# **Planning and Consultation Committee Meeting**

to be held at the Civic Centre, Civic Drive, Greensborough on Tuesday 9 August 2022 commencing at 7:00pm.

## **Attachments**

# **Carl Cowie Chief Executive Officer**

Thursday 4 August 2022

Distribution: Public

Civic Drive, Greensborough

PO Box 476, Greensborough 3088

www.nillumbik.vic.gov.au

nillumbik@nillumbik.vic.gov.au



### Attachments

COM.001/22	Confirmation of Minutes Planning and Consultation Committee Meeting held Tuesday 12 July 2022	<b>;e</b>
Attachment 1 PCC.028/22	Minutes of the meeting held Tuesday 12 July 2022  Construction of a second dwelling (double storey) to the rear	
FCC.020/22	the existing dwelling at 2 Kirwin Avenue, Eltham	OI .
Attachment 1	Aerial Map	15
Attachment 2	Site and Surrounds	17
Attachment 3	Plans	19

**July 2022** 

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

# Planning and Consultation Committee Meeting

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

### **Minutes**

# Carl Cowie Chief Executive Officer

Friday 15 July 2022

Distribution: Public

Civic Drive, Greensborough

PO Box 476, Greensborough 3088

Telephone 9433 3111 Facsimile 9433 3777

Website <a href="mailto:www.nillumbik.vic.gov.au">www.nillumbik.vic.gov.au</a>
Email <a href="mailto:millumbik.vic.gov.au">nillumbik.vic.gov.au</a>



Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

# Planning and Consultation Committee Meeting Minutes Nillumbik Shire Council

	Contents				
1.	Welcome by	the Chair	2		
2.	Acknowledge	ement of Country	2		
3	<b>Apologies</b>		2		
4	Disclosure of	conflicts of interest	2		
5.	Confirmation	of Minutes	2		
	Confirmation	of Minutes			
6.	Officers' repo	orts	3		
	Officers' repo	orts			
	PCC.024/22	Draft Arts and Culture Strategy 2022-26	3		
	PCC.025/22	Draft Access, Equity and Inclusion Policy - submissions	5		
	PCC.026/22	Intention to lease land to LMS Energy P/L for Solar Farm	7		
	PCC.027/22	Concept Plan for Eltham Gateway Open Space	9		
7.	Supplementary and urgent business				
8.	Confidential reports				
9.	Close of Meeting				

July 2022
Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

#### **Planning and Consultation Committee Minutes**

### **Nillumbik Shire Council**

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

#### **Councillors present:**

Cr Richard Stockman
Cr Karen Egan
Cr Natalie Duffy
Blue Lake Ward
Bunjil Ward
Edendale Ward

Cr Peter Perkins Ellis Ward (Chairperson Planning Matters)

Cr Ben Ramcharan Sugarloaf Ward (**Deputy Mayor**)
Cr Frances Eyre Swipers Gully Ward (**Mayor**)

Cr Geoff Paine Wingrove Ward (Chairperson Consultation Matters)

#### Officers in attendance:

Vince Lombardi Acting Chief Executive Officer

Hjalmar Philipp Director Operations and Infrastructure

Sally Johnson Acting Executive Manager Governance, Communications and

Engagement

Corrienne Nichols Executive Manager Communities

Jeremy Livingston Executive Manager Business Transformation and Performance

Rosa Zouzoulas Executive Manager Planning and Community Safety

Nichole Johnson Manager Community Partnerships
Natalie Town Senior Communications Officer
Rowena Cairns Open Space Project Officer

Katia Croce Governance Lead

#### 1. Welcome by the Chair

#### 2. Acknowledgement of Country

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

#### 3 Apologies

Nil

#### 4 Disclosure of conflicts of interest

Nil

#### 5. Confirmation of Minutes

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

#### **Committee Resolution**

MOVED: Cr Frances Eyre SECONDED: Cr Karen Egan

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

**CARRIED UNANIMOUSLY** 

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

#### **Planning and Consultation Committee Minutes**

Officers' reports

Item: **Consultation Matter** 

Distribution: **Public** 

Narelle Hart, Acting Executive Manager Communities Manager: **Author:** Nichole Johnson, Manager Community Partnerships

**Draft Arts and Culture Strategy 2022-26** 

#### Summary

PCC.024/22

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

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

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

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

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

1. Barry Pearce

#### **Committee Resolution**

MOVED: **Cr Natalie Duffy** SECONDED: Cr Peter Perkins

That the Committee (acting under delegation from Council):

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

**CARRIED UNANIMOUSLY** 

July 2022 Minutes of the meeting held Tuesday 12 July 2022 Attachment 1.

Minutes of the meeting held Tuesday 12 July 2022 Attachment 1.

#### **Planning and Consultation Committee Minutes**

12 July 2022

Officers' reports

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

Item: **Consultation Matter** 

Distribution: **Public** 

Narelle Hart, Acting Executive Manager Communities Manager: **Author:** Nichole Johnson, Manager Community Partnerships

#### Summary

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

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

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

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

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

#### **Committee Resolution**

MOVED: Cr Ben Ramcharan **SECONDED:** Cr Peter Perkins

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

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

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

#### **Planning and Consultation Committee Minutes**

12 July 2022

6. Consultation Matters

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

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

**CARRIED UNANIMOUSLY** 

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

#### **Planning and Consultation Committee Minutes**

12 July 2022

6. Officers' reports

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

Item: Consultation Matter

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Natalie Campion, Coordinator Property

#### Summary

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

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

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

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

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

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

#### **Committee Resolution**

MOVED: Cr Richard Stockman SECONDED: Cr Ben Ramcharan

That the Committee (acting under delegation from Council):

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

**CARRIED UNANIMOUSLY** 

July 2022 Minutes of the meeting held Tuesday 12 July 2022 Attachment 1.

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

#### **Planning and Consultation Committee Minutes**

12 July 2022

6. Officers' reports

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

Item: Consultation Matter

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Rowena Cairns, Open Space Project Officer

#### Summary

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

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

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

#### Recommendation

That the Committee (acting under delegation from Council):

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

12 July 2022

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

#### **Planning and Consultation Committee Minutes**

6. Consultation Matters

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

Motion

MOVED: Cr Frances Eyre SECONDED: Cr Natalie Duffy

That the Committee (acting under delegation from Council):

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

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

#### **Committee Resolution**

MOVED: Cr Frances Eyre SECONDED: Cr Natalie Duffy

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

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

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

#### **Planning and Consultation Committee Minutes**

### 6. Consultation Matters

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

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

**CARRIED UNANIMOUSLY** 

COM.001/22 Confirmation of Minutes Planning and Consultation Committee Meeting held Tuesday 12 July 2022

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

Planning and Consultation Committee Meeting Minutes 12 July 2022

7. Supplementary and urgent business
Nil

8. Confidential reports
Nil

9. Close of Meeting

The meeting closed at 8.21pm.

Cr Geoff Paine, Chairperson Consultation Matters

Confirmed:

July 2022

Attachment 1. Minutes of the meeting held Tuesday 12 July 2022

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PCC.028/22 Construction of a second dwelling (double storey) to the rear of the existing dwelling at 2 Kirwin Avenue, Eltham



PCC.028/22 Construction of a second dwelling (double storey) to the rear of the existing dwelling at 2

Kirwin Avenue, Eltham

Attachment 1. Aerial Map

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Construction of a second dwelling (double storey) to the rear of the existing dwelling at 2 Kirwin Avenue, Eltham

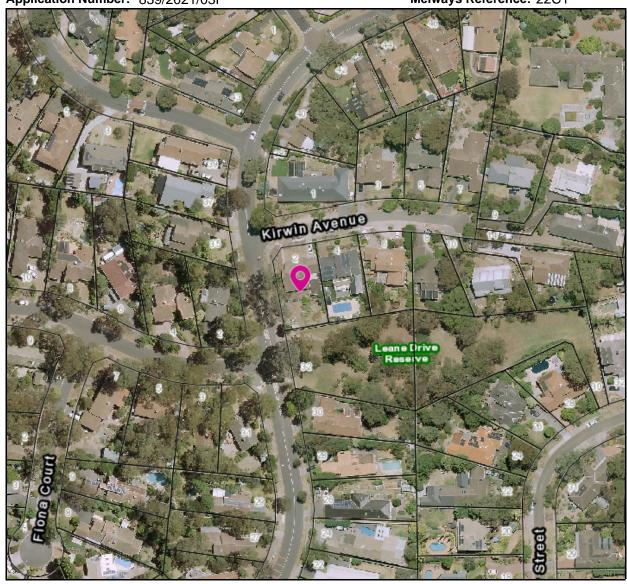
Attachment 2. Site and Surrounds



# **Subject Site and Surrounds**

**Subject Site:** 2 Kirwin Avenue, Eltham **Application Number:** 839/2021/03P

Melways Reference: 22C1







Subject Site Objectors

Nearby Objectors: 17

Total: 25

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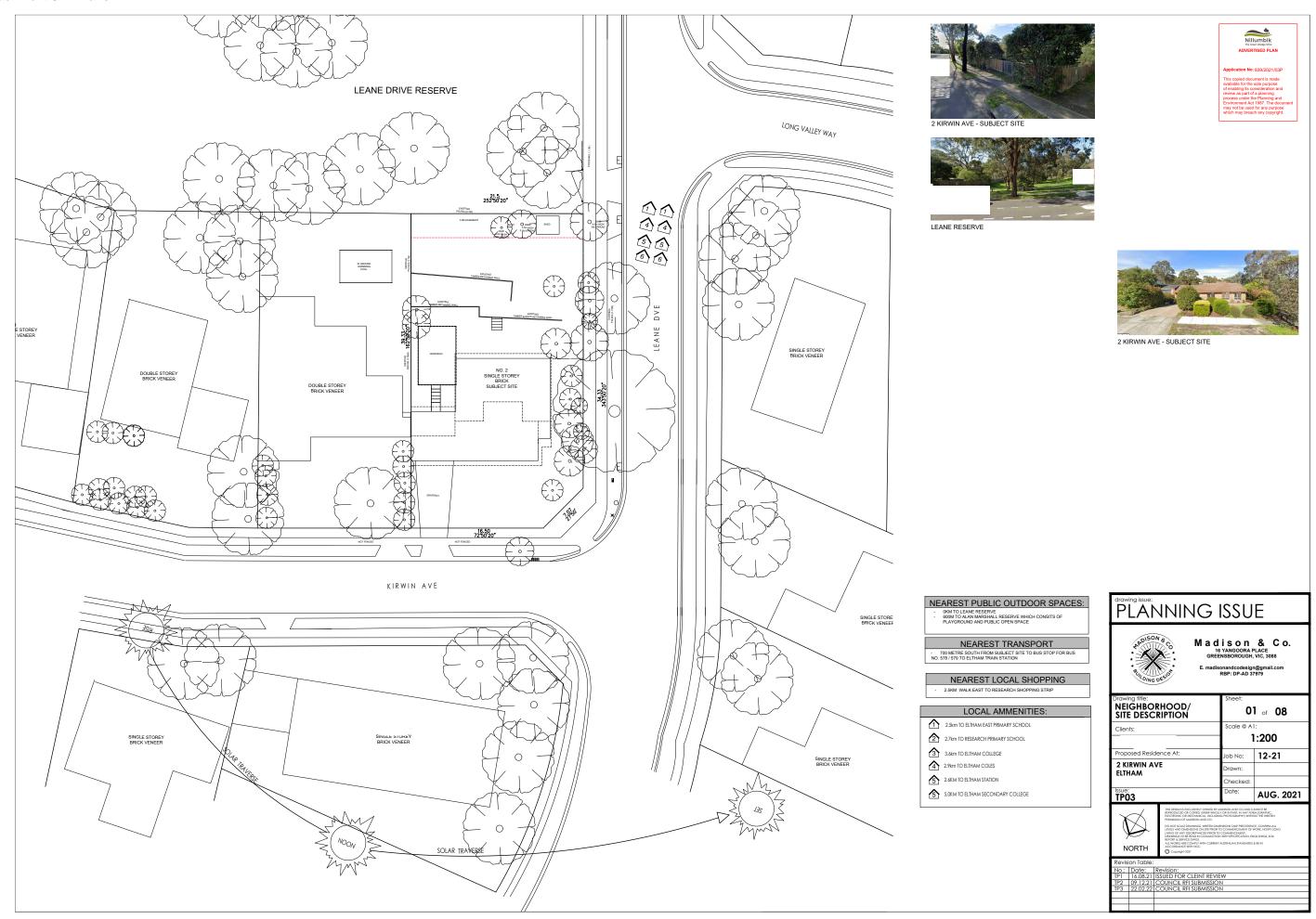
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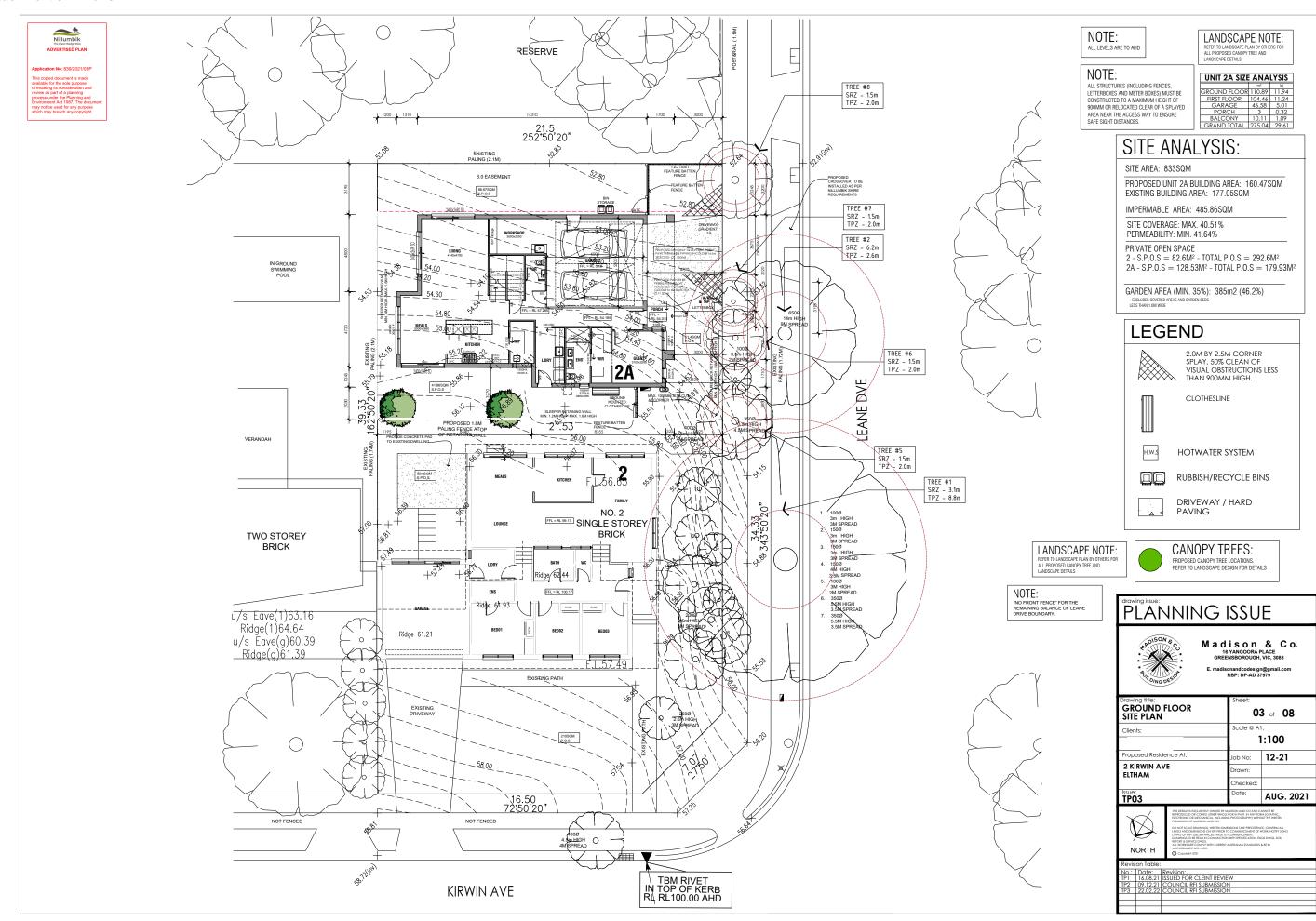
Produced By: Planning Business Support

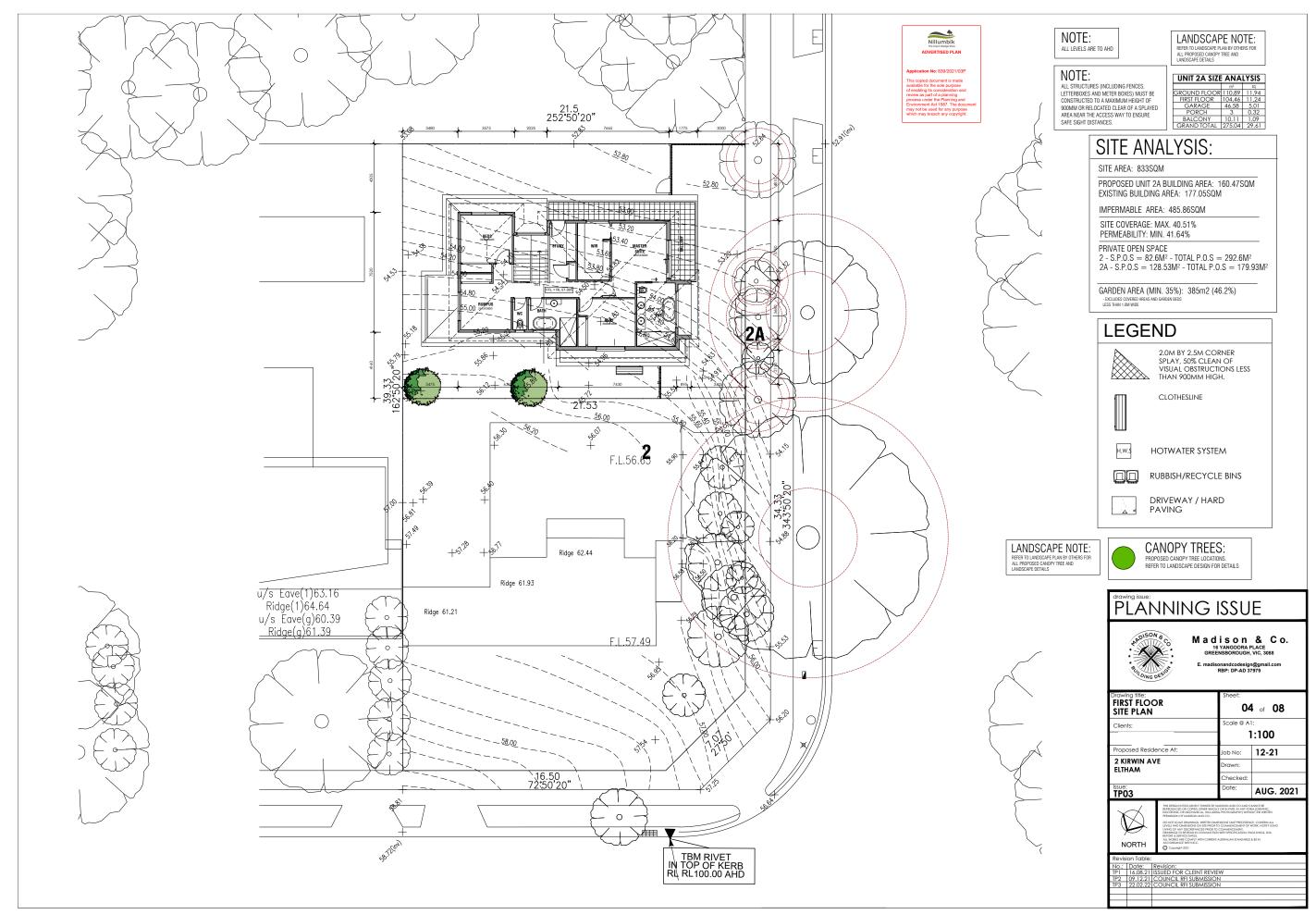
Responsible Officer: Craig Smith

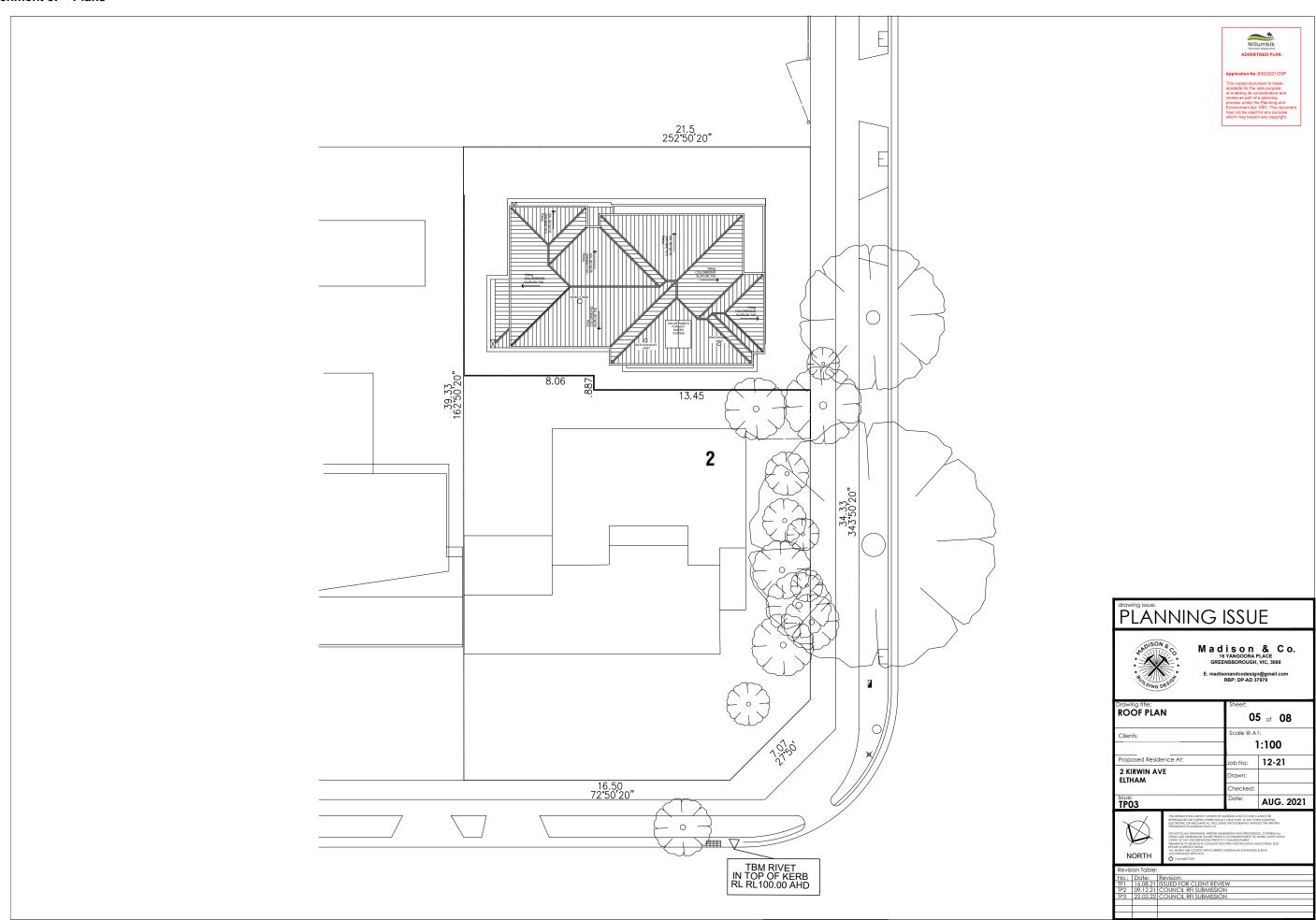
PCC.028/22 Construction of a second dwelling (double storey) to the rear of the existing dwelling at 2 Kirwin Avenue, Eltham Attachment 2. Site and Surrounds THIS PAGE WAS LEFT INTENTIONALLY BLANK

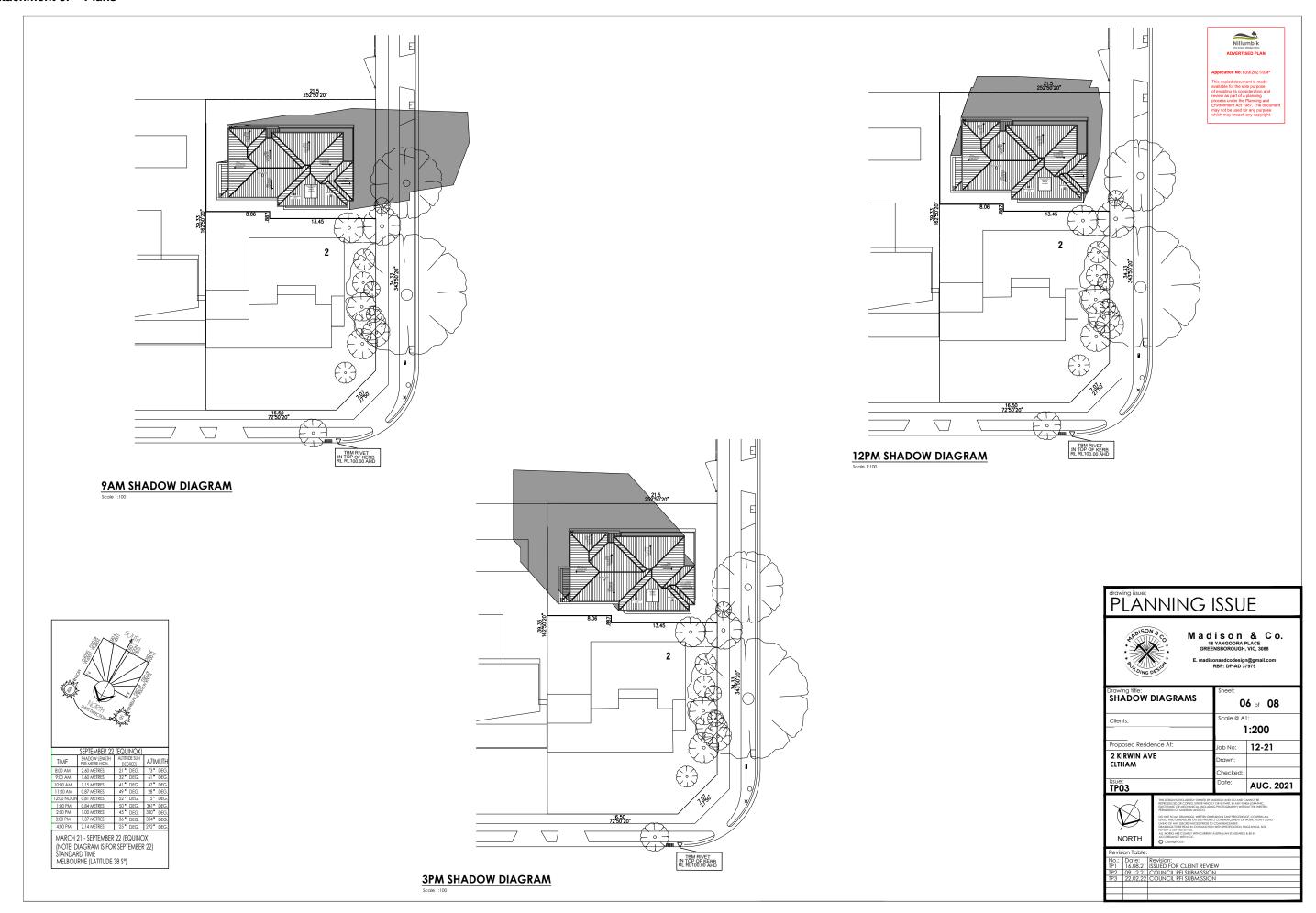
















# GLAZING NOTE:

WINDOWS TO BE SCREENED WILL HAVE FIXED OBSCURE GLAZING (NON-OPENABLE) TO A HEIGHT OF 1.7 METRES ABOVE FINISHED FLOOR LEVEL. THE WINDOWS MAY BE CLEAR AND OPENABLE ABOVE 1.7 METRES. ADHESIVE FILM MUST NOT BE

