only mechanism available to council to maximise bushfire safety and minimise the loss of human life is to exclude humans from living within these areas in the first place.

The wilful disregard that this Council continues to display towards rural residents manifests itself in the total lack of awareness that Council has a moral and legal responsibility to minimise the risk of major bushfire events by properly and continually undertaking mitigation works as required under its approved Bush Fire Management Strategy and its operational document the Bush Fire Implementation Plan.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

This negligence extends to the basic lack of understanding of the fundamental principle that the without appropriate and proper maintenance of lands in private ownership, any minimisation of bushfire risk is inconsequential. Yet this council refuses to address the issue of private land maintenance and continues to place heavy restrictions (and penalties) on rural landowners who appreciate the benefits of proper maintenance of their properties. The extensive and expensive requirements required by council that must be provided in conjunction with a planning permit application in order to undertake even the most minor works even deters the local CFA brigades from applying.

The end result is typically no works, or at best ineffective works, are conducted.

Why authority is not given to the local CFA brigades to control, design and undertake these types of mitigation works is a mystery to PALs and many within the local rural community. This issue does not fall within the parameters of planning, it falls directly and immediately within the parameter of community safety.

For over a decade the recognition in the Bushfire Royal Commission 2009 recommendations of the importance of the contribution to community safety of the proper maintenance of private property for fire mitigation have failed to significantly move the needle away from the counter-intuitive restrictive stance.

The tension between the primacy of human life and the protection of flora and fauna is one of the most difficult challenges of this Council. Relegating human life to any secondary consideration is unjustifiable.

THEME 11 – HERITAGE ARTS AND CULTURE

1. Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.
2. Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.
3. The culture and heritage of the Wurundjeri Woi Wurrung people is understood and recognised as a proud part of our shared identity
4. Promote our shared heritage, history, arts and artistic culture to strengthen our community – Aspiration from OPOPOF engagement: "Residents enjoy a wide variety of recreational and cultural pursuits and have a strong sense of feeling part of their local community and townships."
5. Implement goals of the Arts and Cultural Plan 2018-2022:
 - Public participatory arts as an everyday experience
 - Develop and grow creative and cultural industries and;
 - Support and promote arts and cultural activities that maximise access.

PALs RESPONSE

PALs support this theme.

As a note careful attention should be given to the actual words that appear increasingly on council literature in relation to indigenous recognition.

It is noted that this wording increasingly includes the words *"We acknowledge that sovereignty was never ceded."*

This assumes that Council has both the authority and community consensus to make this statement which goes to the fundamental principle of the legal land tenure system currently existing in Victoria.

By making this statement Council presumes to speak on behalf of all landowners but potentially raises land ownership issues that are not reflected in the legitimacy and absolute authority of the legal land titles system and leaves open future opportunities for a challenge to that legal land ownership.

PALs RESPONSE TO CONTEXT AND VISION

Council exhibits poor vision when it comes to the *Context* and *Vision* statements.

Council continues to effectively discriminate against and ignore many concerns of rural landowners, rural properties, rural pursuits, rural lifestyles and rural contributions to the Green Wedge, rural contributions to the Nillumbik Community and the invaluable contribution that the rural landscapes make, not only to the Green Wedge, but the minimisation of bushfire risk into the future.

The context statement MUST encapsulate more than just the bush and vegetation. The State Government requirements for a Green Wedge cover a broad range of landscapes, uses, lifestyles, economic and social perspectives as well as encouraging visitation, development, tourism and enterprise.

The Nillumbik Green Wedge IS NOT a suburban green wedge. ALL of the Nillumbik Green Wedge is located in the rural areas of Nillumbik. It is false to state otherwise and suggests an attempt by suburban landowners to claim an interest, which they do not have, in the lands and landscapes that actually form the green wedge.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

Proposed Amended Context and Vision statements below.

Context

Nillumbik's high landscape value plays a regional role for Melbourne as an accessible area of ~~natural~~ ~~overall~~ landscape beauty. The natural environment ~~is combined with the beautiful rural landscapes together form~~ a significant reason for people deciding to live and work in Nillumbik. Much of it remains heavily vegetated, particularly in the non-urban undulating regions and along the major rivers and creeks. ~~Nillumbik acknowledges the increase in vegetation cover over the preceding 60 – 70 years and the ongoing work and contribution of rural landowners to provide the ambience and rolling rural landscapes which when combined with the areas of indigenous vegetation provide the vistas we all enjoy.~~

Nillumbik plays a pivotal role in protecting the region's biodiversity. Strategic habitat links that continue into surrounding municipalities connect extensive areas of native vegetation. ~~A Empirical evidence suggests a significant number of rare and endangered species are found in these native environments. Flora and Fauna are protected but share the landscape with rural properties. Whilst there is no up to date or current biodiversity assessments available to ground proof the above, there is significant evidence that demonstrates that there has been no significant loss in flora or fauna which would compromise the future of the Nillumbik Green Wedge.~~

Rural landowners also play a pivotal role in ensuring that rural landscapes are preserved and maintained by the ongoing farming, agricultural pursuits, grazing and hobby farm interests that when combined all deliver the Nillumbik Green Wedge in accordance with the State Government vision for Green Wedges.

Vision

Nillumbik will remain a ~~metropolitan~~ rural 'green wedge' ~~situated on the edge of the Urban Growth Boundary, maintaining a large natural resource for the benefit of all Melburnians. The planning of Nillumbik will continue to focus on~~ balance the ongoing farming and rural based uses in combination with the ongoing sustainability of the 'green wedge' in physical, social and economic terms. Nillumbik will embrace all the components necessary to deliver a vibrant Green Wedge.

To preserve and nurture the natural environment of the Green Wedge ~~and combine the rural residential lifestyles and rural based uses~~ for future and current generations.

~~In addition it is important to note that:~~

~~As identified in Melbourne 2030~~ identifies the Nillumbik Green Wedge is of social, economic and environmental value ~~because of and include~~ the following features:

- environmental and landscape quality (particularly the Yarra River and surrounds)
- vibrant and successful economic activities
- broad rural landscapes incorporating rural grazing lands and rural enterprises
- existing river red gums and other existing habitat areas
- national parks
- metropolitan water storages

~~It must also~~ The Vision recognises that the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples. As such, their value ~~must be~~ is recognised and protected throughout the Shire in conjunction with the recognition of existing landowners as the current custodians. This is also in keeping with community-wide surveys conducted by Council that showed the Top Three Things valued in Nillumbik are:—

~~Preservation of the Green Wedge; Protection of environment and biodiversity; Action on climate~~

(NOTE: This is not correct and therefore cannot be included. The single most identified issue was the threat of bushfire and bushfire mitigation.

Attachment 1 Redacted and Consolidated Written Submissions MPS Phase 2 Consultation

This Shire IS NOT a "Conservation Shire". It is a Rural Shire that sits adjacent to the Urban Growth Boundary. This Shire has an obligation and a legal requirement to look after the best interests of ALL its residents. It has NO authority to ignore or disrespect the existence of its rural residents.)))

*The MPS Vision must be consistent with the community's aspirations for 2040 and reflect the intent for Nillumbik as a Green Wedge **Conservation Shire**. The statements must be ambitious and written in the present tense – with intention and achievement, as well as aspiration. An overarching statement could be:*

*In 2040 Nillumbik **is** a world leader in*

- biodiversity protection and reinvigoration*
- community stewardship of the environment;*
- climate change mitigation and adaptation;*
- sustainable urban design and living;*
- community inclusiveness, equity and connection, with a focus on its First Nations People;*
- community participation in the arts and celebration of its cultural heritage*

THE VISION – NILLUMBIK 2040

- Develop and deliver strong ongoing bushfire mitigation programs to maximise bushfire safety for all residents and landowners in the Shire*
- Continue biodiversity protection*
- Develop strong community partnerships with the current custodians of green wedge lands*
- Continue appropriate climate change adaptation commensurate with factual real time assessment*
- Support and encourage best practice initiatives for viable urban and rural design and living*
- Community inclusiveness, equity and connection acknowledging the history and practices of the First Nations People*
- Continue to develop the Arts and the Green Wedge as a repository for Arts based programs*

SUPPLEMENTARY INFORMATION LINKS

To access all of the PALs information which is to be considered integral to this submission, please use the links below to access some of the relevant PALs material.

<https://www.dropbox.com/s/bcpwg5ee4bkhivc/Nillumbik%20PALs%20Submission%20to%20Draft%20Green%20Wedge%20Management%20Plan%20%28%E2%80%99CGWMP%E2%80%9D%29%20Final%20with%20Addenda%20190810.pdf?dl=0>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-DRAFT-BUSHFIRE-MITIGATION-STRATEGY-2019-2023-DBMS.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Dismantling-Victorian-Native-Vegetation-Clearing-Regulations-V8.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Nillumbik-Housing-Strategy-discussion-paper-v2.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-Planning-And-Building-Approvals-Process-Review-%E2%80%93-Discussion-Paper.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-The-Royal-Commission-into-National-Natural-Disaster-Arrangements-Bushfires-Royal-Commission-BRC-2020-.pdf>

<https://www.nillumbikpals.com.au/wp-content/uploads/2020/09/PALs-submission-CHRISTMAS-HILLS-LAND-SALES-.pdf>

<https://www.dropbox.com/s/ofzkids6rvxobsw/PALs%20submission-Planning%20for%20Melbourne%E2%80%99s%20Green%20Wedges%20and%20Agricultural%20Land%20FINAL.pdf?dl=0>

PALs thanks NSC for the opportunity to contribute to this important process of review of the MSS and development of the MPS.

This submission, together with the library of supplementary information contained in each and every PALs submission (the links to which are included above and which are to be read in conjunction for the purposes of rural landowners' views being unmistakably understood and seriously considered – to inform a new MPS) is commended to NSC, its Councillors and its relevant Council Officers for consideration.

PALs welcomes any inquiry for clarification of any of the serious matters detailed in this submission.



Damian Crock
Chair
Working Group
Nillumbik PALs
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MUNICIPAL PLANNING STRATEGY CONSULTATION

Thank you for the opportunity to contribute to this consultation.

Sadly, council's MPS is fundamentally flawed by failing rural residents in its lack of recognition of their very existence, rural living in general, by not valuing productive rural landholdings and rural activity in the green wedge and the significant contribution all these make to the very existence and sustainability of it.

More than a lack of acknowledgement and appreciation of this critical and valuable contribution, the current MPS goes so far as to consciously undermine rural living and ultimately the green wedge along with it.

Rural living is the primary use of the smaller 'hobby' properties, including both productive land and bush blocks. This is a positive with thriving, diverse communities that provide population, physical effort and investment to sustain the green wedge, support for local economies and providing valuable rates for council.

So why has council done this and itself created tension through its existing planning scheme and policies, undermining community cohesiveness and collaborative effort to preserve the green wedge in the process?

There could be long term ramifications that council should consider if it makes life impossible for people living on smaller rural properties to reasonably pursue the legal, rural activities of their choice. Fewer may be compelled to comply or be motivated to commit the substantial time and resources to managing these properties. Even worse, should they move on, this could make way for non-resident landowners who land-bank properties, creating derelict land through weed and pest invasion and failing infrastructure, making it ripe for speculative subdivision pressure. This process also undermines the communities that resident landowners support and sustain.

As such, the MPS' Context, Vision, Strategic Direction and Objectives need to get it right and therefore be significantly revised to reflect the on-ground truths of our diverse rural environment, the nature and value of rural settlement and demonstrate support for rural living and associated activity in the green wedge.

These are anomalies that must be addressed at this time.

Clause 02.01 CONTEXT

Suggested amended wording in blue

Para 2 - "The 'green wedge' is a rural area of environmental, ~~and-agricultural and recreational~~ importance to both Nillumbik and the wider metropolitan area."

Para 4 - What about Yarrambat?

Para 5 - "The natural environment is a significant reason for people deciding to live and work in Nillumbik."
In rural areas, native vegetation exists in undulating regions and along major rivers and creeks. This is dispersed with existing grazing land and treed pastures which are highly valued for supporting diverse rural activities.

Para 7 - Add - The Equine sector is a significant economic driver outside the shire's urban areas.

Para 8 - Add at the end - 'Complimentary to these, Nillumbik's extensive off-road shared trail network links townships and rural areas to these natural features and neighbouring municipalities.'

Clause 02.03 STRATEGIC DIRECTION

Comments:

It is essential that the revised Strategic Direction speaks to a reasonable balance in the planning and management of the green wedge which genuinely and equally factors social, economic and environmental outcomes and finally embraces the existence of rural living and rural residents as core benefits to it.

The Nillumbik green wedge is not a wilderness, it incorporates diverse and dynamic rural places where people live, work (for some), play and enjoy their varied lifestyles. Townships exist, there are properties of all sizes, farms, natural environments (bush and cultivated), native, farm and domestic animals live, rural roads and shared trails are key infrastructure, schools, kindergartens and community hubs thrive, businesses are run, diverse rural activities are pursued, outdoor recreation, sports, arts and clubs are integral.
This document needs to reflect this reality and on-ground identity of the Nillumbik green wedge.

Residents of the green wedge and their (private) properties (which make up over 80 % of it) need to be acknowledged along with their contribution to its environmental, social and economic viability, sustainability, amenity and appeal.

Without rural residents, their land and their efforts, there is no Nillumbik Green Wedge.

Preserving farming, agriculture and diverse rural activities such as the ability to keep animals on your property is important and retains rural 'country' character that is a big part of the appeal of the green wedge to both residents and visitors.

A point of uniqueness for Nillumbik is the strong and enduring equine culture in the rural areas of the green wedge. Horse keeping is one of the largest rural activity sectors underpinning the Nillumbik green wedge, not only in terms of the number of properties that are used for this purpose, but the broad reach of the dollar benefits through affiliated industries and activity. It is a diverse and significant economic driver outside the shire's urban areas.

The equine sector has driven local agricultural enterprise and related businesses through produce and property management, kept local equine practitioners employed, seen the establishment of feed and equipment stores and local riding schools and clubs contribute to ongoing visitation.

02.03-1 Settlement

Para 3 - in discussing Nillumbik's rural land, mention needs to be made of the existing productive, grazing land and treed pastures that supports diverse rural activity and enterprise.

Council seeks to:

Add - Preserve existing productive grazing land that supports rural living and activity

02.03-2 Environmental and landscape values

The green wedge environment isn't just native plants and animals, it includes all living things as they interrelate in the landscape and its biodiversity incorporates the entire variety of species outside the UGB.

Existing grazing land and treed pastures are necessary and important for popular rural uses as the keeping of grazing animals, providing for compatible agriculture, the preservation of biodiversity, defendable fire breaks and the rural, scenic amenity, landscape character and vistas that locals and visitors' value and seek.

The natural environment isn't just the bush, nor should there be a relentless push for the re-vegetation of areas of existing cleared land given all the above.

Protection of biodiversity

Roadsides are also important for the provision of safe, off-road, shared trails which can and do co-exist harmoniously in the natural environment.

Council seeks to (last dot point):

"Protect and enhance the environmental, landscape and habitat values of roadside vegetation in the shire, incorporating provision for off-road safe, shared trails." (ADD)

Landscapes

In paragraph 3, native vegetation, water courses and undulating terrain are attributed as the main features contributing to the shire's landscape identity. However, the rural landscape character isn't just about the bush and open grazing land and treed pastures are consistently throughout the green wedge, significantly contributing to that character. This needs to be captured in such statements.

The preservation of grazing land / open pasture country is just as important in the overall protection, sustainability and livability of the green wedge as our vegetated areas. Grazing land and open treed pastures contribute significantly to environmental open space, rural activity, the visual appeal, scenic beauty and rural 'country' feel of the Nillumbik Green Wedge.

Therefore, council should not only be seeking to, "Protect and enhance rural landscape character through vegetation retention...", but also the preservation of existing grazing land and treed pastures which contribute to rural land use and activity and the visual amenity of the green wedge.

Further, without the existence of open pasture country, there would be very few of the much-lauded vistas for residents and visitors to enjoy.

02.03-4 Natural resource management

Agriculture

There is a need to acknowledge the prevalence of rural living and rural activity that contribute to the country character, viability and sustainability of the green wedge.

The most prevalent and enduring rural activity and legitimate rural land use in the Nillumbik green wedge is the keeping and grazing of animals, particularly horses.

Hence, protecting existing grazing land that supports agriculture and legitimate rural uses such as the keeping of animals is essential.

Council currently seeks to, "Retain existing agricultural land for soil based agricultural production." But this should also include for the grazing of animals being a legitimate rural activity on the predominant rural living properties in the green wedge.

02.03-6 Housing

Rural residential development

The statement that, "Residential settlement in rural areas is usually based on an appreciation of the bush and often a willingness to revegetate previously cleared areas." is only partially true and the latter part of the statement is a value judgement - where is the evidence of this? Often revegetation is a council permit condition, not a free choice.

Many residents choose properties that have existing cleared pasture for the keeping of grazing animals and other rural activities and are prepared to pay a premium for land with this capability.

The value placed by many residents on existing cleared grazing land is not reflected in the top statement and hence is not a true reflection of rural residential existence.

02.03-7 Economic Development

Business and employment

In the second paragraph, there is an opportunity to mention the shire's shared trail network in the commentary around tourism in non-urban areas. The shared trails encourage visitation from which other enterprises benefit such as local accommodation providers, hospitality, the arts and other attractions.

02.03-9 Community infrastructure

"Nillumbik contains extensive areas of open space for the purposes of conservation, rural activity and recreation." (ADD)

This is a more accurate reflection of the on-ground reality in the green wedge.

Clause 02.04 STRATEGIC FRAMEWORK PLAN

02.04 - 3 Open space and recreation facilities plan

The Green Wedge Regional Shared Trail is missing from the St Andrews Pony Club - the map needs to show a link through to Kinglake National Park at Marshalls Road

The existing verge trail on Dawson Road is missing between Kings Road and the Eltham-Yarra Glen Road.

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MPS- Activity Centres

Title/Question: Theme 1: Activity Centres
Tool Type: Form
Activity ID: 305
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 09:45 am

Contribution ID	Date Submitted	Do you agree with the identified key			If not, which objective/s and why?	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
		Yes	No	Unsure		
					Objectives 1 & 3 are acceptable but I have grave misgivings regarding objective 2. I am not sure exactly what is contained in the idea of "medium density housing (including mid-rise commercial development and apartments)". I would hate to see anything like the high rise monstrosities which have arisen in Box Hill. My feeling is for development no more than 3 storeys high, with adequate parking, plenty of set back to allow greenery & shade trees. The housing development opposite Eltham North Primary School is a very good example of development which maintains the Eltham character - leafy, green, low rise & constructed of materials in keeping with Eltham. The small pockets of greenery & open space scattered throughout Woodridge were in danger of being built upon, being deemed "lazy assets". Complete nonsense! We need pockets of green more than ever now, very valuable assets, with climate change threatening.	I will comment on the housing theme also as my views here will overlap.
19290	Oct 21, 2021, 05:15 PM			1		
					Key objective 1 Why does Council permit Diamond Creeks major shopping/activity centre with Coles Supermarket as its anchor,trade for many years with only ONE toilet pan to serve its hundreds of permanent customers.Coles have simply taken over original public toilets for staff only use. Has Council an active health officer? How is this centre allowed to get away with it? We are tired of observing third world practices such as urinating out the back facing the railway track.. Cant Nillumbik do better than that in 2021?.	Key objective 1 With no real landscaping or planting around the carparking areas Diamond Creek shopping centre on both sides of the road, with ramshackle basic shopfronts appears like an early frontier town and has virtually no appeal. It is there only to sell produce but has no appeal or provides any amenity. Does Council have a Landscape architect? If this is to become a major activity centre it is in need of a 'rev up' by Council.
19288	Oct 21, 2021, 03:59 PM			1		

				<p>I'm unsure if they're gaps, but I would just like to stress the need for *safe* infrastructure for non-car use. Bike lanes should not be placed in the gutters of roads and should be treated as separate infrastructure. I think many people would consider riding bikes as opposed to driving if alternative methods were actually viable and safe. It would be really good to see council working with Vic Roads and the state department to ensure townships (including access to them) have appropriate development.</p> <p>There should be higher density around town centers (since Hurstbridge, Diamond Creek, and Eltham all have access to trains and buses now) and an emphasis on walking and riding bikes.</p> <p>I would *highly* recommend watching videos from this channel as they show how different life can be when we treat "car alternatives" as genuine and equal ways of travelling and living: https://www.youtube.com/c/NotJustBikes</p> <p>I don't identify as a cyclist and I haven't been interested in using a bike for transport in over a decade, but it's something I would strongly consider if I felt it was safe.</p>
19277 Oct 21, 2021, 01:26 PM	1			
19195 Oct 19, 2021, 08:10 AM	1		<p>i fully support the PALS SUBMISSION</p> <p>2. This objective would be strengthened by the addition of specific definitions regarding medium density, mid-rise commercial development, apartments.</p> <p>Active transport [eg walking, cycling] must be given priority in design processes, and encouraged.</p> <p>3. This objective must include consideration of walkability and cycleability.</p> <p>Systems of community transport that minimise reliance on cars (eg walking school buses, greater connectivity among community, car pooling etc) must be supported.</p>	<p>- Indigenous tree canopy and understorey are protected throughout Nillumbik, including Activity Centres within the Shire. Council actively pursues net increase of indigenous vegetation in urban and rural areas.</p> <p>- Township or structure plans must guide the strategic vision for each activity centre</p>
19161 Oct 14, 2021, 09:26 PM	1			<p>- Indigenous tree canopy and understorey are protected throughout Nillumbik, including Activity Centres within the Shire. Council actively pursues net increase of indigenous vegetation in urban and rural areas.</p>
19122 Oct 11, 2021, 11:29 AM	1			
19091 Oct 09, 2021, 10:03 AM	1			<p>Placement of community hospital in Apollo Parkways does not fit into the stated activity centres/the services provided there.</p>

19078 Oct 08, 2021, 10:10 AM	<p>I support the PALs submission</p> <p>1) Diamond Creek still poor relation to Eltham with regard to community services, there is no library, no decent swimming pool and no modern gym facility. Diamond Creek provides centre for large rural area, so parking needs to be managed well. Many rural people commute from DC as trains are more frequent from there.</p> <p>2) Huge expansion of housing along Yan Yean Road, although not in Nillumbik, puts pressure on infrastructure, sporting facilities and businesses.</p> <p>3) Would question availability of public transport to Research and Hurstbridge, who is going to catch train from Eltham or DC to go shopping in Hurstbridge. Research is only accessible by the occasional bus. Rural people use these centres and most use cars, so need improved parking. Also seems to be little flexibility in planning scheme with regard to new enterprises in Research or Hurstbridge.</p>	<p>I support the PALs submission</p> <p>Panton Hill and St Andrews are important to rural people and provide schools, eating places, fuel and post offices, so they need to be included.</p>
19038 Oct 07, 2021, 06:04 PM	<p>1</p> <p>I want to see good provision for parking - for commuters, s casual parking and disabled parking. All the emphasizes on walkability ignores the fact some people are just not up to that, especially given the hilly nature of the terrain. There is really NO thought given to the use of the spaces by disabled and older people who will make up more of the Nillumbik population in the years ahead. To cater for the ageing population of Nillumbik there should be as least some emphasis on the use of the centres by older and disabled people eg provide seating along the roads to let people take a break.</p>	<p>MUCH better parking, introducing paid parking to ration the available space. I would probably want to see the traders parking costs increased by a huge amount..</p> <p>I would like to see more emphasis on apartments with a less strict imposition of stereotypical materiality restrictions. There should be MUCH more emphasis on retaining and increasing tree canopy in the built areas as this will reduce the heat island effects of townships which will be exacerbated by climate change. .</p>
19037 Oct 07, 2021, 06:01 PM	<p>1</p>	

			<p>This is not completely a question of yes or no but as there are suggestions for most of them I have selected no.</p> <p>I think all objectives should be informed by and reflect that Nillumbik is a Green Wedge Conservation Shire first and foremost and this should be apparent throughout all Themes within the MPS (see below)</p> <p>Objective 2 Suggest</p> <ul style="list-style-type: none"> - the addition of specific definitions regarding medium density, mid-rise commercial development, apartments. - Active transport [eg walking, cycling] must be encourage by being allocated priority in design processes. <p>Objective 3 Suggest</p> <ul style="list-style-type: none"> - Clearer evidence of prioritising walkability and cycleability and systems that minimise dependence on cars eg community buses, car pooling. 	<p>I think that for each of the themes there should be a clearly evident how it is informed by the overarching vision and purpose of Nillumbik as a Green Wedge and Conservation Shire. This wish of the Nillumbik Community has been represented to Council over and over again, including in the recent Our People, Our Places, Our Future consultation and should be clearly reflected in all Council Plans and Strategies, including all aspects of the MPS.</p> <p>For the overall MPS recurrent with each theme there is the need to not only develop policies, plans and guidelines, but that there is resource allocation to monitor their implementation and ongoing adherence, to ensure effectiveness. This is currently a gaping deficit.</p> <p>Suggest the inclusion of objectives:</p> <ul style="list-style-type: none"> - Indigenous tree canopy and understorey are protected throughout Nillumbik, including Activity Centres within the Shire. (including resource allocation to - Council actively pursues a net increase of indigenous vegetation in urban and rural areas. - Township or structure plans that require the need for tree canopy and understory protection must guide the strategic vision for each activity centre.
19029 Oct 07, 2021, 03:58 PM	1		<p>Key Objective 2) Medium density and mid-rise do not fit Eltham town's landscape with its hillside location and Main Road would be overshadowed by such development. Design needs to work with the landscape and with Eltham's treed neighbourhood character and local expectations.</p>	<p>Major Activity Centres reflect community values, interests and neighbourhood character. Eltham has always been known as "Leafy Eltham" and residents voted "trees" as being the most important aspect of living in Eltham (Wingrove Ward Meeting). Built form in the town centre needs to be offset by indigenous planting and tree shaded gathering areas.</p> <p>Bicycle racks needed near to the shops to reduce reliance on cars and support healthy lifestyles.</p>
19028 Oct 07, 2021, 03:55 PM	1		<p>I feel frustrated that the focus seems to be very much on Eltham activity centres. We are part of Nillumbik and in Yarrambat and don't even have a general store open or a bakery. We have been proposed a township plan and still nothing . We have been locked down with very little within our 5 kms. I have lived here for 17 years and it's not good enough with the high level of rates we play and the lack of amenities.</p>	<p>As above .. whilst activity centres are great if you live close to them it's not great for those of us that don't and lack facilities.</p>
19017 Oct 06, 2021, 09:52 PM	1			

19005 Oct 06, 2021, 08:01 PM	1		<p>A gap is that indigenous trees and vegetation should be protected throughout Nillumbik, including activity centres; Council should actively pursue the planting of indigenous vegetation in both urban and rural areas, and protect existing indigenous vegetation from being removed. The local biodiversity and ecology of Nillumbik should be fostered. Bike and foot travel should be encouraged via the design process.</p>
		See below	<p>The objectives must be linked to a statement that our activity centres will be reflective of the broader natural beauty of the area. They will reinforce what is distinctive about Nillumbik, i.e. the integration of built form and indigenous vegetation.</p> <p>The activity centres will promote the meeting of social and cultural needs of the community.</p> <p>The activity centres will capitalise on what is unique about them - enhance the indigenous tree canopy and the experience of the natural environment whilst partaking in shopping, accessing services, etc. (in contrast to the Greensborough Plaza and Doncaster Westfield which are indoor centres).</p>
19004 Oct 06, 2021, 07:59 PM	1		<p>I am concerned about the wording in Objective 2 particularly the terms mid-rise commercial and apartments.</p> <p>Only a small area in Eltham's Activity Centre, for example, allows any mid-rise development and only to 4 storeys maximum with this tapering to 3 with possible in-roof in another small area. We don't want to see Eltham any further ruined by hideous apartments that at present don't truly allow for enough green space to plant substantial canopy trees which would be a change for the better.</p>
18999 Oct 06, 2021, 05:13 PM	1		<p>Allowing for tree canopy planting within the Activity Centre commercial and Apartment development land, to mitigate the heat island effect, to retain some Eltham character and not only rely on the street frontages for tree planting as it simply isn't enough.</p>

			<p>They are all very general; Objective 1 appears to restate the obvious that you will continue doing what you have been doing, with an indication, but no elaboration on how you will support higher levels of business activities and "other" activities. By their exclusion it is very difficult to offer any opinion on this objective. I also note that unquantified generalities make for unmeasurable objectives and would suggest less generalisation and more specifics may help in garnering support.</p> <p>In regard to Objective 2, it would be of concern that council be seeking an "increased role" in the provision of mid-rise and commercial and apartments. Why is it not possible to explain what the expectations of the new role will be. For example will it affect rate payers and residence of the area? will there be planning changes and what are they.</p> <p>In regard to Objective 3, It is good that a "blend" of activities will continue, so status quo.</p>	<p>The claim is made (objective 3), that the existence of public transport which I understand is not provided by council, generally supports higher "than otherwise" levels of business and activities. The objective asserts the existence of the transport will lower car usage. It is far from clear exactly what Council intends to do to meet this objective or how success will be measured.</p>
18998	Oct 06, 2021, 05:08 PM	1		
			<p>Objective 1: Should include :While maintaining and protecting the neighbourhood character of the areas.</p> <p>Objective 2: Concern with undefined Medium rise? How will this be accomodated with existing neighbourhood character of the areas.</p> <p>Objective 3: Must accept that a lot of Nillumbiks residents live away from the centres and rely on vehicles for transport which must be accommodated.</p>	
18981	Oct 06, 2021, 02:00 PM	1		
			<p>These objectives are about urban areas. As a rural lifestyle grazing and hobby farming resident the only things that interest me about these areas is how much of my rates money goes into funding them, and that I have parking there when I go to conduct business. Not an area of interest or one that impacts us aside from this.</p>	<p>Activity Centres have limited relevance to grazing and hobby farming residents.</p> <p>The only consideration for rural residents in the planning scheme for these areas is that there must be sufficient road access and car parking so that rural residents can park to conduct family and property business. If these needs are ignored, we will conduct this business elsewhere. This move would not contribute to the economic sustainability of Nillumbik Activity Centres.</p>
18967	Oct 06, 2021, 08:43 AM	1		
			<p>Doesn't have a walkway and is dangerous for pedestrians to get there from the train. It's not truest accessible to all.</p>	<p>Make the centre accessible and safe by providing a proper walkway from the station</p>
18966	Oct 06, 2021, 07:27 AM	1		
				<p>Shouldn't the eltham community Hospital be based close to one of these activity centres (not squeezed into Apollo Parkways)</p>
18961	Oct 05, 2021, 08:16 PM	1		

		<p>There needs to be more specific detail given about what constitutes commercial activity. Some things classified as such may not be suitable in our Activity Centres.</p> <p>The lack of definition of medium-density housing, mid-rise commercial development and apartments is concerning. There is also no mention here that Nillumbik is a low growth area. Hence the current medium density and apartment complexes may already be meeting the demand. There needs to be an audit of vacancy rates in the current buildings of this nature.</p>	<p>There is no mention of protection of the current vegetation or of the requirements in any new build to plant canopy trees as well as middle and under storey vegetation, preferably indigenous/native. The topography of Eltham Activity Centre means that the built environment is particularly intrusive. Too much of the canopy is already lost which would have softened. screened and continued what I would hope still is a valued feature of Nillumbik.</p>
18930	Oct 05, 2021, 12:32 PM	1	
18881	Oct 04, 2021, 04:00 PM	1	
		<p>I am opposed to medium density housing including mid-rise commercial development and apartments).</p>	<p>mid-rise commercial development and apartments should be left to adjoining councils like Mannigham so that Nillumbik can retain its significant point of difference</p>
18867	Oct 04, 2021, 03:05 PM	1	
			<p>Needs to be an emphasis on pedestrian 'walkability' and cycling in the context of energy efficiency, reducing emissions and reducing vehicle congestion.</p> <p>Importance of indigenous remnant vegetation, particularly local native trees within Activity Centres.</p>
18856	Oct 02, 2021, 08:06 PM	1	
			<p>This objective must include consideration of walkability and cycle-ability. Systems of community transport that minimise reliance on cars (eg walking school buses, greater connectivity among community, car pooling etc) must be supported. Community transport in out-lying areas to assist residents enable residents to access activity centres.</p>
18851	Oct 02, 2021, 02:04 PM	1	
			<p>Ensure indigenous tree canopy and understorey are protected throughout Nillumbik, including Activity Centres within the Shire. Council must actively pursues net increase of indigenous vegetation in urban and rural areas.</p> <p>Strengthen protection of trees in all areas especially in areas of development; improve compliance checks on building sites.</p>
18845	Oct 02, 2021, 10:04 AM	1	

18826 Oct 01, 2021, 12:15 PM	1	<p>Define mid-rise commercial development in metres or floors. Mid-rise is too vague.</p> <p>What different types of diverse housing include? Too broad a statement.</p>	
18824 Oct 01, 2021, 11:13 AM	1	<p>Where are the boundaries of the major activity centres and neighbourhood activity centres specifically defined ?</p> <p>Where are the terms "medium density" and "mid-rise" defined?</p> <p>I am concerned that the objectives of increased housing density is being applied without adequate consideration of vegetation, tree canopy and streetscape landscape. While the % of property occupied by the building footprint is 'controlled' and although the balance may be intended to allow scope for vegetation, it is generally hard-paved for vehicle access and parking with minimal/token planting on borders.</p> <p>Adequate increased vehicle parking provisions need to be included to accommodate parking by the increased number of residents.....it is not feasible to rely on kerbside street parking to take-up this increase in residential parking demand. Onsite parking may require a reduction in the number of residences on the site or increased costs due to construction of underground parking.</p> <p>The objectives should include strong reference to the protection/retention/alignment with/ reflection of the cultural, historical and environmental values of the shire or locality. These objectives should be integrated with proposals of development/increased density.....not merely a cosmetic afterthought regarding the colour and texture of cladding etc!</p>	<p>While activity centres seek to minimise the need for vehicular travel within the activity centre, the concentration of services in the activity centres attract clients from the surrounding areas and further afield. It cannot be assumed that the majority of people will travel to the activity centre by public transport. Provision for vehicle parking must be made for people coming from 'outside' the activity centre to access services within the activity centre and those accessing public transport services from the major transport node.</p>
18817 Sep 30, 2021, 11:49 PM	1	<p>Objective 2. We don't need any more apartments and mid rise development. Mid-rise development leads to less trees, more traffic, congestion and a lower standard of living. This type of development only really benefits developers. Melbourne has many other areas where higher density development is more appropriate.</p>	<p>Whilst it is important to contain growth within the MAC's it should not be at the cost of retaining local character, tree canopy and high environmental standards.</p> <p>Providing diverse housing opportunities is important for an ageing community.</p> <p>Pedestrian access at Eltham station is very poor.</p> <p>The public transport hub needs to be more accessible for all and especially for people with mobility issues.</p>
18814 Sep 30, 2021, 10:02 PM	1		<p>Eltham is great the way it is. I'd like to see sustainable growth and less growth to keep the area's amenity and landscape kept the way it is. I don't think many people want to see the Doncasterisation of Eltham over the coming years.</p>

		Key objectives 2, medium density and mid-rise apartments and complex's will destroy the character of the area.	Yes, there is no mention of keeping larger blocks, which in turn protects trees and vegetation and no mention of restricting future development.
18813 Sep 30, 2021, 09:37 PM	1		
		It's unnecessary development- why do either need to be increase? Traffic and big cost infrastructure will not be paid for by Council but rate payers will be negatively impacted; traffic congestion, schools, pools carbon emissions and increase waste which is not being reduced. Both Eltham and Diamond Creek are surrounded by vegetation. Increasing population and commercial activities will reduce vegetation cover. To much pressure on existing amenities. Council should leave the population as is and operate within current budget; population growth is not the answer. No more tree removal, no more people, no more waste of rate money on art. No more rate payers, paying for electricity for rate payers. Where are all these people going to live - send them to city where high density is appropriate, Not in the green wedge. Leave the green wedge green. Go ahead and develop Kildare if you must! Nillumbik is green - keep us green with	The MPS does not reflect what the long standing and current residents want or need for these areas. It is an unsatisfactory document that ignores all values of the green wedge and its protections. It doesn't reflect how residents and the community want to use Diamond Creek or Eltham centres. There is no benefit to the community - increases to the population will have the opposite and very negative effect (traffic, waste, carbon emissions, vegetation impacts, busyness and crowding, less open space and an unhealthy increase in population density). This is not Nillumbik's responsibility- keep the green wedge green, keep our neighbourhood character. Keep the endangered species safe and protected. Where will development stop? Hasn't covid shown us the benefits of low density populations ? Our covid numbers tell story and benefits of current population limits and amenities in the shire. No population growth cap is identifiable. No minimum block size to reflect current neighbourhood feel such as backyard trees. Reduce council staff and therefore costs Strengthening of green wedge protection is missing. Existing Trees and plants be given a monetary value to support the environment. All high rises to be banned. Landowners to be supported not penalised for owning land and/or farming. All new buildings are required to operate as carbon neutral. Sustainable principles brought to the forefront
18812 Sep 30, 2021, 09:27 PM	1		

and develop Kinglake if you must! Nillumbik is green - keep us green with properties and different to every other suburban Council. Stop forcing land owners to sell, reflective of greedy Council. Save some species for goodness sake.
Diamond creek to get mid rise apartments is the most awful proposal ever. Mid rise will destroy the character, environmental objectives and contribute to climate change. Keep Diamond Creek high rise free. Keep the green wedge green.
All new developments should have 12 star ratings and internal building temperatures of between 16-24 degrees, all new buildings must be carbon neutral and produce no building waste. All trees be given a monetary value, \$100000 per tree.
Activity centres are not welcomed or required, these services already exist and are not needed.

Sustainable principles are great to the environment.
Mid-high density and buildings are not environmentally friendly, not sustainable and encourages an increase to population which puts more pressure on current requirements. What's the magic population number - many people live in Nillumbik because of the green wedge, space, small population density, access to natural environment, trees, ability to own land and enjoy farm animals and native animals.
Current reduction in native species over the last 40 years is a clear indicator that increasing population is detrimental to the environment.
Increase in population will increase energy demands and therefore carbon emissions which is a negative outcome.
Increase in population will put pressure on future resources; more schools, cemeteries, parks, landfill, recycling centres, roads, hospitals, doctors where will they fit if we sell everything now? Letting consumerism plan our future rather than planning for a healthy and environmentally friendly future.
Apartments are not required in Nillumbik, they can stay in Doncaster.
I do not want the activity centres- who is next poor old Hurstbridge and Wattle glen. Plenty of empty offices, shops and homes that are wastfully sitting empty therefore it is unsustainable to build more.
Parking is already a nightmare and increasing population will make this worse - I'm not walking shopping home or riding my bike to the doctor (how many Council workers do? Send your maintenance crew out on public transport!).

Increase minimum block size,
You guys spent 20million to turn a pool in Eltham -disgraceful,
how can you plan and keep the area the way we like it?
Here's an idea, schools all reduce their land and make some social
housing on site.
Stop letting developers make money and take it out of the shire.
It's a terrible plan, no value for our children and the environment.
Unacceptable and disappointing. No measures of environmental
impacts and future are outlined to a satisfactory standard, just
reflects greed and money.
Why not fill in Kanagroo Ground, Warrandyte or Allendale Rd?
Build an apartment block above the Council offices - no, I guess
you don't want it in your backyard either. Don't do it to use and
waste our future environment, once it's gone it's gone and you
can't get it back.
Give the roads back to VicRoads to nagar and pay for (great
savings),
Increase and add more open spaces, car parks, increase traffic
lanes and more traffic signals, make more bike paths and wider.
More people more costs - do the accounts, more people does not
reduce your council
costs. Tell the state government to develop regional areas not our
beautiful green wedge. Come on Nillumbik fight to protect our
shire, keep it green.
I guess a 3 storey housing apartment on the football ovals might
work? Parking already exists, there are heaps, overwhelming used
by only men in the shire...

Please protect the green wedge for future generations, save the mid/high rises for the city and other councils in Melbourne.
Collect money from closed religious groups in shire not those that welcome all and provide charity work.
What is the carrying capacity of Nillumbik's native species and human populations - it's not mentioned?

All

New buildings to be solar powered. Ban 4WDs in planned activity centres as they are unnecessary.

Ban single use plastic at all shops like Coles and woolies.
Eltham and Diamond Creek are already developed to capacity, why not focus on developing and expanding populations in St Andrews, Kanagroo Ground, Research, Cottlesbridge, Kinglake, strawthorn - these areas could all become activity centres, and have plenty of room for high rises (no more out of character than mucking around with Diamond Creek or Eltham). These areas are more central to the shire and are currently lacking in amenities and commercial developments, easy to add bus routes and roads currently under traffic volume and capacity - plan doesn't explore these options.

Socio economic plan is currently unsatisfactory. Economic plan is inaccurate (cost/ benefits is unsatisfactory) and environmental plan needs to be independently conducted.

Population increase will just put more pressure on existing infrastructure, existing environment which has not been accounted for to a high enough degree.

We can't all afford Tesla's.

Let objective 2:

Medium rise commercial and residential is not the way the Nillumbik shire should continue to develop.

Eltham in particular is becoming unrecognisable due to mid rise apartment complexes.

18781 Sep 29, 2021, 09:55 PM

1

Objective 2: Activity centres will simply expand join up and encroach into local semi rural areas.

Need to cap the activity centres.

18707 Sep 27, 2021, 10:55 AM

1

		<p>Additional comments to</p> <p>Objective 1</p> <p>Active transport needs to be a priority to encourage increased walking and cycling access to both major activity centres, including effective accessible and signed links from trails and public transport. Effective, accessible and well located bicycle storage options are required in all activity centres. Tree canopies and understory planting needs to be protected with locally indigenous planting requirements strongly promoted and enforced.</p> <p>Objective 2</p> <p>Housing activities including diversity of housing and in particular, medium density housing, commercial and apartments requires more specific definitions to protect against overdevelopment and loss of neighbourhood character. Tree canopies and understory planting needs to be protected with locally indigenous planting requirements strongly promoted and enforced.</p> <p>Objective 3</p> <p>Active transport needs to be a priority to encourage increased walking and cycling access to both the Hurstbridge and Research Neighbourhood Activity Centres, including effective accessible and signed links from trails and public transport. Accessible off road links for pedestrians and cyclists need to be safe and clearly defined from the Diamond Creek Trail at Hurstbridge. Effective, accessible and well located bicycle storage options are required in all activity centres.</p>	
18626 Sep 26, 2021, 04:46 PM	1		
		<p>The definition of medium density housing and where the mid rise commercial developments and apartments are located within the activity centre is of some concern.</p> <p>A neighborhood street that has single story dwellings and 3 x 2 story townhouse developments such as Cecil street, Eltham should not be allowed to have 6 x 3 story solid built form apartments as proposed recently (but knocked back by VCAT). Allowing planting for canopy trees and native vegetation should be made a priority so as not to lose the character of the town.</p>	<p>Green Character in the activity centre.</p> <p>How, as the Activity centres becomes more developed can the 'green' character of the township remain especially on the east side of Main road ?</p> <p>Access in and around the activity centres. It is no good developing these areas and increasing the density without appropriate parking and convenient access.</p> <p>Having additional walkabilty for shoppers and residents to encourage walking, bike storage for riders near shops ?</p> <p>Parking in and around Coles and Woolworths at peak times is a nightmare, is additional parking being considered for local staff.</p>
18442 Sep 22, 2021, 12:41 PM	1		

Yarrambat??

We dont even have a made footpath in the main street or to any of the connecting bus stops.

18431 Sep 21, 2021, 08:41 PM

1

Objective 3 is not an objective it is a statement. - unless the objective is to preserve the status quo. This would indicate no investment in areas outside of Eltham and Diamond Creek.

18365 Sep 19, 2021, 05:12 PM

1

In general I do agree however I think objective 2 is confusing when talking about growth. There is green field development happening in Diamond Creek and there is a substantial amount of infill occurring in residential areas. I think this objective should explicitly say that these areas will 'continue to accommodate most of the shire's commercial and medium density housing.

I also think that the role of indigenous vegetation in the activity centres should be acknowledged and that any existing mature indigenous trees should be retained, planting opportunities (especially for canopy trees) will be maximised and indigenous vegetation favoured for new plantings.

18342 Sep 18, 2021, 10:08 PM

1

18291 Sep 17, 2021, 12:57 PM

1

Key Objective 2 - Nillumbik has an aging population but it is also decreasing as young people move away. Any medium density housing should be limited in size so as not to remove the country feel of the towns.

Key Objective 3 is unrealistic. Nillumbik Council has little control over public transport and Hurstbridge and Research have very little public transport.. Both towns can continue with a blend of uses but they are too small and rural for there to be sufficient public transport to result in fewer cars.

18285 Sep 17, 2021, 10:37 AM

1

		<p>the appeal of the Major Activity Centres is their leafiness and village feel associated w the built form response and scale of development. Great care should be taken to ensure that new development does not impact on these places in a negative way.</p> <p>the Planning scheme should require very high design standards from new development in the activity centres to ensure that building heights, visual bulk and scale do not detract from the appeal of Eltham and Diamond Creek. Hurstbridge needs a more attention on reducing vehicle speeds through the main street. this will improve pedestrian safety and encourage better trading conditions</p>	<p>The strategy should look at how it can better support small villages of Kangaroo Ground, Panton Hill Christmas Hill and St Andrews.</p>
18278 Sep 17, 2021, 07:13 AM	1		
		<p>Key objective 2. I don't agree with medium density buildings in our area. It cuts down our green space which is why people bought into the area. It generates higher density of people, more traffic congestion and there's not enough infrastructure put in place to support this.</p> <p>I don't agree with the housing opportunities in objective one for the same reason. It's disappointing that council allows land to be subdivided, making our area higher density.</p>	
18267 Sep 16, 2021, 08:20 PM	1		
		<p>Need more housing for older single women living in poverty</p> <p>We as a community should explore all of the opportunities to provide social and community housing for our vulnerable community members</p>	
18254 Sep 16, 2021, 06:26 PM	1		
18230 Sep 16, 2021, 03:54 PM	1		No
		What about Yarrambat?	
18217 Sep 16, 2021, 10:55 AM	1		

			<p>I don't want to see medium density housing with terribly skinny roads that are really designed for single use ie driving or parking not both! I'm horrified for fire truck drivers in an emergency with narrow roads, cars parked on the road and there's barely enough room for a car let alone a fire truck or an ambulance! I don't want a mini Fitzroy with multiple high rises in the area either. I really think access for through traffic in eltham and diamond creek is getting to the point of severe congestion! One train in DC and the traffic is backed up to the secondary college. More people are I living further out and no one has thought about the roads! The Fitzsimmons Rd new development won't fix the single lane into and leaving Eltham! There will still be a traffic jam! The single lane needs to be widened!</p>	As above
18144	Sep 12, 2021, 05:20 AM	1		
			<p>I agree with one and three, but not with the plan for mid-rise commercial development and apartments. I would want to see more details on this before agreeing.</p>	Providing more detail for each objective.
18124	Sep 11, 2021, 12:55 PM	1		
			<p>Partially agree, though should include all areas along the existing rail corridor otherwise would be a waste of infrastructure.</p>	
18083	Sep 10, 2021, 08:38 AM	1		

Built Environment

Title/Question: Built Environment
Tool Type: Form
Activity ID: 308
Report Date Range: 9 Sep 2021 – 21 Oct 2021
Date Exported: 26 Oct 2021 09:56 am

Contribution ID	Date Submitted	Do you agree with the identified key			If not, which objective(s) and why?	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
		Yes	No	Unsure		
19307	Oct 21, 2021, 10:23 PM			1	Our concern here is general rather than specific in recognition of the design principles within the current planning scheme. However, it is important that anything new and innovative/different, whether urban or rural, is not automatically excluded due to subjective interpretation by inexperienced or biased minorities. Key objectives 1-3 Please refer to my my comments under planning relating to major activity centres and more specifically relating to Diamond Creek. Council need to develop a Landscape plan for both sides of the main Diamond Creek shopping centre and a staged plan to implement.	
19289	Oct 21, 2021, 04:10 PM			1	Ratepayers need action not just virtue signally words from consultants..	Urban design outcomes really need to recognise the importance of accessible townships (bikes, mobility aids, etc). They should not be seen as an addition or afterthought to car centric urban planning. One example is having designs that reflect the difference between a street and a road and designing around that (e.g., streets prioritise people, roads prioritise cars).
19282	Oct 21, 2021, 01:53 PM			1		It is vitally important that alternative forms of transport and accessibility are understood, with outcomes improved to include them.
19198	Oct 19, 2021, 08:26 AM				i support the PALS submission and recommendation	We also need themes to reflect the need for higher/diverse density around town centers (which isn't an excuse for cheaply made, poorly designed apartments). More people should be living around towns, less should be living far away.
19189	Oct 18, 2021, 09:42 AM			1	Yes, my strategy is to develop wattle glen and especially Wilson road huge lands need to be subdivided in to smaller lots, streets to narrow, path ways needed, lights need to be put on roads, some of the green wedge areas need to be developed to prevent a bush fire risk also improving every facility in the area will benefit the community.	Wattle glen Wilson road contains different multiple land sizes there's an acre land and a 20 acre land both zoned as a green wedge, we need to build up this area and subdivide the huge lands in to to a smaller lots if we want to keep it as a green wedge we still able to make it a low density zone this will make our community grow. Thank you

			<p>2. Note that enhancement and attractiveness need to be consistent with the values of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity and action on climate change.</p>	<p>Indigenous tree canopy and understorey are protected throughout Nillumbik, including the built environment and all new developments within the Shire. Council actively pursues net increase of indigenous vegetation in both urban and rural areas.</p> <p>In urban areas, introduce 'Biodiversity Sensitive Urban Design. In rural areas, the need to recognise that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be sub-ordinate to primary rural land uses/conservation</p>
19164	Oct 14, 2021, 09:34 PM	1		
			<p>Recognise the full extent of the environmental impact when reviewing building permits i.e. if vegetation must be cleared in order to provide a 'safe' site in bushfire/flood events</p>	<p>Indigenous tree canopy and understorey are protected throughout Nillumbik, including the built environment and all new developments within the Shire. Council actively pursues net increase of indigenous vegetation in both urban and rural areas.</p> <p>In urban areas, introduce 'Biodiversity Sensitive Urban Design. In rural areas, the need to recognise that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be sub-ordinate to primary rural land uses/conservation.</p>
19125	Oct 11, 2021, 11:41 AM	1		
			<p>The objectives are silent with regard to the form, scale and appearance of building design on residential properties. An objective should be included that ensures development is designed to protect and enhance the valued landmarks, views and vistas of the unique landscape of the Municipality.</p> <p>It is noticeable over recent times large poorly designed double storey dwellings are being approved by Council on large residential allotments rather than being designed to sit within the landscape. The dwellings are poorly articulated, do not step down in the landscape and generally constructed of one material.</p> <p>The built form screams look at me, look at me.</p> <p>There is an example of a large storage shed recently built on an isolated ridgeline removed from a property domestic zone. It disrupts the wonderful viewline across valleys to the Dandenong Ranges.</p> <p>Another example is the construction of an outbuilding the size of a large dwelling which appears clearly to have been established to be used for a commercial enterprise on a residential lot.</p> <p>Within the Municipality landscaping to minimise the impact of these buildings is near impossible due to the BMO provisions. Hence the Mc Mansions that are now being built are diminishing the attractiveness of the Municipality unique landscape.</p>	
19121	Oct 11, 2021, 10:24 AM	1		
19063	Oct 07, 2021, 09:54 PM	1		

Key Objective 1

Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment. Agree that township character needs to be maintained, but not sure how this works with current State Planning policy.

Key Objective 2

Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility. Due to poor planning in the past, it is hard to regulate for the historical and individual characteristics of Eltham and Diamond Creek, when they are both such a mish mash of previous design styles. Drawing a line in the sand now may help, but also deter developers from coming to Nillumbik.

Key Objective 3

Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities. Agree. However, topography of Nillumbik and lack of public transport will make this difficult outside of major activity centres.

Key Objective 4

Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas. This is important in all areas, why would rural areas be singled out here. Is this an opportunity for another overlay for the rural areas? Habitat links can also be fire wicks so a bit tricky. Overlays already exist for areas at risk of inundation.

Key Objective 1) Should include words in capitals:

"Apply design principles which will create a built environment" THAT IS ENHANCED BY INDIGENOUS PLANTS AND TREES "and that strengthens etc .."

Key Objective 2) Should include words in capitals: "Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area" ENHANCING INCLUSIVENESS BY PROVIDING TREE SHADED GATHERING SPACES " and enhancing its attractiveness, distinctiveness, safety and accessibility."

19059 Oct 07, 2021, 09:03 PM

1

This is not completely a question of yes or no, nor am I unsure, but as there are suggestions for many of them I have selected no.

Obj 2

Note, as I suggested in relation to the Activity Centre Theme enhancement and attractiveness need to be consistent with the values of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity and action on climate change.

Obj 4

Additional suggestion for this objective:

Restrict the granting of building permits if vegetation must be cleared in order to provide a 'safe' site in bushfire/flood events

19054 Oct 07, 2021, 07:02 PM

1

Suggested overarching objective for this Theme, as also suggested for Activity Centres Theme

Indigenous tree canopy and understorey are protected throughout Nillumbik, including areas of built environment and all new developments within the Shire. Council actively pursues net increase of indigenous vegetation in both urban and rural areas.

In urban areas, Biodiversity Sensitive Urban Design is required.

In rural areas, planning requirements need to ensure that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be subordinate to primary rural land uses/conservation.

			I don't agree with the notion of keeping everything within the strait jacket of what is now considered appropriate materiality in Nillumbik. I'm not suggestin revolution but some evolution.	I would like to see more emphasis on apartment building extending outside the current areas. Combined with enforced tree canopies think apartments would enhance the streetscape compare with the never ending completely boring set up where three houses are plonked on what was a single lot. Council should take a MUCH more active role in encouraging developers amalgamate sites to allow for more innovative provision of housing. Council also need to provide a framework that – regardless of what the State Government might require – protects consumers from shoddy builders.
19043	Oct 07, 2021, 06:28 PM	1	<p>Objective 4.</p> <p>-Habitat links are also important in the urban parts of our Shire! (inside the UGB) (as are the other things listed).</p> <p>-The words" important considerations" are lily livered weasel words that are designed to allow development regardless as long as the development promises to plant a few tube stock in some far away piece of land in the Shire. The words important consideration ought to be changed to say critical consideration, or crucial, but not "important."</p> <p>- Planting offsets ought not be permitted.</p> <p>O.1. Ditto, mere respect for our natural environment is not strong enough wording and is tacked onto the end of the Objective as an afterthought and as mentioned in the Climate Change section, Climate change considerations need to be included in all Objectives.</p>	<p>See above re Climate Change.</p> <p>-Mudbrick building tradition and the notion of limiting embedded energy in built form in addition to other measures to lessen a buildings carbon footprint such as size (building envelopes) siting for passive solar (and solar), room for a clothes line!</p> <p>-Room in all areas, including Activity Centre developments, for canopy trees to reduce heat islands and enhance wellbeing.</p>
19032	Oct 07, 2021, 04:34 PM	1		<p>subdivision to huge blocks in wattle glen should be considered especially the blocks on the edge of the green wedge. Streets need to be full developed let's compare wattle glen to sunbury or mickelham the development there is growing so fast we must develop wattle glen it's only 25km away from cbd.</p> <p>A key objective expressly requiring the creation, retention and/or enhancement of indigenous tree canopy, within our built environment, is required.</p>
19023	Oct 07, 2021, 02:56 AM	1		
			See below.	<p>From an urban design perspective, built form is to be integrated into indigenous vegetation.</p> <p>ESD principles need to be incorporated into buildings, recognising that the Shire was at the forefront of sustainable building since the latter part of the last century.</p>
19007	Oct 06, 2021, 08:20 PM	1		<p>Design principles should include the protection and proliferation of indigenous tree canopies and flora; Council should actively pursue the net increase of such planting. Ecologically Sustainability Development (ESD) consultants/principles should be applied to all developments - renewable energy should always considered as a feasible source of power, along with low embodied-energy materials and passive design principles. Parking should be limited and minimal, to encourage active and/or public transport.</p>
19006	Oct 06, 2021, 08:19 PM	1		
18993	Oct 06, 2021, 04:05 PM		<p>Objective 2: Also respects and reflect Local character.</p> <p>Objective 4: Also Without incurring loss of environmental values</p>	<p>Council actively pursues net increase of indigenous vegetation in both urban and rural areas. Live Local Plant Local</p>

18989	Oct 06, 2021, 03:47 PM	1	<p>Objectives</p> <p>Needs to be a fifth objective to protect the indigenous tree canopy and understory in urban areas. In this respect consider the introduction of 'Biodiversity Sensitive Urban Design' as a planning tool to achieve this outcome.(as is already done with Water Sensitive Urban Design).</p>	<p>In rural areas, the need to recognise that that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be sub-ordinate to a primary rural land uses of the natural environment and/ or agriculture on existing cleared land.</p>
18970	Oct 06, 2021, 08:51 AM	1	<p>Key objectives 1 – 3 are irrelevant to rural grazing and hobby farming residents as they deal exclusively with urban built development. If car parking for rural residents coming into these areas could be specifically mentioned this would be useful. Rewrite Key Objective 4 is already covered – needs to be rewritten to read – providing for the safety and amenity of rural residents and their properties, minimising fire risk, minimising flood and erosion and protecting habitat links are important considerations in siting buildings and works in rural areas.</p> <p>If the same is required in urban areas it is suggested this is already protected in waterways planning, and public land planning.</p>	<p>safety, amenity and service of rural grazing and hobby farming residents is a gap noticeably absent from this narrative</p>
18943	Oct 05, 2021, 02:46 PM	1	<p>Whilst it is stated to respect the natural environment , this is not strong enough wording. This does not necessarily allow for the biodiversity to flourish .The natural environment should determine the design principles.</p> <p>If bushfire and floods and erosion are risks then that site should be declared unsuitable to build on.Vegetation should not be cleared to mitigate bushfire risk.</p> <p>..There needs to be more emphasis on preserving the individual characteristics of the areas, with particular regard to the style of building. Particular streets have concentrations of architecture from a certain period and this should be maintained.</p> <p>Nillumbik has strong artistic, architectural and landscaping history. These features need to be lauded and preserved.</p>	<p>The built environment is to fit into the natural environment so that it is not the feature.The housing should nestle into the hills and landscape including vegetation.</p> <p>Historic, artistic ,architectural and landscaping heritage must take precedence in the consideration of the built design principle of Nillumbik.</p>
18922	Oct 05, 2021, 11:44 AM	1	<p>Key Objective 1</p> <p>Suggest add phrase re streetscapes such as::</p>	
18892	Oct 04, 2021, 05:13 PM	1	<p>Apply design principlesetc...etc.....while respecting our natural environment and protecting or enhancing current streetscapes.</p>	
18887	Oct 04, 2021, 04:41 PM	1	<p>Objective 2 and 4 (see below for amendments)</p>	<p>Objective 2 (above): Urban design outcomes must also be consistent with the high priority community values expressed in the 'Our People...etc' survey, i.e. preservation of the Green Wedge; protection of biodiversity and action on climate change.</p> <p>Objective 4 (above): Building permits need to be restricted if vegetation must be cleared in order to provide a 'safe' site in bushfire/flood events.</p>
18882	Oct 04, 2021, 04:01 PM	1	<p>Needs to be a fifth objective to protect the indigenous tree canopy and understory in urban areas. In this respect consider the introduction of 'Biodiversity Sensitive Urban Design' as a planning tool to achieve this outcome.(as is already done with Water Sensitive Urban Design).</p>	<p>In rural areas, the need to recognise that that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be sub-ordinate to a primary rural land uses of the natural environment and/ or agriculture on existing cleared land.</p>
18870	Oct 04, 2021, 03:09 PM	1		<p>I think that improvements to existing built environments is required I do not support creating new built environments</p>

			Objectives 1 - 4. They are mostly dull objectives, as are the objectives, under infrastructure.
			They suit engineers.
			Nilumbik should be positive and set splendid Architectural objectives and measures to enhance the special character of the municipality's heritage, character, arts, lifestyle, culture, Mud brick buildings, Green Wedge, bushland, hills, villages, etc.,
			Nilumbik should publish a Style Guide for buildings, especially, apartments and villa units, requiring that they enhance, rather than detract from the above.
			This style guide should be complemented by a Streetscape Style Guide of Nilumbik's essential character as noted above.
			Nilumbik should engage Architects and not Engineers, to develop these guides and specific to towns and villages within the municipality as well as of general application across the municipality.
			The Local Character and Place Guidelines 2019 of the NSW Government offer and insight how this might be done in Nilumbik. See at https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/Local-character-and-place-guideline-2019-05-21.pdf It says - "The Guideline has been drafted in collaboration with Government Architect NSW, who recognises the importance of local character in planning for future growth of great places. The Guideline has been developed to align with Government Architect NSW policies including Better Placed"
			Compare this to Victoria's poorer offering - Understanding Neighbourhood Character Practice Note 43 Of 2018. See at https://www.planning.vic.gov.au/__data/assets/pdf_file/0029/97184/PPN43-Understanding-Neighbourhood-Character.pdf
18833 Oct 01, 2021, 02:29 PM	1		Additional Comments to Key Objective 2 An effective, strong and responsive Neighbourhood Character Policy is required to control urban design outcomes in activity centres, residential areas and townships. This policy should not support the type of non Nilumbik styles of recent developments that do not comply with earlier neighbourhood character controls. Retention of historical characteristics of all areas, including residential, should be considered a priority.
18832 Oct 01, 2021, 02:28 PM	1		Key Objective 4 Any potential planning permits should be restricted if significant vegetation clearance is required Create more single level 2-3 bedroom houses for older residents to downsize into.
			Many of us can't afford to move into the 1.3 million+, double story townhouses that are being built. I get that developers think you can live in the bottom and have the upstairs for visitors but why pay for an area of a house that will probably have limited usage and you can't get up the stairs yourself to enjoy?
18829 Oct 01, 2021, 12:28 PM	1		And having a small garden area around these new dwellings would be ideal to grow a few annuals, veggies or herbs. After all, many of us have done this for 30+ years so why would we want to stop entirely.
18754 Sep 29, 2021, 06:58 PM	1		Over development in the Eltham area is changing the view of the area. Need to protect the current Eltham area and stop the
18706 Sep 27, 2021, 10:52 AM	1		over development of allowing multiple housing and high rise residences.
			No. 4 You already have all rural areas zoned fire, and flood risk as well as termite.
			This is already covered, what are u really trying to achieve?
18357 Sep 19, 2021, 04:08 PM	1		Access for pedestrians is needed, not for cyclist, u just spent billions on them

18344 Sep 18, 2021, 10:32 PM	1		<p>I like objective 1 but I think it will function as lip-service in practice since without a more specific aims for social or affordable housing the objective will not be measurable. Consideration should be given to alter this objective to make it more achievable.</p> <p>I would like to see an objective about increasing sustainable design in the shire - for example having an objective regarding a minimum star rating or passive haus certification for new structures. Reduction of energy use per occupant and disincentives for oversized dwellings could be considered. Reuse/reclamation of materials in new developments could be included as well as incentivising local/Australian made materials.</p> <p>I think it is important that the built environment is oriented well for solar access for both the new development and impacts to surrounding developments.</p> <p>A built environment to soft landscaping ratio could be considered as an objective in different zones to enable adequate space for the establishment of canopy trees.</p>
		Key Objective 3	
		Cyclists should be constrained to areas of low risk eg. they should not be allowed on narrow, winding roads that impede normal traffic flow. This is a risk to motorists and cyclists.	
18295 Sep 17, 2021, 01:50 PM	1	Cyclist lanes should be developed where practicable, without impacting high use parking areas, and cyclists should be constrained to these roads.	
18233 Sep 16, 2021, 04:05 PM	1		Very well constructed plan
18127 Sep 11, 2021, 01:01 PM	1		#1. what does "inclusiveness and accessibility" actually mean?
		Key Objective 4	
		Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.	
18104 Sep 10, 2021, 02:43 PM	1	The inclusion, in particular, of rural areas is strongly suggestive of a bias already in the objectives of this report. All other objectives are easily related to the urban areas - this one is much broader	

Climate Change

Title/Question: Climate Change						
Tool Type: Form						
Activity ID: 314						
Report Date Range: 9 Sep 2021 - 21 Oct 2021						
Date Exported: 26 Oct 2021 09:57 am						
Contribution ID	Date Submitted	Do you agree with the identified key objective? If not, which objective(s) and why?			With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?	
		Yes	No	Unsure		
					While several Key Objectives in this Theme are of very real concern, it is appropriate that the subject of bushfire preparedness should be referenced in Theme 10. However, this subject should have also appeared in context in every Theme, and particularly 2 and 3. Why was this not the case? It is essential that Council recognise and support the contribution made by rural land owners to mitigate bushfire risk through sound property management; subjective terminology such as 'poorly located, designed or managed use or development' must only be considered in context with agreed definitions that are not subject to interpretation by inexpert or biased minorities. Council is only one voice in the process of determining how land should be used and managed in bushfire prone areas, with appropriate consideration given to landowners who provide essential maintenance of their properties, along with independent experts across a variety of fields.	
19309	Oct 21, 2021, 11:12 PM			1		
19204	Oct 19, 2021, 08:36 AM				I fully support the PALS submission 1-4. This objective relates to bushfire management, the risk of which increases with climate change, but it is not an objective about climate change per se	
19171	Oct 14, 2021, 10:00 PM			1	NOTE: These objectives have a disproportionate emphasis on bushfire. Suggestions for strengthening the objectives in order to address the Climate Change Theme and achieve climate change mitigation, are listed below. Suggestions for objectives for consideration: -Promote Environmentally Sustainable Design (ESD) throughout planning policies -Tree canopy, understory and small herbaceous plant cover are protected and increased in the urban areas -Planning policies should facilitate and enable renewable energy developments without compromising biodiversity and conservation values.	
					Suggestions for alternate objectives from Plan Melbourne •Improve energy, water and waste performance of buildings through environmentally sustainable development and energy efficiency upgrades. •Facilitate the uptake of renewable energy technologies •Mitigate exposures to natural hazards and adapt to the impacts of climate change •Require climate change risks to be considered in infrastructure planning •Reduce pressure on water supplies by making best use of water resources. This describes how issues such as climate change impact on water security through reduced rainfall, increased evaporation, increased flood risk. •Protect and enhance the health of urban waterways. This recognises that the impacts of climate change combined with urban development from Melbourne's growing population influence the quality and quantity of urban stormwater run-off and pose a number of challenges for the health of Melbourne's waterways. From Victoria's Climate Change Strategy •Ensure new residential development is well-designed, durable, resilient to climate change and built to a high-quality standard.	
19131	Oct 11, 2021, 12:08 PM		1		Protect and increase tree canopy in urban areas to mitigate the impact of increasing temperature with global warming, and ongoing loss to date. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree	
19116	Oct 10, 2021, 08:48 PM			1	No objectives refer to planning and development controls to reduce carbon emissions, encourage renewable energy infrastructure, increase energy efficiency in new and existing buildings or encourage or mandate renewable energy initiatives in new commercial, Council or residential building developments.	
19067	Oct 07, 2021, 10:02 PM			1	I suggest that the theme of planning for emergencies and bushfire preparedness should be considered as an additional theme separated from climate change.	
					Suggestions for objectives for consideration: -Promote Environmentally Sustainable Design (ESD) throughout planning policies -Tree canopy, understory and small herbaceous plant cover are protected and increased in the urban areas -Planning policies should facilitate and enable renewable energy developments without compromising biodiversity and conservation values.	
					Suggestions for alternate objectives from Plan Melbourne •Improve energy, water and waste performance of buildings through environmentally sustainable development and energy efficiency upgrades. •Facilitate the uptake of renewable energy technologies •Mitigate exposures to natural hazards and adapt to the impacts of climate change •Require climate change risks to be considered in infrastructure planning •Reduce pressure on water supplies by making best use of water resources. This describes how issues such as climate change impact on water security through reduced rainfall, increased evaporation, increased flood risk. •Protect and enhance the health of urban waterways. This recognises that the impacts of climate change combined with urban development from Melbourne's growing population influence the quality and quantity of urban stormwater run-off and pose a number of challenges for the health of Melbourne's waterways. From Victoria's Climate Change Strategy •Ensure new residential development is well-designed, durable, resilient to climate change and built to a high-quality standard.	
19064	Oct 07, 2021, 09:55 PM			1	Protect and increase tree canopy in urban areas to mitigate the impact of increasing temperature with global warming, and ongoing loss to date. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree	
19052	Oct 07, 2021, 06:53 PM			1	ignores explicit mention of flooding The first four objectives relate to bushfire management and not specifically to the theme of Climate Change. This appears to be a disproportionate focus on bushfire. The next three objectives very broadly relate to climate change, but do not address planning initiatives that could lead to climate mitigation measures.	
19035	Oct 07, 2021, 05:29 PM			1	1. Promote Environmentally Sustainable Design principles (ESD) throughout all planning policies including the following: •engage an ESD consultant as part of design team for new Council-owned developments (new buildings and major refurbishments) to set the highest	

			<p>The first 4 Objectives could all be put in to one Objective about managing bushfire risk, a risk that has always been with us but that is worsening due to climate change.</p> <p>I am concerned that the built form could lead to more habitat loss with this wording and as I have commented earlier, perhaps it is time to say no more development if the risk of further degradation of the land/waterways will occur if it is the only way to make the building safe. Arguably there is no safe place in our Shire but there are certainly places that are far less safe than others. Any MPS ought not be planning subdivisions in "bushfire prone areas." (Q.4) The only way to make it safe would be to knock out all vegetation and concrete everything!</p> <p>Objectives 5-7 ought to be put first</p> <p>Q.5. I would like to see the word 'direct' be deleted from the sentence so as to include both direct and indirect contributions by Council to global warming being reduced.</p> <p>Q.6. I would like the use of the word "mitigation" rather than just responding, adaptation and preparation, which makes it seem as though we are all just passive players who have no ability to proactively set out to reduce our own footprint. Mitigation measures need to be embedded at the beginning of any planning application, and be integral to it, not tacked onto an application in the aftermath as a token gesture that signifies nothing.</p> <p>3 and 4. Just makes it sound as though it will be impossible for anyone to build in the green areas of the shire without going broke applying for endless permit after permit.</p>	
18930 Oct 07, 2021, 04:12 PM	1			
18916 Oct 06, 2021, 09:40 PM	1			
18995 Oct 06, 2021, 04:37 PM				
18992 Oct 06, 2021, 04:04 PM	1		<p>Fire is only one probable impact from climate change. Change in weather patterns and increase temperature also require appropriate responses.</p> <p>Planning policies should encourage renewable energy developments without compromising environmental values.</p> <p>Facilitate the uptake of renewable energy technologies.</p> <p>Protect and increase tree canopy in urban areas to mitigate the impact of increasing temperatures.</p> <p>Almost every one of these objectives focuses on preparation for and adaptation to climate change, rather than actually addressing or preventing it. These objectives appear to imply that humans are helpless in the face of climate change and have no option but to accept and adapt to it. Instead, Nillumbik should</p>	
18985 Oct 06, 2021, 08:10 PM	1		<p>The objectives seem to deal mainly with bushfire and while that is important there are many other issues to consider and these are detailed in the gaps text box.</p> <p>Do not support the insertion of these key objectives into the planning scheme.</p> <p>Delete Key Objectives 1, 2, 5, 6 and 7 – these are irrelevant for planning purposes and the planning scheme.</p> <p>Delete Key Objective 3 – this is factually incorrect – it is not location, design, or use of property that intensifies risk – as much as it is management of private property, the management of surrounding private property and the management of surrounding public properties. These activities are not covered by the planning scheme.</p> <p>Amend Key Objective 4 is already covered by the Bushfire Management Overlay and Bushfire Prone Areas Mapping, planning and building codes. These should be referenced.</p> <p>Objective 3 council can avoid this by doing more on road Side road bush fire mitigation</p> <p>Council has an obligation to fulfil their bush fire mitigation strategy.</p>	
18976 Oct 06, 2021, 09:04 AM	1			
18959 Oct 05, 2021, 07:18 PM	1			
18953 Oct 05, 2021, 04:58 PM	1		<p>There is not any suggestion on what Council is doing to address Climate Change.</p> <p>Bushfire is only one problem the Shire is facing with Climate Change.</p> <p>First Nations people should be consulted on land management.</p>	
18940 Oct 05, 2021, 02:26 PM	1			
18936 Oct 05, 2021, 01:36 PM	1			
18931 Oct 05, 2021, 12:34 PM				
18910 Oct 04, 2021, 10:20 PM		1	<p>I believe the Theme should be "Mitigation of the impacts of climate change and response to natural disasters"</p> <p>1 As it sits it implies climate change is the sole cause of fire and emergencies</p> <p>What a load of garbage , less rules not more.</p>	
18898 Oct 04, 2021, 06:23 PM	1			
18879 Oct 04, 2021, 03:41 PM	1			
18861 Oct 04, 2021, 12:06 AM		1	<p>I would like to see stronger climate action and a climate declaration from the council. And lowering emissions ought to be central in all decisions, it's foundational to our future.</p>	
18852 Oct 02, 2021, 02:04 PM	1			
			<p>Additional Comments relating to the Climate Change theme 10 to</p>	
18839 Oct 01, 2021, 04:35 PM	1		<p>Key Objective 7</p> <p>Community support includes encouragement to protect tree canopies, use Environmentally Sustainable Design (ESD) principles with buildings, utilise renewable energy and provide safe evacuation options for people with disabilities in times of bushfire.</p> <p>Only the last three Key Objectives state anything about climate change. All the rest are a response to climate change, namely the expected increase in bushfire threat.</p>	
18435 Sep 21, 2021, 11:14 PM	1		<p>Climate change recognition means a complete overhaul of the ways we produce and request carbon at an individual, community and State level. The changes will be monumental and beyond the capacity of most individuals to comprehend before the final tipping points are reached and there is no way to reverse the situation. Models indicate that this is less than 30 years. So get cracking, drop all plans to continue with business as usual and throw the Council into full Climate-change planning as if our lives depended on it.</p>	
			<p>See above and:-</p> <p>"" Every Objective must include and have embedded in it, Climate Change impacts, whether negative or not, and if negative an impact, whether measures that will not further destroy habitat/waterways but will reduce the carbon footprint of the development are possible, and if possible, are enforceable as part of any permit.</p> <p>"" Other Government Bodies, such as Major Roads Projects Victoria (think of the destruction of Eltham's Gateway with the 10 lane highway we didn't want) , or Yarra Valley Water (think Christmas Hills Land), must also comply with any MPS Objectives and the rules that will govern all of us.</p> <p>"" The MPS must reflect the fact that it is meant to be protecting and enhancing the habitat values of Melbourne's last intact Green Wedge. It must not lose sight of this fundamental objective.</p>	
			<p>•Recognising the role that protecting and increasing of our rural indigenous vegetation and wildlife corridors takes in reducing emissions and helping to mitigate the impact of climate change on our native fauna.</p> <p>•For agricultural land use help to encourage new technologies and practices that help reduce emissions.</p> <p>•Promoting Environmentally Sustainable Design throughout planning policy.</p> <p>•Facilitating the uptake of renewable energy technologies without compromising biodiversity and conservation values (e.g. solar farms in already cleared areas)</p> <p>•Planning for passive 'energy reduction' design (such as the use of tree cover to shade buildings that reduces energy consumption for cooling during summer).</p> <p>•Ensuring new residential development is well-designed, durable and resilient to climate change and built to a high quality standard.</p> <p>•Protecting and increasing tree canopy from ongoing loss in urban areas to date to mitigate the impact of increasing temperatures with global warming.</p> <p>There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree canopy being lost.</p>	
			<p>this is about permit applications and land use - that is what the planning scheme does - using it as some form of a pageant is not appropriate and will not produce a useable fit for purpose statement</p>	
			<p>To address Climate Change in a meaningful way there need to be objectives such as-</p> <p>-increasing the amount of vegetation and in particular canopy trees in urban areas to mitigate the heat island effect</p> <p>-introducing planning controls which ensure the use of renewable energy and energy saving devices</p> <p>-restrict development so that there is room on site for adequate tree and understorey planting</p> <p>-approve sustainable living housing and commercial buildings</p> <p>-increase the amount of open green space</p> <p>-restrict development in bushfire and flood prone areas</p> <p>Climate change will put stress on native fauna in our Green Wedge so council must plan to facilitate wildlife movement to avoid native animals being isolated and trapped in habitat pockets. An ESO review is overdue and now urgent to address this obvious consequence of climate change. Habitat 'buffer' areas need to be defined, also wildlife corridors and linkages to allow movement principally in a north-south direction to avoid fauna heat stress. Increased vegetation will be needed. Council must refer to the proposed Amendment C101 (ESO review) for the technical work already completed on this.</p>	
			<p>Protect and increase tree canopy in urban area.</p> <p>Facilitate Environmentally Sustainable Design throughout the planning system, including advice for retrofitting existing housing stock.</p> <p>Facilitate renewable energy projects without compromising biodiversity and conservation objectives.</p> <p>Protect and enhance the health of urban and rural waterways and make best use of water resources.</p>	
			<p>Key Objective 4 should include consideration of flood issues and the effects of changes in land form such as significant cuts or fills associated with developments.</p> <p>Suggest:</p> <p>Put people first and don't treat them like fools.</p>	
			<p>If one of the objectives is to avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development, then</p>	
			<p>Response to climate change needs to be higher up in the list. Yes, we need to prepare for the challenges, but we first need to stop doing the damage.</p>	

Attachment 2 - Redacted and Consolidated Survey Responses MPS Phase 2 Consultation

18363 Sep 29, 2021, 04:26 PM	1	3 is not your business/jurisdiction 4 there are already good measures in place 5 not where I want my money spent	
18348 Sep 18, 2021, 11:04 PM			I don't think they go far enough in terms of carbon neutrality for the shire. It would be great for there to be something in there about energy efficient
18315 Sep 17, 2021, 08:56 PM	1	Key Objective 7: Rather than just 'support' Council to take a proactive and leadership role in encouraging the community to reduce their contributions to climate change.	
18301 Sep 17, 2021, 02:31 PM	1	Key Objective 5 Whilst we would all like to see a reduction in climate change, how we reduce the impact should be methodically planned, communicated and agreed. I recently read that 800 residents responded to a Shire conducted climate action survey, with 87% of respondents stating they would like to see the Shire achieve net zero by 2050. Firstly, 800 respondents are hardly representative of a total population of ~65,000 residents, in fact 87% of 800 is just 696 residents, or just over 1% of the total population. Given the likelihood of respondents having a keen interest in surveys regarding climate change, the 1% is likely to be skewed, dubious at best. Secondly, I'm unsure how you can agree to such targets without understanding what activities / events are currently contributing to climate change within the Shire, and by how much, and what actions are being proposed to reduce those impacts, and the consequences of implementing those proposed actions. Only	
18280 Sep 17, 2021, 08:39 AM		1 after having these questions answered can one make an intelligent, well informed decision.	
18262 Sep 16, 2021, 07:11 PM			Work toward a paperless office or minimise hard copies wherever possible Proceed with the solar farm on the old tip site
18240 Sep 16, 2021, 04:21 PM	1		
18207 Sep 15, 2021, 04:51 PM	1	The shire attempts to be scaring residents instead of taking steps to ameliorate the danger. Why are subdivision permits being issued for bushfire areas? If the threat is real, why allow MORE people to face the risk? Not sure why weather-related (ie storms and fires) are only mentioned in the "climate change" section, and not throughout the MPS. Yes it's linked to climate change, but they should also be recognised in more sections as well.	Fire prevention in areas such as the Plenty Gorge so that habitat isn't lost WHEN there is a fire (not if).
18133 Sep 11, 2021, 01:14 PM	1	#5... would have liked to see this expanded into subpoints/objectives	

Economic Development

Title/Question: Economic Development
Tool Type: Form
Activity ID: 310
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 09:59 am

Contribution ID	Date Submitted	with the identified I Yes No Unsure	If not, which objective(s) and why?	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
19305	Oct 21, 2021, 10:09 PM	1	As a general statement, we have concerns about Key Objectives 4 and 5. Firstly, it is essential that the MPS review is not driven by subjective assessment; we do not believe that Council has the right to arbitrarily determine 'capability and productive potential' of land. Objectivity is essential, and this includes the need for previously agreed definitions that cannot be left to interpretation by inexperienced or biased minorities. For these Key Objectives we support the intent of retaining 'existing agricultural land', and promoting 'sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment' based on objective assessment. However, it is essential that innovative sustainable agriculture and related or down-stream enterprise is encouraged rather than restricted by Council-mandated definitions. The statement in Key Objective 5 that '...the range of tourism and commercial activities are restricted to activity centres or purposes....' takes this further and is a significant concern in terms of potentially restricting enterprise on the assumption of incompatibility based on allotment size, location or some other existing definition. How does Council propose to set these definitions?	
19200	Oct 19, 2021, 08:29 AM		i fully endorse the pals submission	Suggest the following objective as listed in the Green Wedge Theme, is also listed here, in Economic Development: ‘Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage, and explore options for increasing connectivity.’
19167	Oct 14, 2021, 09:41 PM	1	2. Retaining and enhancing community/neighbourhood character must take priority, and must not be impacted by commercial interests. Environmentally and socially sustainable enterprises must be encouraged. 4. Add Sustainable/regenerative objectives: Sustainable Agriculture is an important area of economic development: <ul style="list-style-type: none">• Promote land use in rural areas in accordance with the natural capability and sustainable productive potential of the land. This must be locally responsive, and be protective of local soils, waterways, vegetation, and fauna. This also ensures no further clearing of vegetation.• Retain existing agricultural land for soil based, sustainable, regenerative, ecologically friendly agricultural production.• Promote sustainable, regenerative, ecologically friendly agricultural activities and enforce land management practices that do not have adverse impacts on the environmental values and/or primary production of surrounding land and the catchment.• Protect agricultural land for both its productive potential and environmental value. Apply regenerative practices that are responsive to, and care for, local	

PROPOSED AND THE REGENERATIVE AND, AND CARE FOR, LOCAL
soils, slope, climate, indigenous flora and fauna,
13
waterways and the community; reduce and eliminates
dependence on chemical inputs, particularly herbicides,
phosphates, and insecticides; encourages the use of
contemporary best practice to achieve the above. This
includes rehabilitating indigenous biodiversity, use of
wildlife-friendlier fencing, maintaining soil coverage,
harnessing renewable energy sources, conversion to
indigenous grasses and other foods, increase of habitat
connectivity.
5. Suggest add
...or winery... while ensuring that any “in conjunction uses” or
other modifications to existing use are according to approved
Land Management Plans, which detail how the environment,
habitat links and biodiversity are protected

I would like to see added:
III. Agriculture is an important area of economic development:
•Promote land use in rural areas in accordance with the capability and productive potential of the land.
•Retain existing agricultural land for soil based agricultural production.
•Promote sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production
and environmental values of surrounding land and the catchment.
•Protect and enhance agricultural land for both its productive potential and environmental value.
Add Sustainable/regenerative objectives:
Sustainable Agriculture is an important area of economic development:
•Promote land use in rural areas in accordance with the natural capability and sustainable productive potential of the land. This must be
locally responsive, and be protective of local soils, waterways, vegetation, and fauna. This also ensures no further clearing of vegetation.
•Retain existing agricultural land for soil based, sustainable, regenerative, ecologically friendly agricultural production.
•Promote sustainable, regenerative, ecologically friendly agricultural activities and enforce land management practices that do not have
adverse impacts on the environmental values and/or primary production of surrounding land and the catchment.
•Protect agricultural land for both its productive potential and environmental value. Apply regenerative practices that are responsive to,
and care for, local soils, slope, climate, indigenous flora and fauna, waterways and the community; reduce and eliminates dependence
on chemical inputs, particularly herbicides, phosphates, and insecticides; encourages the use of contemporary best practice to achieve
the above. This includes rehabilitating indigenous biodiversity, use of wildlife-friendlier fencing, maintaining soil coverage, harnessing
renewable energy sources, conversion to indigenous grasses and other foods, increase of habitat connectivity.
Also - ensuring that any “in conjunction uses” or other modifications to existing use are according to approved Land Management Plans,
which detail how the environment, habitat links and biodiversity are protected

			Key objective 4 - Agriculture is a narrow term and often does not include equine industries, please either make it clear that Agriculture includes equine related activities, or address equine related activities separately in the plan as equine activities are very important in Nillumbik. Soil based agriculture is also quite a restrictive term and not a great term to be using here - why are we limiting this to soil based agriculture? What does soil based agriculture actually mean? What does it exclude and include? Does it exclude (for example) livestock? or does it exclude only animals fed on supplementary feeds rather than pasture grown in the soil (e.g. pigs, chickens?) Key objective 5 - This makes no sense. Why are we restricting commercial activities in the green wedge to those that can be used in conjunction with agriculture, rural industry or winery? Plenty of people run home businesses in all different kinds of areas/industries - are you proposing that this should be stopped? why? If you aren't proposing this please change the wording so that your intent is clear	
19081	Oct 08, 2021, 10:49 AM	1		
19076	Oct 08, 2021, 07:42 AM	1		Encourage redevelopment and improvement of Eltham's commercial centre behind Bridge Rd and Susan St. A growing number of cafes and craft bars are opening here, something Eltham residents really appreciate, but the area is a mess! Covid lock down has created a new working from home culture for many in Nillumbik, home offices are probably going to be on-going.
19069	Oct 07, 2021, 11:05 PM	1	Theme 6: Economic Development Key Objective 1	Suggest the following objective as I have also suggested in my comments on the Green Wedge Theme, is listed here, in Economic Development: 'Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage, and explore options for increasing connectivity without compromising habitat and wildlife corridors.'
19056	Oct 07, 2021, 07:14 PM	1	Obj 2 Retaining and enhancing community/neighbourhood character must take priority, and must not be impacted by commercial interests. Environmentally and socially sustainable enterprises must be encouraged. Obj 4 Suggested additions to highlight the importance of Nillumbik promoting sustainable agriculture and to support innovation and leadership in this area. Sustainable Agriculture is an important area of economic development: •Promote land use in rural areas in accordance with the natural capability and sustainable productive potential of the land. This must be locally responsive, and be protective of local soils, waterways, vegetation, and fauna. This also ensures no further clearing of vegetation. •Retain existing agricultural land for soil based, sustainable, regenerative, ecologically friendly agricultural production. •Promote sustainable, regenerative, ecologically friendly agricultural activities and enforce land management practices that do not have adverse impacts on the environmental values and/or primary production of surrounding land and the catchment. •Protect agricultural land for both its productive potential and environmental value. Apply regenerative practices that are responsive to, and care for, local soils, slope, climate, indigenous flora and fauna, waterways and the community; reduce and eliminates dependence on chemical inputs, particularly herbicides, phosphates, and insecticides; encourages the use of contemporary best practice to achieve the above. This includes rehabilitating indigenous biodiversity, use of wildlife-friendlier fencing, maintaining soil coverage, harnessing renewable energy sources, conversion to indigenous grasses and other foods, increase of habitat connectivity. Obj 5 Suggested addition ...or winery... while ensuring that any "in conjunction uses" or other modifications to existing use are according to approved Land Management Plans, which detail how the environment, habitat links and biodiversity are protected	

				Need to add some metrics for the in conjunction with agriculture use of green wedge land.
		Objective 5 not strong enough		Need to ensure that developers cannot get away with calling a single lemon tree out the back next to the dunny as "agriculture".
19045	Oct 07, 2021, 06:36 PM	1		Equally need to ensure that proposals for in conjunction uses are not refused based mainly on the personal whims of some council staff member
			<p>Key objectives 1 – 3 are irrelevant to rural residents.</p> <p>Review and rewrite Key objective 4 – this is contradictory – the productive potential of the land is not necessarily soil based agricultural production – sustainable agricultural activities are not necessarily soil based agricultural production – land management practices that minimise adverse impacts of primary production and environmental values may not be soil based agriculture either. Agricultural land is already being protected by the Victorian Government. Nillumbik does not need to duplicate what is already occurring.</p> <p>Delete Key objective 5 and replace it with something more appropriate – this objective is not true or desirable. Green wedge rural areas house significant home business and “commercial” activities (whatever these are). They always have and always will. This is appropriate now and into the future. What is a rural industry? Horse agistment is a significant economic activity in rural Nillumbik now, and will remain so into the future. This is appropriate.</p> <p>Where is the tourism, accommodation and day stay destination economic development objective? The purpose of green wedge areas is to provide infrastructure, recreation opportunities, environmental benefits, and agriculture for metropolitan Melbourne. If council removes opportunities for this area to deliver to it’s purpose the area will continue to be vulnerable. Let’s be really clear on this – most lifestyle grazing and hobby farming families do not particularly value the influx of visitors driving through here on weekends – but we all recognise it is important for the viability and sustainability of the area and so we share. It is interesting to us that our sharing is reciprocated with proposals that seek to ignore, undermine, punish, limit, restrict, economically and socially disadvantage and harm us for no benefit – which is what council proposals have consistently done for more than 16 years.</p>	pushing any economic activity from green wedge areas is not achievable, not desirable, and not practical. we are all aware council aims to bring economic decline to green wedge areas - and this is a breach of several Victorian laws - suggest revising this - it is in the public domain now and is unconscionable conduct by council
18972	Oct 06, 2021, 08:56 AM	1		
			<p>The wording does not provide enough protection for the character of the activity centres to still be retained even if further businesses or developments occur. Any new place of employment must adhere to strict planning guidelines for not overwhelming the current built and natural landscape.</p> <p>The possibility of more tourism and or commercial or agricultural ventures in the Green Wedge run the risk of spoiling what Nillumbik hopefully wants to preserve.....environment, biodiversity, flora and fauna habitat, health of waterways etc. Even if restricted to agricultural, rural industry and winery these ventures can become too large and destructive of the entire environment.</p>	<p>The economic social and environmental priorities need to be explained in this objective.</p> <p>How is the infrastructure in the more rural areas to be introduced? Again this is an issue which needs environmental consideration if new ventures are to be considered.</p>
18946	Oct 05, 2021, 03:40 PM	1		
			<p>Key Objective 1 could be strengthened by reference to increasing local employment e.g.</p> <p>Focus on strengthening existing enterprises and facilitating new business initiatives that provide increased local employment opportunities and respect the Shire's environmental, social and economic development priorities.</p>	
18926	Oct 05, 2021, 12:02 PM	1		
			<p>Objective 4: In the rural conservation zone (RCZ) conservation is the primary use, so agriculture must be secondary to conservation so it must serve to sustain conservation purposes in all instances.</p> <p>Objective 5: Should be re-written to better describe the 'in conjunction' relationship i.e. "...restricted to activity centres or purposes that can be used in conjunction with existing viable agriculture, existing viable rural industry or existing viable winery. The commercial or tourism activity must operate according to a land management plan which shows how biodiversity, habitat links and rural amenity are protected".</p>	
18906	Oct 04, 2021, 10:10 PM	1		

			<p>ADD New Objective:</p> <p>Progress the off-road shared trail network and connections across all public land tenures to link with neighbouring municipalities, maximising visitation and safe recreation opportunity.</p> <p>With Key Objective 4, ADD a 5th dot point:</p> <p>* Protect existing grazing land for animal keeping and rural activities</p>
18904	Oct 04, 2021, 10:02 PM	1	
18874	Oct 04, 2021, 03:32 PM	1	
			<p>Additional Comments to</p> <p>Key Objective 1</p> <p>Also undertake training and development processes to raise the awareness of local traders of the benefits in responding to the catering needs of cyclists and walkers utilising the Diamond Creek Trail and other off road exercise options in Nillumbik. These could include cafes, restaurants, accommodation providers and servicing facilities.</p> <p>Key Objective 2</p> <p>An effective, strong and responsive Neighbourhood Character Policy is required to control urban design outcomes in activity centres, residential areas and townships. It should be a priority to enhance identified community and neighbourhood character, which should not be compromised by commercial interests.</p> <p>Key Objective 3</p> <p>Also uses within industrial precincts should not compromise or impact on the amenity of residential areas adjoining these precincts.</p> <p>Key Objective 4</p> <p>Prioritise and encourage sustainable and ecologically friendly agricultural activities in Green Wedge areas, while protecting waterways and neighbourhood and community character.</p> <p>Key Objective 5</p> <p>The range of tourism and commercial activities within the Green Wedge needs to respond to the existing supporting services, land use requirements and community facilities.</p>
18835	Oct 01, 2021, 03:16 PM	1	
			<p>Objective 1 is so broadly written re facilitating new businesses that we could wind up with a bunch of 'new initiatives' that don't fit into a Green Wedge.</p>
18831	Oct 01, 2021, 01:14 PM	1	
			<p>Objective 4 - there is no mention of agriculture based on animals or equestrian which currently exist in the Shire. Both are well established and should be allowed to continue.</p> <p>What does this council see as 'Primary Production' this should be clearly stated.</p>
18376	Sep 19, 2021, 06:21 PM	1	
			<p>Absolutely not! What is your goal here... to reduce rural property value! You are trying to bring back c101 and c31</p>
18359	Sep 19, 2021, 04:15 PM	1	
			<p>Key Objective 5</p> <p>Within limits, National Parks for people to enjoy should be encouraged within the Green Wedge.</p>
18297	Sep 17, 2021, 02:03 PM	1	
			<p>Objective 4 should be brought into the current century by allowing modern uses such as hydroponic gardening as well as soil based</p>
18236	Sep 16, 2021, 04:13 PM	1	Review objective 4
			<p>Nillumbik needs development and jobs. Pinning all hopes on agriculture is too green and unrealistic. Broaden your view.</p>
18221	Sep 16, 2021, 11:11 AM	1	Township for Yarrambat

18129 Sep 11, 2021, 01:04 PM

Much of the key objectives deal with bricks and mortar businesses. How do you plan to support/promote micro and service-based businesses in the Shire?

1

Green Wedge

Title/Question: Green Wedge
Tool Type: Form
Activity ID: 306
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 09:40 am

Contribution ID	Date Submitted	Do you agree with the identified key objectives?		If not, which objective(s) and why?	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
		Yes	No	Unsure	
19293	Oct 21, 2021, 05:50 PM			1 Objectives 4, 7 & 8 are very important. I would like to see the Green Wedge protected from development, no stealthy enlargement of the Urban Growth Boundary. With climate change to be considered we need green open spaces now more than ever. It has been termed the "lungs of Melbourne" & so it should remain. I'm not sure what essential services, infrastructure, & community services involves, but I can sympathise with the need for internet coverage. Objective 5: Ensure development in rural areas mitigates potential fire risk. What sort of development would be proposed?	
19281	Oct 21, 2021, 01:49 PM			1 Key objective 4. There is no evidence of conflict between agricultural and residential rural land use to be 'managed'. Our small rural landowners have for many years been the underappreciated true custodians of our Green wedge, the majority area 90%+, lies outside the shires residential zones. Our small rural landowners who are over regulated by very restrictive planning overlays need to receive far more support from Council and not be further frustrated by ill considered restrictive controls. I request that Council implements recommendations incapsulated within the Nillumbik Proactive landowners { PALS} submission made at this time.	Whilst we should always preserve areas of known environmental significance Council should not be tempted to try to 'lock away' areas of land as 'conservation zones' in the guise of 'natural resource management'. Our small rural landowners already do an excellent job in managing their land without additional frustrating interference.
19278	Oct 21, 2021, 01:31 PM			1 It's not that I disagree with any of the objectives, but I can't tell if this acknowledges that protecting the environment also includes sustainable and appropriate development. This doesn't only mean stopping bad development like subdividing plots away from the business areas of towns, but actively working towards providing different forms of housing/housing densities around townships. Part of the green wedge characteristics is living in leafy green towns, so it would be fantastic to see a creative vision where we can have higher density in Hurstbridge, Eltham, and Diamond Creek without compromising the environmental importance of living in Nillumbik (i.e trees providing appropriate shade alongside streets/bike lanes/paths).	
19196	Oct 19, 2021, 08:13 AM			1 i fully support the PALS SUBMISSIONS	

			<p>The protection of the environment and biodiversity should guide all planning in Nillumbik.</p> <p>Other suggested objectives:</p> <p>Apply a building envelope to minimise the development footprint for built form and associated infrastructure by minimising fragmentation otherwise caused by scattered development.</p> <p>The Urban Growth Boundary (UGB) is treated as a hard boundary which does not allow for extension into the Green Wedge.</p> <p>Extend and support Trust for Nature covenants</p> <p>Continue to investigate the feasibility of planning permit conditions defining a maximum footprint for domestic areas (avoiding fragmentation) on lots with Green Wedge and Rural Conservation Zone taking into consideration biodiversity, landscape and agriculture.</p> <p>Develop policies to effectively control invasive plant and animal populations, and restrict planting of environmental weeds.</p> <p>Review the application of Environmental Significance Overlays and Significant Landscape Overlays across the Green Wedge zones in line with Government policy, ensuring enforcement of protections and adequate resourcing</p>
19162	Oct 14, 2021, 09:29 PM	1	<p>1. Recognise that the preservation of the green wedge, protection of biodiversity, and action on climate change, hold the greatest value – and are therefore top priority - for the Nillumbik Community.</p> <p>(Consistent with the findings from the Our People, Our Place, Our Future community consultation)</p> <p>6. All development in rural areas minimises potential fire risk in a way which is acceptable to, and compatible with, First Nations People's stewardship of the land, as well as being compatible with Climate Change mitigation and preservation of biodiversity.</p> <p>8. Suggested addition:</p> <p>... whilst ensuring agricultural practices employ sustainable and regenerative practices, protect the Green Wedge and reinvigorate biodiversity.</p>
19123	Oct 11, 2021, 11:35 AM	1	<p>The protection of the environment and biodiversity should guide all planning in Nillumbik.</p> <p>Apply a building envelope to minimise the development footprint for built form and associated infrastructure by minimising fragmentation otherwise caused by scattered development.</p> <p>The Urban Growth Boundary (UGB) is treated as a hard boundary which does not allow for extension into the Green Wedge.</p> <p>Extend and support Trust for Nature covenants</p> <p>Continue to investigate the feasibility of planning permit conditions defining a maximum footprint for domestic areas (avoiding fragmentation) on lots with Green Wedge and Rural Conservation Zone taking into consideration biodiversity, landscape and agriculture.</p> <p>Review the application of Environmental Significance Overlays and Significant Landscape Overlays across the Green Wedge zones in line with Government policy, ensuring enforcement of protections and adequate resourcing</p>
19105	Oct 10, 2021, 08:28 AM		I support PALS submission. 100%
19104	Oct 10, 2021, 08:24 AM		I am I. Support of the document that PALS have submitted , stand behind what they have said
19102	Oct 09, 2021, 07:18 PM	1	<p>I wish to add my support to the PALS submission. If you want to reduce mud in runoff into the creeks, then start by sealing all your dirt roads.</p> <p>I agree with PALS in their submission.</p>
19092	Oct 09, 2021, 10:08 AM	1	<p>Revise Objective 3. Rural areas cannot 'lack existing infrastructure'. They can (and do) lack infrastructure existing elsewhere in the shire.</p> <p>Key objective 4 makes no sense - what conflict is there? land parcels that are unviable for what? Remove this objective please</p> <p>Key objective 2 regarding native vegetation needs to be balanced against fire risk</p>
19080	Oct 08, 2021, 10:33 AM	1	
19079	Oct 08, 2021, 10:11 AM		<p>I support the PALS submission</p> <p>I support the PALS submission</p>
19074	Oct 08, 2021, 12:26 AM	1	<p>4 & 5</p> <p>Minimum subdivision is set I believe at around 20 acres. The message I take from these statements is that it will be even harder, if not impossible to build a home on current vacant legitimate blocks. This is not fair and equal to all.</p> <p>I think a balance needs to be found between protecting the green wedge and fire risk. Tracts of rural land can help as fire breaks. A balance needs to be found here to protect wildlife and human life</p>
19073	Oct 07, 2021, 11:58 PM	1	<p>Objective 4: any possible conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels should not be an issue, as the Green Wedge is legislated by State Parliament. Council do not have the remit to over-ride State legislation.</p>

Supporting the rural residents to navigate the planning process in a timely and economical way, which is non-punitive and supports their aspirations, their family and their value as a member of the rural community and a part of the wider Nillumbik family. Not some criminal that should be punished for living in this GW and wanting a hobby farm or lifestyle property.

19060 Oct 07, 2021, 09:20 PM

1

1) Not sure how recognising that the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource based activities and residences translates into Planning outcomes, unless it means additional overlays. I would think that recognising that the majority of RCZ and GW zoned land is in private ownership, with historical settlement patterns and land uses might have some meaning. Natural resource based activities? does this mean enjoying living here and having lifestyle property, potentially with cleared grazing land.

2) Who are we protecting our Green Wedge from? we have an urban growth boundary, there are only a few vacant blocks that might get a building permit. This Council is buying into "The Green Wedge Protection" mythology. What is it's environmental integrity, surely that is what has evolved due to mining being abandoned, large orchards and some other farming no longer being viable, allowing re vegetation, due to farms being sub-divided forty years ago and the more marginal land being left to return to bush by lifestyle property owners. It is not National Park, The GW is primarily something that the people who have lived here, many intergenerationally have created, either by replanting, allowing re-growth, retaining cleared grazing land etc. that is all part of its unique environmental integrity. It is already a safe haven for native wildlife, thriving biodiversity and native vegetation. There are no multi-developments planned, no huge tourist attractions, nothing that threaten these things. Can we not also protect, if it needs protecting the historical significance of its patchwork of farms, hobby farms and lifestyle properties and the diversity of livestock and farming that does still occur.

3) Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage. Is this to acknowledge and help those who live in rural areas or provide another reason why they shouldn't live there. Kinglake is an example of a thriving township, not in Nillumbik, but serving those in that part of the shire, since Black Saturday it's community infrastructure has improved, the businesses are thriving and it even has a proper petrol station. Rural residents love living here and acknowledge that we don't have same services as the rest of Nillumbik, so please don't then punish us further with more overlays and planning restrictions.

4) Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels. There is no such thing as an unviable land parcel in rural areas, as existing sub-division will confirm, with many .5, 1, 2, 3, 4, 5 acre properties existing harmoniously with their neighbours. What is this land use conflict that is described here? The only conflict with smaller lots is the requirement under the Bala rating to remove vegetation.

5) Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management. Again the only land use conflict is the one which may occur when existing cleared grazing land is subjected to enforced planting, stock reduction or fencing of waterways. The other conflict occurs when existing or new properties seek building permits in areas with RCZ zoning and require numerous and costly environmental reports and the requirement of paying offsets. If Council is going to hide the potential of additional overlays under the heading of land use conflict, it needs to articulate where this conflict is occurring. Is it between environmental planners and residents or Ideologically driven, but misguided Councillors. Ground truth needs to be done to prove the premise for this objective.

6) Ensure development in rural areas mitigates potential fire risk. Bala ratings and BMO overlays already regulate this with regard to new development and also for those seeking to expand or add infrastructure to their properties. If this meant that Council infrastructure in rural areas, such as club houses, ovals etc could be hardened up to provide some shelter during bush fire this would be good. If it meant that rural roads would be widened and site lines improved by removal of fuel this would be good. Impossible to mitigate potential fire risk, so I guess, this will be another reason for Council to reject applications from any that wish to develop a home or business in rural areas.

7) Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land. Ridiculous. Think this means that no sport or recreational activities, horse riding etc will ever take place on old tip sites. Other than that do not see the point of it. Mining was rampant in many of our bush land reserves, along the streams and waterways of Research and Smiths Gully, yet development has occurred on these sites. Many of the orchards in Hurstbridge, South Eltham and other areas used DDT and other long lasting contaminants. It is a problem, but not one I think the State Government will concern itself with. How would Council use this information if it was obtained? how would it impact on existing use rights. Alistair Knox Park is built on the old Eltham tip, perhaps you should start with that.

8) Protect and enhance agricultural land for both its production potential and environmental value. Does this mean Council

8) PROPOSED RURAL LAND: agricultural land not only its productive potential and environmental value - does this mean rural land will give cleared grazing land and other farm land some status in the planning scheme? will it have its own environmental value allocated to it, so that it too can be protected as part of the GW and not be subjected to re-vegetation. What if it is for keeping of livestock, such as horses, that is deemed an agricultural use, but not necessarily adding to the GDP. Yet has value for residents and visitors alike.

9) Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it- Motherhood statement - means little to those who choose to live here and look after it. We Celebrate our rural life and our rural communities, not any mystical connection to some descriptor.

I wonder whether you might have had more input had you not made this Planning Strategy so comprehensive - all in one report. Perhaps you prefer people NOT to take the time to read and comment on.

We are on land, which we care for at great expense, huge amounts of time and energy are also put into our land. We LOVE where we live and all we ever hear about is looking after a bird, or insect or whatever, we don't want some "greenie" dictating to us - we don't tell those in suburbia how to live!

We 100% support PALS submission - let's listen to those actually ON land!

19047 Oct 07, 2021, 06:41 PM

Suggestions for other objectives
Other suggested objectives:
Apply a building envelope to minimise the development footprint for built form and associated infrastructure by minimising fragmentation otherwise caused by scattered development.
The Urban Growth Boundary (UGB) is treated as a hard boundary which does not allow for extension into the Green Wedge.

Extend and support Trust for Nature covenants

Continue to investigate the feasibility of planning permit conditions defining a maximum footprint for domestic areas (avoiding fragmentation) on lots with Green Wedge and Rural Conservation Zone taking into consideration biodiversity, landscape and agriculture.

Develop policies to effectively control invasive plant and animal populations, and restrict planting of environmental weeds.

Review the application of Environmental Significance Overlays and Significant Landscape Overlays across the Green Wedge zones in line with Government policy, ensuring enforcement of protections and adequate resourcing

This is not completely a question of yes or no but as there are suggestions for most of them I have selected no.

Objective 1
Referring to 'sites of environmental and landscape significance' can lead to a narrow focus on Commonwealth significance under the EPBC Act or State significance under the Flora and Fauna Guarantee etc. A common default (even in planning scheme amendments and VCAT cases) is to down-play environmental significance if there's a lack of Commonwealth or State significant species, rather than recognising that all areas of vegetation/habitat are significant and must be protected.

Natural resource-based activities, including agriculture, must not be to the detriment of the environment, and must actively work to enhance the health and abundance of indigenous biodiversity.

19042 Oct 07, 2021, 06:26 PM

1

Recommendation that the preservation of the green wedges - maintenance of biodiversity and active climate change - hold the

recognise that the preservation of the green wedge, protection of biodiversity and action on climate change, hold the greatest value – and are therefore top priority - for the Nillumbik Community.
(Consistent with the findings from the Our People, Our Place, Our Future community consultation)

Referring to the Green Wedge in Nillumbik containing ‘residences’ implies that residential land use is supported in the Green Wedge zones. This is not the case in the RCZ or GWZ and to imply otherwise is contrary to the purposes of those zones

Objective 3
Suggested reword
‘Recognise that the rural areas often lack infrastructure, including essential services, community facilities and internet coverage, and explore options for enabling community connections whilst minimising the impact on vegetation.’

Ob 4
Development cannot be to the detriment of the environment and/or lead to further loss of existing agricultural land.

Ob 5
Needs to take into account
The management of conflicting land-use, resource use and environmental management, is done through the development, enforcement and ongoing review of land management plans, in conjunction with environmental protection strategies and enforcement. These processes must be adequately resourced.

Ob 6
Suggest that it is reworded to say
Development should only proceed where the proposed development meets the first principle of avoiding and minimising loss of native vegetation.

In addition
All development in rural areas minimises potential fire risk in a way which is acceptable to, and compatible with, First Nations People’s stewardship of the land, as well as being compatible with Climate Change mitigation and preservation of biodiversity.

Ob 8
Suggested addition:
... whilst ensuring agricultural practices employ sustainable and regenerative practices, protect the Green Wedge and reinvigorate biodiversity.

Protection of the Green Wedge and the relevant zones must be the paramount and overarching aim and must not be allowed to be compromised by ideas that might be described as “Living in the Green Wedge.

Natural resource-based activities, including agriculture, must not be to the detriment of the environment, and must actively work to enhance the health and abundance of indigenous biodiversity.

Recognise that the preservation of the green wedge, protection of biodiversity, and action on climate change, hold the greatest value – and are therefore top priority - for the Nillumbik Community.
(Consistent with the findings from the Our People, Our Place, Our Future community consultation)

Referring to the Green Wedge in Nillumbik containing ‘residences’ implies that residential land use is supported in the Green Wedge zones. This is not the case in the RCZ or GWZ and to imply otherwise is contrary to the purposes of those zones

Under 8: Suggested addition:... whilst ensuring agricultural practices employ sustainable and regenerative practices, protect the Green Wedge and reinvigorate biodiversity.

The protection of the environment and biodiversity should guide all planning in Nillumbik.

Other suggested objectives:
Apply a building envelope to minimise the development footprint for built form and associated infrastructure by minimising fragmentation otherwise caused by scattered development

Need to emphasise ENFORCEMENT activities to ensure that everyone follows the rules. Make sure Council has the resources to do this..

		<p>While not against the assumed intent of a majority of the Key Objectives, we have concerns about all of them when they are considered in the context of the wording used in the Strategic Direction document within the MPS. Of particular concern are Key Objectives 1, 2, 4 and 5.</p> <p>It is essential that the MPS review is not driven by subjective assessment of what is important/relevant and what is not; for example, use of the terms 'poorly located, designed or managed' must be supported by previously agreed definitions that cannot be left to interpretation.</p>	
19039	Oct 07, 2021, 06:06 PM	1	
			<p>The MPS is not acknowledging that a large majority of rural residence are lifestyle and hobby farms and contribute greatly to the existence of the GW. Why is this? It would seem from these objectives that they may be considered as a conflict for land use but as conflicts are not specified, it's hard to know and comment on. I get a feel from these objectives that they have been born out of terrible anxiety and are perceived problems. All objective should be based on data that provides evidence to the issue not on the anxiety of a minority of community members. The majority of Nillumbik residents sit in the middle of the bell curve with the hard greens and the developers either side and we just want a balance and to enjoy our connection to the GW and not theirs!</p>
19031	Oct 07, 2021, 04:33 PM	1	
		<p>Key Objective 2 Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation.</p> <p>The Green Wedge and the environment is protected by various State Laws so it does the need local planning to protect, it is unnecessary. The MPS and the objectives should not replicate other State laws and acts. the Objective should read Acknowledge our Green Wedge and the environment it provides as a safe haven for native wildlife, thriving biodiversity and native vegetation.</p> <p>☒</p> <p>Key Objective 4 Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.</p> <p>I find this objective is unclear. What are the conflicts? and under what evidence base can you say this? Are you saying that the larger rural lots in the GW that could be legally divided into small lots, should not be? as it will no longer be viable as agricultural land to farm? If it is not economically viable to farm, then what are you expecting lot owners to do? Are you really intending to penalise individuals who have a legal right to subdivide? If so then council need to prove that the land can be viable to farm.</p> <p>Key Objective 5 Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.</p> <p>Another unclear objective what does this mean? Please use clear simple language so the meaning of the objective is transparent. I'm not even going to hazard to guess what this means.</p> <p>Key Objective 7</p>	

Protect and enhance agricultural land for both its productive potential and environmental value.
What makes this objective different from the ones above? I get the feeling from all the objectives that unless the GW has bush blocks or productive farming that any other land use is unacceptable so rural lifestyle living properties will be seen as unacceptable and yet they underpin the GW and makes it sustainable. We do not live in a National or State Park but in Metro Melbourne. What do you consider the environmental value of agricultural land?

Key Objective 8
Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.
Again, what does this objective mean? and what is it designed to achieve? My connection to the GW may not be your connection, so which of our connections are we celebrating? This objective sounds exclusive not inclusive! Makes it sound like we only have one connection and everyone must feel it too! To make it more inclusive "Our diverse connections to the Green Wedge are celebrated by all who live, work or enjoy their time in it."

In wattle glen there are huge blocks that need to be developed! wattle glen needs a major development will be great to make a use of this huge lands and use them for the community. This will benefit the area and the community that live in it.

19022 Oct 07, 2021, 02:44 AM 1

In agreeing with the above objectives however in addition, as an owner of 20 acres of land on the edge of the Green Wedge (Wilson Road, Wattle Glen), I believe it is important to consider allowing further subdivision into smaller lots (STCA) given subdivision in this area has not occurred since 1986 / 1987. This area is a beautiful landscape, is only 25 km from the Melbourne CBD and should be benefited by the people and by the community. It is a disadvantage to the land and area that it is not being used to its full potential and capacity and not being recognised for this potential.

The land that is on the edge of the Green Wedge should be changed to, at least, a low density zone to make the Wattle Glen area larger and allow for further growth in this area, whilst still ensuring that the native wildlife and native vegetation is maintained and protected as this would be vital to the Shire.

19021 Oct 06, 2021, 11:03 PM 1

The objectives seem very leading to me. They do not take into consideration the potential opportunities for tourism and the number of hobby farmers in the area. Many rural owners have livestock which does not seem to be covered. It sounds to be like the proposal is to lock it up and throw away the key. It does not deal with the issue of lack of diverse housing options in the area.
The Green Wedge should be able to be enjoyed by everyone however not restrictive controls on private property.

Promoting Tourism opportunities for our area
Hobby Farmers
With north east link to be built consideration needs to be given to greater housing diversity in appropriate areas
Need to address the issue of housing affordability in the shire and look to create appropriate rezoning of land close to infrastructure to support greater number of residents. Nothing like Doreen but clever environmentally sensitive developments that fit into Nillumbik's way of life. Somewhere I would love to retire!

19019 Oct 06, 2021, 10:19 PM 1

Protecting the environment at the cost of bushfire and human safety. The council is contradictory on this issue.

19018 Oct 06, 2021, 10:00 PM 1

I'm concerned the wording of these objectives are masking something deeper. Think c101 & c 81. I have a sneaking suspicion this is a back door attempt to reintroduce something similar which I object to.

No, but how is the council going to improve internet coverage? (Part of key objective 3)

19014 Oct 06, 2021, 09:31 PM 1

Because they are motherhood statements and it is not clear what it means in real terms

As above

19013 Oct 06, 2021, 09:29 PM 1

			Most importantly, protection of the environment and ecology should guide all planning by the Council.	
			Also: - Treat the Urban Growth Boundary (UGB) as a hard boundary - extension into the Green Wedge is prohibited. - Implement policies to control invasive flora and fauna. -Complexify methods and approach to fire management in a way that is acceptable to or informed by First Nations People stewardship of the land, that is, in a way that is compatible with climate change mitigation and revitalises biodiversity.	
19011	Oct 06, 2021, 09:12 PM	1	There is nothing about protecting existing rural landholders rights, nothing about rural grazing and hobby farmers. No mention of business, tourism, amenity, or infrastructure in rural areas.	Yes protection the the rights of rural residents and their rightful use of their land.
19010	Oct 06, 2021, 09:09 PM	1	Objective 5,{ the first O.5 }(see earlier submission on the previous Objectives I didnt realise I couldnt go back into it to add to it) O 5's sentence reads like something out of the comedy "Utopia" and it may well be trying to fudge what land use will be given priority. I don't like the word "sustainable" : for whom? the farmer, the developer who wants to build a hotel out in the Wedge, or the environmental value of the land: the trees, the understorey, the grasses, the soil and river health, the native fauna? A green wedge must be about the natural environment and whatever is best for it FIRST. This is imperative because I have seen over my lifetime living in the Shire (and formally the Shire of Eltham) the gradual erosion of the Green in the Green Wedge with more and more development, land clearing, huge houses in the Wedge.etc Re O.5 part two Fire risk : I would argue that no development may be the best option in parts of the high fire risk areas as people will be put at risk no matter how much land clearing you allow around a house (and this in turn diminishes the Green in the Wedge as mentioned earlier). Objective 7. This objective is the one where an SLO as mentioned earlier, would be good to protect the aesthetic of the Green Wedge and the use of the word enhance ought not imply "increase" at the expense of natural bushland.	Re O 5 Part 1:There are too many potential land uses allowed in the Green Wedge of our Shire (and most Green Wedges in Melbourne are completely degraded now) so in order to preserve the last remaining intact Green Wedge in Melbourne, the Planning Scheme must limit land use permits and introduce building envelopes that are enforced and not altered. Only very limited further building ought be permitted, mainly within the rural township boundaries. Once again, it is time the natural environment is put first. I would like to see the word "enhance" used for the Natural Environment not just the Agricultural land in O.7. Re O.7 An SLO. One more thing not covered here are the rural township plans and boundaries: we must ensure they are included and not expanded, likewise that there ought to remain a hard Urban Growth Boundary: this last point is very important, in fact crucial. Thank you.
19001	Oct 06, 2021, 06:06 PM	1	Objective 1.Please delete the word "residences" as it is not applicable to all areas in the Green wedge. O 2. As most of our Green Wedge land is owned privately, the Objective needs to ensure that this land is included in the Objective, not just the land held by the Crown/State/Local Govts. The scheme must therefore, update it's Environmentally Significant Overlays and include a Significant Landscape Overlay applying to the Green Wedge. Local Government must be furnished with the funds to actually manage the Green Wedge land including enforcement of the provisions to protect our flora/fauna and landscapes/waterways, and help for those with rural bush properties to maintain them including weed and feral pest eradication.	See above already stated plus we need to ensure our waterways are not further degraded: all of them including tributaries, as they are a haven for the platypus and many rare species of frog and are essential for a healthy Green Wedge. We need to make it clear that the land in Christmas Hills that Melbourne/Yarra Valley Water says they no longer need for catchment purposes is not subdivided but remains a part of the precious Green Wedge and in Government hands.
19000	Oct 06, 2021, 05:33 PM	1	Key Objective 1 Suggested be revised to read: Recognise the rural areas (land zoned Rural Conservation and Green Wedge) have as their primary purpose the natural environment, rural landscape, natural resource based uses and soil-based agriculture. •My first concern is that referring to 'sites of environmental' significance can lead to a narrow focus on Commonwealth significance under the EPBC Act or State significance under the Flora and Fauna Guarantee and the like. My experience is that will be a common default in both consideration of planning scheme amendments and VCAT cases with expert witness down playing environment significance based on may a lack of Commonwealth or State significant species. •My second concern is that reference to the Green Wedge in Nillumbik containing 'residences' implies that residential land use is supported in the Green Wedge zones. This is not the case in the RCZ or GWZ and to imply otherwise is contrary to the purposes of those zones. Key Objective 4 •Built form development and associated infrastructure cannot be at the detriment of natural environment and/or lead to the further loss of soil-based agricultural land. Needs to be acknowledgement that rural resident development is not supported in the GWZ or RCZ. There should be a rural building envelope to reduce the risk of fragmentation and rural land uses fundamental to the Green Wedges (e.g. the natural environment and soil-based agriculture) must always be the primary use of the land.	•Need to ensure that the natural environment and/or existing soil based agriculture are the primary land use in the RCZ and other Green Wedge zones. •Application of design requirements where built form and associated infrastructure is subordinate to the natural environment and/or existing areas of soil based agriculture in the Green Wedges.
18987	Oct 06, 2021, 03:43 PM	1		

		<p>Objective 1: Focusing on defined areas of significance will inevitably lead to the loss of biodiversity within the Shire. All areas of vegetation/habitat are significant and must be protected.</p> <p>Objective 4: The objective should state: Ensure that land use conflict between agricultural and rural residential land will NOT fragment rural land into unviable land parcels</p> <p>Objective 6 re fire? Mitigate? How? Manage fire risk by application of 10/30 OR? Should define or may be interpreted as justification for unchecked vegetation removal.</p>	<p>The protection of the environment and biodiversity should be the priority for all planning in Nillumbik.</p> <p>Recognise Urban Growth Boundary as hard boundary</p> <p>Control invasive plant and feral animals.</p> <p>Prohibit planting of environmental weeds</p>
18996	Oct 06, 2021, 03:34 PM	1	
			<p>Consider adding an objective about recognising and celebrating the multigenerational rural residents. Rural Nillumbik has many families with multi-generational occupancy and use of rural land, mainly agricultural, lifestyle and hobby farming land, and artistic pursuits. These relationships should be encouraged, welcomed, and recognised for cultural and heritage value in rural areas. This theme seems to be continuing the ongoing practice of council over many years to misrepresent ground truth, perpetuate myth and selectively promote some interests over others to suit predominantly urban residents whilst ignoring rural lifestyle grazing and hobby farming residents altogether based on no evidence and for no benefit.</p>
18968	Oct 06, 2021, 08:48 AM	1	
		<p>Delete Key Objective 1 and replace with this objective – Private land Zoning in rural areas reflects ground truth and is fit for purpose.</p> <p>Zoning in the Nillumbik Green Wedge areas is currently not fit for purpose. Zones imposed on land do not reflect the actual settlement on the ground. 85 per cent of rural residents experience housing insecurity because of this failure. Amending the planning scheme to correct this anomaly will be welcomed by rural residents. Note the Victorian government does not support Nillumbik containing sites of environmental and landscape significance. The state requires significance sites to be identified as significant from a state-wide or regional perspective. Regional planning does not identify significance of landscapes in Nillumbik. State planning doesn't either. A current ground truth assessment would determine if Nillumbik has places with environmental and landscape significance worthy of recognition. There is no current ground truth assessment to inform this.</p> <p>Delete Key Objective 2 and replace with this objective – Nillumbik welcomes and celebrates the diversity of land use of rural green wedge areas.</p> <p>This diversity includes rural agricultural use, and rural lifestyle use including grazing and hobby farming, and bush living. About 20 per cent of Nillumbik and 25 per cent of rural Nillumbik is lifestyle grazing and hobby farming properties. About 25 per cent of Nillumbik is public land, 20 per cent is agricultural land and the balance is lifestyle properties that are bush blocks. Council has a long history of ignoring rural lifestyle grazing and hobby farming residents and the landholdings they own and live on. This does not mean these residents, and their landholdings do not exist. It just means Council would prefer we didn't. The effect of the purposeful alienation is the perception that council does not serve the needs of these residents, and council, and the planning scheme are irrelevant to these residents and their land. If council wants meaningful, equitable, acceptable, and enforceable land use planning, council should acknowledge and celebrate the diversity of land use in rural areas. The green wedge is already protected, and the Victorian government is currently taking steps to enshrine this protection. Council does not need to duplicate what Vic Gov is already doing</p> <p>Delete Key Objective 3 - this recognition serves no useful purpose and does not benefit rural residents or landholdings. It ignores the major infrastructure that is located here (Melbourne's Water purification and storage at Sugarloaf Dam, Melbourne's Power Lines, Melbourne's Water pipelines), and the state assets of significance (Warrandyte State Park). It ignores Victorian government planning to address essential communications and services infrastructure in rural areas.</p> <p>Delete Key Objective 4 - there is no land use conflict in Nillumbik. There are few opportunities for further subdivision in</p>	

WHERE KEY OBJECTIVE 4 – THERE IS NO RISK MORE VARIOUSLY FORMULATED. THERE ARE FEW OPPORTUNITIES FOR FURTHER DEVELOPMENT IN rural Nillumbik. There is little risk of further residential development in Green Wedge areas in Nillumbik (with the possible exceptions of replacement housing in Christmas Hills and potentially some vacant acreage parcels – neither of which is significant). See comments for Objective 2. This objective is based on a misunderstanding of ground truth. Perpetuating the ongoing lie about land use in rural areas does not make it true, it simply perpetuates a lie.
Delete Key Objective 5 (a) – there are no issues of land use conflict, resource use and environmental management arising from diversity of uses in Nillumbik. This misrepresents the truth (again).
Amend Key Objective 5 (b) – support development and management of land in rural areas mitigating fire risk (note delete the word potential – the use of this word is misleading).
Delete Key Objective 6 – This is not a priority for the planning scheme in rural areas and its meaning and application are unclear.
Delete Key Objective 7 – It is not clear what this means. No opinion unless clarity is provided
Delete Key Objective 8 – What does this mean within the context of the planning scheme? Its purpose and application is not clear. The connection to the Green Wedge is not celebrated by rural grazing and hobby farming residents who moved here for lifestyle reasons that council does not appear to welcome, acknowledge, or celebrate. Clarify this or delete it.

The state government requires the green wedge to cover a range of rural uses

18956 Oct 05, 2021, 07:04 PM 1

1. That rural landholders should be supported in initiatives to reduce wildfire risk as this benefits not only residents in the rural parts of the green wedge but on the surrounding built up areas. Residents in rural parts of the green wedge should have automatic right to rebuild in the event of fire.

There is not enough emphasis on liveability and the rights of people to live and live safely on land and in homes within the green wedge.

2. Economic development - there are many more types of economic development that could occur in the green wedge that would attract tourism and jobs without diminishing what makes the green wedge special. Tourism should be a recognised priority in the green wedge with easy approval processes.

3. Infrastructure should be a further priority - safer roads, better maintained, more sealed roads (to reduce water turbidity in runoff) and clearing of vegetation along road reserves to enable safe exits for people in the event of wildfire

18955 Oct 05, 2021, 06:09 PM 1

Fails to identify nuisance noise such as uncontrolled barking dogs and noisy recreational vehicles, e.g. toy bikes causing unreasonable disturbance to neighbors and wildlife.

18950 Oct 05, 2021, 04:23 PM 1

Some recreational use, particularly using motor vehicles e.g. toy bikes, cause a high degree of noise and thus nuisance and disturbance to neighbours and wildlife. This activity can last for some hours and involve a gathering of riders

18948 Oct 05, 2021, 04:10 PM 1

It appears that there is still a risk to the integrity of the Green Wedge as it was originally envisioned unless some of these key objectives are clarified and expanded upon. What is a natural resource based activity.....It may be something which has a detrimental effect on the natural environment. The mention of residences may imply that there may be more intrusion into the Green Wedge by future housing.
The recognition of the Green Wedge as a valuable and sensitive environment in the protection of native wildlife, vegetation and landscape needs to take precedence over any potential plans to introduce tourism ventures which supposedly allow more people to enjoy the area but ultimately destroy the very environment these ventures set out to encourage people to experience.

All planning in Nillumbik should have the protection of the environment and biodiversity as its overarching guide. This is alluded to in some of the key objectives here but not stated clearly enough.
Incremental creep of the built form and other activities (tourism, agriculture) can erode the integrity of the Green Wedge. It is a buffer between urban and country and the Urban Growth corridor should not be allowed to expand into it.
There should be an objective to state that the Green Wedge is for all and not just for the benefit of those who choose to live in it and sometimes wish to use it for their own gain. This objective needs to include the importance of preserving it for future generation also.

18934 Oct 05, 2021, 01:23 PM 1

		<p>Objective 4 is only an acknowledgement of the conflict. For a 30 year plan the objective should outline an intention to either maintain the current balance between rural, residential and Green Wedge or other not to just acknowledge the conflict. The objective need to be more explicit about the planned outcomes for a balance.</p> <p>Objective 3 should be stronger, not just to 'recognise'. The objective should be to work with all levels of government to improve the services for the rural areas. Remembering thta this is a 30 year plan not just a 3 year plan.</p> <p>Objective 8 is too vague and unclear. What does to 'celebrate' mean? Is the Green Wedge currently accessible to all?</p>	<p>More walking tracks through the Green Wedge just as we find in the UK and Europe. These do not need to be concrete paths and not speed tracks for bike use. But for all the community to enjoy the Wedge more access needs to be available.</p>
18933	Oct 05, 2021, 01:15 PM	1	
		<p>There is a mix of action statements {2,5,51,6,7} and context statements {1,3,4,8} How do you measure success for the latter?</p> <p>Objective 3 how can you have a lack of existing infrastructure? Maybe it could be described "rural areas (with dispersed populations) often have limited infrastructure, including essential services, community facilities and internet coverage"</p>	
18919	Oct 05, 2021, 10:56 AM	1	
		<p>I agree with 7 and 8 . I believe rural land owners should be assisted by council to maintain property . Not hampered by them.</p>	<p>Yes , the way it's written is to provide a predetermined outcome. You. should work with existing land owners , not alienate them with this garbage</p>
18907	Oct 04, 2021, 10:11 PM	1	
18890	Oct 04, 2021, 05:11 PM	1	
		<p>Key Objective 1 - Amend to read: "Recognise the rural areas (land zoned Rural Conservation or Green Wedge) contain sites of environmental and landscape significance, natural resource-based activities, residences and diverse activities associated with rural living."</p> <p>Council also needs to acknowledge the people that live, work and play in the green wedge, their families, homes and property infrastructure, businesses, domestic animals and livestock, productive rural land and rural activity.</p> <p>Rural residents are part of the reality, identity and future of the green wedge, so need to be incorporated in this statement or have a dedicated statement recognising this.</p> <p>Key Objective 2: Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation</p> <p>Agree, but the green wedge environment isn't just about native plants and animals and biodiversity does not solely relate to native wildlife and vegetation, it incorporates the entire variety of plants and animals outside the UGB.</p> <p>Key Objective 3: Recognise that the rural areas often lack existing infrastructure, including essential services, community facilities and internet coverage. What is the point of this Objective?</p> <p>Key Objective 4: Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.</p>	<p>ADD New Objectives:</p> <ul style="list-style-type: none"> •Recognise the critical role that land in private ownership plays in underpinning the Green Wedge •Preserve rural activities including general farming, agriculture and the keeping of livestock •Respect and preserve existing use rights on rural land in the Rural Conservation and Green Wedge Zones
18886	Oct 04, 2021, 04:38 PM	1	
		<p>Where are the stats to justify this statement of land use conflict? How is existing rural residential land in conflict with agricultural land and as there is no provision for new subdivision in the Nillumbik Green Wedge how will it be in the future?</p>	

18875	Oct 04, 2021, 03:33 PM	1	<p>Key Objective 1 Suggested be revised to read: Recognise the rural areas (land zoned Rural Conservation and Green Wedge) have as their primary purpose the natural environment, rural landscape, natural resource based uses and soil-based agriculture.</p> <p>•My first concern is that referring to 'sites of environmental' significance can lead to a narrow focus on Commonwealth significance under the EPBC Act or State significance under the Flora and Fauna Guarantee and the like. My experience is that will be a common default in both consideration of planning scheme amendments and VCAT cases with expert witness down playing environment significance based on may a lack of Commonwealth or State significant species.</p> <p>•My second concern is that reference to the Green Wedge in Nillumbik containing 'residences' implies that residential land use is supported in the Green Wedge zones. This is not the case in the RCZ or GWZ and to imply otherwise is contrary to the purposes of those zones.</p> <p>Key Objective 4 •Built form development and associated infrastructure cannot be at the detriment of natural environment and/or lead to the further loss of soil-based agricultural land. Needs to be acknowledgement that rural resident development is not supported in the GWZ or RCZ. There should be a rural building envelope to reduce the risk of fragmentation and rural land uses fundamental to the Green Wedges (e.g. the natural environment and soil-based agriculture) must always be the primary use of the land.</p>	<p>•Need to ensure that the natural environment and/or existing soil based agriculture are the primary land use in the RCZ and other Green Wedge zones.</p> <p>•Application of design requirements where built form and associated infrastructure is subordinate to the natural environment and/or areas already used for existing soil based agriculture in the Green Wedges.</p> <p>•Apply a building envelope to minimise the development footprint in rural areas for built form and associated infrastructure by minimising fragmentation otherwise caused by scattered development.</p> <p>•Review the application of ESO and SLO across the Green Wedge zones in line with Government policy, ensuring enforcement of protections and adequate resourcing.</p> <p>•Requirement for a land management plan for all proposed built developments and their associated infrastructure to ensure the primary use of the land is for natural environment and/or agriculture where cleared land is already available. This is in line with the in conjunction requirement for certain uses that should be applied to all proposed built developments.</p> <p>Council needs stronger compliance to protect the Green Wedge's planning objectives. Around our rural township there are many examples of trees being cutdown or arborists hired to take out crowns of trees for distant views to the Dandenongs or Kinglake. Recently landholders accessed crown land (bushland) with large tractors and seriously damaged the vegetation (photos supplied). Council was notified in these instances and no action taken.</p> <p>A gap is a clear definition of political signage, now supposed to be covered in section 52.05 and 73.02. Council staff now interpret a sign on my front gate that reads "Protect our Green Wedge" as a political sign yet it is almost the same wording as Council's letterhead? It does not say to vote for anyone or any party. I was to be fined \$800 if the sign was not removed.</p>
18871	Oct 04, 2021, 03:11 PM	1		
18868	Oct 04, 2021, 03:06 PM	1		NO
18862	Oct 04, 2021, 12:08 AM	1	<p>I agree with them, but also I'd like to see a push towards Food Security for Nillumbik with managed growing land servicing the local area.</p> <p>Objective 1: Needs re-writing so that environmental and landscape values are not minimised and localised by just referring to, "sites of significance". The whole Green Wedge has environmental and landscape significance of varying degrees and planning policies must be designed to protect and enhance the environment and landscape of the whole Green Wedge not just the narrow focus of recognising certain "sites".</p> <p>Objective 3: Needs re-writing so that ambiguity is removed. What is intended by this objective? Lack of infrastructure is what makes a rural area, rural. If the intention is to bring infrastructure provision up to an urban standard, then the potential is for there to be a loss of green wedge values. That must be avoided.</p> <p>Objective 4: Most of Nillumbik's rural land is zoned for conservation, that is why dwellings need permits which are often refused. Further residential development potentially creates conflict with both agriculture and the natural environment. The RCZ discourages rural residential uses.</p> <p>Objective 5: In the context of environmental management and sustainable land use, land management plans should be included as a tool.</p> <p>Objective 5: Development in rural areas must also protect biodiversity.</p> <p>Objective 8: Nillumbik's Green Wedge has value for anybody living outside the shire too. It is a valued resource for Melbourne because of its open space, natural environment, clean air, landscapes etc. This region-wide value must be recognised in this objective..</p>	<p>There must be an acknowledgement of the various threats, potential and real, which challenge our Green Wedge: i.e. the threat of over-development - rural land is attractive for life-style/ rural residential purposes. There are many small lots already existing from past inappropriate subdivision which are vulnerable to residential applications by those seeking amenity benefits. Small lot development reduces open space and should be discouraged.</p> <p>There should be an objective to retain the Urban Growth Boundary in its current position in Nillumbik, including the firm intention to resist any weakening of development controls around the UGB.</p> <p>Where development is allowed, use should be made of building envelope requirements to confine the impact of development.</p>
18859	Oct 03, 2021, 08:02 PM	1		

18853	Oct 02, 2021, 02:20 PM	1	<p>Natural resource-based activities, including agriculture, must not be to the detriment of the environment, and must actively work to enhance the health and abundance of indigenous biodiversity. Recognise that the preservation of the green wedge, protection of biodiversity, and action on climate change, hold the greatest value – and are therefore top priority - for the Nillumbik Community. (Consistent with the findings from the Our People, Our Place, Our Future community consultation)</p> <p>1. Natural resource-based activities, including agriculture, must not be to the detriment of the environment, and must actively work to enhance the health and abundance of indigenous biodiversity. Recognise that the preservation of the green wedge, protection of biodiversity, and action on climate change, hold the greatest value – and are therefore top priority - for the Nillumbik Community. (Consistent with the findings from the Our People, Our Place, Our Future community consultation) Referring to the Green Wedge in Nillumbik containing 'residences' implies that residential land use is supported in the Green Wedge zones. This is not the case in the RCZ or GWZ and to imply otherwise is contrary to the purposes of those zones.</p> <p>3. Recognise that the rural areas often lack infrastructure, including essential services, community facilities and internet coverage, and explore options for enabling community connections.'</p> <p>4. Development cannot be to the detriment of the environment and/or lead to further loss of existing agricultural land.</p> <p>5. The management of conflicting land-use, resource use and environmental management, is done through the development, enforcement and ongoing review of land management plans, in conjunction with environmental protection strategies and enforcement. These processes must be adequately resourced.</p> <p>6. Development should only proceed where the proposed development meets the first principle of avoiding and minimising loss of native vegetation.</p> <p>All development in rural areas minimises potential fire risk in a way which is acceptable to, and compatible with, First Nations People's stewardship of the land, as well as being compatible with Climate Change mitigation and preservation of biodiversity.</p> <p>8. Whilst ensuring agricultural practices employ sustainable and regenerative practices, protect the Green Wedge and reinvigorate biodiversity.</p>	
18849	Oct 02, 2021, 02:01 PM	1	<p>Most important is (2). The object of the green wedge is to prevent further loss of habitat and environment for indigenous flora and fauna.</p>	<p>Conservation of habitat is not really addressed. Conflict between rural use and residential use is considered, but not how rural and residential use can affect the preservation of endangered species in the area.</p>
18827	Oct 01, 2021, 12:20 PM	1	<p>Objective 3 written as it is can open Pandora's box re rural development. I understand the need with working from home for better and wider intranet coverage but not for heaps of wine bars or restaurants to flood the district. There is nothing about illegal dumping that should be included.</p>	

18820	Oct 01, 2021, 07:28 AM	1	This is a deceptive documents with political speak that does not actually address what you are undertaking, namely threatening land holders with impossible restrictions. You couch in flowery language that conceals an agenda to make life miserable for land holders, and htat is shameful and dishonest	Yes. Planning permits are often dependent on a range of impossible restrictions dictated by an ultra green agenda "Sorry we wont pass that application as the proposed residence may impact the flight path of a parrot" and other such insane restrictions While at the same time you the Ultra green lobby will allow invasive species like Bergan to completely take over at the expense of indigenous species creating a massive fire hazard Meanwhile you have allocated vast sums of money to grossly over priced and ridiculous infrastructure spending
18752	Sep 29, 2021, 06:54 PM	1	Need to make sure that the Green Wedge is not reduced as it is the important area to keep the rural area	Expanding on existing areas / pockets of natural wildlife remnants.eg Eltham copper butterfly. Regenerate areas of degraded land.
18705	Sep 27, 2021, 10:50 AM	1	Areas protected from development retaining a large green wedge. Main Road through Diamond Creek is suffering major congestion at peak hours and needs urgent attention.	Develop covenant schemes to set aside Wildlife land areas in perpetuity.
18642	Sep 26, 2021, 06:35 PM	1	Additional Comments to Key Objective 1 Preservation of the Green Wedge land needs to be recognised as a top priority for Nillumbik. Any residential land use in the Green Wedge zones must not be detrimental to the stated purposes and requirements of the zones. Natural resource based activities, including agriculture, must actively work to enhance the health and biodiversity of the local environment. Key Objective 4 Any residential land use and development in the Green Wedge zones must not be detrimental to the local environment and/or lead to further loss of existing agricultural land.	Current MPs ineffective. Perhaps with new eyes we may see real improvement in Diamond Creek for starters. Eltham community hospital proposed to be in an area where traffics is a nightmare during peak times.
18630	Sep 26, 2021, 05:15 PM	1	Objectives 1, 3, 4, & 8 are not objectives but statements. Objective 2 where is the protection of human life. Objective 4 - I think this objective is built on a false premise. I do not believe there is a conflict between agriculture and the majority of residents in the Green Wedge. Objective 5 - there are two objective 5's. It should be stated clearly what the perceived land use conflicts are. This is not clearly stated therefore the objective cannot be agreed or disagreed with. Objective 7 - is their a priority here ?	Preservation of the Green Wedge environment and diversity needs to be recognised as defining all related planning in Nillumbik. The Urban Growth Boundary (UGB) must be locked down as a defined boundary to protect Green Wedge area from inappropriate development and uses.
18368	Sep 19, 2021, 05:44 PM	1	I only agree with objective 3. I disagree with all the others as the measures that are already in place are sufficient for our thriving green wedge	Why is the requirement to put an email omitted from this submission? How about allowing land owners to make their own property fire safe
18355	Sep 19, 2021, 04:00 PM	1		Land holders require a greater say as to how the land can be used and developed. Many topics touch on further development causing the green wedge to be at Risk, however we do require some better utilization of existing lot sizes so that we can increase funding to provide the infrastructure and services. example area in plenty 3090 west of Gorge, east of McClennans Road where lot sizes could be further reduced to 4000m2 to assist with greater land use while still maintaining the semi rural green wedge setting. This area is close to the current 40000m2 plenty strategic plan scheme zone so integrating the 2 areas would not be such a difficult objective.
18329	Sep 18, 2021, 02:22 PM	1		
18293	Sep 17, 2021, 01:36 PM	1		

Attachment 2 - Redacted and Consolidated Survey Responses MPS Phase 2 Consultation

				Recognise human induced climate change as a real current and increasing threat to the existing biological systems within the Shire and on which humans ultimately depend.
			Objective Use 6 should say 'Avoid insensitive use and development ...	Review all planning issues with the long-term view that without climate considerations climatic events of increasingly impact will render short-term planning decisions obsolete.
18274	Sep 16, 2021, 11:08 PM	1	The wording of the objectives is clearly biased and does not represent what rate payers want from the green wedge. The focus is conservation with little regard for the rights or desires of the people that live in the area and pay the rates that support it. The key objectives should be to support those living in the green wedge through the provision of services to ensure that their properties are fire safe. That erosion is limited by managing water runoff from roads before it enters private property. By enabling people to remove dead trees that are a risk to people and property without the need to pay for expensive reports and permits.	Do not confuse land clearing as being a fire mitigation measure in the long term. Excessive Clearing exacerbates climate instability. Carbon sequestration must be a suitable and measurable pursuit of all land owners through Carbon credits. Call for a National Framework for agricultural land use.
18272	Sep 16, 2021, 10:55 PM	1		
18260	Sep 16, 2021, 07:04 PM	1		
			Objective 4 is outdated as modern techniques such as hydroponic gardening can be done on much smaller sites Does not allow for solar or wind farms	Review objective 4
18231	Sep 16, 2021, 03:59 PM	1		
			There seems to be an implicit, and indeed explicit, theme that the Green Wedge will impact on future development (= subdivision). However, it is my understanding that the boundaries of the Wedge have been established within legislation. In other words, there will not be any subdivision or development within that area. Thus there will not be further fragmentation or loss of areas of environmental or landscape importance, nor will there be any future conflict between opposing interests.	It is clear that council are quite happy to promote platitudes which supposedly 'protect' the environment, its flora and fauna. However, in practice, council are quite happy to allow road development without attempting to reduce numbers of trees removed (Yan Yean Road, stage 1 redevelopment) or to 'sell' reserved parkland to the CFA for station development (the old site being an area which was to revert to parkland although council now appear to be wanting to commercialise it). Equally council are quite prepared to suggest that another government agency obtain listed parkland (presumably at a price) for building and associated areas for provision of carparks, also in the listed parkland area (VHBA proposal). Only after considerable public outcry have council now decided to further investigate the matter, even though the site selection itself was contrary to selection criteria and appropriate background information (e.g. regarding transport, traffic, parking) was unavailable (and indeed has not yet been obtained). The gap that is needed to be filled within this theme is a requirement for council to be accountable for its actions and lack of actions. Council must, having promoted parkland, make sure that development of such areas is not a random event.
18227	Sep 16, 2021, 02:48 PM	1	Yes, but for objective 7, I stand strongly for the upkeep of the remnant endemic bush land. It is a precious resource that is under threat from Weeds which are spread by horse droppings from riders using 'significant roadside' verges and increasing numbers of residents in newly subdivided lands. I must also say the newish system of walking tracks in the panton hill region is very well done. Thank-you	
18223	Sep 16, 2021, 01:40 PM	1		
			Seems limited in scope to preserve rather than expand, noting the loss of green wedges far outstrips the preservation means we are not enhancing for the future.	Ways to increase green wedge, have land limits so that a lot for agriculture must have a percentage of land with corridors preserved for green wedge purposes. Greater regulation or focus on organic agriculture
18222	Sep 16, 2021, 11:25 AM	1		
			Much of the 'rural' land is not suitable for agriculture so subdivision into smaller blocks would not have any effect.	Considered subdivision has occurred in some parts of an area but not others. Yarrambat has mixed size blocks from 1 acre through to 30 acres. When Yan Yean Road Section 2 is completed Council must look at the delayed Yarrambat Township plan.
18219	Sep 16, 2021, 11:02 AM	1		

Attachment 2 - Redacted and Consolidated Survey Responses MPS Phase 2 Consultation

					<p>Rural landowners look after their properties! We don't want to be told what we can and can't do on them! If I want to use round up then I ships be allowed to as it isn't a federally banned product! I think NSC is listening to city folk and greenies who want all land returned to bush! Time to sit up and listen to the people that live on the land to find out what we love about it and not look at us like we're at war!</p> <p>I spend a lot of money rejuvenating soil, weed control, preventing erosion, working on drainage, getting rid of rabbits and foxes, ensuring water for my animals as well as wildlife and caring for the area that we call home!</p> <p>Do I see council doing the same or even govt departments who contain reserves? No! They rely on us to do their work! I dig out thistles and blackberries all the time! We mow an area to keep the grass down for fire prevention on crown land, if we didn't then who would?</p> <p>There's more to us rural landowners than meets the eye! Stop wanting to control us and accept that I will have grass for my horses and chooks! But note I share the grass with the kangaroos and deer as well as rabbits! We care about our land and that's why we live here!</p>
18143	Sep 12, 2021, 05:09 AM	1			
18125	Sep 11, 2021, 12:57 PM	1			
				<p>They seem to be very restrictive and I really don't like the use of the word 'conflict' as it sounds like your at war with rural landowners and it feels like it too!</p>	
18121	Sep 11, 2021, 06:46 AM	1		<p>Key object five and five. Seriously get it right, ambiguities in every statement made on this rubbish document. Stop trying to get a mandate through stealth. Give us real policy that is clear and honest in its intent.</p>	
18118	Sep 11, 2021, 06:34 AM	1		<p>Because it is unclear in its intent and out come for land owners. No details just a bunch of slogans</p>	<p>Land owners rights to exist interact and maintain a save living environment on THEIR land.</p>
					<p>The Green Wedge is but an area within the Shire and, while deserving of attention, is no different - people live, work and enjoy the space they occupy. There are environmental protection initiatives in other areas (road surfaces, kerbing, drainage, etc) that would be of benefit to protect the 'values' of the land within the wedge that can be done now if you want to protect the amenity of the area.</p>
18100	Sep 10, 2021, 02:20 PM	1		<p>Key Objective 3 Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage. Internet Coverage would seem a long stretch as most / all of the Shire would be either nbn Fixed Line or nbn Wireless (which means ADSL still available) with the exception of very small pockets that may be in black spots in which case there are other solutions available.</p> <p>Key Objective 4 Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels. Viable implies the current landowner sees benefit in continuing his/her current activity. If that is not the case, and there is no one willing to continue the current practice, then rather than becoming fallow/unmaintained then smaller residential plots (could still be significant size, e.g., greater than 2 ha) would see, a better solution for the community and the environment.</p> <p>Key Objective 5 Manage the issues of land use conflict, resource use and environmental management arising from the diversity of uses through sustainable land use and natural resource management.</p> <p>Key Objective 5 Ensure development in rural areas mitigates potential fire risk. The greater risk is posed by the Urban interface and management should be directed more to this given the limited budget the Council have for fire mitigation activities.</p> <p>Key Objective 6 Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land. Would seem to be an expense the Council wish to apply to residents/users that far exceed what is expected elsewhere and there is no guidance as to the cost benefit - "or may contain" is extraordinarily wide.</p> <p>Key Objective 7</p>	

			<p>Key Objective 7</p> <p>Protect and enhance agricultural land for both its productive potential and environmental value. Enhance is a vague and potentially expensive aspirational goal and open to misuse.</p> <p>Key Objective 8</p> <p>Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it. Such a motherhood statement should apply to all areas of the Shire, not simply the Green Wedge, as there are publicly accessible areas everywhere for "enjoying their time"</p>	
			<p>No positive objectives exist for human inhabitants of the Green wedge</p> <p>I am talking about the long suffering humans that have been custodians of the Green Wedge since its inception</p> <p>We who have battled with vermin such as rabbits, deer, blackberry, NZ tea trees and cape weed which we did not introduce</p> <p>Due to restrictions on culling tea trees because they were wrongly assessed as being native we now face hectares of tea trees just waiting for an inferno. No help from the Nillumbik council yet our rates are astronomical.</p>	<p>Existing residents of over 30 years are faced with limitations that were not present when they purchased pre 1990</p> <p>It's all well and good to accept the new limitations if you are buying into the area. If you don't like it don't buy in.</p> <p>However what about existing owners who bought when restrictions were much laxer.</p> <p>Sure we can sell and move but at a deflated price. Our properties have been devalued by the restrictions imposed.</p> <p>These restrictions were largely imposed on us without regard for our financial welfare.</p>
18080 Sep 09, 2021, 09:44 PM	1			<p>Cap green wedge landowners rates. Acreage is expensive to maintain and rates have become exorbitant as land value increases. All residents enjoy the green wedge environment but the land owners pay for that attraction mostly without getting any financial income from their property.</p>
18078 Sep 09, 2021, 07:04 PM	1			
		2, 4, 5 & 7. Objective 5 is duplicated. Council should focus on existing residents and not make conditions more challenging to people that currently live in the green wedge.	Quality of life and conditions for current residents without changes that are onerous and change the fundamentals of why people chose to live where they do.	
18073 Sep 09, 2021, 04:48 PM	1			
		4 - we pay the highest rates in Victoria to live in Nillumbik yet objective 4 appears to enshrine those in the rural areas with 'what the Green Wedge is about'. The rest of us in Eltham and built up areas apparently can pull our heads in and live with development as I read the objective.	There should be options for planned large lot residential development anywhere in the shire.	
18068 Sep 09, 2021, 02:41 PM	1			

Heritage, Arts And Culture

Title/Question: Heritage, Arts and Culture
Tool Type: Form
Activity ID: 315
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 10:09 am

Contribution ID	Date Submitted	Do you agree with the identified key objective? If not, which objective(s) and why?			With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
		Yes	No	Unsure	
19310	Oct 21, 2021, 11:14 PM		1		I dld like to see an inclusion of Aboriginal participants in arts programs giving opportunity for Aboriginal voices to be a significant part of arts and culture programs. Recognition and protection of archaeological sites is important but the meeting of our community with Aboriginal people is essential to us belonging to the present and future engagement with First Nations.
19304	Oct 21, 2021, 09:20 PM		1		
19276	Oct 21, 2021, 01:13 PM			1	For far more than 50 years Nillumbik has 'free loaded' upon the efforts especially of one private arts endeavour - Montsalvat. Nillumbik already has a well located central site - the former Eltham shire offices which, being close the library is eminently suitable to form the key focus for our shires arts and cultural activities going forward into the next 50 years. I call upon our Council to undertake a feasibility study to investigate how Nillumbik's own arts centre might be achieved.
19205	Oct 19, 2021, 08:37 AM				

Key objective 4 needs to be our Key objective 1
It is important that we pay respect to original aboriginal custodians of the Nillumbik region which we do. However looking to the future we need to be more inclusive and the overarching importance is for ALL our community members to share in our celebration of the arts in all its forms music, painting, sculpture and dance etc .
Those identifying as aboriginal would no doubt be encouraged to participate and be celebrated.
I fully support the PALS submission

19172	Oct 14, 2021, 10:03 PM	1	<p>1 & 2. Suggest rewording and use as overarching objective: Recognise the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples. As such, their value must be recognised and protected throughout the Shire, not just in specific sites. 3. Suggest this objective is listed first</p>	<p>Suggested overarching objective that recognises the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples. As such their value must be recognised and protected throughout the Shire. Consideration of heritage includes natural heritage. Succession tree planting must be a vital consideration. It makes visible the course of time, it sustains our cultural values and identity, the aesthetics of nature enriches quality of life and connection between people. All Council arts collections reflect the diversity of the community. Alternate building materials that are environmentally sensitive and reflect the character of Nillumbik, such as mud bricks, should be protected and encouraged. Buildings that reflect history and local values are maintained, celebrated, and heritage listed.</p>
19072	Oct 07, 2021, 11:48 PM		<p>Although long overdue, do have concerns regarding the focus on Aboriginal heritage in objectives 1,2 & 3. Believe that sites of significance need to be fully explored and acknowledged, whilst balancing the heritage significance to post-colonial communities in the Shire. ie. the promotion of one should not be at the detriment of another. 1 Key objectives 4 & 5 are more inclusive of our community.</p>	

<p>19071 Oct 07, 2021, 11:25 PM</p>		<p>Struggle with the first 3 objectives, as think this is a very personal journey for people and that State Planning and existing planning ensures sites of Aboriginal significance are identified and protected. Not sure how MPS can do more. Objective 2 is very broad and potentially has huge ramifications. Objective 3 is impossible for majority of people to understand and honestly take on board. Not sure how this fits in with MPS.</p> <p>Objective 4 - "shared heritage" difficult concept - none of us have identical heritage - does this strengthen our community? Think at best we can appreciate the heritage, history and artistic culture of Nillumbik - we might even enjoy it!!!</p> <p>Objective 5 - great - but where can we go? and how is planning going to help this? eg I would like to open a gallery in my shed on my rural property, I have parking and a toilet, is it a goer? or I want to make baskets in my shed and sell</p> <p>1 them to public, will planning help me?</p>	
		<p>Suggest objective 3 is listed first and takes primacy over the others</p> <p>Suggest rewording of current Objective 1 and use as overarching objective: Recognise the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples. As such, their value must be recognised and protected throughout the Shire, not just in specific sites.</p>	<p>Other suggestions for consideration as objectives</p> <p>Consideration of heritage includes natural heritage. Succession tree planting must be a vital consideration. It makes visible the course of time, it sustains our cultural values and identity, the aesthetics of nature enriches quality of life and connection between people.</p> <p>All Council arts collections reflect the diversity of the community.</p> <p>Alternate building materials that are environmentally sensitive and reflect the character of Nillumbik, such as mud bricks, are be protected and encouraged.</p>
<p>19066 Oct 07, 2021, 10:00 PM</p>	<p>1</p>	<p>Obj 2 Again not just limit to specific sites.</p> <p>Key Objective 1, 2 and 3 is already achieved through the application of aboriginal heritage overlays across much of the shire. It is not required.it should be mentioned Key Objective 4 – is nice but does not say anything much and has no place in the planning scheme.</p>	<p>Buildings that reflect history and local values are maintained, celebrated, and heritage listed.</p>
<p>18977 Oct 06, 2021, 09:06 AM</p>	<p>1</p>	<p>Key Objective 5 – agree – and again, it's nice – but it has no place in the planning scheme</p>	<p>this statement is supposed to describe the area and it's priorities and heritage to inform planning permit applications</p>

18954	Oct 05, 2021, 05:12 PM	1	<p>There need to be further inclusions. Aboriginal culture could be taught in our local schools. Performing Arts are important. There needs to be just as much money and emphasis put on performing arts.....music, drama, as there currently is on sporting facilities in the Shire.</p> <p>More information is needed about all our artists, past and present , literary, visual, performing.</p>	<p>There needs to be readily available information about all our heritageFirst Nations and settlers. Natural environment and its inspirations for artistshence another reason to protect and preserve our native fauna and flora.</p> <p>Both Aboriginal and European local history needs to be promoted and celebrated through plaques in public places, information street signage, and local place names etc. Council's web site is another obvious place for this too including public access to historical photos and records.</p>
18942	Oct 05, 2021, 02:34 PM	1		
18932	Oct 05, 2021, 12:37 PM	1	The acronym OPOPOF should be spelt out	
18911	Oct 04, 2021, 10:28 PM	1		
18899	Oct 04, 2021, 06:25 PM	1		
18894	Oct 04, 2021, 05:18 PM	1		
			Additional Comments to	
			Key Objective 2 to instead read: Ensure new use and development do not impede on or detract from all sites of heritage significance, including sites and features of Aboriginal cultural heritage and archaeological significance.	
			Key Objective 4 Actively promote valuing of all of our local history, including the study of cultural and social past events in a local context. 1,2 and 3 are already being covered. Now you've changed the recognition speech with such violent language I disagree to it being spoken everywhere like it is now.	
18840	Oct 01, 2021, 04:59 PM	1		
18364	Sep 19, 2021, 04:29 PM	1		<p>There could be greater emphasis on supporting new art in developments and upgrades (e.g. murals in retaining walls at new footy facility).</p> <p>I firmly believe that architecture is art and the objectives could include an objective to encourage more architecture and landscape architecture in the shire. There are SOOOOO many very average housing developments going up (and a few better ones) and I think that with higher quality architecture the housing stock of the shire could be elevated which would have creative benefits for residents.</p> <p>Support the local arts, crafts and artisan industries wherever possible</p>
18349	Sep 18, 2021, 11:12 PM			
18241	Sep 16, 2021, 04:24 PM	1		

Housing

Title/Question: Housing
Tool Type: Form
Activity ID: 309
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 09:44 am

Contribution ID	Date Submitted	Do you agree with the identified key objectives?			If not, which objective(s) and why?	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
		Yes	No	Unsure		
19300	Oct 21, 2021, 08:57 PM			1	<p>All of them. This is all worded towards sub divisions of existing properties. I don't agree with this. Higher density development is not an ideal way forward and does not get my approval.</p> <p>I have reservations about the words "medium density housing". If there is a need for more housing in the residential areas, not too far away from the shops etc, I would encourage in-fill, ie a second dwelling built in what could have been the back garden of the original house. This would need to be in keeping with the height & style of the neighbourhood properties. I heard recently that there was a proposal to build many units on a block in Taylor Street Eltham, even up to 3 storeys. This was quite unacceptable as the houses in that street are either single or double storey, not 3 storeys.</p> <p>Key objective 3 is very important. The lovely Eltham character must be maintained - leafy, green, low rise. If there is a need for more housing, it should be a very modest increase. Liveability is very precious & can be easily lost by inappropriate & excessive development.</p>	Where is the discussion about parks, gardens, wildlife corridors or schools. Bus routes, footpaths and all the other things the shore needs.
19292	Oct 21, 2021, 05:34 PM			1	<p>Key Objective 3 states ensuring a 'considered approach'...etc.. What exactly does this really mean?.</p> <p>Council has often promoted that it encourages and supports mud brick home construction to blend with its natural environment. Does it really?</p> <p>In reality Council officers have for more than 20 years actively discouraged this practice from ratepayers first contact at the counter..</p> <p>Ratepayers attending Council have repeatedly been told that they would never receive a building permit using mud brick construction as it would never receive an adequate energy rating. This advice is incorrect as using such means as double glazing, high performance insulation, gap sealing etc. an acceptable energy rating can be achieved.</p> <p>Council has also pursued one of only two Nillumbik mud brick makers from site to site from Hurstbridge to Christmas hills insisting it was not a permitted 'industry'. He has ceased making bricks and very few mud brick houses have been built in Nillumbik over the past 20 years..</p> <p>Nillumbik mudbrick association can elaborate further.</p>	Council planners need to have both planning qualifications and practical experience (not just a knowledge of regulations and controls,) and are prepared to work with ratepayers to achieve their goals. More cooperation is needed.
19287	Oct 21, 2021, 03:28 PM			1		Maybe look to attract younger people (say, 18-35) to Nillumbik so there's more diversity in our population. This isn't just housing per se, but it's good to keep demographics in mind.
19284	Oct 21, 2021, 02:19 PM		1			Accessibility and disability also seem to be missing from these themes, or at least, aren't playing a big enough role as they should be. We should understand by now that disability and accessibility cannot be an afterthought.
19199	Oct 19, 2021, 08:27 AM				<p>i fully endorse the PALS submission</p> <p>2. If the intention is to retain vegetation which creates local character, housing growth must not only be directed to activity centres, but restricted to these.</p> <p>Note: As currently expressed, the objectives do not address:</p> <ul style="list-style-type: none"> the need to protect and increase the urban tree canopy in urban areas to mitigate the impact of increasing temperature with global warming, and ongoing loss to date. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree cover, mid storey vegetation and herbaceous ground cover is being lost. (see also Climate Change Theme) The need to avoid housing growth and sensitive land uses within and in proximity to bushfire prone areas. <p>This is Strategy 87 in the draft Regional Northern Metro Land Use Plan and goes on to say: In order to prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated.</p>	<p>Planning for housing within ALL of Nillumbik, the Green Wedge Shire, requires retention and increase of indigenous tree canopies and understory.</p> <p>(Reflecting the community priorities as defined in "Our People Our Place Our Future")</p> <p>Suggested additional objectives</p> <p>In urban areas, introduce 'Biodiversity Sensitive Urban Design. Development of an overall Nillumbik Urban Forestry Strategy that looks at residential, parks, streetscapes, industrial and commercial areas. Noting that urban in this context refers to the whole of the municipality not just the areas zoned urban in the planning scheme. This is consistent with Living Melbourne that was followed by an Urban Forest Strategy for the whole Greater Melbourne Metropolitan Area and is referenced in the draft Regional Northern Metro Land Use Plan.</p> <p>Any increases in building density around activity centres are not to the detriment of environmental values, require significant plantings of indigenous flora, and are 'offset' by a decrease in what is permissible in the suburban context around those centres, so as to be able to retain and maintain tree canopy for a sustainable future.</p>
19166	Oct 14, 2021, 09:37 PM			1		

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			<p>As currently expressed, the objectives do not address:</p> <ul style="list-style-type: none">•the need to protect and increase the urban tree canopy in urban areas to mitigate the impact of increasing temperature with global warming, and ongoing loss to date. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree cover, mid storey vegetation and herbaceous ground cover is being lost. (see also Climate Change Theme)•the need to avoid housing growth and sensitive land uses within and in proximity to bushfire prone areas. <p>This is Strategy 87 in the draft Regional Northern Metro Land Use Plan and goes on to say: In order to prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated.</p>	<p>Planning for housing within ALL of Nillumbik, the Green Wedge Shire, requires retention and increase of indigenous tree canopies and understorey. (Reflecting the community priorities as defined in "Our People Our Place Our Future")</p> <p>Suggested additional objectives In urban areas, introduce 'Biodiversity Sensitive Urban Design'. Development of an overall Nillumbik Urban Forestry Strategy that looks at residential, parks, streetscapes, industrial and commercial areas. Noting that urban in this context refers to the whole of the municipality not just the areas zoned urban in the planning scheme. This is consistent with Living Melbourne that was followed by an Urban Forest Strategy for the whole Greater Melbourne Metropolitan Area and is referenced in the draft Regional Northern Metro Land Use Plan. Any increases in building density around activity centres are not to the detriment of environmental values, require significant plantings of indigenous flora, and are 'offset' by a decrease in what is permissible in the suburban context around those centres, so as to be able to retain and maintain tree canopy for a sustainable future.</p>
19126 Oct 11, 2021, 11:45 AM	1			
19110 Oct 10, 2021, 01:30 PM	1		<p>Why reduce house sizes? Some people like to live on a bit of land to get away from all of the stressors in life. Reducing house sizes will only make the Nillumbik Shire just like every other estate. Boring houses with no freedom</p>	<p>Leave the houses</p>
19075 Oct 08, 2021, 07:36 AM	1			<p>Encourage minimum 2 bedrooms for accessible medium density accommodation. People with disability or who are frail often need a room for carers and family support</p> <p>Note: As currently expressed, the objectives do not address:</p> <ul style="list-style-type: none">•the need to protect and increase the urban tree canopy in urban areas to mitigate the impact of increasing temperature with global warming, and ongoing loss to date. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree cover, mid storey vegetation and herbaceous ground cover is being lost. (see also Climate Change Theme)•the need to avoid housing growth and sensitive land uses within and in proximity to bushfire prone areas. <p>This is Strategy 87 in the draft Regional Northern Metro Land Use Plan and goes on to say: In order to prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated.</p>
			<p>Obj 2 If the intention is to retain vegetation which creates local character, housing growth must not only be "directed" to activity centres, but restricted to these.</p>	<p>Suggest an additional overarching objective Planning for housing within ALL of Nillumbik, the Green Wedge Shire, requires retention and increase of indigenous tree canopies and understorey. (Reflecting the community priorities as defined in "Our People Our Place Our Future")</p> <p>Suggested additional objectives In urban areas, introduce 'Biodiversity Sensitive Urban Design'. Development of an overall Nillumbik Urban Forestry Strategy that looks at residential, parks, streetscapes, industrial and commercial areas. Noting that urban in this context refers to the whole of the municipality not just the areas zoned urban in the planning scheme. This is consistent with Living Melbourne that was followed by an Urban Forest Strategy for the whole Greater Melbourne Metropolitan Area and is referenced in the draft Regional Northern Metro Land Use Plan.</p> <p>Any increases in building density around activity centres are not to the detriment of environmental values, require significant plantings of indigenous flora, and are 'offset' by a decrease in what is permissible in the suburban context around those centres, so as to be able to retain and maintain tree canopy for a sustainable future.</p>
19055 Oct 07, 2021, 07:05 PM	1		<p>Objectives 1 2 & 3: medium density housing should be kept to a minimum where possible; development density should be controlled to preference small projects rather than larger 1 or multi-story developments</p>	<p>Aging in place should be considered</p>
19044 Oct 07, 2021, 06:31 PM			<p>Objective 1. Given the pandemic and the huge rise in house prices in Melbourne, I would query the assumptions behind the call in this section to allow for more medium density. Many households I am aware of are filled to the brim with adult children (and their partners at times) as the cost of housing is beyond the young. Building more apartments in Eltham and Diamond Creek will not alleviate this trend as they are always too costly. Social housing (government housing) is going to have to become a part of the mix. It is true that some older people want to move into smaller dwellings, but most want to remain where they are.</p> <p>O.2. Another weasel word "Direct" housing growth to Activity Centres, doesn't prevent rampant growth elsewhere and we must make sure in this MPS, that there really is a meaningful tradeoff that we were promised when we agreed to Activity Centre Zones with greater density/height than we'd ever seen, that we really will limit development outside those areas.</p>	<p>-The interpretation of the current scheme has allowed for a higher density within 500 metres of the Main Road through Eltham to the north of the Activity Centre. To the south of the Activity Centre the road and development along it, is somewhat protected by the Gateway provisions and I would like similar consideration to be given to Main Road to the north or we are going to bleed into Research and the treed nature of Eltham is under constant threat in this area. -Signage is but one aspect along this stretch of road that needs to be put under the same rules as the Gateway. It is such an unaesthetic look arriving back in Eltham from a drive up to Kangaroo Ground and does nothing to lure tourists. -Tree protection in the MPS for the large remaining trees along Main Road Eltham and other roads in the Shire. -Developments ought not be permitted to build on more than 50% of a block, rather than the current 60%, to enable some garden and tree space. -An 8 metre setback from the frontage ought to apply regardless of whether the existing house that may be pulled down, is closer than that to the front. -Activity Centre development frontages ought to be increased.</p>
19033 Oct 07, 2021, 05:12 PM	1			
19024 Oct 07, 2021, 03:00 AM	1			<p>Its great to build new houses in an area like wattle gien this area must change from looking old, poor, dark unsafe, bush like an old school town huge development required</p>

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			Objective 2 - expressly add that housing growth to be directed AWAY from vegetated suburban and rural areas where loss of vegetation (for aesthetic and habitat reasons) would occur as a result of increase in housing density.		New housing construction to be subject to ESD principles.
19009	Oct 06, 2021, 08:34 PM	1			Limited housing with NO parking requirements should be permitted within the activity centres to allow for better building design on very small lots, thus catering for the future where automated motor vehicles might be shared/hired.
19008	Oct 06, 2021, 08:32 PM	1			Emphasis needs to be on diversity - meeting the needs of the community (e.g. supply of 1-2 bedroom dwellings).
					New housing to be integrated with indigenous vegetation and a program of succession planting.
					Housing should be expressly directed away from rural areas and towards denser urban areas at the scale of medium density infill housing, to prevent urban sprawl, which is bad for the environment and will also worsen traffic. Biodiversity sensitive urban design is implemented and trees and flora are protected and proliferated - this is very important and not yet addressed in the objectives. ESD principles are always applied to housing (passive design, renewable energy, low-embodied energy materials, etc.) Parking is reduced and minimal.
					<ul style="list-style-type: none"> Need to protect the urban tree canopy in urban to mitigate the impact of increasing temperature in urban areas with global warming with an urgent focus on residential areas where consolidation in existing urban areas where subdivision of large lots and increasing density of dwellings is taking place and tree cover is being lost. . Development of an overall Nillumbik Urban Forestry Strategy that looks at residential, parks, streetscapes, industrial and commercial areas. Urban in this context refers to the whole of the municipality not just the areas zoned urban in the planning scheme. This is consistent with Living Melbourne that was following by an Urban Forest Strategy for the whole Greater Melbourne Metropolitan Area and is referenced in the draft Regional Northern Metro Land Use Plan (p123). Need to avoid housing growth and sensitive land uses within and in proximity to bushfire prone areas. This is Strategy 87 in the draft Regional Northern Metro Land Use Plan and goes on to say: In order to prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated. Development within areas of the highest bushfire risk must achieve acceptable levels of risk reduction. These areas should be avoided for development that will accommodate more vulnerable populations, such as elderly or very young, that may have difficulties evacuating in the event of bushfire.
18990	Oct 06, 2021, 03:48 PM	1			
			This is all urban and is irrelevant to rural areas and residents. Rural housing needs are not considered by Council in this, or any other council document. Note this reinforces the perception that council is unable to acknowledge and serve the needs of rural communities, and specifically rural lifestyle grazing and hobby farming communities and agricultural communities. If council were to decide it had an interest in serving rural communities, consideration of existing and historic multi-generational land management and use would require council to acknowledge these communities, and their need to accommodate secondary dwellings to facilitate growing and ageing in place options, and ongoing needs for property management in bushfire prone areas and areas covered by bushfire management overlay. This would be welcomed by these communities.		There is a gap in the MPS which is providing housing security and sustainability of rural lifestyle grazing and hobby farming residents or demonstrating any ability to recognise or accommodate long term multi generational land occupancy here - council does not serve the needs of rural communities at all well
18971	Oct 06, 2021, 08:53 AM	1			
			Objectives seem ok but the devil is always in the detail and how Council goes on interprets an objective will be to their agenda. If you use the legal assumption as a reasonable person thinks then it should be balanced and not favouring any one lobby group i.e. pro developer pro green.		Why is there no mention of rural residential development in this theme? It is in the MPS under "housing" and incorrectly states "Residential settlement in rural areas is usually based on an appreciation of the bush and often a willingness to revegetate previously cleared areas" where is the data to support this statement? It needs to be removed unless it can be proven. A simple phone call to local estate agents would disprove this statement. Truth being people are moving to rural Nillumbik for various reasons some want a bush blocks, other want pastured properties for rural lifestyle and hobby farms. The MPS should be a document of facts that can be backed with data not unfounded statements. "There is also ongoing land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels" Again what are these conflicts name them, be specific. The GW is already protected with State laws land can only be subdivided as policy states. Nillumbik may want to retain larger blocks but if it is not viable to farm at that scale then just wishing it doesn't make it so. Grazing is near impossible in Nillumbik due to the large kangaroo population. and the soil types will tell you what can be grown.
18945	Oct 05, 2021, 03:34 PM	1			
			There is no mention of retention of tree canopy. This is important to consider and to allow for the planting of new canopy trees in any development, particularly in medium density and apartment style buildings. As Nillumbik is a low growth area the opportunity to provide good design should be paramount. Also as it is a low growth area, housing growth should mainly be restricted to the activity centres where any current vegetation should be retained and new vegetation planted and its upkeep rigorously monitored.		Any new housing has to have a meaningful landscape plan which is enforced and includes canopy trees and understorey. Neighbourhood character needs to be considered . Subdivisions and subsequent loss of vegetation must be tightly controlled. Trees cannot be cleared to make way for subdivision, particularly in the more urban areas . This results in changing the neighbourhood character markedly and leads to loss of biodiversity of both flora and fauna. Backyard -scape is just as important as streetscape and should be considered in planning application approvals.
18944	Oct 05, 2021, 03:08 PM	1			
			Objective 2		
			"Direct housing growth and diversity to activity centres....."maybe "Encourage increased residential capacity and diversity in activity centres...."		
18925	Oct 05, 2021, 11:57 AM	1		How does this sit with the identified growth corridors?	

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18889	Oct 04, 2021, 05:05 PM	1			<p>Gaps:</p> <p>There's a need to protect and expand the urban tree canopy to retain character, provide wildlife habitat and mitigate the impact of increasing temperature from climate change. With increasing housing density and the consequent loss of traditional 'backyards', a program of street tree plantings using locally indigenous trees would compensate for trees unavoidably lost to development. This could be part of an Urban Forestry Strategy as referenced in the draft Regional Northern Metro Land Use Plan.</p> <p>•Need to protect the tree canopy in urban areas to mitigate the impact of increasing temperature in urban areas with global warming, with an urgent focus on residential areas where consolidation in existing urban areas where subdivision of large lots and increasing density of dwellings is taking place and tree cover is being lost. .</p> <p>•Development of an overall Nillumbik Urban Forestry Strategy that looks at residential, parks, streetscapes, industrial and commercial areas. Urban in this context refers to the whole of the municipality not just the areas zoned urban in the planning scheme. This is consistent with Living Melbourne that was following by an Urban Forest Strategy for the whole Greater Melbourne Metropolitan Area and is referenced in the draft Regional Northern Metro Land Use Plan (p123).</p> <p>•Need to avoid housing growth and sensitive land uses within and in proximity to bushfire prone areas. This is Strategy 87 in the draft Regional Northern Metro Land Use Plan and goes on to say: In order to prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated. Development within areas of the highest bushfire risk must achieve acceptable levels of risk reduction. These areas should be avoided for development that will accommodate more vulnerable populations, such as elderly or very young, that may have difficulties evacuating in the event of bushfire.</p>
18883	Oct 04, 2021, 04:07 PM	1			
18873	Oct 04, 2021, 03:31 PM	1		The assumption made which I believe to be wrong is that the ageing population need to down size. What a load of rubbish. Many are content to remain in their homes that along with government services. It also assumes that all occupants will be of an older age again an erroneous assumption. I am opposed to medium density housing in this area	
18846	Oct 02, 2021, 10:15 AM	1		<p>Additional Comments to Key Objective 1</p> <p>The impetus to provide for some medium density housing as an alternative housing choice should not be at the expense of reducing urban tree canopy as is currently occurring, particularly in residential areas, where developers are clear felling housing blocks to maximise higher density development.</p> <p>Key Objective 2</p> <p>An effective, strong and responsive Neighbourhood Character Policy is required to control urban design outcomes in activity centres, residential areas and townships. This policy should not support the type of non Nillumbik styles of recent developments that do not comply with earlier neighbourhood character controls. Accessible housing should comply with universal design principles to maximise use by people of all abilities and ages.</p> <p>Key Objective 2</p> <p>Such a considered approach should maximise the retention of identified neighbourhood character and canopy tree cover.</p> <p>Objective 2 is another Pandora's box - very broad and open to Philadelphia lawyer interpretation, or VCAT, enlarging activity centres to fit the housing.</p> <p>I certainly don't want to live in a small housing development that then enlarges over time.</p>	<p>We must ensure we protect and increase the urban tree canopy in urban areas to mitigate the impact of increasing temperature with global warming.</p> <p>There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree cover, mid storey vegetation and herbaceous ground cover is being lost.</p> <p>We must prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated.</p>
18834	Oct 01, 2021, 02:42 PM	1			
18830	Oct 01, 2021, 12:33 PM	1		<p>Remember, we are NOT Banyule!</p> <p>Key objective 1. Sounds like it's written by a developer.</p>	
18816	Sep 30, 2021, 10:09 PM	1		<p>Medium density leads to high density. Medium density spreads block by block. Split blocks are an eyesore and detract from Eltham's look, feel and amenity. Medium density housing also leads to more traffic, congestion and fewer trees. We need to protect Eltham's livability.</p> <p>Need to stop the overdevelopment of the residential areas of Eltham, Eltham North,</p>	<p>Focus on protecting the way Eltham is now. Keeping the tree lined streets, and protecting the suburb from developers and builders wanting to split blocks. Eltham has so far avoided what has happened in other eastern suburbs. The transport hub is not as necessary now that most people will be working more from home.</p>
18756	Sep 29, 2021, 06:59 PM			1 Research and the rural areas	
18733	Sep 29, 2021, 05:15 PM	1			

18708 Sep 27, 2021, 10:58 AM	1	<p>You will turn Eltham into Greensborough through higher density housing near Eltham town centre.</p> <p>Acknowledge that there are higher density housing within 10kms and don't try to build it here.</p> <p>I would like to see how this will applied in the blue lake ward. It is clear that planning is disproportionate across the council with some areas catered to well and others not.</p> <p>For example, Brown's lane involves new, large estates yet community facilities are lacking, including paths, sealed rds, a business precinct, public open spaces. The most dangerous part of Brown's lane is not sealed is irregularly graded and is currently a mess. I have be advised by council it will never be fixed because there are no residence to charge.</p> <p>Furthermore, if I did agree, there would need to be fourth object - community consultation. Currently the old CFA building is being kept after it is clear the people don't want it because we lost environment and want it replaced. This is key objective 3. You will never know how many people disagree because you conduct convenience sampling, which means it does not represent the whole community.</p>	
18471 Sep 23, 2021, 09:46 AM	1	<p>As currently expressed, the objectives do not address:</p> <ul style="list-style-type: none"> •the need to protect and increase the urban tree canopy in urban areas to mitigate the impact of increasing temperature with global warming, and ongoing loss to date. There needs to be an urgent focus on residential areas where consolidation and subdivision of large lots and increasing density of dwellings is taking place and tree cover, mid storey vegetation and herbaceous ground cover is being lost. (see also Climate Change Theme) •the need to avoid housing growth and sensitive land uses within and in proximity to bushfire prone areas. In order to prioritise the protection of human life from bushfire, population growth and development should be directed to low risk locations and areas that can be safely evacuated. 	<p>Planning for housing within ALL of Nillumbik, the Green Wedge Shire, requires retention and increase of indigenous tree canopies and understorey. (Reflecting the community priorities as defined in "Our People Our Place Our Future"). In urban areas, introduce 'Biodiversity Sensitive Urban Design' as an overarching concept. Development of an overall Nillumbik Urban Forestry Strategy that looks at residential, parks, streetscapes, industrial and commercial areas. This is consistent with Living Melbourne that was followed by an Urban Forest Strategy for the whole Greater Melbourne Metropolitan Area and is referenced in the draft Regional Northern Metro Land Use Plan.</p> <p>Any increases in building density around activity centres are not to the detriment of environmental values, require significant plantings of indigenous flora, and are 'offset' by a decrease in what is permissible in the suburban context around those centres, so as to be able to retain and maintain tree canopy for a sustainable future.</p>
18439 Sep 22, 2021, 10:48 AM 18437 Sep 22, 2021, 07:19 AM	1		
18436 Sep 22, 2021, 07:14 AM	1		<p>Many of us live on large rural properties as as we age we cannot continue to maintain land etc. However we do not want to end up in high density housing developments like Doreen. We would like to retire and live in the same area with our beautiful surrounds. Mixed density or specialist retirement properties to allow us not to have to move away from where we live to find suitable housing. Really glad this is being considered. Also our children have limited housing options as well as it's so expensive. We are in Yarrambat. Thankyou</p>
18434 Sep 21, 2021, 09:58 PM	1	<p>The Shire will not experience a reduction in household size due to an ageing population. The estimated state growth contradicts this key objective.</p> <p>One of the key characteristic of living in the shire is the large allotments and the feeling that were not living in top of each other despite holding a secure semce of community. I feel it would detract significantly from the feeling of the shire as well as cause a reduction in value of property to introduce more medium density housing.</p>	<p>Look at covenants for new buildings being developed. How many developers. Minimise medium to high density, as it is not practical or safe for the small community streets.</p>
18433 Sep 21, 2021, 09:43 PM 18430 Sep 21, 2021, 08:38 PM 18429 Sep 21, 2021, 08:32 PM 18428 Sep 21, 2021, 08:06 PM	1 1 1 1		<p>Create community township predinct for the forgotten Yarrambat suburb.</p>
18425 Sep 21, 2021, 06:45 PM	1	<p>It is unclear on how these objectives will be met. What will be the benefits and costs to meeting these objectives.</p> <p>Objective #1. Whilst I agree with the expected reduction, I do not agree that this means that we need more medium level density housing! Some of our more rural suburbs need to remain that way. We do not need more houses on small lots. It is not in the character of the rural suburbs.</p>	
18424 Sep 21, 2021, 06:41 PM	1	<p>I understand the need for different styles of housing for different age groups and family sizes, but would not want the density to cause a sacrifice in the ability for every person to connect with nature. (I am not talking about going hiking) but to live in a home / environment which uses biophilic design (this just means love of nature) and the established principles of it, to ensure they are reaping the benefits of connection with nature that benefits them both physiological and emotional.</p>	<p>I am unsure because I feel the most important perspective with which to view this should be providing housing that is focused on the health and wellbeing of those who live in it.</p> <p>Nillumbik provides a lot of great green areas and open spaces which is great, but the increase in the density of housing creates the possibility that the actual living spaces will become unhealthy environments because they dont allow for connection with nature. Biophilic design is a proven evidence based practice that shows the increase in wellbeing when considering these principles is significant.</p> <p>For me, when considering future housing options the idea of biophilic design philosophy and understanding how nature can be integrated into the modern built environment is essential.</p> <p>It is becoming more and more prevalent in architecture and many certifications are now requiring it. ie the living building challenge and the WELL institute rating.</p> <p>Interaction with nature and natural elements and even simulated nature and organic shapes should be considered in approving housing design and density in the future or nillumbik will be soon fall behind in this innovative new approach to creating homes that build wellbeing through their design.</p> <p>Make the rural township zone larger to provide more housing</p>
18385 Sep 19, 2021, 08:41 PM 18358 Sep 19, 2021, 04:11 PM	1 1	<p>Disagree with ageing population. A lot of young families are moving here</p>	

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			The second object doesn't really make sense. Needs to be edited. I also think there needs to be more included.	Residential areas beyond but close to activity centres, and which are not too sloped, should be favoured for unit development that would be appropriate for aged and disabled occupants. Housing affordability needs to be addressed. There should be disincentives for overly large and inefficient housing development. New developments should be compelled to have indigenous gardens. There should be better protection for existing historic and interesting (e.g. mid century, artists residences) houses (FYI two miners cottages in Bible St have been demolished in recent years - there aren't many left!)
18345 Sep 18, 2021, 10:43 PM	1			
18327 Sep 18, 2021, 02:13 PM	1		2: Not all development needs to be close to activity centers. many people wish to live in quieter settings, yet smaller lot sizes.	I believe we should allow smaller subdivision lots in areas around plenty 3090, that will provide opportunity for a balance of medium density housing as well as in a secluded semi rural setting. There are many property's east of the gorge and west of Mcleelans Rd, that could be allowed to subdivide into 4000sq2 lots or smaller that can accommodate such requirements.
18321 Sep 18, 2021, 08:11 AM	1		I agree with most of the key objectives , but I think that it is incorrect that there should be only housing growth in Diamond Creek and Eltham activity centres as there is only a limited amount of space whereas I think some of the other townships with good access to public transport , good roads , schools and shops should also be utilised .	I think that there should be more housing diversity . I think that there should be an independent body set up, free of politics and shelf interest to proceed with future housing, as at the moment every 4 years the housing policy changes due to the newly appointed councillors pro development or extreme conservation bias . I think there should some more supermarkets in particular , an Aldi in Plenty or Yarrambat , as this would help alleviate a lot of traffic concerns .
18296 Sep 17, 2021, 01:58 PM	1		Key Objective 1 Whilst the Shire's population may be ageing, it seems logical that at some stage older residents will move into aged care, downsize, or will pass. With the improvements in infrastructure currently underway, I can imagine this will attract younger families to the Shire.	
18283 Sep 17, 2021, 10:27 AM	1		Key Objective 1 - don't assume that just because people get older that they want to sell the house they've lived in for years to move to a unit. People live in Nillumbik because of the open spaces and rural communities. It is not suburban and should remain not suburban.	Ensure new housing is environmentally responsible and sympathetic to the land.
18261 Sep 16, 2021, 07:10 PM	1		Key objective 3 should be #1. Also, I am unsure how ageing populations necessarily corroborate a need for developing medium density housing. Who and what does the research say? What ageing dwellers living in Nillumbik do? Do they downsize in the area? Do they relocate somewhere else for another family to move in their property? Do they sell and divide?	
18234 Sep 16, 2021, 04:09 PM	1		In line with objective 1, diminishing household sizes should be supported by preference being given to new single level housing stock to allow empty nesters to downsize and remain in the area	Review objective 1 as described above
18220 Sep 16, 2021, 11:08 AM	1		The jump from no new subdivisions to medium housing is enormous. While some many want medium housing most would like to stay in their homes on a smaller lot. An intermediate step before medium is needed.	Medium housing usually means units or some type of seniors multi accommodation. Council needs to consider 1 or 2 ha before that. Not everyone wants to move into a retirement home.
18204 Sep 15, 2021, 04:45 PM	1		As the shire identifies as a green wedge shire, I think allowing smaller subdivisions is a contradiction of this concept. Rather than developing any further in rural areas, or allowing existing larger properties to be subdivided, perhaps redevelopment in urban areas is the way to meet this perceived need.	Urbanisation should be restricted to current urban areas. Inadequate public transport, combined with the hilly terrain of much of Nillumbik, means that areas which do not have good public transport should not be considered for further development.
18202 Sep 15, 2021, 03:55 PM	1		I disagree with the premise in KO1, I am surrounded by young couples with small children in the existing 3/4 acre approx block houses. Young couples will always want more space for their young children as we did. There is no need to degrade the quality of life and value of existing houses by allowing a reduction in block size and higher density housing. Why do we, as a shire, have to provide medium density housing? We are in the green wedge and under no circumstances should this be further eroded by allowing unscrupulous developers to build future slum housing in our shire.	Overall there seems to be an acceptance of the need for higher density housing, this is wrong, in as much as it affects Nillumbik. It is not incumbent on the rate payers or their representatives; Nillumbik Shire Council, to facilitate this in our shire. This is the green wedge, the lungs of Melbourne, even in the largest cities in the world there is a recognition that there has to be undisturbed areas on the outskirts of a city to provide the psychological break in the urban landscape. We are it, do not wreck this.
18128 Sep 11, 2021, 01:01 PM	1		KO2 seems to assume that just because we currently live near a station or shopping area we should put up with unreasonable development of existing housing blocks. No, there are plenty of new suburbs and estates further north on un or underdeveloped land, the developers in those areas should also pay for the infrastructure required for those developments. Those of us that choose to live and buy houses in established areas, should not have to put up with our land being devalued by ugly medium to high density housing. In Diamond Creek we already have a number of unsightly, poorly planned and unnecessary estates, we do not need any more.	
18084 Sep 10, 2021, 08:42 AM	1		KO3 is paramount, should be the first priority. It seems KO1 and KO2 actively contradict KO3. A considered approach would be to ensure the council looks after it's existing rate payers, not use their position to seek more and more by allowing an increase in the density of housing.	
			#3...and protect the Green Wedge	
			Partially agree, though there is also an increasing trend towards multi generational housing. Considerations for larger houses, extensions, and granny flats should be included.	

Infrastructure

Title/Question: Infrastructure
Tool Type: Form
Activity ID: 312
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 09:59 am

Contribution ID	Date Submitted	with the identified If not, which objective(s) and why? Yes No Unsure	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
19308	Oct 21, 2021, 10:36 PM	1	
19202	Oct 19, 2021, 08:33 AM		
		<p>We are particularly concerned about Key Objective 5. What has triggered this statement that so clearly infers that rural lots are breaching the laws in the area of effluent management? Is this a not-so-subtle attempt to make rural living even more challenging in Nillumbik? We understand that some urban areas of Nillumbik remain without sewerage connection, and given the population density in such areas, surely this is a much greater concern?</p> <p>I fully support the PALS recommendation</p>	
		<p>3. Strengthen this statement to become an objective where: Vigorously promoting significant reduction in consumption and waste throughout the Shire - in private, public and commercial spaces - will ease pressure on infrastructure services which are particularly limited in rural areas, and will yield positive outcomes for carbon emission reductions. (e.g. implement a trial of pay per kg for the red landfill bin; promote downsizing to the 80-litre mini-bin)</p> <p>Effective reductions of consumption and waste and implementation of recycling are vital throughout the Shire. (e.g. implement composting toilets and send humanure to local farms)</p> <p>4. Consideration of renewable energy systems and local waste recycling.</p>	<p>Greater emphasis must be placed on local renewable energy systems including community battery storage.</p> <p>Develop systems for innovative and eco-friendly use of waste from farms, local grocers, other businesses, council, community</p>
19169	Oct 14, 2021, 09:53 PM	1	
			<p>I am a resident of Yarrambat. I regularly walk, run and cycle through different areas in Nillumbik and Whittlesea Council. There are great connecting pathways in most areas including Plenty but in Yarrambat there is a total lack of pathways for accessing bus stops, commuting on foot to the school, post office and sports precinct . It is not always safe running, walking or cycling along busy Roads such as Kurrak , Yan Yean and Iron Bark Roads in Yarrambat as there are very few pedestrian paths and as a result you often need to walk on the gravel edge of the road. I would prefer not to see concrete pathways in our beautiful rural setting but asphalt or compacted gravel paths would blend in and be fantastic for the community.</p>
19132	Oct 11, 2021, 05:56 PM	1	

			<p>I would like to include:</p> <p>Vigorously promoting significant reduction in consumption and waste throughout the Shire - in private, public and commercial spaces - will ease pressure on infrastructure services which are particularly limited in rural areas, and will yield positive outcomes for carbon emission reductions.</p> <p>Effective reductions of consumption and waste and implementation of recycling are vital throughout the Shire.</p> <p>Key objective 5 - This makes no sense. How does the size of the lot relate to containing effluent on site? These two things are unrelated. I have no objections to containing effluent on site (isn't this a requirement?). I have strong objections to consolidation of rural lots into larger lots, if the council wants to pursue this there needs to be consultation on this item alone, without confusing the matter with effluent</p>	<p>Greater emphasis must be placed on local renewable energy systems.</p> <p>Develop systems for innovative and eco-friendly use of waste from farms, local grocers, other businesses, council, community</p>
19129	Oct 11, 2021, 12:05 PM	1		
19082	Oct 08, 2021, 10:54 AM	1		
			<p>Obj 3</p> <p>There is a significant and ongoing reduction in consumption and waste throughout the Shire - in private, public and commercial spaces - (This will ease pressure on infrastructure services which are particularly limited in rural areas, and will yield positive outcomes for carbon emission reductions. Effective reductions of consumption and waste and implementation of recycling are vital throughout the Shire.)</p> <p>Obj</p> <p>This objective needs to recognise that there are wider reasons for consolidation of rural lots to increase their size, not least of which is preservation of habitat. This is in keeping with the recommendation that all Themes and their objectives recognise that Nillumbik is first and foremost a conservation Shire - as described by the Local Government Board and supported by residents eg through Our People, Our Places, Our Future consultation process, to name one.</p>	<p>Greater emphasis must be placed on local renewable energy systems.</p> <p>Develop systems for innovative and eco-friendly use of waste from farms, local grocers, other businesses, council, community</p>
19062	Oct 07, 2021, 09:50 PM	1		
19048	Oct 07, 2021, 06:44 PM	1	Aim 1: does not go far enough	Work out a way of making Eltham township generally more inviting.

			Key objectives 1, 2 and 4 are irrelevant to rural residents. Delete or rewrite Key objective 3 – amend see earlier comments about Victorian Government planning to improve communications infrastructure in rural areas. Delete Key objective 5 – it is factually incorrect - all lots are capable of containing effluent on site regardless of their size. This is a function of engineering design and execution. We know this because areas like St Andrews and many other rural areas in Victoria, New South Wales, South Australia, Northern Territory, Queensland, Western Australia and Tasmania have lots smaller than a quarter of an acre with on-site effluent containment. This stated purpose is therefore demonstrably false. Do not under any circumstances support the consolidation of rural lots. It is neither desirable, or practical, and is unfunded. If council proceeds with this proposed objective, be aware that the likely cost to council of consolidating rural lifestyle grazing and hobby farming lots can be expected to be more than \$2.4 billion. To publish this is to signal to the market the intention to engage in property speculation and devalue the local property market. This action by council appears to be in breach of several laws. Is council planning to fund this? Suggest seeking legal advice.	
18974	Oct 06, 2021, 09:01 AM	1	All properties have a septic system to contain effluent.	Consolidating lot sizes to contain effluent????? Really????? 85 per cent of lots in rural areas are smaller than the zone imposed on them. How many do you plan to consolidate to contain effluent? How is this going to be funded? It is unlawful for council officers and council to act in ways that cause speculation in the property market and the alteration of the property risk profile - you are aware of that aren't you? rural lifestyle grazing and hobby farming residents economic loss under this type of rubbish will be in the vicinity of \$2.4 billion - where is council going to find the money to fund this?
18958	Oct 05, 2021, 07:12 PM	1	You cannot get a planning permit with out one.	
18928	Oct 05, 2021, 12:19 PM	1		
18913	Oct 04, 2021, 10:51 PM	1		Local renewable energy systems should be supported consistent with habitat and biodiversity protection. Local waste composting/re-cycling systems should be supported where consistent with environment protection.
18877	Oct 04, 2021, 03:38 PM	1	Rural areas by nature do not require a full range of infrastructure and should only have a limited physical infrastructure because they are rural. At what point do the rural areas cease to be rural and become metropolitan? Additional Comments to	
18837	Oct 01, 2021, 03:33 PM	1	Key Objective 5 In doing so ensure there is consistent protection of waterways and tree canopies to provide preservation of habitat.	
18361	Sep 19, 2021, 04:21 PM	1	How do u achieve 5?☺ Objective 3 and 4 seem to conflict. One says that dispersed low-density residential areas are difficult to provide infrastructure while the second says it will provide it efficiently. How can you you provide efficient infrastructure when it is inherently inefficient. I think this confusion should be rectified.	Get infrastructure out to rural areas
18346	Sep 18, 2021, 10:57 PM	1		
18238	Sep 16, 2021, 04:16 PM	1		

As a resident of Plenty, I cannot see any effort being expended in attempting to build Plenty as a community. It is just a blip on a motorist's radar as they speed along Yan Yean Road. Perhaps some effort could be expended into establishing groups in our sole community space (the Hall) to try to bring the community together.

18205 Sep 15, 2021, 04:47 PM

1

To me, "recognise" doesn't really seem very active/proactive. So you recognise something... so what?

18131 Sep 11, 2021, 01:10 PM

No mention of infrastructure to support safety for flooding, bushfire, or
1 severe storms/wind/weather.

Natural Environment

Title/Question: Natural Environment
Tool Type: Form
Activity ID: 307
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 09:47 am

Contribution ID	Date Submitted	with the identified I			If not, which objective(s) and why?	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
		Yes	No	Unsure		
19303	Oct 21, 2021, 09:19 PM		1		Key Objective 1 references the need to control pest plants and animals, and we support this strongly across all areas of the shire, both rural and urban. However, we question the reference to large numbers of threatened species and have not been provided with the evidence to support this statement. Key Objective 4 refers to threatening processes and again we have not been provided with the evidence to support this statement. For our understanding, what is the definition of threatening processes? In the absence of further information and genuine independent supporting data, we do not support these objectives and question their intent.	
19301	Oct 21, 2021, 09:09 PM		1			I would like to see the Wurundjeri Woiwurrung heritage of care of the land acknowledged with intention to use consultation with Narrap team when possible
19279	Oct 21, 2021, 01:32 PM		1			Important to create, improve and maintain access to public environment (i.e trails), as well as the environment around town centres (i.e. ensuring appropriate tree cover of streets and roads).
19197	Oct 19, 2021, 08:15 AM		1		I support the PALS decision on this	
19163	Oct 14, 2021, 09:31 PM		1		1. This objective needs to recognise the habitat corridors identified in the NEROC and State of Environment reports and support extending and reinvigorating them. Noting the importance of establishing and connecting the potential corridors as identified in the State of Environment report. Suggest an additional objective to acknowledge the essential value of waterways as wildlife corridors and the need for enforced planning controls to protect them. 2. Replace the Plenty River with "all waterways in Nillumbik."	Note: As currently expressed, the objectives do not sufficiently: • highlight the overall need to maintain and enhance the overall diversity of indigenous flora and fauna as identified in Plan Melbourne. • Support the need to achieve net gain (rather than no net loss) in the quality and quantity of native vegetation as also identified in Plan Melbourne.

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			<p>Potential additional objectives:</p> <ul style="list-style-type: none">- The rights of nature must be recognised in the application of all planning decisions as enacted by Blue Mountains City Council. This extends the principle demonstrated when the Yarra River was declared a living entity in 2017.- Protect and enhance indigenous vegetation communities for fauna habitat of all indigenous species.- Promote and protect indigenous vegetation and connectivity within and between urban areas and townships.- Planning permit conditions to promote wildlife-friendlier fencing.- The essential value of waterways as wildlife corridors is acknowledged and enforced planning controls protect them.- Land management plans protecting indigenous vegetation are required where hard hoof grazing is proposed.- "Biodiversity urban sensitive design" is a requirement in urban areas, in line with contemporary practice such as those described by RMIT and University of Melbourne.- The weaknesses within the environmental enforcement system are identified, addressed and appropriately resourced.- Council structures require environmental officer input to all planning decisions that have environmental impacts and in areas of biodiversity, prioritising areas where there is an Environmental Significance Overlay (ESO) & Bushfire Management Overlay (BMO)
			<p>Suggest the following be considered in the preamble for this theme:</p> <ul style="list-style-type: none">•Melbourne 2030 identifies the Nillumbik Green Wedge as being of social, economic and environmental value because of the following features: environmental and landscape quality (particularly the Yarra River and surrounds); river red gums and other habitat areas; national parks; metropolitan water storages.
19124 Oct 11, 2021, 11:38 AM	1		
19093 Oct 09, 2021, 10:12 AM	1	Objective 1 - remove 'occurring' in threats 'occurring' to those species.	
19061 Oct 07, 2021, 09:44 PM	1		<p>Value of cleared grazing land and hobby farms for kangaroos and birds who prefer open habitats.</p> <p>Role of dams for amphibians and all wild-life during drought.</p>
Key Objective 1			
<p>Given the large number of threatened native species and threats occurring to those species in the Shire, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals. Is this true? Evidence would suggest that most populations that survived the millennium drought are actually stable, relevant to their their own population and enviromental demands.</p> <p>Planning already requires numerous ecological and specific frog, owl and orchid reporting to be done. There is obviously conflict between Bal clearing requirements for developments and removal of vegetation, however, offsets are surely a State sanctioned way of mitigating any losses. Council should consider having more local offset sites, so that some development can occur, yet offsets be held in Nillumbik. Also where possible on-site offsets should be encouraged. Again these "threats" are not articulated, does it mean those who own land and pay rates, and our able to legitimately apply for a planning permit. Yes, we need to conserve biodiversity etc. but existing planning overlays are more than adequate.</p> <p>Controlling weed and pest species is not likely to be achieved through the planning scheme. Existing land management plans are not useful and have limited application. More likely local law and landcare groups can tackle this.</p>			
Key Objective 2			
<p>Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the Plenty River. Use and development have the potential to affect stormwater quality</p>			

and adversely affect downstream areas.
Why the Plenty River? What about the Bend of Islands settlement so close to the Yarra River, or those in North Warrandyte, or South Eltham. Think this should be a general statement with regard to drainage and sewerage in all areas.

Key Objective 3

Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards. Agree that mass denudation of landscape degrades stormwater quality, but that not all development does so, if planting and landscaping is done appropriately.

Key Objective 4

Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.
Not sure how this would play out in the planning scheme, already have house colours and fence types, siting of houses and outbuildings, how does improve planning outcomes, or is it a romantic view of what the Shire should look like.

As I am going to say on all of my responses
This is not completely a question of yes or no, but as there are suggestions for most of them I have selected no.

Obj 1

This objective needs to recognise the habitat corridors identified in the NEROC and State of Environment reports and support extending and reinvigorating them. Noting the importance of establishing and connecting the potential corridors as identified in the State of Environment report.

Obj 2

Replace the Plenty River with "all waterways in Nillumbik."

1. This objective needs to recognise the habitat corridors identified in the NEROC and State of Environment reports and support extending and reinvigorating them. Noting the importance of establishing and connecting the potential corridors as identified in the State of Environment report.

Suggest an additional objective to acknowledge the essential value of waterways as wildlife corridors and the need for enforced planning controls to protect them. See also in gaps, below

1 2. Replace the Plenty River with "all waterways in Nillumbik."

Key Objective 2 and 3) All Nillumbik's waterways are important, and the vegetation along their corridors provide vital habitat which need to be protected. Densification of development and reduction of open space for stormwater absorption result in an increase in stormwater flow and degradation of its quality.

Note: As currently expressed, the objectives do not sufficiently:

- Highlight the overall need to maintain and enhance the overall diversity of indigenous flora and fauna as identified in Plan Melbourne.
- Support the need to achieve net gain (rather than no net loss) in the quality and quantity of native vegetation as also identified in Plan Melbourne.

In their current form the aims objectives do not give enough emphasis on achieving NET GAINS in the quality and quantity of native vegetation.

Connectivity is important but respect for environment must guide and caution the development of new bicycle and horse trails in areas of significant landscape and cultural importance. Horses and bikes compact soil and destroy vegetation.

		All of them because it sounds like c81 and c101 all over again. There's a balancing act of keeping or removing vegetation to ensure bushfire safety or to have enjoyment of the land we own and leaving habitats and the green view that most of us live here for. I don't think council needs to change anything to be honest.	
19015 Oct 06, 2021, 09:37 PM	1		
		Objective 2 All rivers and tributaries, not just the Plenty River. O.3. Once you start saying "discourage development "including"..." the clause could be interpreted as allowing development in other areas of the Green Wedge as long as they don't effect water quality. It must be made clear that this is not the case, that the word development ought be used with caution really as this is not what the Green Wedge ought to be focusing on and the Objectives ought mainly be about how to preserve and enhance our last intact green wedge and its environmental/biodiversity health. The word "discourage" .is not a strong enough word to prevent inappropriate development i fear. It is time an MPS had teeth and says "prevent" development because the Green Wedge cannot take much more.	See above.
19002 Oct 06, 2021, 06:17 PM	1		
		Objective 1: Needs additional recognition of value of habitat corridors, both vegetation and waterways Objective 2: Should be all waterways in Nillumbik.	Requires objectives which are more specific to the natural environment. Requirements for wildlife-friendly fencing. Include waterways as wildlife corridors with appropriate protection. Resourcing and enforcing the environmental enforcement system.
18991 Oct 06, 2021, 03:53 PM	1		
		Key Objective 1 In Line with Plan Melbourne, needs to be revised to highlight the need to maintain and enhance biodiversity of the indigenous flora and fauna for the whole of Nillumbik Also, as spelt out in Plan Melbourne, needs to support the need to achieve net gain (rather than no net loss in the quality and quantity of native vegetation.	<ul style="list-style-type: none"> •In urban areas, promote 'Biodiversity Urban Sensitive Design' such as described by RMIT and Melbourne University. •Recognise the essential value of waterways as wildlife corridors. •Recognise the need to provide wildlife/biolink corridors for native flora and fauna to both increase habitat and enable species to move in response in response to climate change. •Promote the protection and enhancement of indigenous vegetation communities for fauna habitat of native species. •For planning permits and planning scheme amendments (particularly any proposes to review the ESOs) that have potential environmental impacts to be referred to the appropriate Council environmental officer(s) for the opportunity to review and advise the planning department of issues.
18988 Oct 06, 2021, 03:46 PM	1		
		Amend Key Objective 1 – Planning decisions should balance the need to protect and conserve biodiversity, provide habitats for native flora and fauna, control pest plants and animals, and manage bushfire risk. The biggest threats to the natural environment is fire, then weed and pest species, then drought, then erosion. Delete Key Objective 2 – Nillumbik does not have an urban growth area Delete Key Objective 3 or rewrite – encourage development and vegetation removal that plans for and accommodates stormwater quality, reduces soil erosion, expansion, and landslip, and manages hazards. Delete Key Objective 4 – write this in plain English or delete it. Refer earlier comments, the landscape values of the shire are unknown and much land use is not acknowledged by council – so any objective mentioning it is meaningless. .	these objectives are nonsensical and not based on ground truth or reality
18969 Oct 06, 2021, 08:49 AM	1		
18957 Oct 05, 2021, 07:09 PM	1	Objective 4 this appears the try and restrict the use of rural under the guise of protecting habitat.	

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18951	Oct 05, 2021, 04:29 PM	1		Plan identifies value of habitat for threatened species. This should be extended to wild life in general. However pest species should be discouraged.
			<p>The wording is not strong enough. Instead of discouraging , key objective 3 should state preventing development. There needs to be consideration given to preserving and creating not only habitat but corridors along which wildlife can traverse safely. Habitat could mean just small pockets of vegetation without any connection to other pockets. The biodiversity of flora is important for these reasons too.</p> <p>All waterways need to be included in the objectives. They are all under threat from stormwater, householders illegally disposing of effluent and rubbish into the waterways , and land degradation from works on properties.</p>	<p>Planning permits need to place more emphasis and importance on providing, preserving and enhancing the landscape and vegetation. This needs to be enforced rigorously in order to preserve the environment, particularly the canopy tree cover. Part of providing corridors is to permit wildlife friendly fencing only, even in the more urban areas as more native wildlife is seeking food and shelter in the urban environment.</p> <p>Meaningful fines need to be introduced and enforced for those who are degrading the landscape in any way.....tree removal, discharge into waterways, clearing vegetation, land excavation etc.</p>
18939	Oct 05, 2021, 02:12 PM	1		
			<p>Key objective 2 refers to proximity of urban growth areas to Plenty River....</p> <p>Facilitation of drainage and sewerage in existing (unsewered) residential areas is also relevant for downstream impacts on Plenty and Yarra rivers</p> <p>Management/ oversight of the adequacy and effectiveness of private water treatment installations (including septic tanks) in semi-rural and rural locations is</p>	
18921	Oct 05, 2021, 11:37 AM	1		
18908	Oct 04, 2021, 10:15 PM	1	Written for a pre determined outcome.	Environment , needs pest control , weed control and support for land owners . Not the touchy feely rubbish you've written.
18891	Oct 04, 2021, 05:12 PM	1		
			<p>Key Objective 1</p> <p>In Line with Plan Melbourne, needs to be revised to highlight the need to maintain and enhance biodiversity of the indigenous flora and fauna for the whole of Nillumbik</p> <p>Also, as spelt out in Plan Melbourne, needs to support the need to achieve net gain (rather than no net loss in the quality and quantity of native vegetation.</p>	<p>•In urban areas, promote 'Biodiversity Urban Sensitive Design' such as described by RMIT and Melbourne University.</p> <p>•Recognise the essential value of waterways as wildlife corridors.</p> <p>•Recognise the need to provide wildlife/biolink corridors for native flora and fauna to both increase habitat and enable species to move in response in response to climate change.</p> <p>•Promote the protection and enhancement of indigenous vegetation communities for fauna habitat of native species.</p> <p>•For planning permits and planning scheme amendments (particularly any proposes to review the ESOs) that have potential environmental impacts to be referred to the appropriate Council environmental officer(s) for the opportunity to review and advise the planning department of issues.</p>
18880	Oct 04, 2021, 03:48 PM	1		
18869	Oct 04, 2021, 03:07 PM	1		no
				<p>Natural environment. I wish to emphasize the importance of connecting isolated pockets of natural vegetation to form wildlife corridors across the shire. This includes private and public land. And Yes compensation might have to be considered. Why does this keep coming up over many years and nothing happens?</p> <p>Another matter I did not hear voiced is the proven health benefits to community and visitors whether living or visiting the rural areas of our shire.</p>
18863	Oct 04, 2021, 10:20 AM	1		

			<p>Objective 1: Should be amended to include the need to protect/enhance wildlife corridors which often link areas of habitat importance. Planning initiatives to conserve/enhance biodiversity must include both strategic (i.e. new ESOs) and statutory planning.</p> <p>Objective 2: Should be amended to include the need to protect/enhance all water courses in Nillumbik, including their vegetation, as wildlife corridors, not just the Plenty River..</p> <p>Objective 3: Should be amended to include the need for net gain in vegetation, not just protect against removal of vegetation.</p> <p>There must be recognition of the importance of rivers and streams and there vegetation, in both urban and rural areas, as habitat and wildlife corridors.</p> <p>There needs to be recognition of the need to control grazing by requiring land management plans so native flora is not destroyed.</p> <p>There needs to be an intention to address weaknesses in the environmental enforcement regime. Strategic planning provisions (including new overlays such as SLOs) must address landscape protection in rural areas.</p>
18860	Oct 03, 2021, 11:56 PM	1	<p>The rights of nature must be recognised in the application of all planning decisions as enacted by Blue Mountains City Council. This extends the principle demonstrated when the Yarra River was declared a living entity in 2017.</p> <ul style="list-style-type: none"> - Protect and enhance indigenous vegetation communities for fauna habitat of all indigenous species. - Promote and protect indigenous vegetation and connectivity within and between urban areas and townships. - Planning permit conditions to promote wildlife-friendlier fencing. - The essential value of waterways as wildlife corridors is acknowledged and enforced planning controls protect them. - Land management plans protecting indigenous vegetation are required where hard hoof grazing is proposed. - "Biodiversity urban sensitive design" is a requirement in urban areas, in line with contemporary practice such as those described by RMIT and University of Melbourne. - The weaknesses within the environmental enforcement system are identified, addressed and appropriately resourced. - Council structures require environmental officer input to all planning decisions that have environmental impacts and in areas of biodiversity, prioritising areas where there is an Environmental Significance Overlay (ESO) & Bushfire Management Overlay (BMO) <p>Suggestion that the following be considered in the preamble for this theme:</p> <ul style="list-style-type: none"> • Melbourne 2030 identifies the Nillumbik Green Wedge as being of social, economic and environmental value because of the following features: environmental and landscape quality (particularly the Yarra River and surrounds); river red gums and other habitat areas; national parks; metropolitan water storages.
18854	Oct 02, 2021, 02:29 PM	1	
18850	Oct 02, 2021, 02:02 PM	1	
18828	Oct 01, 2021, 12:21 PM	1	
18753	Sep 29, 2021, 06:55 PM	1	
			<p>Additional Comments to</p> <p>Key Objective 1</p> <p>It is important to recognise and define the essential value of waterways as wildlife corridors and ensure appropriate controls are in place and can be enforced to protect these valuable natural assets.</p> <p>Key Objective 2</p> <p>Need to identify that drainage and sewerage in urban growth areas impacts on the water quality and health of all waterways in Nillumbik and downstream areas. Don't understand why only the Plenty River has been mentioned.</p>
18633	Sep 26, 2021, 05:29 PM	1	<p>All planning decisions and conditions need to recognise the importance of protecting and encouraging the use of indigenous vegetation and protection of local wildlife.</p>

			<p>As currently expressed, the objectives do not sufficiently:</p> <ul style="list-style-type: none"> •Highlight the overall need to maintain and enhance the overall diversity of indigenous flora and fauna as identified in Plan Melbourne. •Support the need to achieve net gain (rather than no net loss) in the quality and quantity of native vegetation as also identified in Plan Melbourne. 	<ul style="list-style-type: none"> - Protect and enhance indigenous vegetation communities for fauna habitat of all indigenous species. - Promote and protect indigenous vegetation and connectivity within and between urban areas and townships that is, 'corridors' - Planning permit conditions to promote wildlife-friendly fencing where practical - The essential value of waterways as wildlife corridors is acknowledged and enforced planning controls protect them. - Land management plans protecting indigenous vegetation are required on all agricultural landholdings - "Biodiversity urban sensitive design" is a requirement in urban areas - The weaknesses within the environmental enforcement system are identified, addressed and appropriately resourced moving forward - Council structures require environmental officer input to all planning decisions that have environmental impacts and in areas of biodiversity, prioritising areas where there is an Environmental Significance Overlay (ESO) & Bushfire Management Overlay (BMO)
18438 Sep 22, 2021, 10:43 AM	1		<p>Objective 2 is a statement and not an objective.</p> <p>Objective 4 - what are the 'threatening processes' ? This should be clearly stated in order for the objective to be understood, as it stands it is too open ended.</p>	
18369 Sep 19, 2021, 05:50 PM	1			
			<p>How about drainage and sewer in rural parts of the shire!</p> <p>What in danger rd species?</p> <p>The planning process protect the environment already!</p>	<p>Roadside cleanups of fire fuel is required to protect the community against devastating fires</p>
18356 Sep 19, 2021, 04:05 PM	1			
				<p>Re Objective 2 I think that the impetus to use water sensitive urban design should be stronger. I think that all larger subdivisions and developments in the shire should ensure appropriate storm water run-off not just in the Plenty River catchment.</p> <p>Objective 1 and 3 are potentially in conflict if there are existing weed species for removal. Removal of weeds and replacement with indigenous species should always be preferred over retention of weeds (FYI we have a planning application and the council planner was reluctant to let us remove a weed tree - as two qualified forest scientists we were appalled by his ignorance!). I feel like this entire theme is a bit light-on regarding retaining and reestablishing indigenous canopy trees in the landscape. Large indigenous canopy trees are the backbone of native vegetation coverage and this should be acknowledged. The impetus to establish and enhance areas of indigenous vegetation should be strengthened.</p>
18343 Sep 18, 2021, 10:22 PM	1		<p>Key Objective 4: This needs to not only "address threatening processes" but needs to reduce the risk of loss and degradation of the natural environment, natural vegetation, and threatened native species in order to maintain the landscape values in the Shire.</p>	
18317 Sep 17, 2021, 09:09 PM	1			
18294 Sep 17, 2021, 01:42 PM	1			<p>Unsure as to how you achieve all the stated objectives in regards to fire risk reduction, in conjunction with some of the objectives stated above.</p>

18286 Sep 17, 2021, 10:41 AM		Nillumbik needs to recognise that due to changes in the environment and climate, wildlife is moving closer to populated areas. Any tree removal should be discouraged even if not in a designated area with an overlay. Building into the side of hills should be discouraged as it destroys the land.	
18232 Sep 16, 2021, 04:03 PM	1		Thought should be given to preserving natural habitat such as nesting tree hollows and supplementing these with built nesting boxes for birds and possums
18228 Sep 16, 2021, 03:21 PM	1		Pest control including weeds. Are you looking into non chemical use to eradicate weeds? Indian minor birds are one example of out of control breeding. What action is being taken in this area. Also educating our community to take responsible action within their own backyard.
18126 Sep 11, 2021, 12:59 PM	1	Would like more detail on the "threatened native species" and which ones are vital and which are not. This would also help prioritise how and where funding was spent and also if it was worth the expense compared to other initiatives.	
18120 Sep 11, 2021, 06:40 AM	1	This is not a water catchment area, you are pushing the boundaries of classifying what a green wedge is. it's not National Park. It's not water catchment. It's a low development area of diverse living apart from high density human sprawl. No more no less	Acknowledge land owners and their rights.
		Key Objective 2 Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the Plenty River. Use and development have the potential to affect stormwater quality and adversely affect downstream areas. The focus largely on the Plenty River; ignoring the significant interaction Nillumbik Shire has with the Yarra River and the feeders to that is unbalanced and seems to ignore the significant body of work already in place as part of Parks Vic and its Plenty River Trail.	
		Key Objective 3 Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards. No indication of any balance in this - fire mitigation, access and protection of heritage values etc	
		Key Objective 4 Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire. Doing nothing also leads, by default, to degradation	
18102 Sep 10, 2021, 02:41 PM	1		

Title/Question: Open Space
Tool Type: Form
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19094	Oct 09, 2021, 10:16 AM	1		Ensure that areas once zoned as PPRZ remain that way (e.g. Apollo Parkways). Increase parkland when opportunity arises (e.g. Old Plenty CFA site).
19070	Oct 07, 2021, 11:07 PM	1		
			Key Objective 1) Should include the words in capitals "Ensure the planning, maintenance and enhancement of public open spaces " USING INDIGENOUS PLANTS AND TREES TO INSPIRE, ENABLE AND ENCOURAGE "safe, healthy and active lifestyles."	
			Key Objective 4) Should include the words in capitals "In rural areas the emphasis is towards developing key regional and district recreational areas WHILE protecting native flora and fauna, and developing a comprehensive regional based trail network WHILE TAKING CULTURAL AND ENVIRONMENTAL SENSITIVITIES INTO CONSIDERATION."	None of the objectives include Nillumbik's bushland reserves and wetlands which need to be protected from any encroaching development and enhanced and conserved. They are important public open spaces needing ongoing maintenance.
19065	Oct 07, 2021, 09:56 PM	1		
			This is not completely a question of yes or no, nor am I unsure, but as there are suggestions for most of them I have selected no.	
			Obj 1 Note that enhancement needs to be consistent with the value of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity, & action on climate change.	Suggested overarching objective for this Theme that recognises the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples. As such their value must be recognised and protected throughout the Shire.
			Obj 2 Any development of open space needs to prioritise reinvigoration of indigenous flora to support habitat and wildlife corridors.	Addition of an objective to support community gardens and productive streetscapes
			Obj 5 Suggest that this objective is expanded to include reference to development of accessible, high quality [environmentally sensitive] and local open space networks at the regional level with in partnership with adjoining municipalities.	Nillumbik has an integrated open space network that includes supporting access to other types of public land such as waterways, school grounds and utility easements.
19053	Oct 07, 2021, 06:56 PM	1		
			Issue is access to open space. Note I should probably made this 1 comment elsewhere.	Ensure that people of all abilities can access open space and undeveloped green wedge areas. Preserving the green wedge is one thing but people of all abilities should also be able to enjoy it. Primary objectives must clearly state that at all times the natural environment is protected and enhanced.
19050	Oct 07, 2021, 06:50 PM			
18994	Oct 06, 2021, 04:21 PM	1		

18975	Oct 06, 2021, 09:02 AM	1	Objectives 1 – 4 and 5 are irrelevant to rural residents. Key Objective 4 needs to be reviewed and amended – the emphasis in rural areas is on local open space that serves the needs of local rural residents, open space that serves, supports, and compliments rural economic development, tourism and visitation to rural areas, and developing comprehensive multi use trail networks to link to those in Yarra Ranges, Murrindindi, Whittlesea, Manningham and Banyule. (note that regional cross over does not incorporate all surrounding local government areas)	open space in rural areas needs to fulfill rural local needs as well as other needs - this is ignored
18952	Oct 05, 2021, 04:44 PM	1	The objectives do not state the importance of retaining the existing vegetation or enhancing it with appropriate indigenous species. The provision of accessible and equitable space should not be at the expense of the natural environment.	Protection of the native flora and fauna is paramount when designing and planning open space use. This includes the waterways areas. Passive recreation such as walking through bushland should not be sacrificed for formal sporting and playground use.
18929	Oct 05, 2021, 12:25 PM	1		Objective 5 would benefit by clarification of of the "network across the shire" (e.g. trails, shared bicycle/pedestrian paths ?)
18914	Oct 04, 2021, 11:02 PM	1		Melbourne Water is currently working towards selling off large parcels of land in Christmas Hills. There is great potential here for adding to the shire's environmental and recreational reserves, particularly with regard to the future of the land known as "Wanaroo Farm" This could become a regional recreation park with parking, picnic facilities, walking/cycling/equestrian trails etc. This would make a good objective.
				Amend Key Objective 4 to read: In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive off-road shared trail network.
18909	Oct 04, 2021, 10:18 PM	1		Including the wording 'off-road shared' is an accurate description of the shire's existing regional trails.
18897	Oct 04, 2021, 06:22 PM	1		Need more walking and bike paths.
18893	Oct 04, 2021, 05:16 PM	1		
18878	Oct 04, 2021, 03:39 PM	1		

Additional Comments to			
Key Objective 2			
Make it a priority to protect and retain public open space and don't allow public open space to be considered as an opportunity to undertake further development of these areas. Public Open Space is Public Open Space. Recognise there is a community benefit in retaining and valuing public open space for both general active and passive relaxation purposes.			
Key Objective 5			
18838	Oct 01, 2021, 04:23 PM	1	Add after Shire 'and connecting with trail networks in adjoining municipalities.'
			Objective 2 needs qualification. For example, it is not "safe" for "All members of the community" to access Yarrambat Golf course, if they are not playing golf.
18823	Oct 01, 2021, 09:37 AM	1	Objective 2 is not being met now, for example, Eltham Tennis Courts are locked and open only to Club members,
			Disagree with 4
18362	Sep 19, 2021, 04:24 PM	1	Why flies and fauna in rural only ☹
			Maintain rural areas
			Native flora and fauna are very reliant on our open spaces, even in fairly urbanised areas (for example along the diamond creek corridor in Eltham). Retention and enhancement of habitat should also be an objective for open space.
18347	Sep 18, 2021, 11:01 PM	1	
18316	Sep 17, 2021, 08:57 PM	1	
18299	Sep 17, 2021, 02:06 PM	1	

			<p>In relation to Key Objective 2, I strongly believe that Nillumbik needs to consider opening up the parklands as shared use spaces. We have a very large community of dog owners, and the current handful of off lead dog parks are not enough. If you look at Banyule, the parks are all off lead (except where otherwise signed) and this results in the grounds being better maintained (as the foot traffic is spread) and there being almost no dog waste left on grounds (each ground has a bin and dog poo bags provided). The parks then become a wonderful meeting space for the wider community, as well as being used for sporting groups on weekends and during training times. A quick visit to Anthony Beale reserve will provide a good insight to how well this model works.</p> <p>Encouraging/supporting dog ownership in this way also encourages a more healthy and active lifestyle for the community. Too often people become cut off from their community as they age, but having a dog and walking the dog easily in nearby parks (that don't require one to drive to reach them as is currently the case) increases people's engagement and positive health outcomes, both physically and mentally.</p> <p>It would also be wonderful if there was a labyrinth in one of the green spaces along the trail between the Men's Shed and the Frog Reserve in Eltham North. There are a few green spaces that currently just have grass, and a labyrinth for people to walk around would be fantastic. (Eg: https://labyrinthsociety.org/about-labyrinths)</p> <p>Consideration should be given to the needs of an aging population Promotion of local areas for eco tourism should take place</p>
18292	Sep 17, 2021, 01:12 PM	1	
18239	Sep 16, 2021, 04:19 PM	1	
18132	Sep 11, 2021, 01:12 PM		1 #2... does "equitable and accessible" mean financially as well?

Transport

Title/Question: Transport
Tool Type: Form
Activity ID: 311
Report Date Range: 9 Sep 2021 - 21 Oct 2021
Date Exported: 26 Oct 2021 09:58 am

Contribution ID	Date Submitted	with the identified If not, which objective(s) and why?	Yes No Unsure	With consideration of objectives in the other themes, can you identify any gaps in this theme that the MPS should consider?
19306	Oct 21, 2021, 10:12 PM		1	
19295	Oct 21, 2021, 06:17 PM	I am suspicious of the word "vibrancy". It is often used to mask the reality of "crowded" or "congested". Objectives 2 & 3 are worthwhile however, in objective 4 I am wondering what would be the links between land use planning & transport. Together with objective 5, I would hate to see any more excessive development along the lines of the appalling road works at the entrance to Fitsimons Lane. Apart from having replaced a lovely treed gateway with acres of tar & cement, we will now have to put up with an extensive heat bank, visually arid. I understand that an alternative plan had been submitted, less extensive & less expensive, but was not considered. This imposition highlights my very firm opinion that decisions regarding any municipality, not just Nillumbik, should acknowledge & take into account, the wishes of that community. They are after all the	1	
19201	Oct 19, 2021, 08:32 AM	ones who actually live there. i support the PALS recommendations		
19168	Oct 14, 2021, 09:43 PM	1. This must include school communities 2. Add...key activity centres....and all schools throughout the Shire. 3. Add..... increased public ... and active transport 4. , but not to the detriment of the environment, and with the urgent need to achieve significant reductions in carbon emission as priority. 5. Note that road developments need to be consistent with the values of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity and action on climate change.	1	Traffic calming methods are used at wildlife crossing points. Nillumbik implements a trial of "on demand" public transport. Support for electric vehicles – pubic, private, Council.

19128	Oct 11, 2021, 11:54 AM	1		Traffic calming methods are used at wildlife crossing points.
				Nillumbik implements a trial of "on demand" public transport.
				Support for electric vehicles – pubic, private, Council.
19077	Oct 08, 2021, 08:07 AM		In general terms, the objectives are good. But specifically, transport options need to be increased outside of 9 to 5 Mon to Fri. This is needed for young people, for those with disabilities and for other reasons where people are unable to drive. Extension of transport 1 beyond Hurstbridge is critical for these cohorts.	No
			Obj 1 Should include reference to school communities	
			Obj 2 Add...key activity centres....and all schools throughout the Shire	
			Obj 3 Add..... increased public ... and active transport	
			Obj 4 Add ... but not to the detriment of the environment, and with the urgent need to achieve significant reductions in carbon emission as priority.	
			Obj 5 Note that road developments need to be consistent with the values of greatest priority as expressed by the community in Our People, Our Place, Our Future ie preservation of the green wedge, protection of biodiversity and action on climate change.	Suggested additions Traffic calming methods are used at wildlife crossing points. Nillumbik implements a trial of "on demand" public transport. Support for electric vehicles – pubic, private, Council.
19057	Oct 07, 2021, 07:17 PM	1		
19046	Oct 07, 2021, 06:41 PM	1	Do not overemphasise the cycling/walking thing in Nillumbik because the terrain will make this difficult for many older people	Maintain good road networks supported with adequate parking, perhaps rationed with parking fees.
19012	Oct 06, 2021, 09:12 PM	1		More advocacy for public transport in the rural areas of the shire, ie no public tranport past Hurstbridge or Kangaroo Ground
18973	Oct 06, 2021, 08:57 AM	1	Key objectives 1 (or 2a) through 4 are irrelevant to rural residents except for the ability to travel to and from activity centres and park when we get there. Key objective 5 – support the principle – noting that it is poorly written	

18947 Oct 05, 2021, 03:52 PM 1

Key Objective 5 needs to respect the environment. The road network has to respect the environment and ambience of the area. Bigger roads is not the answer to every traffic problem. The opposition to the Fitzsimons rd roundabout is surely telling the authorities that other environmental things are more important. The physical aspects that make Nillumbik different should be respected and emphasised.

18935 Oct 05, 2021, 01:35 PM 1

There is one objective missing, and is to ensure safe access for an ageing and disabled population, in relation to foot public transport, car traffic . The City of Melbourne has already done this, including requiring level entry into shops and doors wide enough to enable wheel chair access etc. Further and eg. The crossing opposite the fire brigade on Main Rd in Eltham, is confusing. Most people think it is a pedestrian crossing which it is not. But being opposite a popular coffee shop and the hotel is is used as such and dangerously. I'm not sure if Eltham Railway station is being rebuilt to accommodate for better wheelchair, walker and disabled access including the toilets. Council should be lobbying the State Govt to achieve this, if not part of the current improvements.

I note cycle trails are mentioned to reduce greenhouse gases. The trails may have to be shared with road use and not shared with pedestrians or walkers. Bike etiquette is appalling and dangerous, speeding is a problem. In Europe with huge cycle popularity people cycle on roads, and through towns etc. Speed and long distance appears to be on roads.

I would also like to see an objective that could encompass bike parking access in the shopping precincts and within our parks . Why drive just for a coffee when you could cycle. Health benefits as well as reducing green house transmission.

In short this 30 year objective could be broadened to achieve more. Ther ewould be so many more benefits and Europe has many good examples to study.

18927	Oct 05, 2021, 12:17 PM		Objective 1: (amend) Add schools. Objective 2: (amend) Add schools. Objective 3: (amend) Add, "and active transport". Objective 4: (amend) Add, 'consistent with environment protection and reducing carbon emissions'. Objective 5: (amend) Add, "road links are to be consistent with preserving the Green Wedge; protection of biodiversity and action on climate change".		The (in)efficiency of transfer between transport modes is a key consideration in people's choice of (non) use of public transport options: e.g. walk to bus stop (wait for late bus in rain, hail or sun) arrive at station and wait for next train e.g. cycle to bus stop (where to leave bicycle securely?) or cycle to station (where to leave bicycle securely?) e.g. drive to local station or bus stop (where to park vehicle securely for extended period?) An additional objective could be: Provide facilities which improve the efficiency, amenity and safety of multi modal trips (including secure bicycle parking, bus stop shelters, car parking) and liaise with public transport providers to align service timetables to minimise intermodal waiting times. (This is also applicable to Theme 8 Infrastructure)
18912	Oct 04, 2021, 10:32 PM	1			Nilumbik should work to make wildlife crossing points safe for wildlife wherever possible. Nilumbik to implement a trial of 'on demand' public transport. Support for electric vehicles.
18905	Oct 04, 2021, 10:08 PM	1			Amend Key Objective 2: Further development of off-road shared trails to link the key activity centres is a priority to encourage safe access for all residents.
18876	Oct 04, 2021, 03:36 PM	1	Adding more roads does not help the environment it only encourages people to use cars which opposes objective 3 ie to increase public transport use. congested roads will lead to people using public transport		This amended wording is more inclusive as it covers all users.
18836	Oct 01, 2021, 03:26 PM	1	Additional Comments to Key Objective 2 This development objective also should include effective way finding and information provision to enable pedestrians and cyclists to know where they are, and where they can go. Provide support facilities within key activity centres to encourage walkers and cyclists to spend time and money with local traders. Need to stop the overdevelopment of the train lines and parking		
18758	Sep 29, 2021, 07:00 PM		1 localities		
18377	Sep 19, 2021, 06:28 PM	1			
18360	Sep 19, 2021, 04:19 PM		Disagree with 4 Rural residence need some public transport		Get some public transport to research, panton hill, bottles bridge, St. Andrews, kangaroo ground

18298 Sep 17, 2021, 02:05 PM	1		
18237 Sep 16, 2021, 04:14 PM	1		
18206 Sep 15, 2021, 04:49 PM	1	<p>There is no consideration to the loss of amenity suffered by residents who face daily rat runs by non-residents. A lack of planning or retrospective action means that we live on short cut roads that have become dangerous. Why encourage pedestrians or cyclists when the roads are so unsafe?</p>	Some effort being put into trying to solve some of the issues around rat running. Painting a white line down the centre of a road on a crest of a hill does not count.
18201 Sep 15, 2021, 03:27 PM	1	<p>Key Objective 5 The St Andrews and Smiths Gully areas have not had road upgrades for years. Some dirt roads have become connector roads or short cuts to the ever growing residents who use them. Some are not safe with over hanging trees and trucks having to drive in the middle of roads to miss their limbs. A survey of the area needs to be done and not just talked about but action.</p>	No
18130 Sep 11, 2021, 01:06 PM	1	<p>There is no mention about unsealed roads, which there are many in the more rural parts of the Shire. The reality is that many/most people will need a car to get around the Shire and beyond, and yet there is very little attention paid to this in the objectives.</p>	
		<p>Key Objective 2 Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents. Council need to manage / invest in the current trails they have provided - we continually see people using trails for purposes for which they were not intended - e.g., trail bikes</p>	
		<p>Key Objective 3 Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion. Not sure this is effective use of \$ in COVID times as we see considerable attention to social distancing - this is unlikely to significantly change.</p>	
18105 Sep 10, 2021, 02:48 PM	1	<p>Key Objective 5 Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire. Agree but there seems to be remarkable reluctance to do this - hence the limited crossings of the Yarra and the resultant risk in times of evacuation</p>	

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Activity Centres

Key Sentiments

Community and Advisory Committees

Support for MACs as main hub for services and growth

Better connectivity within the ACs specifically Eltham and Diamond Creek

Provide opportunities for connection to the outdoors and the arts

Congestion and access challenges

More diversity in housing

Built environment shouldn't impede on the natural environment

Decentralisation of existing activities

Define medium density housing

No more than 3 storeys of development

More toilet facilities in Diamond Creek MAC

More reference to Hurstbridge and Research (Neighbourhood Activity Centres)

Panton Hill and St Andrews are important to rural people and provide schools, eating places, fuel and post offices, so they need to be included.

More parking

Maintain and increase tree canopy - specifically indigenous vegetation

Focus on walkability and accessibility for all mobility abilities

Active transport should be a priority

All themes should prioritise Nillumbik as a Green Wedge Shire

Yarrambat needs more commercial uses - lack facilities

Neighbourhood character should be considered when assessing developments

Activity Centres have limited relevance to grazing and hobby farming residents.

Community hospital should be in Eltham MAC

MACs and NACs should be defined

Restrict development

Internal Teams

Congestion can cause bottle necks and becomes unsafe during emergencies

Lack of affordable and social housing

Define affordable housing

Parking issues need to be addressed

Public transport into MACs not always accessible – esp some rural areas

Community transport need further support/encouragement

Information gaps between Council and Communities – MACs potential education hub

Youth Council

Support for MACs as main hub for services and growth

Housing affordability is an issue especially for the youth trying to get into the housing market.

Reference to Hurstbridge as an important AC

Councillors

We can build up in Activity Centres but there is no market or appetite for it

MACs should remain as main hub for activities and growth

More sustainable design

Protect and enhance tree canopy

Enhancing neighbourhood character

Hurstbridge and Research Neighbourhood Activity Centres: should include consideration of active transport e.g. walkability & cyclability

Green Wedge

Key Sentiments

Community and Advisory Committees

Retaining and encouraging sustainable and regenerative agricultural land

Better connectivity between townships

Better accessibility to MACs

Gap in knowledge sharing

More tools and information for landowners on maintaining and managing their land

Rural living and development should be allowed

Rural development should be discouraged

Conservation should be priority in the GW

Protection of the environment and biodiversity

Priority should be given to reducing/preventing climate change

development in rural areas minimises potential fire risk in a way which is acceptable to, and compatible with First Nations people

Rural land owners are over regulated by restrictive planning overlays

It's ok that rural areas lack existing infrastructure

Review the application of Environmental Significance Overlays and Significant Landscape Overlays across the Green Wedge zones in line with Government policy, ensuring enforcement of protections and adequate resourcing

Wattle Glen needs major development as it has large blocks and can benefit the community

With north east link to be built consideration needs to be given to greater housing diversity in appropriate areas.

Need to address the issue of housing affordability in the shire and look to create appropriate rezoning of land close to infrastructure to support greater number of residents.

Treat Urban Growth Boundary as a hard boundary

State and Regional Planning do not identify Nillumbik as having environmental and landscape significance

Consider adding an objective about recognising and celebrating the multigenerational rural residents.

Consider allowing further subdivision into smaller lots

Infrastructure should be a further priority - safer roads, better maintained, more sealed roads (to reduce water turbidity in runoff) and clearing of vegetation along road reserves to enable safe exits for people in the event of wildfire

Upkeep of the remnant endemic bush land. It is a precious resource that is under threat from

Recognition that rural landowners do a lot to maintain their land which levels of government heavily rely on - they should not be restricted in doing what they want with their land

Internal Teams

Land clearing, Council responsibility and we do it poorly

Need more enforcement for illegal clearing – budget issues

Conflict between environment and engaged open spaces (BMX tracks)

Nillumbik is 4th most biodiverse area in Australia, we need to protect and enhance

Better collaboration with private land owners that have an interface to public land/reserves.

Horse grazing an issue

Need better roads

Need better accessibility (in all aspects)

Youth Council

Interface of urban and rural areas – missing

Agricultural information gap

Roads in some rural areas are unsafe – road safety is a huge issue

Improving access to ACs via trails, links, transport – rural residents can feel isolated

Councillors

Not just about protecting what is endangered, it's all flora and fauna

Residence is not an as of right use

Accessibility in how it reads - definition

Objective about development mitigate fire risk – other way around? Should be assessing area before putting a house in it rather than putting a house in the trees and then cutting down all the trees.
When managing conflicts, land management plans should address to ensure the land use doesn't affect the environment
Rural areas don't want more infrastructure
Danger in focusing on environmental and landscape significance is that it leads to a narrow focus on significance under EPBC act rather than recognising all areas are significant - could show significance via maps
Needs to state that in managing the conflict, this is done through land management plans that address environmental protection strategies
Ensure development in rural areas mitigates potential fire risk - other way around - "Development should only proceed where fire risk can be minimised while meeting the first principle of avoiding and minimising loss of native vegetation and preserving biodiversity."
Protect the current UGB and oppose any proposal to move it
Protection of environment and biodiversity should guide all planning in GW and RCZ
Trust for nature covenants should be extended where possible

Natural Environment

Key Sentiments

Community and Advisory Committees

Prioritise conservation of biodiversity

Strengthen enforcement

Minimise adverse impacts of development especially on tree canopy

Conservation of all flora and fauna, not just endangered species - prioritising indigenous species

Infrastructure projects should consider and prioritise environmental impacts – roads, trails, amenities, car parking etc

Monitor habitat links

Waterways are important and should be emphasised

Needs to recognise the habitat corridors identified in the NEROC and State of Environment reports and support extending and reinvigorating them. Noting the importance of establishing and connecting the potential corridors as identified in the State of Environment report.

Would like to see the Wurundjeri Woiewurrung heritage of care of the land acknowledged with intention to use consultation with Narrap team when possible

Important to create, improve and maintain access to public environment (i.e. trails), as well as the environment around town centres (i.e. ensuring appropriate tree cover of streets and roads).

Not just focusing on net loss of natural environment but also net gain

"Biodiversity urban sensitive design" is a requirement in urban areas

Connecting isolated pockets of vegetation to form wildlife corridors

Removal of weeds as a priority as they threaten flora, fauna and biodiversities

Internal Teams

Refer to State Listed Species to strengthen objectives to protect flora and fauna

Threatened 'indigenous species to Nillumbik' instead of 'native'

Consideration of environmental values and the facilitation of drainage and sewerage in all areas that affect all rivers and creeks.

Waterways play an important role in climate change – so we need to protect them

Maintain landscape values in the Shire

Focus on enhancement, not just protection

Prioritise biodiversity

Youth Council

N/A

Councillors

'Placing conservation of biodiversity above all else' – not good for policy

A map could be used here to identify existing and potential habitat links - NEROC, State of Environment and Abzeco reports have info on this

References the Plenty River but there's no reference to our other waterways. Perhaps an additional objective could recognise this too

Built Environment

Key Sentiments

Community and Advisory Committees

Future developments must maintain character

Protection of natural environment

More innovative, sustainable, biodiverse urban design

Design to consider social integration and inclusion

More way finding signs

Improve accessibility

Maintain indigenous vegetation

Protect heritage buildings

Indigenous tree canopy and understorey are protected throughout Nillumbik, including areas of built environment and all new developments within the Shire. Council actively pursues net increase of indigenous vegetation in both urban and rural areas.

In rural areas, planning requirements need to ensure that the built environment and associated infrastructure (e.g. access roads, car parking etc) is a secondary use and must be sub-ordinate to primary rural land uses/conservation.

Apartment developments outside of the areas they are currently in

Further develop Wattle Glen for more housing growth

Ecologically Sustainability Development (ESD) consultants/principles should be applied to all developments

Built form should not damage natural environment

Eltham is overdeveloped and further growth should not occur

Cyclists should be constrained to areas of low risk

Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.

Internal teams

Accessibility – not good enough in Nillumbik

Improve mobility

Cater to changing access needs

More seats in MACs

Not a lot of choices for older people of housing in rural areas

*A topic that many teams chose not to discuss as it significantly overlaps with several other themes.

Youth Council

N/A

Councillors

Community concern: bulk and height

Maintain green spaces

Making clear what inclusion is

Sustainable design could be linked to climate change objectives

Education for sustainable requirements – it's not a bad thing – applies for other requirements

Can we require a canopy tree with each development – a higher level statement that can support this – education the difference about canopy trees

Trails and footpaths – accessibility – but it should fit into the natural environment – trails shouldn't remove vegetation

Good that this references historical characteristics but needs to also reference environment, biodiversity, climate, urban tree canopy etc, as these are some of the key characteristics that we want to promote

St Andrews Township Plan 7.2.3 "Introduce a local planning policy or update MSS provisions which highlight the importance of design excellence and respectful character for developments within St Andrews"

Tree canopy and understorey to be protected, including in the built environment and all new developments

Housing

Key Sentiments

Community and Advisory Committees
More housing diversity and options
Connect communities and provide them with open spaces
Preserve character with better control of developments
Protect and enhance natural environment
Better planning and support of housing within BMOs
More bushfire and other climate change related risks considered in housing developments
Understanding of the change in housing needs in the Shire
Higher density developments in MACs discouraged
New residential developments should be consistent with neighbourhood character
Eltham to be kept leafy, green and low rise
Mudbrick method for housing should be supported
Housing growth to only occur in ACs
More innovative, sustainable, biodiverse urban design
Indigenous tree canopy and understorey are protected throughout Nillumbik, including areas of built environment and all new developments within the Shire. Council actively pursues net increase of indigenous vegetation in both urban and rural areas.
Development of a Nillumbik Urban Forest Strategy
Major developments in Wattle Glen required
Ecologically Sustainability Development (ESD) consultants/principles should be applied to all developments
Protection and enhancing of tree canopy
There is a gap in the MPS which is providing housing security and sustainability of rural lifestyle grazing and hobby farming residents or demonstrating any ability to recognise or accommodate long term multi generational land occupancy
More housing diversity in rural areas - to cater for ageing in place
Create a township precinct for Yarrambat
Nillumbik doesn't need medium density housing
Enlarge Rural Township Zone
Medium density housing appropriate for older residents - in areas not too slopped, elevators, accessible for all mobility needs
Growth and medium density housing to be allowed outside UGB
Considerations for larger houses, extensions, and granny flats should be included.
Internal teams
More housing diversity and options – affordable medium density
Better connecting ageing residents
Encouragement of accessible and adaptable housing through our planning processes
Eltham has smaller housing but not cheaper
Medium density need to be more accessible – multi storey dwellings not accessible – single storey units and apartments are better – flat driveways!
Encourage sustainable housing
Statutory planning – opportunity for education on adaptable housing and integrational living – encourage developers in pre app meetings – other councils use fact sheets
Youth Council
N/A
Councillors
Nillumbik is expensive, we need more affordable housing
People, particularly young people, cannot afford to buy back into Nillumbik
Define diversity in housing
Allow for housing diversity outside of ACs
Housing growth to occur in ACs

- St Andrews Township Plan 7.1.4 Introduce a local planning policy or update MSS provisions to:
- ☐ encourage the development of smaller, more affordable dwellings;
 - ☐ discourage subdivision and boundary realignments that create substandard lots in areas beyond the Urban Growth Boundary; and
 - ☐ discourage the development of dwellings on substandard lots in areas beyond the existing Urban Growth Boundary.

Develop an ESD policy and encourage ESD through the planning scheme

☐ Encourage renewables on houses

☐ Encourage water tanks

☐ Recycled, clean materials such as mudbrick

Economic Development

Key Sentiments

Community

Support small scale and/or remote businesses

Creating better connectivity – better economy

Support innovative, sustainable and encourage regenerative agriculture - not just soil based

Adjusting to and supporting the changing nature of businesses

Tourism should be a recognised priority in the green wedge with easy approval processes.

It is essential that innovative sustainable agriculture and related or down-stream enterprise is encouraged

Agriculture is significant for economic development

Don't restrict commercial uses in the green wedge but support them

Encourage redevelopment and improvement of Eltham's commercial centre behind Bridge Rd and Susan St

In light of pandemic - home based businesses and home extensions to support this should be addressed in planning

Industrial precincts should not impact the amenity of adjoining residential areas

Strong and responsive Neighbourhood Character Policy is needed.

Support micro and service-based businesses

Internal teams and Advisory Committees

Enhance Eco Tourism in Nillumbik

Don't want to see soil based agriculture over modern ways of farming – reduce animal footprint

Encourage local food production

We don't really have industrial areas

Economic Development Strategy – potential heat map of what business can go where

Encourage modern businesses in industrial zones

Future of Agriculture – 700 responses we can take into

GW is too restricted – room for flexibility without destroying GW purpose?

Youth Council

N/A

Councillors

Can this be rephrased? Economic Sustainability? Not just about the business community – not the biggest economy driver

Sustainable agricultural uses

We can't allow people selling in from of their property – produce, food, drinks, café – when does it stop? Many aren't even locally grown – used for tourism – in conjunction use

Advocacy work based on the state government GW work

☐ Add in that "in conjunction uses" or other modifications to existing land use should be done through approved land management plans which detail how the environment, habitat links and biodiversity will be protected

St Andrews Township Plan 7.3.2 Introduce a local planning policy or update MSS provisions which:

☐ Define the role of St Andrews as a local convenience centre.

☐ Provide greater guidance as to the type, scale and intensity of commercial activities encouraged within the township.

☐ Provide direction as to the preferred location for different types of commercial uses.

☐ Encourage the establishment of over-night accommodation and eco-tourism developments.

Transport

Key Sentiments

Community and Advisory Committees

Reducing reliance on cars by increasing alternative options, improving transport infrastructure

Insufficient community transport for older people

Insufficient bus and train stops and frequency of services, and poor access to the stations

Greater focus needed on cycling and walking infrastructure

Rural areas will likely to remain car dependant

How do we encourage sustainable vehicle private use

Need safer roads, paths, tracks for all users and modes

Ensuring upgrades don't clash with the township character

Better planning for sustainable transport

Ensure that transport infrastructure does not negatively impact the natural environment

More considerations to schools in the shire

More support for electric vehicles of all types

Traffic calming methods used at wildlife crossings

Extending public transport access times and routes specially to rural areas

More consideration to older people and people with disability when transport planning

More roads lead to more car usage - congestion leads to more public transport use

Rural area roads are unsafe and need improvements

Internal teams

We have 5 free charging stations but the community don't know about them – just for electric cars or also other electric vehicles?

Mobility scooters, wheelchairs – need to be considered for paths, ramps and turns - more consideration of inclusion

More shade, lighting and seats along transport infrastructure

Rural areas lack good paths – why are roads being improved but not the paths along them?

Should not just be car focused – there should be a minimum gap between road and fence for pedestrians

Better facilities for bike storage

Encourage sustainable private use

Youth Council

Rural roads are unsafe

Improve connectivity of rural areas and activity centres

Diamond Creek – McDonald Road not needed – reduction of roads increase walkability

Safety is a barrier for using PT – accessibility, trails

Diamond Creek Station – unsafe

Incorporate Arts and Culture in transport infrastructure like stations and bus shelters

More bus shelters – make them welcoming

Councillors

Maps should show all trails

Sustainable private use needs a focus

Add in active transport, which we'll have a lot more control of through planning than we do on public transport

Maps could be good here to show strategic public and active transport routes

Protect the amenity of local roads and oppose unreasonable expansions of roads which are inconsistent with neighbourhood character and GW/RCZ protections

Improve safety of local roads for cyclists

Recognise that rural areas don't require large arterial roads and expansions to roads in rural areas would be out of character. Restricting density in these areas is key to avoiding pressure on their roads

Infrastructure

Key Sentiments

Community and Advisory Committees

Ensure infrastructure upgrades are sensitive to and have minimal impacts on natural environment

Clear, meaningful conversations with individuals and groups affected

Prioritise natural environment when considering all infrastructure projects

Don't make rural living more challenging with restricting planning policies

More education on reduction of waste and consumption and its positive impacts on infrastructure and sustainability

Consideration of renewable energy systems and local waste recycling.

More clarity as to why consolidation of lots in rural areas is beneficial

Make activity centres more inviting

Rural areas don't need excessive infrastructure - it is what makes them rural

More development of smaller townships such as Plenty

Infrastructure to support safety for flooding, bushfire, or severe storms/wind/weather.

Internal teams

More charging stations – Catering for modern/changing needs

Outdoor spaces that can be activated – universal design approach, power access, water access, signage

Many businesses are not accessible

Disability parking not endorsed by businesses – Council position should be strengthened

Missing amenities – seats, water fountains, toilets along trails

Better and more signage

More sustainable infrastructure

Youth Council

Need improved lighting throughout specially around stations – specified Wattle Glen

Councillors

Needs to recognise the much broader reasons to consolidate including preservation of habitat

Create an emphasis on renewable energy infrastructure

Open Space

Key Sentiments

Community and Advisory Committees

Provide open spaces for the community while minimising impacts on the natural environment

Viewing the land through the lenses of the heritage of First Nations people and showing acknowledgement through signage, plaques, art works in parks, reserves and playgrounds

Balancing access for the community with health of the natural environment

Conservation and regeneration of native flora and fauna

Reconsider and review Open Space Strategy

Need of overarching statement on the land, life on it and the role they play to First Nations people.

Priorities should be preservation of the green wedge, protection of biodiversity and action on climate change

Overarching objective that recognises the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples.

Increase parkland (PPRZ) when opportunity arises

Prioritise indigenous species when protecting and enhancing vegetation

Develop a comprehensive off-road shared trail network

Retention and enhancement of habitats as a priority

More dog friendly spaces

More consideration to older people in open space planning

Internal teams

Open space availability to all communities and residents not necessarily possible or needed

Decrease council carbon footprint by having more sustainable open spaces

Formalised sports facing issues

Tennis clubs and some sport facilities are dying – better use for those spaces?

Co-design spaces with community

More nature play

Informal sports pop up quickly and Council is liable for any injuries – BMX, archery

Ensuring our open spaces are 'safe' can be risky statement

Youth Council

Better accessibility and linkages between open spaces

Drink taps along trails

Rubbish bins along trails

More off leash dog areas

Councillors

Open spaces are important for livability – free accessibility

Our open spaces make Nilumbik unique

Climate Change

Key Sentiments

Community and Advisory Committees

Ensure Council and community are well-informed and prepared to respond to climate change issues

Encourage sustainable housing design and other buildings

Encourage sustainable transport

Climate change should be integrated into all themes

Reduce emissions and produce clean energy

Protect and enhance existing vegetation, tree canopy and natural environments to help minimise climate change impacts

Minimising development minimises climate change impacts

Education opportunity

Greater focus on clean energy and role of Council

Recognise and support the contribution made by rural land owners to mitigate bushfire risk

Promote ESD and Plan Melbourne objectives around sustainability

Avoid only focusing on bushfires as this is just one risk from climate change

Objectives should not only be about preparing and adapting to climate change but also addressing and preventing it.

First Nations people should be consulted on land management

Review of ESO

Council should take an active leadership role in this space - paperless office, carbon neutral

Minimise development in fire risk areas

Internal teams

Address preparedness for impact of climate change on biodiversity

Focus on reduction of Climate Change

Climate change is also - floods, storms - widen definition - not just fire

Explore Climate change impacts on food production

Climate change objectives should be priority over bushfires

Balance climate change vs BMO

Collaborate with Emergency Management

Encourage more sustainable practices at home and private vehicle use

Emergency management information has not been accessible - easy English, reaching older people

Encourage PT use and improve accessibility

Improve and increase charging stations

Climate change should be integrated into all themes

Youth Council

Better climate resilience

Implement ESD principles

Encourage commercial buildings to place solar panels - incentives?

Protect and enhance canopy cover

Our electric car charging stations, are they powered sustainably?

More incentives for sustainable development

Councillors

Better communication to show what Council is doing

Not all about bushfire

The objectives need to be more about planning

Acknowledge that climate will increase bushfire risk

But these objectives do not address climate and are not appropriate here

Identify provisions to enable new renewable projects (e.g. solar, wind, batteries) on existing cleared land in GW and RCZ without compromising biodiversity and conservation values

Provisions to restrict the cutting down of trees for the purpose of solar

Protect tree canopy, understory and plant

ESD

Heritage, Arts and Culture

Key Sentiments

Community and Advisory Committees

Change how we perceive heritage – understanding and sharing First Nations culture

Applying a First Nations lens to other themes

Many parts of Nillumbik is significant to First Nations People

Strengthen existing sites of importance by improving wayfinding and signage

Invest in more historical research to strengthen community understanding and participation

Recognise potential heritage sites within Diamonds Creek – police station and churches

Better connectivity to public art in ACs

Encouragement and facilitation of public art

Planning policy to allow creative communities to thrive in rural areas such as allowing for gallery spaces on rural properties and selling of handmade products

Recognise the land, waterways and all life they sustain are central to the cultural values of First Nations Peoples

Encourage mudbrick structures as this is a sustainable method and historically significant to the Shire

Protect historical buildings

More education on First Nations People and their history

Greater emphasis on supporting new art in developments and upgrades (e.g. murals in retaining walls at new footy facility)

Development should not impede on or detract from all sights of heritage significance

Internal teams

Public Art Policy – trigger for public art to be included in developments of \$2 million + - other councils

Encourage public art in residential development and built environment in general

New Arts and Culture Plan – adoption 2022

Prioritising of creative industry activity – infrastructure including: art buildings, open spaces and reducing barriers to domestic developments such as home studios

Applying a First Nations lens to other themes

Using the word 'proud' is insensitive when referring to First Nations history – a lot of the history is horrible and brings up bad memories

Youth Council

*Didn't go through

Councillors

We need more education

We can't be clumsy with representing a culture

Rich history of mudbrick

Aboriginal issues not the biggest issue in history



Municipal Planning Strategy

Virtual Community Workshop Series Engagement Report

Nillumbik Shire Council



12 November 2021

→ The Power of Commitment



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Executive summary

Introduction

Four online workshops were hosted in September and October 2021 to inform Nillumbik Shire Council's (Council) Municipal Planning Strategy (MPS). The MPS, due to be updated, provides an overview of important local planning issues and sets out the vision and strategic directions for future land use and development for the municipality.

The workshops hosted in autumn of this year sought to ensure the themes selected for the new MPS consider community views and sentiments, as they will set the vision for land use and planning in Nillumbik for the next 10-20 years. In addition to the virtual workshops, Council also opened an online survey on Participate Nillumbik, accepted written submissions via post and e-mail, and presented and conducted workshops with Advisory Committees and internal teams. The feedback gathered in the virtual workshops is one of several valuable components in understanding community views and therefore doesn't reflect all perspectives.

Many of the insights presented in this report are also outside the scope of matters the MPS can consider and implement. For example, this report makes clear there is work Council can invest in engaging and representing First Nations People. The Victorian Government has a long-standing commitment to closing the gap and working in partnership with the Aboriginal community¹, but the MPS has limited opportunities to do so.

However, the feedback captured and presented in this report can inform Council in the preparation of other strategies that have clear linkages to some of the matters raised, such as the Health and Wellbeing Plan.

Methodology

Four virtual community consultation sessions were held in September and October 2021 and welcomed 50 participants who shared feedback on a total of eleven themes across the four workshops. The first session explored community views on *Activity centres*, *Transport*, and *Housing*. Participants in the second workshop discussed the *Built environment*, *Heritage*, *arts and culture*, and *Infrastructure*. The third workshop explored the *Natural environment*, *Open space* and *Climate change*, while participants in the last session discussed *Economic development* and the *Green Wedge*.

Key community sentiments

- **Conservation and the protection of the natural environment:** Participants were overwhelmingly strong advocates for the preservation of the natural environment. The local flora and fauna, particularly indigenous, was found to be invaluable for a range of reasons: biodiversity itself, its contribution to the character of local townships and rural areas, and the multitude of health and wellbeing benefits it offers residents and visitors. Much more needed to be done, participants agreed, to protect land from being cleared, infrastructure destroying natural environments, and to mitigate climate change impacts threatening Nillumbik.
- **Connectivity and access:** The importance of being able to access places, and do so safely, was often referred to in relation to social activity, highlighting the necessary upgrade and investment in a network of trails and roads that enable people to access destinations and services, and have places in the activity centres that enable them to connect socially.
- **Preservation of local heritage and culture:** It was felt the whole of Nillumbik Shire is of significance – not just individual sites – and that original parts of townships, buildings from the early 1900s, the 50s and 70s, including the mudbrick houses, were all important to retain along with the surrounding vegetation.
- **Living more sustainably:** The multitude of suggestions that were brought up for how Council, communities and individuals could live more sustainable lives that are less detrimental for the natural environment was a testament for the acute awareness of climate change, its consequences, and direct threats it poses to the community.
- **Traditional Owners:** Across the workshops, the perceived lack of communication and collaboration between Council, the community and the Wurrundjeri-Woi People of Nillumbik was discussed.

¹ The overarching policy framework is the Victorian Aboriginal Affairs Framework 2018-2023 (VAAF). It reflects Victoria's bipartisan commitment to achieving long-term generational change to close the gap in education, health and wellbeing, economic and justice outcomes. The VAAF provides specific indicators, targets and measures under six strategic action areas: maternal health and early childhood health and development; education and training; economic participation; health, housing and wellbeing; safe families and communities and equitable justice outcomes; and engaged people and confident communities. The Aboriginal Heritage Act 2008 - acts primarily to provide for the protection of Aboriginal cultural heritage in Victoria.

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Attachments

Attachment 1 MPS – Key objectives

1. Background – Municipal Planning Strategy (MPS)

Why do planning schemes now have an MPS?

Amendment VC148, gazetted on 31 July 2018, introduced a new structure to the Victorian Planning Provisions (VPP) within all Victorian Planning Schemes including Nillumbik. This included introduction of a new Planning Policy Framework (PPF) and the introduction of the Municipal Planning Strategy (MPS) (to replace the Municipal Strategic Statement). The intent of these reforms by the State government was to:

- Strengthen planning policy
- Better align and integrate state and local planning policy
- Make policy easier to navigate and use
- Ensure that policy is consistent and concise
- Simplify the review and update of policy

Amendment C135 has replaced the Local Planning Policy Framework of the Nillumbik Planning Scheme with a new Municipal Planning Strategy at Clause 02, local policies within the Planning Policy Framework at Clauses 11-19 and a selected number of local schedules to overlays and operational provisions consistent with changes to the Victoria Planning Provisions introduced by Amendments VC148.

The Minister is undertaking a policy neutral amendment of the Nillumbik Planning Scheme to translate the current LPP and the MSS into the new format. The MPS that will sit in the scheme and currently has the same content as the current MSS. Since the newly formatted Planning Schemes were introduced in 2000, some amendments have been made but a comprehensive review has not yet been undertaken. For Nillumbik Shire Council (Council), preparation of an updated MPS represents the best opportunity to capture the community's views, and to set the vision for the Nillumbik Planning Scheme and future local planning policy.

What is the MPS?

The MPS is a succinct expression of the overarching strategic policy directions of a municipality. It provides for the planning scheme's policy foundation, based on the municipality's location and regional context, history, assets, strengths, key attributes and influences. The MPS supports but does not form part of the PPF. The PPF and MPS work together to form the strategic basis of a planning scheme.

What does the MPS do?

The MPS provides an overview of important local planning issues and sets out the vision and strategic directions for future land use and development for the municipality. It provides:

- a link to the Council corporate plan and the planning framework
- the strategic basis for the local content of the planning scheme, such as local policies and the choice of zones and overlays; and
- the strategic basis for decision making by the responsible authority

What does the MPS look like?

The form and content of the MPS is set out in the Ministerial Direction - *The Form and Content of Planning Schemes*.

- The MPS is inserted at Clause 2 of all planning schemes
- There are specific requirements and format that the MPS must follow. The MPS must succinctly explain the context for a municipality and provide the overarching strategic directions for the major land use and development matters that affect it

- The content of the MPS should be easily read, expressed in a logical sequence and grouped by related land use and development themes. The preferred approach is to follow the PPF themes
- To ensure the MPS focuses on priorities and provides clear and direct messages, a limit of 5000 words applies (excluding plans/maps). Therefore, use of maps/plans is considered an optimal way where appropriate to present information in the MPS. The structure includes:
 - Context
 - Vision
 - Strategic directions
 - Strategic framework plans

Context to other Council Plans and Strategies

As noted above the *Our People, Our Place, Our Future* (OPOPOF) community engagement program and *Climate Action Plan* (CAP) survey have informed preparation of the Draft Council Plan, Draft Health and Wellbeing Plan Draft Climate Action Plan and Draft Community Vision which will be subject to their own consultation programs in the second half of 2021. The preparation of the MPS will have regard to the key objectives of these strategies/plans.

The diagram below provides an overview of the context of the MPS to other Council Plans and Strategies.

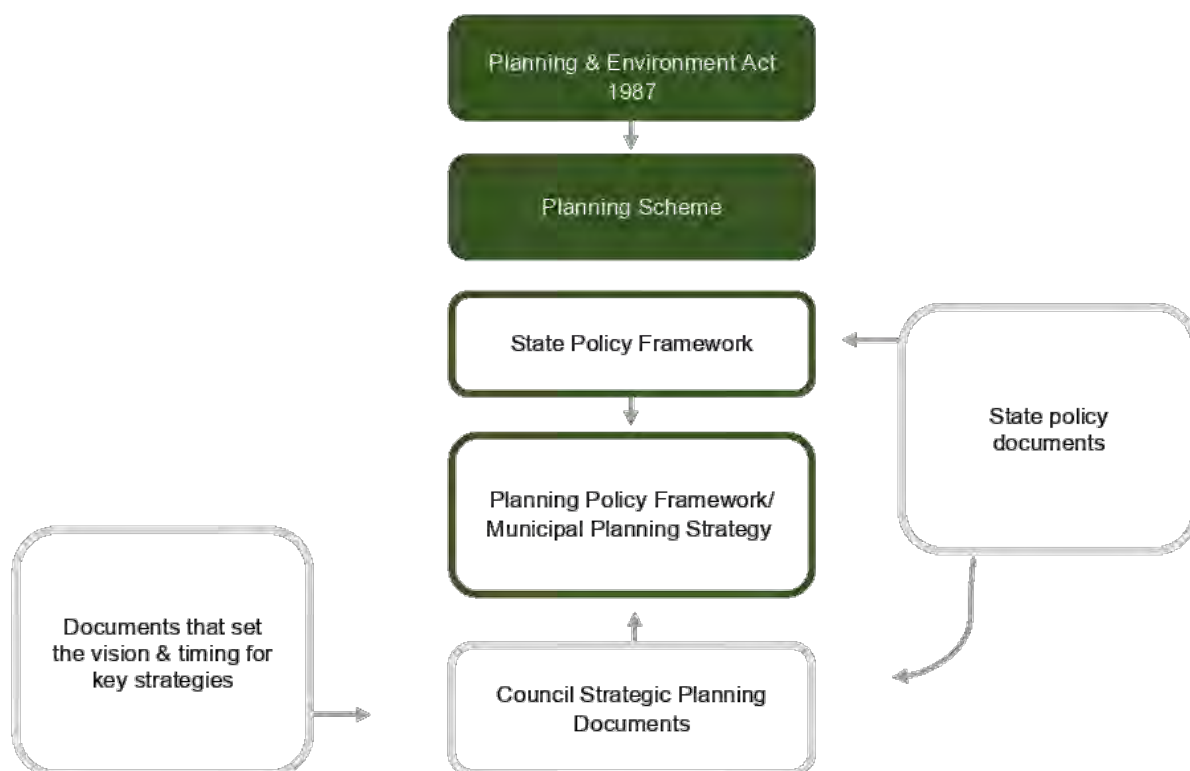


Figure 1 Council Plans and Strategies.

2. Purpose of Engagement

The MPS needs to be updated to reflect a modern vision for Nillumbik. The preparation of the updated strategy provides an opportunity to consult community members to capture their views and, where relevant and appropriate, set the vision for the Nillumbik Planning Scheme and future local planning policy.

Four workshops were hosted with the aim to capture feedback on the current MPS and its themes. Discussions explored whether these themes may still be relevant, of importance, or out-of-date. Further, the aim was to identify whether certain themes that do not feature in the current MPS should be added to the updated strategy.

The key sentiments, matters, and issues captured in the workshops are presented in this report. These findings will inform the draft MPS, which is expected to be put to community for further consultation in early 2022.

2.1 Workshop structure and attendance

Four online workshops were held in September and October 2021 to consult the Nillumbik Shire community on the direction and contents of the new Municipal Planning Strategy (MPS). The aim of the workshops was to create confidence that the themes chosen reflect the desires of the community and, importantly, identify any gaps in the MPS.

Participants

The workshops were promoted by Council on Participate Nillumbik, inviting stakeholders such as residents, property owners and tenants, local business owners and managers, community groups, sporting organisations, relevant government authorities, societies, and more.

To enable meaningful discussion, each session was limited to 25 participants, and a total of 88 signed up to the four workshops. The four 90-minute workshops were attended by a total of 50 participants. A minimum of three Council officers were present at each workshop. GHD was also represented by a team of three (two facilitators and one tech support). The full details of the workshop date, themes, and attendance are presented in the table below.

Table 1 Workshop details

Time and date of workshop	Themes	Number of participants	Number of Council Officers and Councillors
20 September 2021 7pm	Activity centres Transport Housing	12	4 Officers 3 Councillors
22 September 2021 7pm	Built environment Heritage, arts and culture Infrastructure	11	4 Officers 2 Councillors
30 September 2021 7pm	Natural environment Open space Climate Change	14	3 Officers 2 Councillors
2 October 2021 3pm	Economic Development Green Wedge	13	3 Officers 3 Councillors

Location

The sessions took place on the online platform Microsoft Teams. Engagement for the MPS had initially set out to host three in-person workshops (at the Eltham Major Activity Centre, Diamond Creek Major Activity Centre, and in Hurstbridge) and one virtual session. However, restrictions on group gatherings in response to the ongoing COVID-19 pandemic prevented in-person engagement.

Format

The themes discussed in each workshop were chosen by Council to reflect the objectives of the MPS and to complement questions asked in the online survey. These were communicated with workshop participants ahead of the session.

The workshops commenced by providing context for the MPS and outlining the purpose of the session. Participants then automatically joined a Breakout Room, splitting the large group of participants into two. One moderator (from GHD) and at least one Council officer were present in each room.

Each theme was explored for approximately 15 minutes, during which the moderator took notes of the feedback shared and asked guiding questions to extract insights. Following this, participants returned to the main workshop room, where a summary was provided and the groups reshuffled, before participants returned into another Breakout Room to discuss the following theme. This was repeated until all set themes had been discussed.

Once returned to the main workshop room, participants were invited to share final comments, in particular any thoughts related to preserving Indigenous heritage and culture. Council and GHD then provided an overview of further opportunities for engagement, next steps in the MPS timeline, and closed the session.

3. Key sentiments

3.1 Activity centres

Overview

To gather community sentiment on Nillumbik's activity centres, workshop participants were asked whether the MPS should focus services and events in the major activity centres, what opportunities there are for diversity of housing and commercial premises, and what issues they may see occurring in the development of major activity centres.

Participants were supportive of some decentralisation to smaller centres in the Shire, but appreciated existing activity centres and hoped they would be strengthened as social gathering places and creative hubs. There was also support for greater diversity and flexibility in housing, with some participants expressing it was currently restricted to a few particular types.

Connectivity

Providing opportunities for connection to the outdoors and the arts.

Participants discussed the purpose of the activity centres in the Shire and recognised them as meeting places for the community. However, one participant mentioned they would like to see activities held in outdoor places, rather than shopping centres, where events are traditionally held. This participant also noted that more places for 'activity and engagement rather than passive recreation' were needed.

Some participants discussed connectivity through art, saying the centres could be unique if they provided an outlet for locals to create and share their artworks, crafts, pottery, etc. The importance of the activity centres as meeting places was also underlined when one participant suggested a greater focus on hospitality businesses over retail, to create more places for people to come together.

Key sentiments:

- Moving away from the traditional focus of shopping centres, provide opportunities for outdoor community engagement (rather than just recreation)
- Outlets for creative residents (arts and crafts), making the centres unique
- Balance between hospitality versus retail – focus on people meeting, gathering, and specialised businesses accordingly

Access

Congestion and access challenges that result in deterrence of visitors and difficulty connecting.

Some workshop participants pointed out that traffic congestion when trying to access the major activity centres was a deterrent for visitors. One way of addressing this would be the decentralisation to smaller centres (for example, Panton Hill and Hurstbridge).

"The loss of mature vegetation will render Major Activity Centres less attractive."

"Don't forget the smaller centres."

"This needs to be a bit more nuanced, e.g. "most" services and events in major activity centre."

"[The activity centres could be] meeting places for community, outlets for creative people of Nillumbik, crafts, pottery, artwork. They could be unique in that respect"

"Mini public transport for getting up hills, etc."

Key sentiments:

- Congestion deters people from visiting, and Main Road through the shopping centre and typography of Eltham was not easy for pedestrian access
- Consider some decentralisation to smaller centres, e.g. Panton Hill and Hurstbridge, which is the centre of the Shire geographically
- Concern Diamond Creek will have too much congestion when the dual rail line is completed

Housing diversity

Providing more flexibility.

It was acknowledged that housing location was restricted geographically, but some participants pointed out they would like the type of housing to become more diverse, offering, for example, options that aren't just 4-bedroom houses. Any buildings should also ensure they do not impede on the natural environment, maintain tree canopy and other existing vegetation, as the loss of vegetation was said to be a key issue occurring as a result of development in the activity centres.

The Yan Yean Road along the train line was suggested by a Councillor as a suitable corridor for housing developments, and it was noted consideration should be given to State Government developments. However, there were concerns among participants that developments rarely align with the local character or threaten local flora and fauna.

Key sentiments:

- Geographical restrictions
- Flexibility of housing in Diamond Creek for example, more variety, not just 4-bedroom houses
- Not at the expense of vegetation and tree canopy
- Consider housing along the train line and Yan Yean Road corridors (Councillor input)

Natural environment

Ensuring development doesn't threaten natural features.

Most participants acknowledged and appreciated the abundance of vegetation in the activity centres as a key characteristic that makes them unique and attractive to locals and visitors. As such, several participants said that the loss of vegetation would be one of the key issues resulting from development – it is crucial nature and wildlife are protected to both maintain the local character, as well as the health of the natural environment.

Participants noted that commercial activities should stay within the Urban Growth Boundaries, which would maintain the rural character of certain areas.

Key sentiments:

- Maintaining natural environments to preserve the character of the Shire
- Protecting flora and fauna to maintain healthy ecosystems
- Commercial activities should stay within the Urban Growth Boundaries

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to activity centres. Suggestions included:

- Protection of the natural environment to maintain the appeal and character of the activity centres
- De-centralisation of existing activity centres
- Flexibility and diversity in housing

3.2 Transport

Overview

The transport theme was explored through a series of questions that probed whether the MPS should focus on improving public transport for enhanced accessibility, what would encourage participants to use public transport options more, and how land and public transport access could be better integrated in Nillumbik's activity centres.

Feedback highlighted that more was needed to address active transport infrastructure, enabling cyclists and pedestrians to access destinations safely.

Participants also said they wanted to plan for the future of electric vehicles and see alternate options such as mini buses and dial-up services.

"Death road" – no ability to walk safely!"

"Residents have to drive – there is no choice, it would be beneficial to change that mindset."

"Don't dismiss private transport, particularly from the Green Wedge."

Connectivity and access

Reducing reliance on cars by increasing alternative options and improving transport infrastructure.

Participants discussed the high reliance of cars to access destinations within the Shire. While one said it 'would be beneficial to change that mindset', it was pointed out that the poor network into townships, and the need for more community transport options for Nillumbik's ageing population (e.g., to connect isolated members of the community to major activity centres on market days) made that challenging. Lack of parking at train stations making it difficult to access destinations, buses going too fast, and insufficient bus and train stops and frequency of services particularly from rural areas were all cited as concerns. A participant said active transport should be specifically integrated into the statement to better connect people to public transport options.

Key sentiments:

- Insufficient community transport for an ageing population
- Insufficient bus and train stops and frequency of services, and poor access to the stations leading to high reliance on cars
- Greater focus needed on cycling and walking infrastructure
- Private transport still likely to be preferable in rural areas

Safety

Safer roads, paths and tracks for all users and modes.

Safety was a recurring concern throughout this discussion, with most participants noting a lack of safe walking and cycling paths, as well as roads. With the 'pleasant environment' to walk in, many said they would walk more if the conditions were better.

Key sentiments:

- Safer roads, paths and connections are needed to encourage all types of transport
- Accessing destinations on foot or by bike should be encouraged and facilitated more

Integration

Ensuring upgrades don't clash with the township character.

Most participants were supportive of transport infrastructure upgrades and of increasing the network throughout the Shire to better connect those living rurally. However, participants said that high volume transport may threaten the character of local townships. Any development would need to be sensitive and limit, to some extent, the capacity of the roads.

Key sentiments:

- High volume transport poses threat to township character

Sustainable transport

Planning for the future.

Here, participants stressed that more was needed to plan for the future of transport. By installing charging stations, Council could promote electric vehicle options such as bikes, scooters and cars, one participant said. Carpooling schemes, mini public transport options to access hilltops, or dial-up buses alternate to major bus routes were suggested as more sustainable transport options. Some participants said if students could walk to school, traffic congestion would also be reduced.

Key sentiments:

- Travelling sustainably
- Modes that meet the travel and transport needs of the local demographic

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to transport. Suggestions included:

- Electric vehicle infrastructure to plan for the future
- Greater focus on active transport
- Upgraded transport infrastructure and transport modes that suit the needs of the demographic



3.3 Housing

Overview

In this discussion, participants were asked whether they support the current MPS position on providing diversity of housing choice, how the unique environment and character of Nillumbik can be maintained, and what opportunities, or risks, they foresee as a result of changing demographics and housing trends.

Participants particularly noted that there was a lack of understanding of housing needs and pointing out the incorrect assumption that large houses were suitable to all demographics across the Nillumbik.

Diversity of Housing

Greater variety in housing options.

Several participants argued that the range of options was insufficient, with too many 4-bedroom houses that don't cater for young adults, singles or older people, for example.

Assumptions, such as one-bedroom housing suiting older people, were noted to be incorrect as well. With many older people wanting to 'age in place', it was suggested retirement villages should be allowed in rural areas, and that smaller houses should exist in town centres.

One participant pointed to medium-density housing with lifts, and another said they would like to see fewer restrictions on 'granny flats'. Overall, participants said the culture around housing needed to change, and that people should be educated on what was really needed, such as independent living arrangements for as long as possible.

Key sentiments:

- Changing the culture and expectations of housing needs and wants
- Adapting housing offer to changing demographics

"We're at the mercy of developers."

"Not just four-bedroom housing."

"Follow up on permit conditions, big issue."

"More dense housing but with lifts."

"Have a 'soft edge' around activity centres. Variety in land sizes."

"Older people from rural areas want more open place. Ageing in place."

Connectivity

Connecting communities and providing them with open spaces.

Some participants said open spaces should be retained for community to gather. Others picked up on the benefits of the proximity between schools and areas that house older people, by suggesting multi-generational activities be promoted to connect demographics.

Key sentiments:

- Connecting demographics for multi-generational activities

Identity and character

Preserving the character of the Shire and controlling development.

A key sentiment in the discussion was the preservation of the local character and ensuring future development doesn't significantly change its nature. As such, most participants said they wanted to limit development to keep the Shire 'unique'.

Several participants highlighted that maintaining tree canopy, and succession planting was pointed to by some, underlining the importance of vegetation and their significant contribution to sense of place (with a particular focus on indigenous vegetation). It was felt by some participants that developers 'win', resulting in inappropriate development that doesn't suit the neighbourhood character.

Key sentiments:

- Limiting development and overcrowding to keep the Shire and its townships unique
- Maintaining tree canopy, which contributes to the local character

Natural environment

Ensuring there is space for wildlife, maintaining mature trees and spaces for community.

Many participants stressed the need to limit development in order to maintain open spaces that are largely untouched to allow biodiversity to thrive. Some expressed frustration with previous schemes and a 'culture of agreeing' before doing something different, indicating insufficient efforts were currently being dedicated to looking after the natural environment.

Key sentiments:

- Retaining open spaces for plants and wildlife
- Protecting the environment from development

Safety

Planning for bushfire risk.

Particularly in regard to bushfires, safety of the community played a key role in ensuring the unique character is maintained, as participants noted that they pose a threat to the townships and rural areas. Sustainable design needed to consider such risks and better education could assist in keeping the community safe.

Key sentiments:

- Bushfire threat to safety of community
- Sustainable design and community education to mitigate risk

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to housing. Suggestions included:

- Greater focus on the protection of the natural environment in housing development to maintain the local character
- Bushfire and other climate change related threats included in design considerations
- Shifting understanding of housing needs for the population of Nillumbik



3.4 Built environment

Overview

On this theme, participants discussed how issues of accessibility and inclusion can be better addressed through the built environment, whether they agree that outcomes should be promoted which detail the historical and individual characteristics of each area, and considerations for Nillumbik's built environment to minimise environmental risks and protect native flora and fauna.

The majority of participants were deeply concerned about the loss of vegetation, and the subsequent degradation of the local character. Urban design that was sustainable and sensitive to the surrounding environment was therefore of key importance.

Identity and character

Future developments must maintain the local character.

Some participants said it was important to retain buildings from the distinct areas of development (from the late 1800s to the early 1900s, as well as the 1950s and 1970s) for future generations, particularly since there are few left. For new developments, one person felt the definition of "neighbourhood character" was too open to interpretation.

The conservation of natural features was emphasized here, too, as it was widely acknowledged to play a key role in the character of Nillumbik. As such, one participant pointed to mature eucalypts and birdsong, which give Nillumbik the atmosphere many people moved to the Shire for: "it's the very reason many live in Eltham".

Key sentiments:

- Crucial to maintain indigenous vegetation and old buildings, as well as new ones that complement them and contribute to the local character
- Consider footprint on the land and regulation to minimise destruction.

Integration

Sustainable and inclusive design.

Similar to infrastructure upgrades and other developments in Nillumbik, participants said design should be sensitive and match the local character of the area, as well as consider its impact on the natural environment. Design and nature shouldn't be treated as separate, one participant said, but rather be combined to consider how design can be integrated into natural systems.

Some participants said Council should 'promote ongoing innovative sustainable design' and use renewable materials in construction. Further, it was noted that design should reach beyond the physical and make people 'feel welcome and embraced' in the local environment.

Key sentiments:

- Promote and demonstrate exemplary sustainable design
- Consult with community more frequently on proposed built forms
- Way finding signs into commercial office buildings in activity centres

"It's crucial to protect indigenous vegetation – it's the very reason many live in Eltham. Maintaining tree canopy is important to maintain the character of local areas."

"Neighbourhood character" definition is too narrow. May not help resolve disputes"

"Think about what surrounds buildings and how to integrate with natural systems."

"Feel we're fighting not to become another suburb of the Melbourne mass."

Conservation

Protection of the natural environment.

Throughout the discussion on this theme, the need to respect the integrity of the natural environment was emphasized by the majority of participants. The loss of trees, shrubs and other vegetation was pointed to as a consequence of subdivision from consolidation of housing – while it was acknowledged consolidation was necessary, the loss of vegetation and garden space was of great concern for most participants.

Key sentiments:

- Maintain indigenous vegetation to preserve quality of life and sense of place
- Abundance of vegetation is the very reason many people live in Eltham

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to the built environment. Suggestions included:

- Greater considerations for innovative, sustainable, biodiverse urban design
- Design to consider social integration and inclusion
- Crucial to maintain the unique character of the area



3.5 Heritage, arts and culture

Overview

In the discussion around heritage, arts and culture, participants were asked whether they agree that the MPS should ensure that new uses and development should not impede on or detract from sites and features of cultural heritage and archaeological significance, particularly Aboriginal heritage.

The questions also examined how the shared heritage, history and artistic culture could be better promoted to strengthen the community, and in what ways it can be ensured all members of the community have access to and are able to participate in recreational and cultural activities.

The key sentiment that came out of this discussion was the need for a complete framework shift regarding the concept of culture itself: the current lens through which it is viewed does not consider Aboriginal heritage, and Council and communities must work closely with Traditional Owners to ensure this is understood and shared appropriately.

"The tendency to ignore what really matters needs to be addressed."

"The whole area is of significance."

"(At Diamond Creek) It feels like it's lost its identity and is being replaced by the new area east of the railway line."

Framework shift – Traditional Owners

Changing how we perceive heritage – understanding and sharing the living Aboriginal culture.

Some participants were very vocal about the 'narrow idea of culture' and that it was time to 'move on from this' as it was creating an uninhabitable place: working with Aboriginal People would help communities take better care of the land, value it, and treat it respectfully.

Council, one participant said, should have a thorough understanding and knowledge of biodiversity and natural systems in Nillumbik, as well as work closely with Traditional Owners. Giving them a voice, which several participants said currently did not seem to be the case, would enable Nillumbik to share the heritage of its living culture.

Key sentiments:

- Working collaboratively with Traditional Owners
- Culture has so far been 'white' history
- Council should be well-informed, understand Nillumbik, have strong knowledge of Aboriginal Peoples in the Shire, local biodiversity, and natural systems
- Necessary framework shift through which we address culture and inclusion in all processes

Promotion and inclusion

"Uniting the Shire under cultural matters", such as its Aboriginal heritage, and the natural environment, should include events and programs for children and adults, and challenge problematic attitudes. One participant said they would like to lead the way with active, community-led approaches, while another said redefining this perspective would help create a 'sustainable culture'.

Participants also said that more needed to be done to strengthen existing sites of importance by improving wayfinding and signage. This would provide an opportunity for education and share the significance of the place or building. Some participants also agreed that it was important to recognise all of Nillumbik as a significant area, rather than limit this to specific sites.

Key sentiments:

- Offering incoming residents and businesses information about the area's culture and history via rates notices etc
- Investing in historical research to strengthen community understanding and participation, similar to what was done for the war memorial
- Providing community groups with education material to share with participants
- Including a heritage trail in Eltham like the one in Hurstbridge

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to heritage, arts, and culture. Suggestions included:

- Acknowledgement of Traditional Owners as part of Nillumbik's community – this has been completely omitted
- Collaboration between Council and the community and Traditional Owners
- Showcasing Aboriginal heritage, past and present
- Recognising the older part of Diamond Creek which includes its churches and police station
- Recognising the entirety of Nillumbik as a place of significance – not simply individual sites



3.6 Infrastructure

Overview

The theme of infrastructure explored key challenges to creating accessible and connected places in the Shire, particularly in relation to active and public transport options. Participants were also asked how infrastructure in rural or lower density areas could be improved while still maintaining their open space character and landscapes, before exploring how future infrastructure upgrades can meet mobility and accessibility issues of all members of the community.

Key feedback included the necessity to involve the relevant groups in the decision-making process, and that minimising impacts on the natural environment should remain a priority.

Access

Ensuring infrastructure upgrades and improvements are sensitive and have minimal environmental impact.

Most participants were supportive of retaining the rural character of certain areas in Nillumbik. One participant noted that improving access to lower density areas could be done in a sensitive manner by upgrading existing infrastructure, and another agreed that the characteristics of infrastructure could be examined to provide the best outcome for the community and the environment (e.g. the characteristics of sealed and unsealed roads). One participant said there should be more dialogue between Councils to improve movement between regional and urban areas. Another participant agreed, stating that the state of existing active transport infrastructure between townships also needed to be upgraded.

"Inclusively workshop with the right audience and the groups affected – ensure communication is happening and clear. This also applies to cultural significance – the Indigenous population should be involved in discussions and decision-making processes."

"We need a dual network, electric vehicles will become prevalent, more electric scooters, needs to be network of trails people can commute on."

"More people visiting the area and enjoying green wedge, so need more amenity to support that."

Key sentiments:

- More collaboration between Councils to improve movement between Shires
- Need for infrastructure upgrades (and possibly removing some, like the flag poles in Main Road Eltham)
- Focus on environmentally-friendly options – impact on the natural environment should always be considered
- Public transport is too infrequent, so it doesn't encourage more usage
- In rural areas initiatives to increase public transport have not been supported

Inclusion

Clear, meaningful conversations with the individuals and groups affected.

Several participants pointed out their reluctance to comment on how to improve accessibility, stating instead that this discussion had to take place with the groups and individuals affected by any constraints. Clear discussions and decision-making processes had to involve and empower those facing these issues.

Key sentiments:

- Issues and solutions should be discussed and workshopped with members of the community affected by mobility constraints and access issues – clear communication should occur with the relevant groups
- Lots of focus on sporting recreation infrastructure in recent years but not in other areas

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to infrastructure. Suggestions included:

- Prioritising the natural environment when considering infrastructure projects



3.7 Natural environment

Overview

Participants discussed what Council should consider in supporting the protection of endangered species in the Shire, and how it can better address drainage and sewerage in urban growth areas to reduce impacts on stormwater quality and downstream areas. The guiding questions also explored how threatening processes could be addressed that lead to the loss and degradation of the natural and built environment, and any general gaps in the key objectives.

Virtually all participants were very vocal about the need to better protect the natural environment, minimise loss of natural habitats, and strengthen enforcement powers.

Conservation

Placing the conservation of biodiversity above all else, strengthening enforcement capacity, and minimising adverse impacts of development.

The majority of participants strongly supported measures and policies that enhance the protection of flora and fauna, stressing the focus on indigenous species and the conservation of all, rather than merely endangered species.

Some participants said that any development, for example road sealing programs, needed to look at the environmental impact, while others underlined that land management plans seemed to be inefficient in protecting the environment. Others expressed exasperation and said little was being done to prevent the loss of natural environments through land clearing.

Participants agreed that the integrity of the natural environment needed to be maintained, biodiversity looked after, and the intent of the Green Wedge and Conservation Shire prioritised.

Key sentiments:

- The conservation of all flora and fauna, not just endangered species
- Achieve net gain – increase quality and quantity and maintain the integrity of biodiversity
- Road programs and other infrastructure projects - consider and prioritise their environmental impact
- Strengthen Council's enforcement capacity to prevent further loss of environment and clearing of areas

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to the natural environment. Suggestions included:

- Habitat links monitored and set out in the Planning Scheme, connection of small habitats for wildlife movement
- Importance of waterway corridors, and the position of Melbourne Water on waterway corridors
- Roadside Management Program – needs to maintain the integrity of the natural environment
- More focus on conservation of run-off from private dwellings, and monitoring of private dams and how that affects water flow

"Waterway corridors are extremely important."

"Small areas of natural vegetation need to be connected to enable wildlife movement – this needs to be included in Planning Schemes."

"People should be encouraged to plant local native trees."

3.8 Open space

Overview

This theme explored opportunities participants can foresee in ensuring public open spaces enable safe, healthy and active lifestyles. It also asked whether participants would support the provision and linking of open spaces and trails across the Shire so it forms one network, how spaces can be created that are accessible to all members of the community, and whether participants can identify any gaps in the theme.

Responses largely expressed the value of open spaces for social connection and recreation, but many participants noted the importance of prioritising the natural environment and expressed concern over its loss and degradation.

Connectivity and recreation

Providing open spaces for the community to connect while minimising impacts on the natural environment.

The majority of participants strongly supported the provision and maintenance of open spaces in which the community can connect and socialise. Some noted that any infrastructure required should not be considered if it would harm the natural environment and ecosystems, and that a balance was needed between recreation needs and conservation. By restricting tourist activities to townships, one participant was supported by a few in saying this would further minimise adverse impacts on the environment.

There were also views expressed about how open spaces can be managed to cater for multi-generations, and a balance between the needs of cyclists and other users.

Key sentiments:

- Places to connect and gather outdoors, and live socially connected lives
- Open Space Strategy has not yet been implemented – this would benefit from updating
- Prioritising the health of the natural environment over recreational considerations
- Tourist activities should be restricted to townships so as not to destroy the amenity of the Green Wedge
- More “pocket parks” which are considered safer for the elderly
- Consider more water stations, bike repair stations and paths for horse riding

Conservation

Viewing the land through the lens of the heritage of Traditional Owners, preserving and protecting it.

The health of Nillumbik’s ecosystems was of utmost priority to most participants in the workshop. They stressed that maintaining a healthy natural environment was the very purpose of the Green Wedge. As such, Council should ensure certain areas remain protected from development and are retained as open spaces. While one participant mentioned that the MPS should be written from an environment, rather than human perspective, some others stated that Aboriginal Peoples’ perspectives should be included in the valuation of the land, as it would result in greater respect for it.

“The natural environment and indigenous habitats should still be prioritised – access needs to be balanced.”

“It should include the conservation and regeneration of native fauna – wording in the MPS should be from an environmental perspective, rather than always human.”

“The MPS needs an overarching statement about the land, the life on it, and the central role it plays to First Nations people – its value has to be respected and protected throughout the Shire.”

Key sentiments:

- Prioritising the protection of *indigenous* flora and fauna
- Conservation Shire – growth corridor concept, and the idea that the Green Wedge would provide recreational areas
- Pressure needs to be put on Council to ensure certain areas remain open spaces and protected from development
- Include the heritage of Indigenous Peoples in the protection of the land to value and respect it

Accessibility

Balancing access for the community with the health of the natural environment.

There was clear acknowledgement among workshop participants of Nillumbik's ageing demographic and consequent mobility needs. Feedback did largely support improving accessibility to destinations and spaces, but also highlighted that this should not dominate, or harm the environment. A balance is to be struck between inaccessible natural environments, and spaces for recreation and socialisation.

Key sentiments:

- Support for some all-abilities access, but not everything needs to be accessible to everyone all the time
- Natural environments should be prioritised over infrastructure

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to open space. Suggestions included:

- Conservation and regeneration of *native* flora and fauna
- Reconsider and review an Open Space Strategy that is fit for this time
- Overarching statement on the land, the life on it, and the role they play to Aboriginal People



3.9 Climate change

Overview

To gather community feedback on climate change, participants were asked how Council could mitigate fire and climate-related risks (in addition to paying particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and land use and management. Participants also discussed how Council's direct contribution to climate change could be reduced, and how Council can support the community to reduce their contributions to climate change, as well as to adapt to climate change risks and impacts. Lastly, participants were asked whether they could identify any gaps in the theme.

Feedback showed acute awareness of climate change impacts and risks, and participants pointed to the dangerous lack of knowledge on mitigation of these risks within the community.

"We need to protect tree canopies to reduce the impact of increasing temperatures."

"Even in activity centres, we need to ensure we're not developing all of the lot size."

Education

Ensuring Council and community are well-informed and prepared, and can confidently and actively respond to climate change issues.

Many participants stressed that residents of Nillumbik are insufficiently aware of or understand bushfire mitigation strategies, and that opportunities to learn these should be more widely available. To achieve this, a well-informed and well-educated Council team is needed, as was strongly expressed by some participants. An exchange in land management knowledge could also be achieved by breaking down cultural barriers and improving communication between communities, including Traditional Owners. Council support for landholders in burns (in the right season), with the help of Traditional Owner knowledge, was also advocated for by one participant.

Key sentiments:

- Lack of understanding around mitigation strategies for bushfire risk
- Well-informed and educated Council officers and councillors on climate change
- Knowledge sharing with Traditional Owners to improve land management practices
- Consider water infrastructure and pressures and flows to protect against fire danger

Sustainable transport and design

Sustainable housing design and modes of transport.

Electric vehicles, charging stations, and a connected network through the Shire was advocated for by some participants, noting that environmentally-friendly and sustainable options needed to be planned for now. One participant highlighted the urgent need to reduce consumption and waste in Nillumbik. Another pointed out there were hardly any solar panels used on commercial premises.

Key sentiments:

- Sustainable building design, e.g. solar panels, smaller buildings
- Requiring new sub-divisions to meet higher sustainability standards
- A network of electric vehicle charging stations
- A reduction in consumption and waste

Renewable energy

Reducing emissions and producing clean energy

Some participants pointed out that there was great focus on mitigating climate change risks, such as bushfires, but insufficient discussion and effort directed towards the production and use of clean energy. Council, some participants said, needed to be held accountable for its own emissions, as should new developments.

Key sentiments:

- Renewable energy to fight climate change, rather than mitigate its consequences
- Reduce Council owned asset emissions in excess of state targets
- More promotion and incentives for clean energy use

Conservation

Protecting and maintaining existing vegetation, tree canopy, and natural environments to minimise climate change impacts.

At the forefront of this discussion, the natural environment and the preservation of its health was the highest priority for all participants. They noted its significant contribution to the community and the Shire, and the importance of looking after the environment for the conservation of biodiversity.

Key sentiments:

- Protection of tree canopies to reduce the impact of increasing temperatures
- Great contribution to planting of native vegetation in private suburban areas

Development

Minimising development throughout the Shire.

Those participants who said development should be limited and appropriate, noted it would otherwise threaten precisely the reasons for which they valued living in Nillumbik, e.g. the character of the area, the dispersed nature of some places, and the abundance of green and open spaces.

Key sentiments:

- Limiting development across the Shire

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to climate change. Suggestions included:

- Education of the community to respond to bushfire risk, understanding of global warming and risks
- Maintaining the current level of vegetation
- Sustainability of buildings
- Council needs to be more ambitious, do more, and finance this appropriately
- Greater focus on clean energy and role Council can play in contributing to the use of it



3.10 Economic development

Overview

This discussion focused on how the main local and new business opportunities can be maintained in the major activity centres and industrial area at Research, and whether participants agree that tourism and commercial activities should continue to be restricted to activity centres or purposes used in conjunction with agriculture, rural industry or wineries. Participants were asked whether they envisage any issues to arise as a consequence of retaining land for soil-based agricultural production and the protection and enhancement of agricultural land, before identifying any gaps in this theme.

The need for regenerative farming to become a key component of the local economy was strongly supported by many participants. Most also called for more communication and collaboration with Traditional Owners to develop the economy sustainable and tap into the opportunity the living culture has for Nillumbik.

"We can't have farming on any scale if we don't protect and value our existing agricultural land – but Council hasn't been very supportive."

Sustainability of local economy

Supporting small scale and/or remote businesses and working with Traditional Owners to revive a strong heritage.

Many participants said Council should support local businesses, for example by adapting to changing structures: some participants noted Council needed to recognise that many businesses were now home-based and no longer traditionally working out of activity centres. Many also agreed that all activity should prioritise the natural environment, noting that agricultural enterprises should only be allowed and supported if they were regenerative: the environmental sustainability of the Shire's economy was seen by some as a key factor in ensuring its overall sustainability. As such, it is crucial 'regenerative farming' is clearly defined. Participants said they would like to see small-scale accommodation, arts & heritage, restaurants, and wineries in the region, as these would encourage local employment as well as respect the environment. One participant also commented that rural activity, such as vets on small properties, is an important economic driver in rural areas. Another said that longstanding farms in the Shire were part of the cultural heritage and that they needed to be maintained.

Collaboration with Aboriginal People in the Shire was also discussed, with some participants arguing it was necessary to address Aboriginal heritage and learn from Traditional Owners. This would enable Nillumbik to showcase its Aboriginal heritage to locals and visitors, as well as empower Aboriginal People.

Key sentiments:

- Support local businesses, adapt to new business formats
- Support businesses that are environmentally sustainable (e.g. regenerative farming)

Access

Creating better connectivity between key destinations.

Some said connecting destinations throughout Nillumbik was key, with one participant saying a better network of shared trails would provide an opportunity to access places and support businesses while reduce the high reliance on cars. Some participants discussed that any infrastructure would need to have minimal to no impact on the environment, and it was stated that the preservation of the natural spaces and the development of a trail network were not mutually exclusive.

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to economic development. Suggestions included:

- Environmental sustainability of businesses as a determining factor for support and success
- Adjusting to and supporting the changing nature of businesses
- Working with Traditional Owners to create a more sustainable economy



3.11 Green Wedge

Overview

The guiding questions on the Green Wedge explored whether participants are supportive of the protection of agricultural land in Nillumbik, and how access to services and facilities can be ensured for community members in rural areas while retaining the rural character of these areas. Participants discussed how land use conflicts can be managed to ensure the community can use the land while preventing harm to local ecosystems, and any gaps they could identify in the theme.

At the forefront of this conversation was the virtually unanimous agreement that environmentally sustainable farming land should be retained. In order to achieve this, most participants said better understanding was required on land management, and that Council needed to share knowledge or promote collaboration between communities to share and workshop best-practice methods.

"Enhancing capability of land' needs to be clearly defined by Council as it may support damaging processes – set clear and ambitious protocols to protect the natural environment and indigenous systems."

"We need to focus on maintaining the integrity of the Green Wedge."

Agricultural land

Retaining sustainable, regenerative agricultural land.

The majority of participants were strongly supportive of the retention of agricultural land, under the condition it meets sustainable, regenerative farming practice standards and has a minimal impact on the environment. As such, participants said Council needed to clearly define what "enhancement of the capability of the land" should entail, as well as set clear ambitious and protocols to protect the natural environment and indigenous systems.

Many participants also agreed that better communication was needed to ensure landowners and residents understand how to manage the land, with the idea that there are no conditions on the land referred to as 'outdated'. A lack of understanding, one participant said, results in self-resourcing, and landowners that don't advocate for the land. Further, some participants supported the idea of providing incentives for effective land management which preserves local biodiversity.

Key sentiments:

- The protection of regenerative agricultural land and enhancement of its capability, as well as enforcement of land management plans on future developments
- The protection of the natural environment above all else
- Local food production for Melbourne
- Delivery of information on land management
- Incentives for effective land use/management
- Mixed views in allowing some subdivision of large land holdings into still reasonable size lots (5+ acres)

Connectivity and collaboration

Better connectivity and improved collaboration between townships.

Some participants advocated for improved communication between townships to promote collaboration and increase connectivity. Most also said Council should share knowledge with landowners and residents, clearly communicating how to manage land, protect the environment and maintain the local character. This feedback was strongly echoed on the topic of climate change, as participants said more education was needed to understand climate change impacts, increasing awareness and improving preparedness.

Key sentiments:

- Better connections and collaboration between townships supported by Council
- Making more information available for landowners and farmers on caring for the land, managing climate change impacts, mitigating fire risk

Gaps

Participants were asked if there were any gaps in the stated MPS objectives relating to the Green Wedge.

Suggestions included:

- Knowledge sharing between Council, communities, groups to promote, encourage and help understand best-practice land use and management techniques
- More effective controls for feral animals (deer, foxes, kangaroos) and invasive vegetation to protect indigenous flora and fauna
- Lack of Biolinks, and a review of ESOs and SLOs



3.12 Other themes

Following the themed discussion in each workshop, participants were asked to share thoughts on any theme that had not been addressed at all and was therefore not represented in Council's key objectives.

"We are learning as a nation."

Virtually all comments shared underlined the importance of connecting with the Wurrundjeri-Woi people and creating an empowered community of Traditional Owners that is able to decide, in collaboration with the remainder of the Nillumbik community, the preferred strategic direction of the Shire.

Workshops and decision-making processes with Traditional Owners were, as outlined in this report, of significance across a broad range of issues, challenges and opportunities. Land use and management, conservation of flora and fauna, and the local heritage were some of the key areas participants said would greatly benefit from the involvement of the Aboriginal People from Nillumbik.

Importantly, participants shared this insight with humility: they had no right to comment on *how* this was to be done and were primarily advocating *that* communication had to take place.

Additional comments included the need to factor in the true cost of environmental loss of any development or strategic decision made. Participants also highlighted the role of physical activity and its importance to the community, advocating for activities near the hubs to keep with the environment and enable community activity.

4. Conclusion

The fifty members of the Nillumbik community that participated in the four online workshops shared invaluable insight into how Nillumbik is perceived, the issues and challenges it faces, and the opportunities they envisaged for the Shire.

Participants discussed the need to protect all species to be able to maintain thriving biodiversity, green open areas, and spaces for community to connect in nature.

They pointed to infrastructure projects that would significantly improve access and safety, and connect townships, strengthening individual and community connections and improving access to services.

A more sustainable lifestyle was explored at great length, with participants keen for Council to encourage and enable environmentally-friendly transport options, reduce emissions, and support regenerative farming practices.

The lack of collaboration with Traditional Owners became very apparent, with many participants stating that this needed to occur to a significantly greater extent. Participants said Traditional Owners needed to be involved in conversations around the environment and its protection and management, as well as the preservation and showcasing of the cultural heritage of the area.

Perhaps most importantly, the discussions highlighted the interconnectedness of all the themes: flora and fauna was not only important for biodiversity itself, but the immense contribution it makes to the identity and character of the Shire, the health, wellbeing, and social benefits it provides to people, and the role it plays in mitigating impacts of climate change.

In summary, participants pointed to a necessary framework shift: reconsidering the way culture is perceived and defined, as is the sustainability of farming. The prioritisation of the health of the natural environment, participants said, was the first step to creating a holistically sustainable future for Nillumbik. It should be noted that many of the issues, opportunities and gaps identified are not within the scope of the MPS, and cannot be considered and implemented by the Strategy. The insights gathered are important nonetheless and will contribute to Council in relevant work and in the preparation of strategies that have clear linkages to the matters discussed.



Attachment 6 Community Engagemetr Report Virtual Sessions MPS Phase 2 Consultation

Attachment 1

MPS – Key objectives

Theme 1: Activity centres

Key Objective 1

The Eltham and Diamond Creek Major Activity Centres will continue to provide inclusive and accessible commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.

Key Objective 2

The Major Activity Centres will continue to accommodate most of the Shire's growth and will have an increased role in providing for a diversity of housing and in particular, medium density housing (including mid-rise commercial development and apartments).

Key Objective 3

The Hurstbridge and Research Neighbourhood Activity Centres will continue to offer a blend of uses and the availability of public transport generally supports higher levels of business and other activities, resulting in lower car usage and enabling multipurpose trips.

Theme 2: Transport

Key Objective 1

Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.

Key Objective 2

Further development of pedestrian and cycle trails to link the key activity centres is a priority to encourage safe pedestrian access for residents.

Key Objective 3

Facilitate increased public transport usage to aid in issues such as increased greenhouse gas emissions and traffic congestion.

Key Objective 4

Incorporate greater links between land use planning and transport, especially in relation to activity centres and the public transport network.

Key Objective 5

Facilitate safe and efficient roads and road links within the municipality and to the wider region that cater for all users given that the majority of residents travel to employment outside the Shire.

Theme 3: Housing

Key Objective 1

Recognise that the Shire will experience a reduction in household size due to an ageing of the population. The trend of decreasing average household size provides the impetus to provide for some medium density housing as an alternative housing choice.

Key Objective 2

Direct housing growth and diversity to activity centres in which are accessible, close to infrastructure, public transport, commercial areas, public open space and other community facilities.

Key Objective 3

Ensure a considered approach to planning and development will retain and enhance Nillumbik's unique environment and neighbourhood character.

Theme 4: Built environment

Key Objective 1

Apply design principles which will create a built environment that strengthens the inclusiveness and accessibility of our neighbourhoods, activity centres, facilities and services, while respecting our natural environment.

Key Objective 2

Promote urban design outcomes in activity centres and townships that retain the historical and individual characteristics of each area while enhancing its attractiveness, distinctiveness, safety and accessibility.

Key Objective 3

Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.

Key Objective 4

Protecting habitat links and minimising fire and flood risk and erosion are important considerations in siting buildings and works, particularly in rural areas.

Theme 5: Heritage, arts and culture

Key Objective 1

Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.

Key Objective 2

Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.

Key Objective 3

The culture and heritage of the Wurundjeri Woi Wurrung people is understood and recognised as a proud part of our shared identity.

Key Objective 4

Promote our shared heritage, history, arts and artistic culture to strengthen our community – Aspiration from OPOPOF engagement: "Residents enjoy a wide variety of recreational and cultural pursuits and have a strong sense of feeling part of their local community and townships."

Theme 6: Infrastructure

Key Objective 1

Enhance the accessibility and vibrancy of local townships, neighbourhoods and activity centres through connectivity with a focus on improving active and public transport options.

Key Objective 2

Design places and development to maximise access for all users, including pedestrians and cyclists, and cater for the mobility needs of people of all abilities.

Key Objective 3

Recognise the difficulties created through the dispersed nature of low-density residential areas in providing a full range of infrastructure services, and that rural areas have only limited physical infrastructure.

Key Objective 4

Facilitate efficient provision of infrastructure to areas designated for residential and low-density residential development.

Theme 7: Natural environment

Key Objective 1

Given the large number of threatened native species and *threatening processes occurring in the Shire*, Planning needs to protect and conserve biodiversity, provide habitats for native flora and fauna, and control pest plants and animals.

Key Objective 2

Consideration of environmental values and the facilitation of drainage and sewerage in urban growth areas is particularly important, given their proximity to the Plenty River. Use and development have the potential to affect stormwater quality and adversely affect downstream areas.

Key Objective 3

Discourage development, including vegetation removal that degrades stormwater quality and increases potential risk of soil erosion, expansion and landslip or other hazards.

Key Objective 4

Address threatening processes associated with the loss and degradation of the natural and built environment in order to maintain the landscape values in the Shire.

Theme 8: Open space

Key Objective 1

Ensure the planning, maintenance and enhancement of public open spaces enables and encourages safe, healthy and active lifestyles.

Key Objective 2

Ensure open space and recreational facilities are equitable and accessible to all community members.

Key Objective 3

Facilitate the provision of active and passive recreational facilities as an integral part of each township.

Key Objective 4

In rural areas the emphasis is towards developing key regional and district recreational areas, protecting native flora and fauna as well as developing a comprehensive regional based trail network.

Key Objective 5

Facilitate the provision and linking of open space and local recreational facilities to form a network across the Shire.

Theme 9: Climate change

Key Objective 1

Recognise that planning and preparedness for bushfire and other emergencies protects life, critical infrastructure, property and the environment.

Key Objective 2

Ensure emergency management information and capabilities are shared in the pursuit of preparedness, prevention, response and recovery.

Key Objective 3

Avoid intensifying bushfire risk to people and property through poorly located, designed or managed use or development.

Key Objective 4

Apply particular attention to fire issues in the design of subdivisions, the siting and design of buildings, and use and management of land in bushfire prone areas.

Key Objective 5

Reduce Council's direct contribution to climate change

Key Objective 6

Prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services.

Key Objective 7

Support our community to reduce their contributions to climate change and to adapt to climate change risks and impacts

Theme 10: Economic development

Key Objective 1

Focus on strengthening existing enterprises and facilitating new business initiatives that respect the Shire's environmental, social and economic development priorities.

Key Objective 2

Maintain the main employment locations, the Eltham and Diamond Creek Major Activity Centres, Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, to continue to provide opportunities for local employment.

Key Objective 3

Protect industrial precincts from non-industrial use and development unless otherwise identified.

Key Objective 4

Agriculture is an important area of economic development:

- Promote land use in rural areas in accordance with the capability and productive potential of the land
- Retain existing agricultural land for soil based agricultural production

- Promote sustainable agricultural activities and land management practices that minimise adverse impacts on the primary production and environmental values of surrounding land and the catchment
- Protect and enhance agricultural land for both its productive potential and environmental value

Key Objective 5

In non-urban areas, the range of tourism and commercial activities are restricted to activity centres or purposes that can be used in conjunction with agriculture, rural industry or winery.

Theme 11: Green Wedge

Key Objective 1

Recognise the rural areas contain sites of environmental and landscape significance, natural resource based activities and residences.

Key Objective 2

Protect our Green Wedge and its environmental integrity to ensure a safe haven for native wildlife, thriving biodiversity and native vegetation

Key Objective 3

Recognise that the rural areas often lack existing infrastructure. Including essential services, community facilities and internet coverage.

Key Objective 4

Acknowledgment of land use conflict between agricultural and rural residential land uses and a risk that further residential development will fragment rural land into unviable land parcels.

Key Objective 5

Ensure development in rural areas mitigates potential fire risk.

Key Objective 6

Avoid sensitive use and development on land that contains or may contain unacceptable levels of soil contamination, unless testing and necessary remedial treatment have been undertaken. Advocate to State Government to undertake Shire Wide testing and analysis of contaminated land.

Key Objective 7

Protect and enhance agricultural land for both its productive potential and environmental value.

Key Objective 8

Our connection to the Green Wedge is celebrated by all who live, work or enjoy their time in it.



ghd.com

→ The Power of Commitment

Bea Guevara

From: [REDACTED]
Sent: Saturday, 18 December 2021 11:39 AM
To: Strategic Planning
Subject: Amendment C 140

I wish to express my strong support for Amendment C140.

We have already lost so much of our built and landscape history . I'm hoping 1080 Heidelberg-Kinglake Rd Hursbridge is spared the trend of inappropriate renovations or worse still , neglect to a point where the building and garden can't be saved .

Many thanks .

[REDACTED]

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STATEMENT OF SIGNIFICANCE

Heritage Place: 'Fermanagh', 1080 Heidelberg-Kinglake Road, Hurstbridge

PS ref no: HO269



What is significant?

'Fermanagh' at 1080 Heidelberg-Kinglake Road, Hurstbridge, a single-storey timber Federation villa built in 1915 to a design by architect John Jenkin for Patrick and Margaret Burke, is significant.

Elements that contribute to the significance of the place include the:

- original Federation villa form and scale, including the low-pitched hip roof sweeping down to incorporate the returning verandah;
- Marseille terracotta roof tiles, including to the window awning, ridge capping and finials;
- weatherboard walls and roughcast render detailing;
- brick and roughcast chimneys and terracotta chimney pots;
- fenestration arrangement;
- gable end detailing, decorative timber fretwork and posts to the verandah, window and door joinery and leadlight glazing; and
- early garden at northwest of house with mature plantings including Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') arranged in an ovoid pattern and pair of Chinese Windmill Palms (*Trachycarpus fortunei*).

How is it significant?

Fermanagh at 1080 Heidelberg-Kinglake Road, Hurstbridge, is of local historic, aesthetic and associative significance to the Shire of Nillumbik.

Why is it significant?

Fermanagh at 1080 Heidelberg-Kinglake Road, Hurstbridge, is of historical significance for its ability to demonstrate the manner in which land in the Nillumbik area was subdivided and used for small agricultural pursuits. It illustrates the early period of development of the Hurstbridge township, which accelerated due to the opening of the railway line in 1912. 'Fermanagh' provides tangible evidence of its association with orcharding in Hurstbridge, which was the main agricultural industry in the Diamond Valley region from the 1880s to the 1930s, and with locally notable orchardists the Burke family. The Burke family lived at 'Fermanagh' for over 100 years, and ran an orchard on the property for at least 25 years. Patrick Burke had settled in the area in the 1860s and with his sons established a nursery, market garden and cool store. The Burke family employed many locals in their orchard at 'Fermanagh' and are known as prominent figures in Hurstbridge's agricultural history. (Criteria A and H)

Fermanagh and garden at 1080 Heidelberg-Kinglake Road, Hurstbridge, is aesthetically significant as a particularly well-executed and architect-designed Federation villa that retains an early garden. It is distinguished from other houses of the same era in Hurstbridge with its intact Queen Anne details including Marseille terracotta and roughcast render detailing, decorative timber fretwork and posts to the verandah, combined with the massing and verandah form of an Australian homestead. The property's aesthetic significance is further enhanced by the remaining garden elements including Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') arranged in an ovoid pattern and two Chinese Windmill Palms (*Trachycarpus fortunei*) arranged symmetrically in relation to the house. (Criterion E)

Primary source

Shire of Nillumbik Advisory Consultant Services: Nillumbik Shire Stage A Places 2021 (Context)

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C140

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Nillumbik Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of Nillumbik Shire Council.

Land affected by the amendment

The amendment applies to 1080 Heidelberg-Kinglake Road, Hurstbridge.

What the amendment does

The Amendment proposes to:

- Amend Schedule to Clause 43.01(Heritage Overlay) to include 1080 Heidelberg-Kinglake Road, Hurstbridge.
- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statement of Significance for 1080 Heidelberg-Kinglake Road, Hurstbridge.
- Amend Planning Scheme Map No. 11HO to apply the Heritage Overlay to 1080 Heidelberg-Kinglake Road, Hurstbridge.
- Amend the Schedule to Clause 72.08 (Background Documents) to include the citation for 1080 Heidelberg-Kinglake Road, Hurstbridge.

The amendment replaces an interim Heritage Overlay (HO269) applied through C139Nill over the site known as 'Fermanagh' at 1080 Heidelberg-Kinglake Road, Hurstbridge. A citation recommending the protection of the dwelling and garden was prepared as part of the Nillumbik Heritage Review Stage A. This citation was adopted by Council on 29 June 2021.

The amendment amends Planning Scheme Map No 11HO to apply a new heritage overlay to cover the site to the property lines and replaces Clause 43.01 Schedule 1 to show the new heritage overlay (HO269).

Strategic assessment of the amendment

Why is the amendment required?

A planning permit application has been received for 1080 Heidelberg-Kinglake Road, Hurstbridge known as 'Fermanagh' which upon review has alerted Council officers to proposed additions to the dwelling that make substantial changes to the façade of the existing dwelling.

The citation for the site identifies the property is of local historic, aesthetic and associative significance to the Shire of Nillumbik. Fermanagh is noted of historical significance for its ability to demonstrate the manner in which land in the Nillumbik area was subdivided and used for small agricultural pursuits. It illustrates the early period of development of the Hurstbridge Township, which accelerated due to the opening of the railway line in 1912. 'Fermanagh' provides tangible evidence of its association with orcharding in Hurstbridge, which was the main agricultural industry in the Diamond Valley region from

the 1880s to the 1930s, and with locally notable orchardists the Burke family. The Burke family lived at 'Fermanagh' for over 100 years, and ran an orchard on the property for at least 25 years. Patrick Burke had settled in the area in the 1860s and with his sons established a nursery, market garden and cool store. The Burke family employed many locals in their orchard at 'Fermanagh' and are known as prominent figures in Hurstbridge's agricultural history. This context meets Criteria A and H for assessment.

Fermanagh and garden is also aesthetically significant as a particularly well-executed and architect-designed Federation villa that retains an early garden. It is distinguished from other houses of the same era in Hurstbridge with its intact Queen Anne details including Marseille terracotta and roughcast render detailing, decorative timber fretwork and posts to the verandah, combined with the massing and verandah form of an Australian homestead. The property's aesthetic significance is further enhanced by the remaining garden elements including Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') arranged in an ovoid pattern and two Chinese Windmill Palms (*Trachycarpus fortunei*) arranged symmetrically in relation to the house meeting Criterion E of heritage assessment.

Given this significance, the citation adopted as part of Councils Heritage Review Stage A recommends that the site is included in the Schedule to the Heritage Overlay in the Nillumbik Planning Scheme with mapping applied to the property boundaries and tree controls to the Golden Cypress Trees and Chinese Windmill Palms.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria as set out in Section 4 (1) and 12 (1) of the *Planning and Environment Act 1987* (the Act). The following objectives in Section 4 (1) are particularly relevant to the amendment:

- 4(1d) - to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- 4(1g) - to balance the present and future interests of all Victorians

The following objectives in Section 12 (1) are relevant to the amendment:

- 12(1) A planning authority must—
 - (a) implement the objectives of planning in Victoria

How does the amendment address any environmental, social and economic effects?

Pursuant to section 12(2)(b) and (c) of the Act, the likely social and economic effects have been assessed as follows:

Environmental effects

The introduction of a heritage overlay is unlikely to result in any significant environmental effects.

The amendment will conserve and enhance a place identified as being of aesthetic and historic significance.

The amendment will also make a significant positive contribution to the built environment conserving a heritage place.

Social effects

The amendment is expected to have positive social impacts by providing protection for a place identified as being of aesthetic and historic significance.

Economic effects

The amendment is not expected to have any adverse or significant economic repercussions for the community. Some additional costs are likely to be imposed on the owners or developers of affected residential properties, since the amendment will necessitate a planning permit for most buildings and

works. It is considered that economic effects will be offset by the contribution that the heritage place offers to the broader community.

Does the amendment address relevant bushfire risk?

The Amendment will not increase the risk of life, property, community infrastructure and the natural environment from bushfire.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The Amendment is consistent with the following Ministerial Directions:

- *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the Planning and Environment Act 1987
- *Ministerial Direction No. 9 – Metropolitan Strategy (Plan Melbourne)* in terms of the identification and protection of places of heritage significance. The relevant components of Plan Melbourne are:
 - Direction 4.7 – Respect our heritage as we build for our future

This direction seeks to ensure that heritage is valued when managing growth and change. It acknowledges that Melbourne is recognised for its well-preserved heritage buildings and that there is a need to manage future growth and change so Melbourne's distinctive characteristics and heritage are maintained.
 - Initiative 4.7.1- Value heritage when managing growth and change

This initiative aims to protect the city's heritage and improve heritage management processes within the Victoria planning system.
- The Amendment is consistent with the directions and initiatives in the Metropolitan Strategy, in that it identifies and provides protection of a property of local heritage significance and conserves a part of Nillumbik Shire Council's heritage. The amendment also addresses the requirements of *Ministerial Direction No. 11 – Strategic Assessments of Amendments*.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment supports or implements the following clauses of the Planning Policy Framework:

Clause 15 Built Environment and Heritage

- Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built for form and cultural context.

Clause 15.03-1S Heritage conservation

- Objective: To ensure the conservation of places of heritage significance.
- Strategies:
 - Retain those elements that contribute to the importance of the heritage place.
 - Provide for the protection of natural heritage sites and man-made resources.
 - Support adaptive reuse of heritage buildings where their use has become redundant

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Local Planning Policy Framework and Municipal Strategic Statement have now moved into the Planning Policy Framework and Municipal Planning Strategy in the Nillumbik Planning Scheme. Please see above for response to the Planning Policy Framework.

The Amendment is consistent with the Municipal Planning Strategy and implements the following:

Clause 02.03-5 Built Environment under Heritage

- Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.

Does the amendment make proper use of the Victoria Planning Provisions?

The application of the Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified place. The assessment undertaken identifies that the property meets the threshold for local significance as a place that is important to the Nillumbik community or locality.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition process of Amendment C140.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The Transport Integration Act 2010 requires that a planning authority have regard to transport system objectives and decision-making principles where a planning scheme amendment is likely to have a 'significant impact on the transport system'. There are no statements of policy principles relevant to the amendment.

Resource and administrative costs

The amendment will have minimal impact on the resource and administrative costs of the responsible authority.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Nillumbik Council website at www.participate.vic.gov.au/amendment-c140

And/or

The amendment is available for public inspection, free of charge, during office hours at the following places:

Nillumbik Shire Council Offices
Civic Drive
Greensborough 3088

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment make a submission to the planning authority. Submissions about the amendment must be received by **14 January 2022**

A submission must be sent to: Nillumbik Shire Council
Civic Drive (PO Box 476)
Greensborough 3088

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week starting 11 April 2022
- panel hearing: Week starting 9 May 2022

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Hurstbridge	1010 Heidelberg-Kinglake Road	Nillumbik C140nill 001hoMap11 Exhibition

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Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C140nill

INSTRUCTION SHEET

The planning authority for this amendment is the Nillumbik Shire Council.

The Nillumbik Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheet.

Overlay Maps

1. Amend Planning Scheme Map No. 11HO in the manner shown on the attached map marked 'Nillumbik Planning Scheme Amendment C140nill'.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

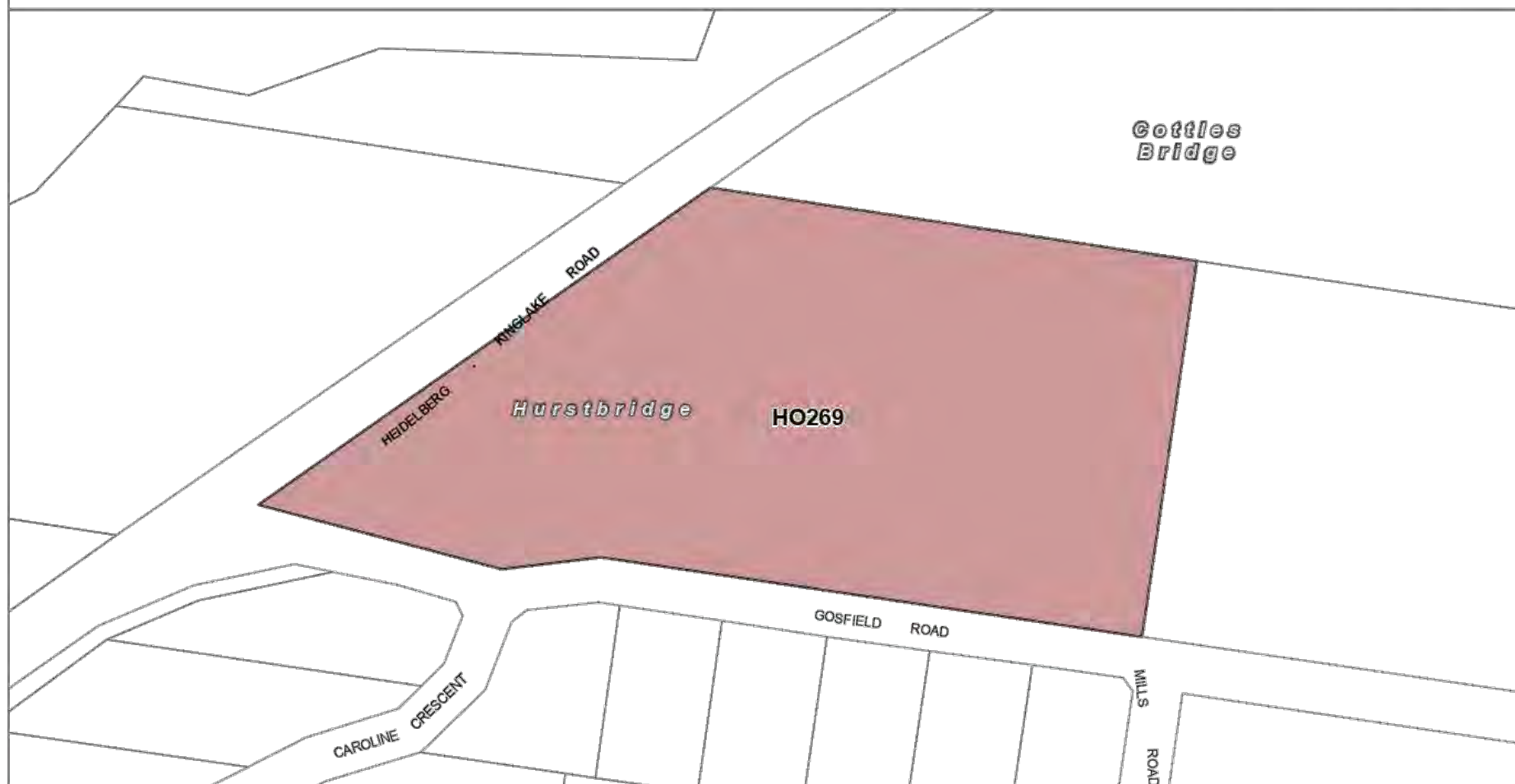
2. In **Overlays** – Clause 43.01, replace the Schedule with a new Schedule in the form of the attached document.
3. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.
4. In **Operational Provisions** - Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

End of document

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NILLUMBIK PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C140nill



LEGEND
 HO - Heritage Overlay
 Local Government Area

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Planning Group
 Print Date: 22/08/2021
 Amendment Version: 2

0 50 100
 Metres



Environment
 Land, Water
 and Planning

Part of Planning Scheme Map 11HO





Nillumbik Shire Council



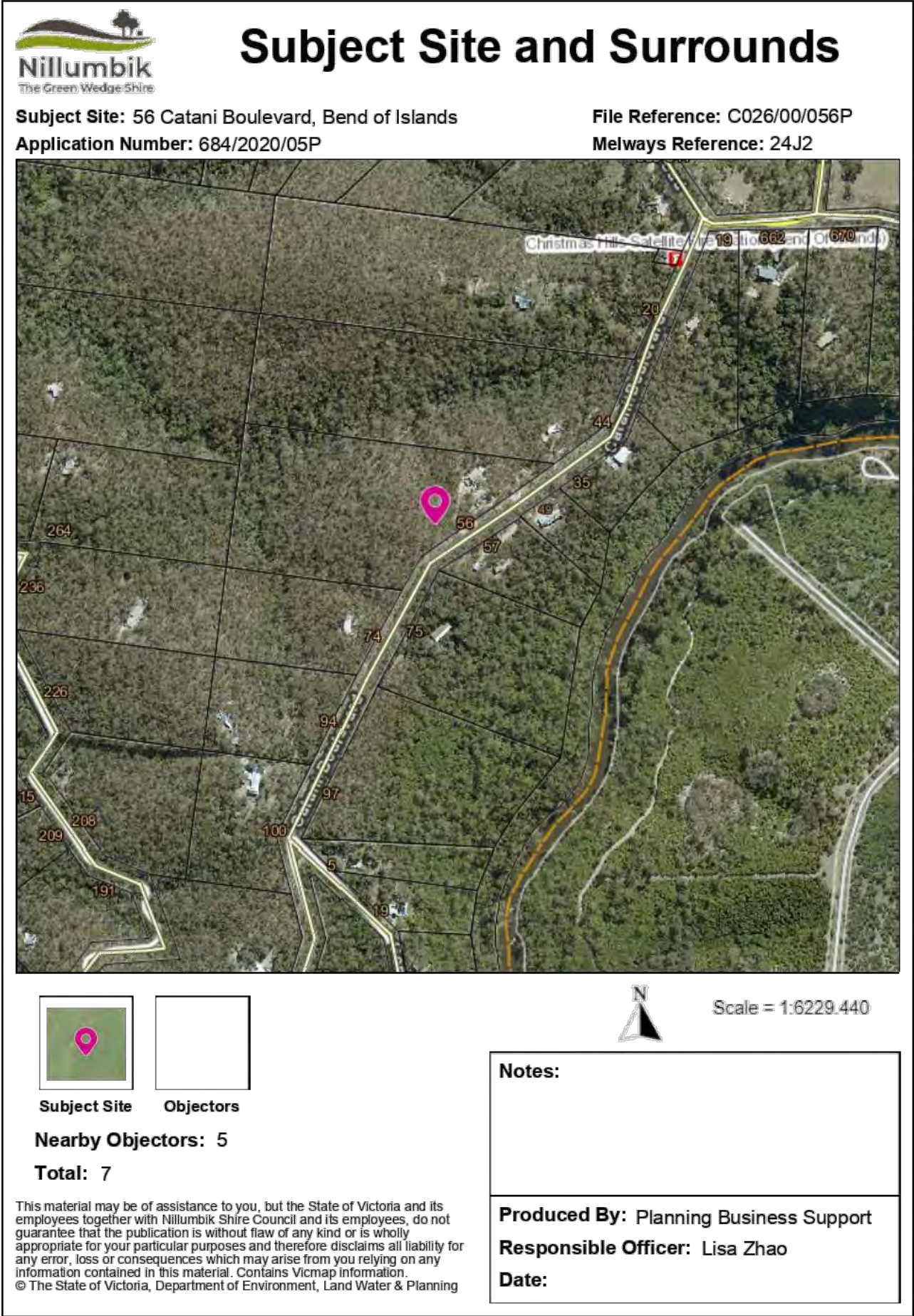
This material may be of assistance to you, but the State of Victoria and its employees together with Nillumbik Shire Council and its employees, do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or consequences which may arise from you relying on any information contained in this material.

56 Catani Boulevard, Bend Of Islands

Scale = 1:3114.720

11-Jan-2022





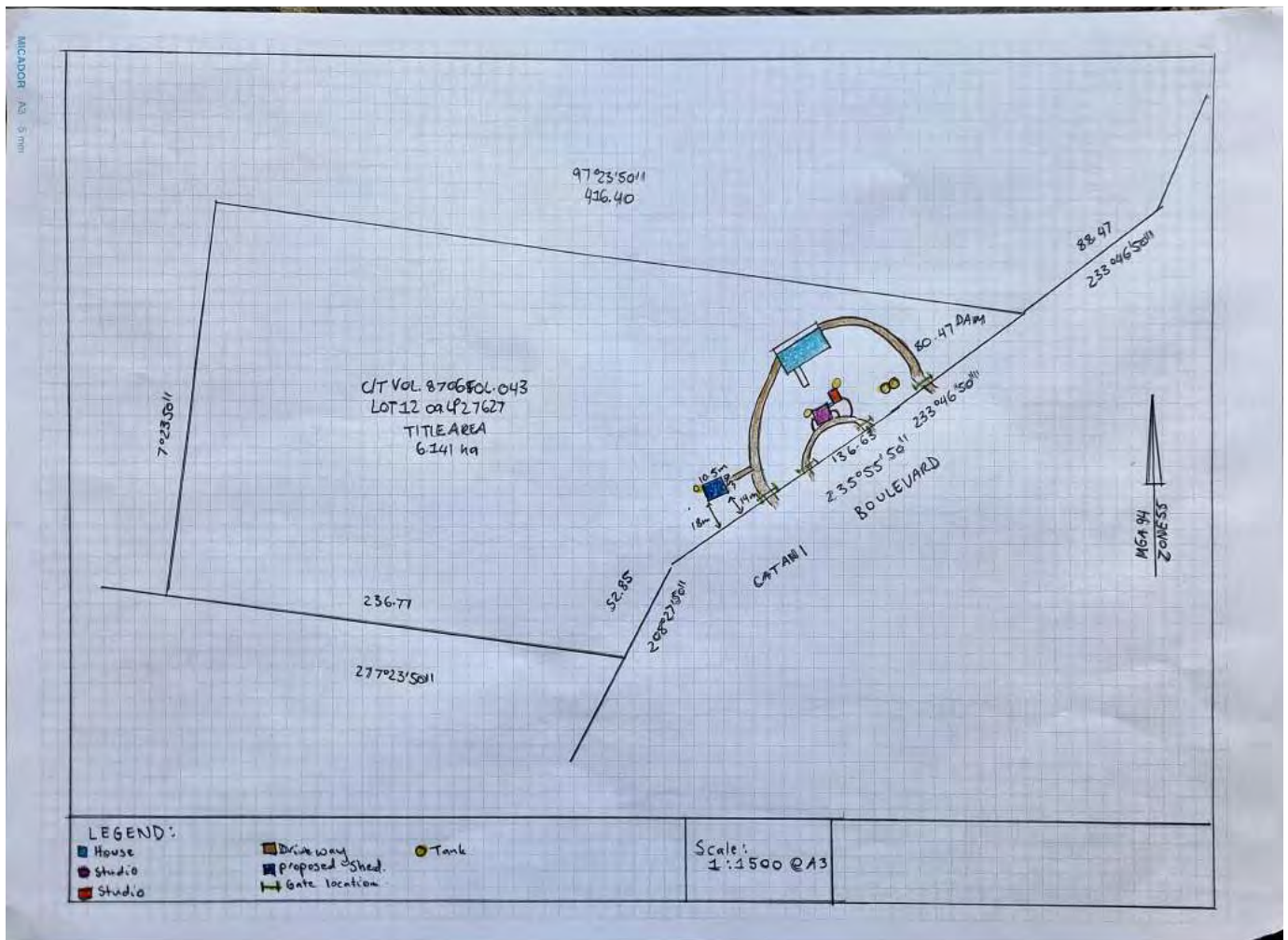
PCC.005/22 Buildings and works to construct an outbuilding, gates, removal of vegetation and associated earthworks at 56 Catani Boulevard, Bend of Islands
Attachment 3. Plans



ADVERTISED PLAN

Application No: 684/2020/05P

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Nillumbik
The Green Wedge Shire

ADVERTISED PLAN

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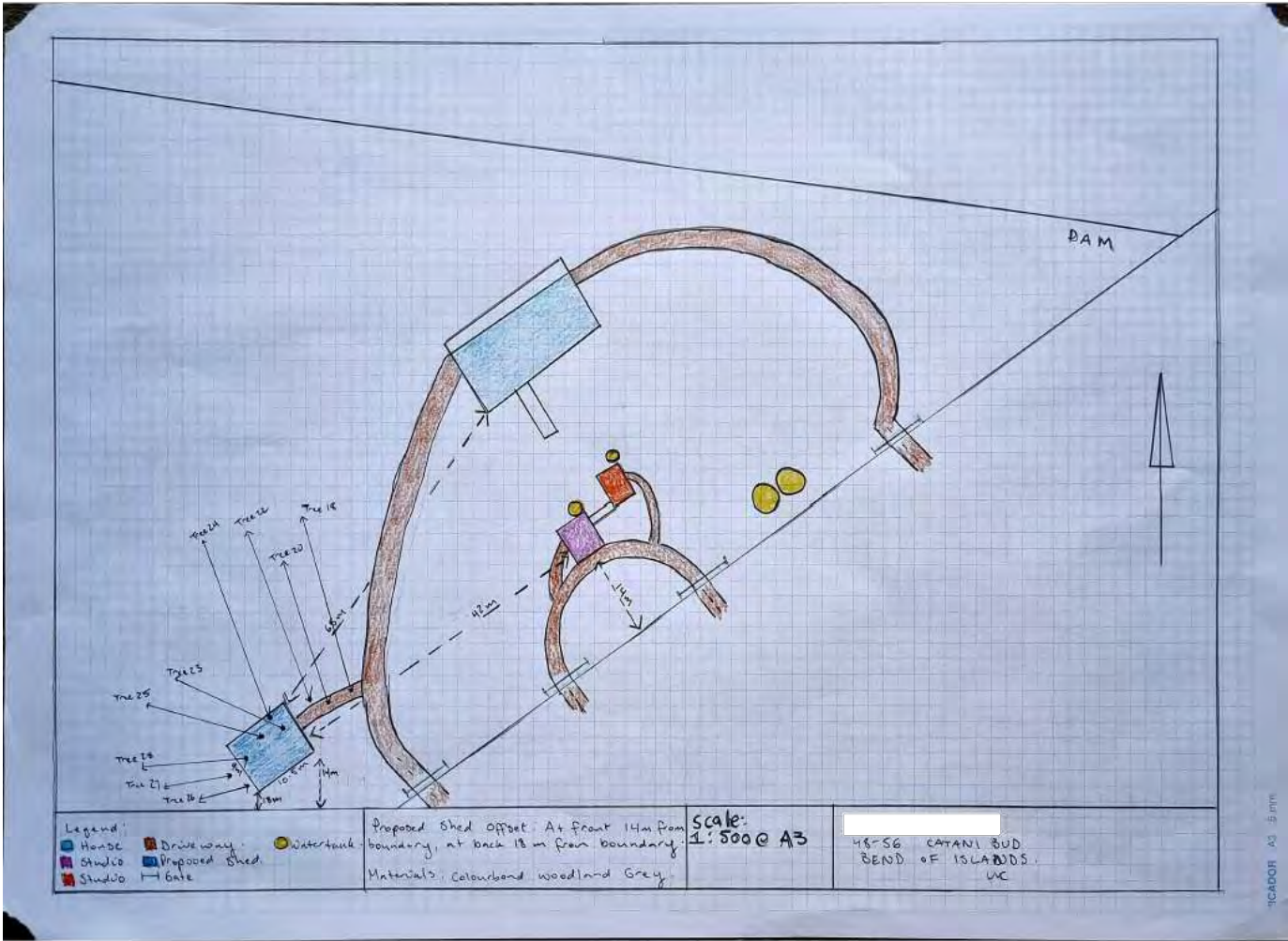


TABLE 1. TPZ for below listed trees + SRZ		
Tree No.	TPZ	SRZ
14	3.8	2.3
15	4.6	2.4
16	2.8	2
17	3.4	2.3
18	2	2
20	2.7	1.74
22	5.6	2.5
23	4	2.25
24	5.8	2.47
25	2.6	1.74
26	2	1.5
27	3.4	2.1
28	2.0	1.5
29	3.9	2.15
44	3.3	2

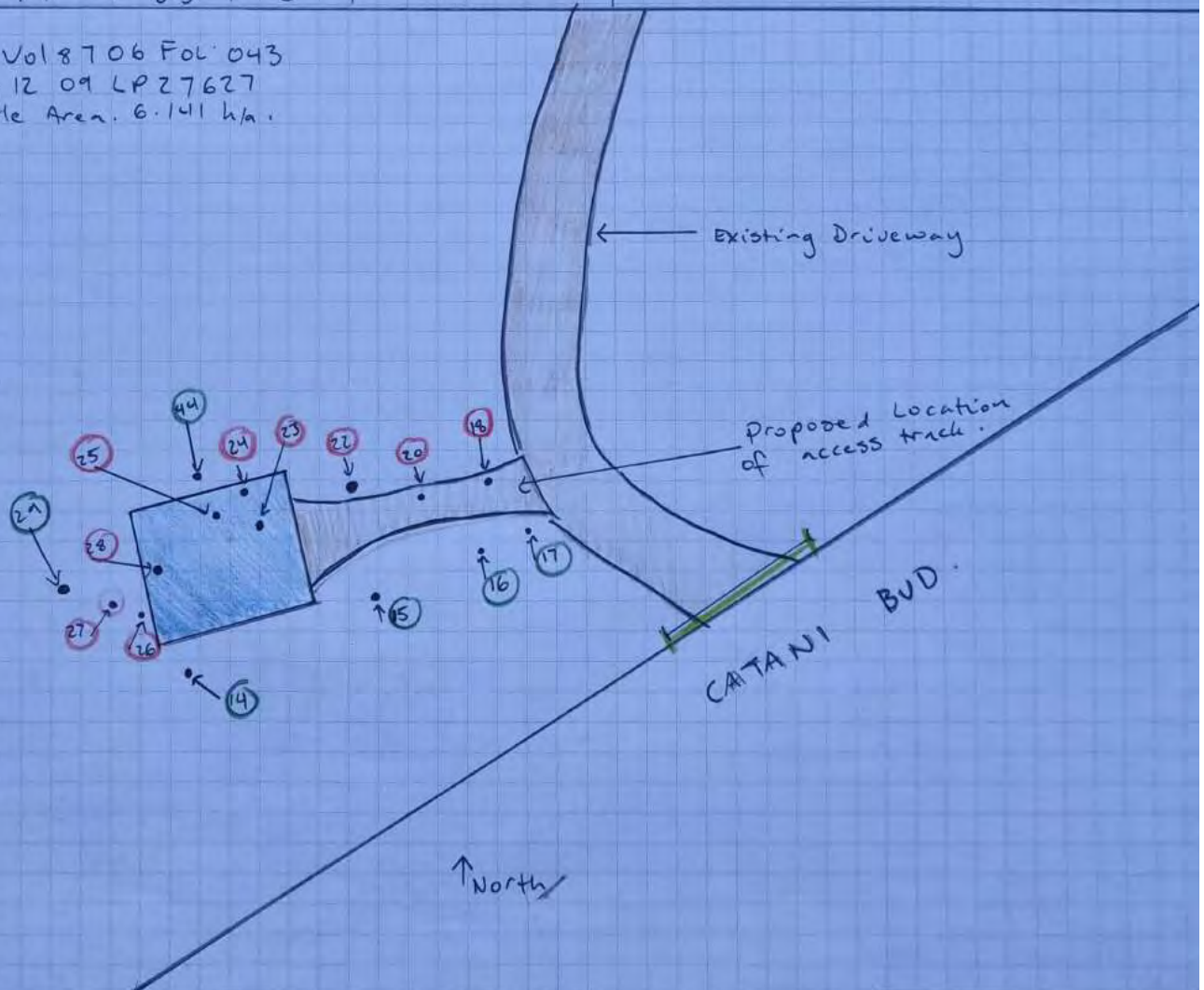


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C/T Vol 8706 Fol 043
Lot 12 09 LP27627
Title Area: 6.141 h/a.



LEGEND

- Driveway
- proposed shed (materials colorbond & woodland grey)
- Gate

Refer to table for TPZ + SRZ

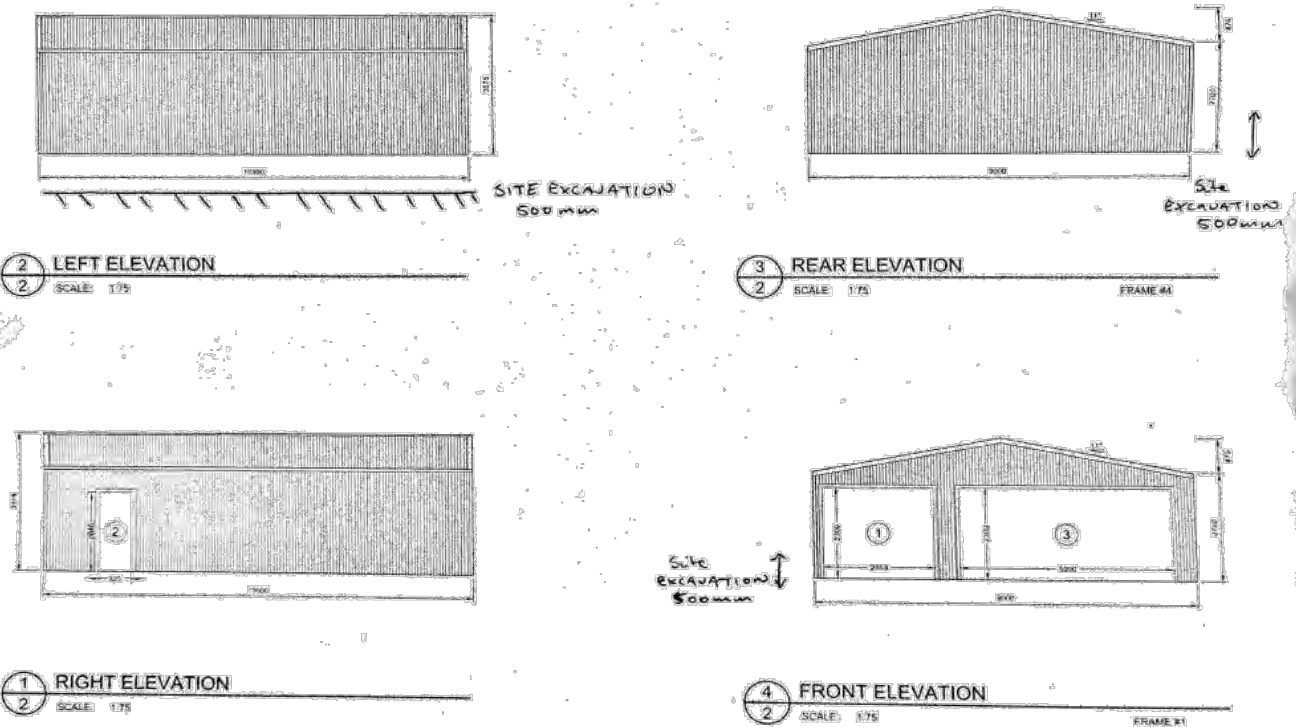
- Tree number removed
- Tree number assessed for impact.



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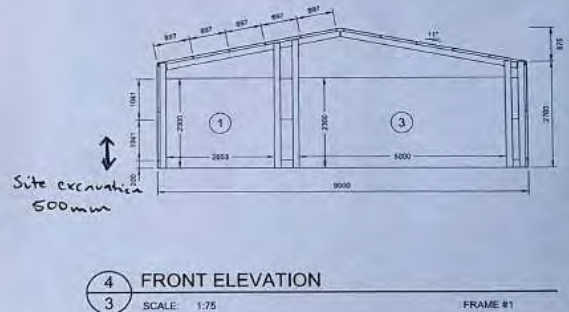
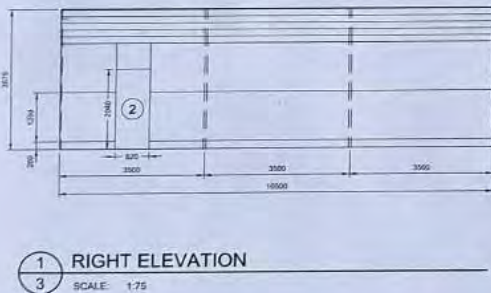
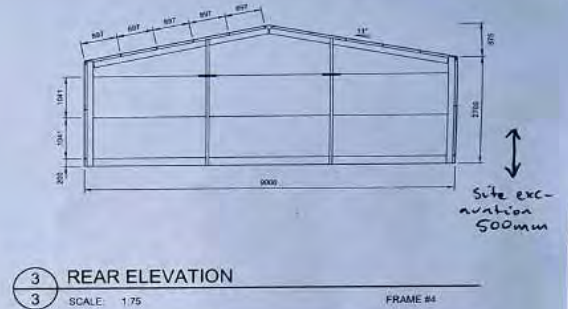
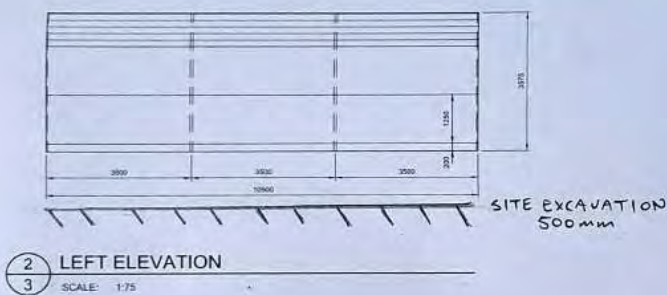
best sheds 111 Sharnford Garage Road Sharnford, Geelong, Vic 3217 Phone: 03 42447771 Fax: 03 42447100 Email: sales@bestsheds.com.au	CIVIL & STRUCTURAL ENGINEERS COMMERCIAL BUILDINGS - RESIDENTIAL - CIVIL - STRUCTURAL EMERALD 100/1007 2021	56 Catani Boulevard Bend of Islands VIC 3207	DATE: 19-07-2021 JOB NO: 18118724-06 SHEET: 2 OF 2
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CIVIL & STRUCTURAL ENGINEERS
COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING
EMERALD
19/07/2021

Site Address: 56 Catani Boulevard
Bend of Islands,
VIC. 3097.

DATE: 19-07-2021
JOB NO: 1811072448
SHEET: 3 of 7

