

Planning and Consultation Committee Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 12 March 2024 commencing at 7:00pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 7 March 2024

Distribution: Public

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Council Chamber Planning and Consultation Committee Meeting seating plan

**Cr Natalie
Duffy**
Edendale Ward

Cr Karen Egan
Bunjil Ward
(Deputy Mayor)

**Cr Richard
Stockman**
Blue Lake Ward

Cr Peter Perkins
**(Chairperson
Planning Matters)**
Ellis Ward

Cr Ben Ramcharan
(Mayor)
Sugarloaf Ward

Cr Geoff Paine
Wingrove Ward

Katia Croce
Manager
Governance
and Property

Blaga Naumoski
Director
Governance,
Communications
and Community
Safety

Cr Natalie Duffy
**(Chairperson
Consultation Matters)**
Edendale Ward

Carl Cowie
Chief Executive
Officer

Nillumbik Shire Council

Contents

1.	Welcome by the Chair	1
2.	Acknowledgement of Country	1
3.	Apologies/Leave of Absence	1
4.	Declarations of conflict of interest	1
5.	Confirmation of Minutes	2
6.	Officers' reports	3
	Consultation Matters	
	PCC.001/24 Creative Infrastructure Framework Community Engagement Findings	3
	PCC.002/24 Endorsement of Motions for Municipal Association Victoria State Council 17 May 2024	9
7.	Supplementary and urgent business	13
8.	Confidential reports	13
9.	Close of Meeting	13

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Nillumbik Shire Council

**Agenda of the Planning and Consultation Committee Meeting to be held
Tuesday 12 March 2024 commencing at 7:00pm.**

1. Welcome by the Chair

Members of the public are advised the meeting will be livestreamed and recorded and the livestream recording will be made publicly available on YouTube and Council's website.

2. Acknowledgement of Country

The Acknowledgement of Country to be read by the Chairperson

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

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

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

3. Apologies/Leave of Absence

Council to note any apologies by Councillors not in attendance and or considers requests for any leave of absence submitted.

4. Declarations of conflict of interest

Committee members and Officers should note that any conflicts of interest should also be disclosed immediately before the relevant item.

5. Confirmation of Minutes


Summary

Confirmation of the Minutes of the Planning and Consultation Committee Meeting held on Tuesday 14 November 2023.

Recommendation

That the Committee (acting under delegation from Council) confirms the Minutes of the Planning and Consultation Committee Meeting held on Tuesday 14 November 2023.

Attachments

- 1  Minutes of the Planning and Consultation Committee Meeting held on Tuesday 14 November 2024

6. Officers' reports

PCC.001/24 Creative Infrastructure Framework Community Engagement Findings

Item: Consultation Matter

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

This report notes the public submissions received from the community regarding the Draft Creative Infrastructure Framework (the Draft Framework) (**Attachment 1**).

The Draft Framework (**Attachment 1**) has been developed to guide Council's decision making on the delivery and development of creative spaces across the municipality for the next 10 years.

The Draft Framework was released for the purpose of public consultation at a Council Meeting on the 26 September 2023. Public consultation was undertaken over a period of four weeks, from 9 October to 3 November 2023 and is presented in the Community Engagement Findings Report (**Attachment 2**) and in the Public Submissions Report (**Attachment 3**).

Recommendation

That the Committee (acting under delegation from Council):

1. Acknowledges and notes the submissions received from community and organisations who provided feedback on the draft Framework presented in the Engagement Findings Report (**Attachment 2**) and in the Public Submissions Report (**Attachment 3**).
2. Resolves that the confidential un-redacted public submissions on the Draft Framework (**Attachment 4**) remains confidential in accordance with section 3(1) of the *Local Government Act 2020*.
3. Acknowledges any presentations to the Committee.
4. Considers the matters contained in the submissions and this report during finalisation of the Draft Framework.
5. Requests a further report to be presented at the 27 August 2024 Council Meeting to adopt the final version of the Creative Infrastructure Framework.
6. Thanks the submitters for providing Council with feedback on this important document.

6. Consultation Matters

PCC.001/24 Creative Infrastructure Framework Community Engagement Findings

Attachments

1.  Draft Creative Infrastructure Framework
2.  Community Engagement Finding Report
3.  Public Submissions Report - Redacted
4. Public Submissions Report - *CONFIDENTIAL*

Discussion

1. Community engagement was undertaken from the 9 October to the 3 November 2023. The findings from this engagement have been analysed and presented in the Community Engagement Finding report (**Attachment 2**).
2. At the close of the public consultation period, 28 formal submissions were received on the draft Framework along with three email responses and are provided in the Public Submissions Report (**Attachment 3**).
3. The *draft Framework* (**Attachment 1**) has been developed in partnership with consultants, Hodyl & Co, to guide Council's decision making on the delivery and development of creative spaces across the municipality for the next ten years.
4. The ten year lifespan of the draft Framework is intended to align with long-term infrastructure development timelines.
5. The purpose of the draft Framework is to:
 - a) Identify critical gaps in creative infrastructure across the municipality.
 - b) Identify key opportunities to upgrade/re-purpose existing infrastructure.
 - c) Identify strategic opportunities to guide the development of new creative infrastructure.
 - d) Identify opportunities for enhanced governance and advocacy arrangements to support improved creative outcomes across the municipality.
6. Responding to the known needs of the community and the need for an evidence-led strategic approach for future Council investment, the draft Framework:
 - a) Draws on community feedback from the “*What We Know - Arts and Culture Strategy 2022-26*” community consultation report, a municipality-wide infrastructure audit, and mapping of arts activity, to identify gaps and community needs.
 - b) Identifies key strategic initiatives required to meet community needs, including opportunities to upgrade existing small to medium infrastructure, stand-alone development, as well as partnerships, agreements or incentives designed to enhance creative infrastructure.
 - c) Outlines required governance structures to guide the development of creative infrastructure.

6. Consultation Matters

PCC.001/24 Creative Infrastructure Framework Community Engagement Findings

7. The draft Framework will provide Council with options for consideration. It will explore both soft and hard infrastructure: the built spaces that are accessible, as well as the incentives, funding, partnerships and agreements required to make access to spaces sustainable, including:
- Opportunities for the delivery of small to medium purpose-built arts spaces.
 - Opportunities to store and profile the Civic Art Collection in purpose-built arts exhibition spaces.
 - Options to increase the accessibility and usage of existing creative spaces.
 - Opportunities or strategies for integration of arts activities in new private developments.
 - Advocacy priorities to support the funding and delivery of future creative spaces.
 - Guidance on the governance of creative infrastructure planning.

Community Engagement Findings

8. Community engagement for the draft Framework included targeted focus groups with key community stakeholders, in depth consultation with the Arts & Culture Advisory Committee and an opportunity for all community to complete an online survey via Participate Nillumbik.
9. Outcomes from the community engagement included:
- a. 591 visits to Participate Nillumbik
 - b. 699 views of the Participate Nillumbik webpage
 - c. 226 download of the Creative Infrastructure Framework
 - d. 42 Participants through targeted group / in-person sessions.
 - e. 28 submissions received via Participate Nillumbik
 - f. 3 formal submissions received via email
 - g. Over 70 recommendations put forward by stakeholders.
10. High level findings from the Community engagement:
- a. Purpose-built Gallery space – strong advocacy for the community’s proposed feasibility study of Nillumbik Regional Art Gallery.
 - b. Overall support for the Overarching Principles of the Draft Framework: Equity and Inclusion, Recognition of First Nations and Playing on Council’s strengths.
 - c. Importance of building sustainable partnership with creative community, private sector, local and external art institutions/organisations.
 - d. Lack of existing exhibition spaces and accommodating for contemporary art installations.
 - e. Digital Infrastructure development and need to invest in virtual platforms.

6. Consultation Matters

PCC.001/24 Creative Infrastructure Framework Community Engagement Findings

11. Detailed findings from the community engagement are outlined in the Community Engagement Findings report (**Attachment 2**) and in the Public Submissions Report (**Attachment 3**).

Related Council decisions

12. At the Council meeting on 29 October 2019, Council accepted the findings of the Regional Gallery Feasibility Study and resolved to:
- a. Endorse continuation of a business case and masterplan for regional or municipal gallery at:
 - i. 895 Main Street, Eltham.
 - ii. Another Council owned facility/site.
 - b. Endorse in investigation of options of public/private partnerships (not specific to any particular site).
13. At the Council meeting on the 23 June 2020, Council resolved to:
- a. Wait until the official announcement from the State Government regarding the preferred site for the Community Hospital before progressing the Regional/Municipal Gallery Business Case and Masterplan further.
14. At the Council Meeting on 23 August 2022, Council resolved to:
- a. Defer the Business Case and Masterplan for a Regional or Municipal Gallery.
 - b. Endorse proceeding with smaller creative infrastructure development opportunities for Nillumbik Shire through the construction of a Creative Infrastructure Framework. This include identification of current facilities that could be developed into a Municipal Arts Centre.
15. At a Councillor Briefing on 4 April 2023, the approach and timeframes for the development of the Creative Infrastructure Framework was presented to Councillors outlining the following next steps:
- a. Engage a consultant, and then commence internal staff engagement and development of the draft Framework.
 - b. Develop a community engagement plan to outline options and considerations for seeking community feedback on the draft Framework.
16. At the 26 September 2023 Council Meeting, Council endorsed the draft Framework (**Attachment 1**) and Community Engagement Plan for the purpose of community consultation.

Options

17. Council officers have reviewed the public consultation submissions outlined in the Community Engagement Findings report (**Attachment 2**) and in the Public Submissions Report (**Attachment 3**).
18. Following the Committee's consideration of submissions the final Framework will be presented at the 27 August 2024 Council Meeting for adoption.

6. Consultation Matters

PCC.001/24 Creative Infrastructure Framework Community Engagement Findings

Council plans and policies

19. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We champion equity, diversity, access and inclusion for people of all abilities, ages, cultural identities, gender identities, geographic locations, religions, sexualities, and socio-economic backgrounds.
20. This report supports the Arts and Culture Strategy 2022-2026:
 - a. Provide safe, best practice art spaces in venues for performance, exhibition and creation through:
 - Complete a Nillumbik Creative Infrastructure Audit.
 - Seek endorsement by Council to identify smaller creative infrastructure development opportunities for Nillumbik Shire through the development of a Creative Infrastructure Framework.
21. This report supports the Economic Development Strategy 2020-2030:
 - a. Objective 4: Enhance the visitor economy showcasing natural, recreational and cultural strengths.
 - b. Objective 4.1: Create and promote visitor attractions.

Access, Equity and Inclusion

22. A Gender Impact Assessment was undertaken prior to the development of the draft Framework, and has been reviewed and updated with consultants, Hodyl & Co, in the preparation of this strategic document.
23. The draft Framework aligns with Council's Access, Equity & Inclusion policy in the following ways:
 - In developing this framework, we aim to improve the accessibility of creative spaces, and to ensure that they are developed in ways that welcoming, safe and inclusive of the needs of all community members.
 - We will engage with Wurundjeri Corporation and local First Nations creatives and artists to ensure that the development of creative spaces takes into consideration the cultural safety of First Nations people, and actively enhances First Nations artists' practices in Nillumbik Shire.

Sustainability implications

24. The Creative Infrastructure Framework takes into consideration how creative infrastructure can be developed with due consideration to environmental factors, climate change adaptation and mitigation.
25. Economic and social sustainability will be a core consideration in the exploration of any opportunities for new or existing infrastructure upgrades, partnerships, agreements or incentives designed to enhance creative infrastructure.

6. Consultation Matters

PCC.001/24 Creative Infrastructure Framework Community Engagement Findings

Community engagement

26. The *draft Framework (Attachment 1)* has been informed by comprehensive community engagement undertaken through the development of the 2022-26 Arts & Culture Strategy.

Innovation and continuous improvement

27. This framework presents a new approach to the development of creative infrastructure for Nillumbik Shire Council, broadening the focus to evidence-led strategic approaches that can meet a wide range of needs in the community and be delivered over a ten year period, rather than focusing on a singular infrastructure plan.

Collaboration

28. The *draft Framework (Attachment 1)* has been developed in partnership with Hodyl & Co. Hodyl & Co is a research and urban design consultancy focused on creating cities people love.
29. This interdisciplinary consultancy firm bring together expertise in urban design, strategic planning and social research to deliver independent design advice and urban policy recommendations.
30. The *draft Framework* is the result of internal cross-team collaboration, collective working groups and internal consultations, engagement included Strategic Planning, Economic Development, Capital and Infrastructure Team, Community Halls, Event & Place, Nillumbik Living and Learning Team, Youth & Community Development and Advisory committees of Council such as Youth Council and the Arts and Cultural Advisory Committee.

Budget implications

31. All costs associated with the development and delivery of the *draft Framework (Attachment 1)* have been accounted for in the Community Services operational budget across 2022-23 and 2023-24 financial years.

Relevant law

32. Not Applicable

Regional, state and national plans and policies

33. National Cultural Policy – “Revive: A place for every story, a story for every place” 2023-2027
34. Creative State 2025
35. Yarra Ranges Tourism Destination Management Plan (in development).

Conflicts of interest

36. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

6. Officers' reports

PCC.002/24 Endorsement of Motions for Municipal Association Victoria State Council 17 May 2024

Item: Consultation Matter

Distribution: Public

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

Author: Tracey Varley, Manager Communications and Engagement

Summary

The Municipal Association of Victoria (MAV) State Council meets bi-annually to consider matters of state-wide significance. The next State Council meeting is scheduled for Friday 17 May 2024. The deadline for motions to be submitted for consideration at this meeting is Monday 18 March 2024.

Motions submitted must have state-wide significance or relevance across the Victorian Local Government sector, while also being related to issues and initiatives that affect the livelihood and wellbeing of the Nillumbik community.

This report is seeking Council endorsement to lodge the motions outlined in this report to the 2024 MAV State Council Meeting prior to the deadline of 18 March 2024.

Recommendation

That the Committee (acting under delegation from Council) resolves to adopt the following three (3) motions to the Municipal Association of Victoria's State Council Meeting to be held on 17 May 2024:

1. That the State Government, in collaboration with local councils, allocate funding to investigate and trial initiatives to reduce harm to wildlife and improve driver safety, particularly in identified key wildlife vehicle collision hotspots.
 Initiatives may include:
 - a) Driver-behaviour education campaigns to help mitigate wildlife vehicle collisions, eg. wildlife signage, road markings, speed reduction.
 - b) Investigation and trialling by the relevant State departments into virtual fencing and other fauna protection and management trials.

2. That the State Government strengthens the deterrence of illegal native vegetation removal by increasing the powers of local councils to effectively enforce, and respond to breaches of, their Planning Schemes under the Victorian Planning Provisions. This would include:
 - a) Increasing the powers of local councils to effectively enforce, and respond to breaches of, their Planning Schemes under the Victorian Planning Provisions. This would include:
 - i. Enabling authorised council officers to enforce cessation of illegal vegetation removal in real time or the immediate cessation.
 - ii. Ensuring offenders of illegal vegetation removal are legally required to provide native vegetation offsets.

6. Consultation Matters

PCC.002/24 Endorsement of Motions for Municipal Association Victoria State Council 17 May 2024

- b) Reviewing the value of infringements for native vegetation removal
 - c) Strengthening the role of Fines Victoria in recovering fines for illegal vegetation works.
3. That the State Government increases support to local councils to enable maintenance and amenity of roadside reserves in a timely manner, reflective of local community expectations by:
- a) Increasing funding for councils that are required to maintain roadside reserves on VicRoads' behalf, to better reflect the true costs of those maintenance works.
 - b) Establishing a coordinated approach involving forward planning of roadside mowing works, whereby works on areas where VicRoads and local council managed sections intermingle are completed in their entirety.

Attachments

- 1  MAV State Council Motions 17 May 2024 - Nillumbik Shire Council

Discussion

1. The MAV State Council Meeting provides the opportunity for Councils to submit motions on matters of state-wide significance to the Victorian Local Government sector. MAV State Council Meetings are convened twice a year, with this year's events being scheduled in May and September.
2. Council has until midnight on 18 March 2024 to submit motions to the MAV for the 17 May State Council Meeting. The MAV Strategy 2021-25, adopted at the May 2021 State Council Meeting, identifies six MAV Strategic Outcomes:
 - Economically sound councils;
 - Healthy, diverse and thriving communities;
 - Well-planned, connected and resilient built environment;
 - Changing climate and a circular economy;
 - Sector capability and good governance, and;
 - Effective and responsive MAV.
3. The MAV Rules require motions to be of state-wide significance to local government. Motions received and initially assessed as 'not of state-wide significance' will be the subject of follow-up communication with the submitting council's designated representative. These motions will then be reviewed by the MAV CEO, and finally by the MAV Board, who will determine whether the motion is submitted for State Council consideration. The Board will also determine whether motions received after the due date, but prior to the circulation of Business Papers, will be included as 'late motions'.

6. Consultation Matters

PCC.002/24 Endorsement of Motions for Municipal Association Victoria State Council 17 May 2024

4. The resolutions of the MAV State Council Meeting enable issues of significance and strategic importance for the local government sector to be acted upon through a peak organisation. Endorsement at the State Council indicates an issue has state-wide support and strengthens the profile of these issues, facilitating stronger advocacy with other levels of government.
5. Under the MAV Rules, all motions are due to be submitted by no later than midnight on Monday 18 March 2024.
6. Submitters may amend their motions prior to the State Council meeting. Amended motions must be submitted no later than 5pm on Monday 25 March 2024.
7. The business papers for State Council will be emailed to MAV representatives and posted on the MAV website on Wednesday 17 April 2024.
8. Cr Karen Egan will attend the May State Council as Council's endorsed proxy representative.
9. To assist Cr Egan in preparing for State Council, a summary of motions will be circulated to relevant Council officers, requesting they provide an indication of whether Nillumbik supports the motion presented, including any necessary commentary and advice about whether the motion is relevant to Nillumbik.

Related Council decisions

10. Not applicable.

Options

11. The following motions being put forward for Council endorsement to submit for the 17 May 2024 MAV State Council Meeting are considered to be of state-wide significance to the Victorian Local Government sector, and will influence the future direction of many Councils and communities:
 - a) That the State Government, in collaboration with local councils, allocate funding to investigate and trial initiatives to reduce harm to wildlife and improve driver safety, particularly in identified key wildlife vehicle collision hotspots.
 - b) That the State Government strengthens the deterrence of illegal native vegetation removal by increasing the powers of local councils to effectively enforce, and respond to breaches of, their Planning Schemes under the Victorian Planning Provisions.
 - c) That the State Government increases support to local councils to enable maintenance and amenity of roadside reserves in a timely manner, reflective of local community expectations.
12. **Attachment 1** provides details of the three (3) proposed motions being put forward on behalf of Council.

Council plans and policies

13. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We partner with state and federal governments to advocate in our community's best interests.

6. Consultation Matters

PCC.002/24 Endorsement of Motions for Municipal Association Victoria State Council 17 May 2024

Access, Equity and Inclusion

14. Not applicable

Sustainability implications

15. The motions being considered at State Council cover a range of matters.

16. The motions being proposed in this report relate to issues that have economic, environmental, social and economic sustainability implications.

17. The motions proposed by Council have the potential to achieve worthwhile results for the Nillumbik community and the broader Victorian community.

Community engagement

18. Not applicable.

Innovation and continuous improvement

19. The motions recommended in this report may represent continuous improvement opportunities by pursuing solutions to issues that have been identified as important to local communities across the state.

Collaboration

20. Not applicable.

Budget implications

21. There are no budget implications associated with submitting motions to the MAV.

Relevant law

22. Not applicable.

Regional, state and national plans and policies

23. The MAV State Council is an important opportunity for Council to influence actions that support key priorities of the sector that are of state-wide significance.

Conflicts of interest

24. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

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