

# Future Nillumbik Committee

to be held virtually  
on Tuesday 8 September 2020 commencing at 7:00pm.

## Agenda

**Carl Cowie**  
**Chief Executive Officer**

Wednesday 2 September 2020

Distribution: Public

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# Future Nillumbik Committee seating plan

## Councillors

**Cr Karen Egan (Mayor)** – Bunjil Ward  
Economic Development and Marketing Portfolio

**Cr Jane Ashton** – Sugarloaf Ward  
Environment and Sustainability Portfolio

**Cr Grant Brooker** – Blue Lake Ward  
Community Services Portfolio

**Cr Peter Clarke** – Wingrove Ward  
Planning Portfolio

**Cr John Dumaresq** – Edendale Ward  
Infrastructure Portfolio

**Cr Peter Perkins** – Ellis Ward  
Social Infrastructure Portfolio

Nillumbik Shire Council notes the resignation of Swipers Gully Ward Councillor Bruce Ranken, effective 28 August 2020.

## Officers

**Carl Cowie** – Chief Executive Officer

**Blaga Naumoski** – Executive Manager Governance, Communications and Engagement

**Nillumbik Shire Council**

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**Nillumbik Shire Council**

**Agenda of the Future Nillumbik Committee Meeting to be held  
Tuesday 8 September 2020 commencing at 7:00pm.**

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**1. Welcome by the Chair**

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

**2. Reconciliation statement**

**The reconciliation statement to be read by the Chairperson**

Nillumbik Shire Council acknowledges the Wurundjeri people who are the Traditional Custodians of this Land. We would also like to pay respect to the Elders both past and present and extend that respect to other Indigenous Australians present.

**3. Apologies**

**Recommendation**

**That** the apologies be noted.

**4. Confirmation of minute**

Confirmation of minutes of the Future Nillumbik Committee Meeting held on Tuesday 11 August 2020 and the Special Meeting of Future Nillumbik Committee held on Tuesday 18 August 2020.

**Recommendation**

**That** the minutes of the Future Nillumbik Committee Meeting held on Tuesday 11 August 2020 and the Special Meeting of Future Nillumbik Committee held on Tuesday 18 August 2020 be confirmed.

**5. Disclosure of conflicts of interest**

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



6. Officers' reports

FN.029/20 Christmas Campaign 2020

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**Portfolio:** Community Services

**Distribution:** Public

**Manager:** Corrienne Nichols, Executive Manager Communities

**Author:** Vicki Martinez, Youth, Community and Place Coordinator

Michelle Welsby, Place Activation Officer

Melanie Holt, Manager Community Partnerships

Danielle Phyland, Economic Development and Tourism Lead

**Summary**

Community Christmas Decoration Funding has been allocated within the Community Services Operational Budget since being unanimously endorsed at the 26 September 2017 Ordinary Council Meeting.

The funding and governance model has been adapted annually. A review of the last 3 years of the program has been undertaken by Officers. A number of improvement opportunities have been identified. In addition, the current public health impact of COVID-19 has required Council Officers to explore alternative options appropriate to the existing circumstances.

The report proposes a new Community Christmas Decoration Funding Model for 2020, which provides for a coordinated Christmas Campaign encouraging "Shop Local" and decorations for townships, along with a community grant program to actively involve community in contributing to the program.

The report seeks Council endorsement of the proposed model for 2020.

**Recommendation**

**That** the Committee (acting under delegation from Council) endorse the Proposed Christmas Decoration Model for 2020.

**Attachments**

Nil

**Background**

1. Each year the Christmas period presents residents with a time to connect, celebrate and support local business and community.
2. On 26 September 2017, Council unanimously endorsed a budget of \$150,000 towards community Christmas decorations which saw the temporary installation of decorations across the Diamond Creek, Eltham and Hurstbridge townships.
3. Community Christmas Decoration Funding has been allocated within the budget since this resolution on an annual basis. The table below summarises the funding levels and approaches undertaken over the last 3 years:

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FN.029/20 Christmas Campaign 2020

Community Christmas Decoration Funding Allocation 2017-2020		
Year	Funding Amount	Funding Governance and Allocation
2017	\$150,000	Funded via the Councillor Discretionary Fund. Council Officer engaged to project manage activities in partnership with Traders Associations and community
2018	\$96,000	Partial funding allocated to Traders Associations with a small proportion to community group Christmas activities. Funding Breakdown: \$45,000 Eltham Traders Association \$32,000 Diamond Creek Traders Association \$15,000 Hurstbridge Traders Association \$4000 Variety of Community Groups
2019	\$90,000	Funding directly allocated to Traders Associations. Funding Breakdown: \$40,000 Eltham Traders Association \$30,000 Diamond Creek Traders Association \$20,000 Hurstbridge Traders Association
2020	\$60,000	TBD. Recommendations in OCM Report

4. A review of the Christmas Decoration Funding Model was undertaken taking into account the current COVID-19 climate and the impacts on traders and business, the impact of the existing approach and the opportunity for greater community involvement.
5. This report responds to the findings and seeks Council endorsement of the proposed Christmas Decoration Model.

**Policy context**

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
  - Strengthen the focus on social inclusion, building social capital and connection within communities.
  - A prosperous economy

**6. Officers' Report**

**FN.029/20 Christmas Campaign 2020**

**Budget implications**

- 7. The project will be delivered with the existing budget allocation of \$60,000.

**Consultation/communication**

- 8. To complete the review, Officers investigated previous funding models and impacts on community using a consultation approach which included
  - a) Consultation with Internal Stakeholders and Traders Associations / Chamber of Commerce
  - b) Review of Funding Acquittals including feedback from community
  - c) Social Media comments/responses from public on Township Decorations
- 9. The table below outlines the key findings

<b>Positives</b>	<b>Constraints</b>
Community expectations of township Christmas activities Community involvement in activities Designated project manager provided a more coordinated approach Trader Associations were provided a level of autonomy and discretion to allow for a local approach	Inequitable distribution of funding Limited involvement from community groups and less community consultation when totally trader driven Vandalism of Christmas decorations in some townships Not a coordinated approach or branding across the Nillumbik Shire Not all townships received funding. Limited focus on "Shop Local"

**Issues/options**

- 10. The review of the Community Christmas Funding has identified improvement opportunities to appropriately meet the community, Trader Associations and Council Priorities.
- 11. Given the current and ongoing public health climate in Victoria associated with COVID-19 and subsequent social restrictions, traditional celebrations of Christmas will need to be considered differently for 2020. Community celebrations, large gatherings and retail shopping may all be impacted.
- 12. The economic impacts on local business and the broader social impacts to the community will require both an innovative and sympathetic Christmas Program across the Shire.

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FN.029/20 Christmas Campaign 2020

13. The Review of Christmas Decoration Funding Model shows that
  - a) A whole of Council approach to the celebration of Christmas is favourable;
  - b) COVID-19 will impact traditional public gatherings and celebrations and an alternative approach may need to be considered;
  - c) Provision of funding requires a transparent and equitable process to meet the expectations of traders and community
  - d) The development of an evaluation framework to capture community feedback; and
  - e) Consideration be given to a longer term strategic approach to coordinate and builds on assets and efforts of previous years.

14. Taking this feedback into account, the proposed Christmas Decoration Funding Model for 2020 includes:

Element	Activities	Funding
Christmas Campaign and Decorations	Coordinated Christmas and Shop Local Campaign Coordinated Christmas Decorations across Townships	\$40,000
Community Activation and Grants	Community Grants Program to develop a Community Calendar of Activities throughout December	\$20,000

15. This model will alleviate existing pressure on Traders Associations, whilst also promoting shop local and providing an avenue for greater community involvement. It also allow for a consistent branding of Christmas decorations that can be built on annually.
16. The model will also be supported by the establishment of a “Festive Folk” Committee which will include representation from local traders and chamber association, community members and Council Officers to guide the Nillumbik Christmas Campaign, identify evaluation measures and assess the Grants.
17. The program will be delivered by officers from the Economic Development and Tourism and Youth, Community and Place Units.

**Conclusion**

18. The proposed Christmas Decoration Funding Model for 2020 proposes some positive changes that will allow for greater community participation whilst also promoting the community to shop and support our local traders and businesses.

**6. Officers' reports****FN.030/20 Draft Temporary and Community Advertising Signage Policy**

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**Portfolio: Planning****Distribution: Public****Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Jonathan McNally, Manager Community Safety and Amenity****Summary**

Council receives requests throughout the year for the display of temporary community event signage on Council land. The display of temporary signage is considered to be vital for communicating upcoming events to the community. Under Council's Amenity Local Law, signage cannot be displayed on Council Land without a permit.

The draft Temporary and Community Advertising Signage Policy (**Attachment 1**) has been developed to create a framework for the control of all temporary signage throughout the Shire, establishing fixed locations for the display of temporary event signage, and provides greater clarity for community groups seeking to advertise upcoming events.

At the 24 March 2020 Ordinary Council Meeting (OCM), Council endorsed the draft Temporary and Community Advertising Signage Policy for public consultation. The public consultation period was held between 26 March 2020 and 29 April 2020, and Council received 23 written submissions. All submissions were considered at the Future Nillumbik Committee meeting on 12 May 2020. In response to the submissions received, a revised Temporary and Community Advertising Signage Policy has been developed.

Council considered the draft policy at the 23 June 2020 OCM and resolved to defer the adoption of the policy pending further community and stakeholder feedback, with the draft policy to be reported back to Council in July 2020.

The draft policy was further deferred at the July OCM, to allow this additional consultation to occur. In total, 83 community groups, sporting clubs and private organisations were contacted directly in July, and 12 were represented over 4 forums with Councillors and Council Officers.

<b>Recommendation</b>
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**That** the Committee (acting under delegation from Council):

1. Acknowledges all the submissions received and presentations to Council in respect of the draft Temporary and Community Advertising Signage Policy.
2. Notes that a report that considers submissions and presentations to Council at this Future Nillumbik Committee meeting, in relation to the draft Temporary and Community Advertising Signage Policy will be presented to the 15 September 2020 Ordinary Council Meeting.
3. Requests that officers thank submitters who have provided contact details and provide a written response to their submissions.

**6. Officers' Report**

**FN.030/20 Draft Temporary and Community Advertising Signage Policy**

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**Attachments**

1. Revised Draft Temporary and Community Advertising Signage Policy

**Background**

1. An existing Council policy, the *Erection of Temporary Advertising Signs for Community Events on Road Reserves and Council Property Policy*, guides decision making under a local law for community event signage on Council land and road reserves.
2. A review of the current policy has been undertaken by Officers, and has resulted in the development of a draft Temporary and Community Advertising Signage Policy which sought to respond the abovementioned Council resolutions as outlined at paragraphs 2 and 3 of this section.
3. Following the exhibition process, Council officers have considered the submissions received, and have now prepared a revised draft Temporary and Community Advertising Signage Policy. In order to address shortcomings in the current policy, improve customer experience, and provide a streamlined approach to temporary signage, the revised draft Temporary and Community Advertising Signage Policy aims to provide consistent policy to guide the erection of temporary signage, and to provide a variety of signage locations better suited to events of varying sizes.
4. Council considered the draft policy at the 23 June 2020 OCM and resolved to defer the adoption of the policy pending further community and stakeholder feedback, with the draft policy to be reported back to Council in July 2020.
5. The draft policy was further deferred at the July OCM, to allow this additional consultation to occur. In total, 83 community groups, sporting clubs and private organisations were contacted directly in July, and 12 were represented over 4 facilitated discussions with Councillors and Council Officers.

**Policy context**

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
  - Improve the appearance of public spaces..

**Budget implications**

7. The development of the draft Temporary and Community Advertising Signage Policy has been carried out by Council staff with no budget implications.
8. Installation of all infrastructure will be accounted for within the 2020/2021 Community Safety budget. No additional budget is sought as a result.

**Consultation/communication**

9. A total of 23 submissions have been received during the initial consultation period from 26 March 2020 to 29 April 2020.

**6. Officers' Report**

**FN.030/20 Draft Temporary and Community Advertising Signage Policy**

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10. In total, 83 community groups, sporting clubs and private organisations were invited to attend a number of facilitated discussions with Councillors and Council Officers with regards the draft policy. In total the four sessions hosted 12 groups as detailed below:
- Eltham Rotary Festival
  - Eltham & District Woodworkers
  - Hurstbridge Wattle Festival
  - Diamond Creek Traders Association
  - Montsalvat
  - Eltham Chamber of Commerce
  - Eltham Farmers Market
  - Diamond Valley Lions Club
  - Diamond Creek Baseball Club
  - Eltham Little Theatre
  - Diamond Creek Carols
  - Eltham North Wanderers Cricket Club
11. Key feedback from the groups represented during the facilitated discussions included:
- Groups were generally supportive of the locations selected for the display of signage, and understood the need to balance advertising events and setting aside certain locations for emergency management signage.
  - There was concern that the difference between a 'major' event and 'minor' event was not clear.
  - Concern that smaller events or groups would not have access to the larger 'major event signage' locations.
  - Concern that many groups had existing banner signs that they would no longer be able to use as a result of the policy.
  - Concern that there was a lack of ability to display signage on the site of events. The Diamond Creek Carols was an example of an event unable to advertise on the reserve where the event takes place.
  - Confusion over the types of banners that could be displayed through the banner program in Eltham. Greater clarity was requested in relation to the purpose of banners displayed through this program.
  - The size of the banners to be displayed was queried.
  - Clarification was sought in relation to the need for public liability insurance.
  - Council needs to provide detail of controls for temporary signage on private properties.
  - The policy does not allow sufficient advertising opportunity for sporting clubs when advertising club registration days.

**6. Officers' Report**

**FN.030/20 Draft Temporary and Community Advertising Signage Policy**

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**Issues/options**

12. The purpose of the second round of consultation was to road test the draft policy with core users. In all, 82 community groups were invited to participate in the facilitated workshops. By and large, the feedback received from participants was positive, with participants generally supportive of the intent of the policy and the need to control the proliferation of temporary signage throughout the Shire.
13. It was however evident that the draft policy required some refinement to better suit the needs of users of the policy, and to clarify the intent and mechanisms for the implementation of the policy.
14. As a result of the feedback received through both rounds of consultation, the policy has been revised to incorporate the following key changes:
  - Signage to be displayed to be of 'direct benefit to the community' to allow for some events outside the shire (such as ANZAC Day celebrations to access signage sites);
  - Insertion of a new section relating to event hierarchy, which provides a revised definition of what is a 'Major' event and what is a 'Minor' event, including the ability for all events to access both large and small 'What's on' signage locations;
  - Revised terminology used to describe signage locations from 'major' and 'minor' to 'large' and 'small – What's On' locations;
  - Additional detail provided in relation to insurance requirements;
  - Additional detail provided in relation to the display of tethered signs;
  - Introduced the ability for events to display one sign on the location where the event is being held;
  - Regularised signage booking times from Monday to Monday; and
  - Revised guidelines for the Nillumbik Banner Program.
15. The revisions to the draft policy are aimed at ensuring the policy meets its intended aims, and also meets the needs of regular users of the policy.

**Conclusion**

16. The revised draft policy has been developed with the direct feedback of both community members and representatives of key users of temporary signage throughout the Shire. The revisions are intended to make the draft policy clearer to use, and ensure that the many important events, festivals and community activities across the Shire can be given adequate exposure to the community. Officers recommend that the revised draft policy be referred to the Ordinary Council Meeting on 15 September for adoption.

**6. Officers' reports****FN.031/20 Diamond Creek Major Activity Centre Structure Plan****Portfolio: Planning****Distribution: Public****Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Leigh Northwood, Strategic Planning Lead****Summary**

This report presents a final draft of the Diamond Creek Major Activity Centre Structure Plan which incorporates:

1. All revisions in responding to written submissions received to the 7 week consultation period;
2. Verbal submissions made at the July Future Nillumbik Committee; and
3. Councillor changes/feedback.

It is an action in the 2017-2020 Council Plan to review the existing Diamond Creek Major Activity Centre Structure Plan (2006), which is now a highly dated document.

On considering all submissions (written and verbal) to the draft Structure Plan, a proposed final draft of the Structure Plan has been prepared, which is provided as **Attachment 1**. This final draft responds to issues raised in submissions by (but not limited to):

- Better explaining that the key policy settings supported by the document are already set as a requirement of State Planning Policy;
- Better explaining the role and limitations of a Structure Plan; and
- Incorporating changes, where appropriate, to satisfy certain concerns raised in submissions.

The next suggested steps are for Council to adopt the Structure Plan and further, to request a planning scheme amendment to articulate the document and its key planning actions through the Nillumbik Planning Scheme.

**Recommendation**

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

1. Adopts the Diamond Creek Major Activity Centre Structure Plan (July 2020), which is provided as **Attachment 1**.
2. Requests a future Ordinary Council Meeting be presented with a planning scheme amendment which proposes to reference the adopted Structure Plan into the Nillumbik Planning Scheme and to make changes proposed by the Structure Plan to planning provisions.
3. Advises all submitters in writing of Council's decision.

**6. Officers' Report****FN.031/20 Diamond Creek Major Activity Centre Structure Plan**

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**Attachments**

1. Diamond Creek MAC Structure Plan
2. List of Key Changes to Draft Diamond Creek MAC Structure Plan

**Background**

1. Since 2002, the Diamond Creek Activity Centre has been designated by State Government policy as one of approximately 120 major activity centres in Melbourne.
2. The purpose of a major activity centre (MAC) is to provide an attractive and appropriate regional hub to provide for growth, where housing is concentrated in close walking distance to jobs, services, retail, community facilities and public transport. In turn this focus on housing density aligned to the MAC reduces pressure on surrounding residential areas to take on inappropriate residential densities (e.g. smaller lot sizes), and to alleviate such matters as car dependency where dwellings located further from the centre are often wholly reliant on vehicles.
3. The State's activity centre policy aims to create an urban structure which better responds to current social and environmental challenges, such as a lack of affordable housing, high levels of car dependency, a lack of local employment and an ageing population.
4. Consistent with these requirements:
  - Council adopted the current Structure Plan for the centre in 2006 and has planned for growth of the MAC in accordance with that plan;
  - Maximum building heights of 3-5 storeys have been applied to the centre of Diamond Creek since 2014. These maximum heights, which include significant application of a mandatory 3 storey height limit, are the strongest and lowest height controls that the State Government would allow for Diamond Creek;
  - The Activity Centre Zone has been applied to the centre of Diamond Creek since 2016; and
  - Council has conducted or successfully advocated for certain key improvements recommended by the current Structure Plan. For example, the improvements to the Marngrook and Diamond Creek ovals.
5. The existing Structure Plan is now 14 years old and is highly dated. Consequently, Action 4.3.1 of the Council Plan 2017- 21 requires the Structure Plan to be reviewed.

**Consultation that informed preparation of the Diamond Creek Major Activity Centre Structure Plan***Early consultation*

6. Targeted consultation was undertaken in June 2016 – 2017 in gaining a better understanding of issues and options through community groups and service providers who use sites and facilities within the Structure Plan area of their experiences. This identified some key issues and opportunities that informed the early preparation of the draft Structure Plan.

**6. Officers' Report****FN.031/20 Diamond Creek Major Activity Centre Structure Plan**

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7. Between April 2018 and February 2019 a Community Urban Design Advisory Panel comprising representatives from Diamond Creek and Eltham Major Activity Centres, 2 x Councillors and a representative from the then consultant David Lock and Associates (now known as Kinetica) to provide input on improvements that could be made to urban design settings through the review of the Diamond Creek and Eltham MAC Structure Plans. The community membership of the group was selected through a public request by Council for nominations. The group met for 6 sessions from 4 April 2018 to 6 February 2019. The findings and outcomes of the advisory panel played a key role in assisting drafting of the Structure Plan in relation to urban design matters. For example, in regards to:
- a) Section 2.3 (What Makes Diamond Creek Distinct?)
  - b) A key urban design statement within the vision
  - c) Particular urban design guidelines, such as recommended setbacks and indents in building footprints to provide additional canopy trees.
8. ChatterBox Projects were engaged by Nillumbik Shire Council in August 2018, to undertake community engagement to inform the Draft Structure Plan. Over 500 ideas were gathered throughout the community engagement process via the online and hardcopy surveys. Just over 150 additional opinions, thoughts and ideas were gathered via other engagement tools including the online mapping tool, voting pod, chat boards and big idea drawings. When asked whether they knew of any areas in the Activity Centre needing attention, the most frequently mentioned locations included the train station/railway crossing, areas around shopping centres, various recreation and leisure spaces, and specific streets. Concerns were mainly around traffic safety and flow, parking, and the appearance of buildings and public spaces. The outcome of this survey and key matters provided further guidance in preparation of the draft Diamond Creek Structure Plan.

*Formal consultation*

9. Subject to early consultation, a draft of a new Diamond Creek Structure Plan was prepared and presented to Council's February 2020 Ordinary Council Meeting to seek Council endorsement for community consultation. Key elements of this draft were to:
- a) Retain the current existing range of building heights from 3-5 storeys, but recommends some minor variations in the application of that range particularly around railway station 'retail core';
  - b) Propose some variations to other existing urban design requirements, such as a town plaza/square 'heart', and to require larger front setbacks in residential areas, thus allowing more deep planting;
  - c) Retain the existing boundaries of the activity centre;
  - d) Retain an emphasis on providing a safe pedestrian and cycling environment, whilst providing appropriate traffic flow and in achieving this outcome, advocating to the State Government for the removal of the level crossing and substantial improvement to amenity in and around the train station; and
  - e) Propose no substantial changes to zoning provisions in relation to land use.

**6. Officers' Report****FN.031/20 Diamond Creek Major Activity Centre Structure Plan**

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10. At its February 2020 Ordinary Council Meeting Council endorsed the draft for public consultation.
11. The draft plan was put on public exhibition from 10 March 2020 to 29 April 2020 (7 weeks). It appears that, due to the timing of this consultation period and its extensive use of on-line formats, the Covid-19 situation had minimal impact on the community's capacity to consider and respond to the draft Structure Plan. In context 44 submissions were received to current draft Structure Plan and 34 submissions were received to the current Structure Plan during consultation to it as a draft in 2004.
12. A number of submitters to the draft Structure Plan took the opportunity to speak to their submission at Council's Future Nillumbik Committee meeting on 14 July 2020. Issues raised through verbal submissions were not appreciably different from those already raised in written submissions, but were considered as part of further changes to the draft Structure Plan.
13. A total of 44 submissions were received to the draft Diamond Creek Structure Plan and the following key themes were distilled by officers from submissions, including:
  - The plan will detrimentally change the semi-rural, 'homely feel' of Diamond Creek, particularly by its support for growth, medium density housing and building heights of 3-5 storeys;
  - In particular the idea of apartments within the centre drew a strong negative response and there is concern that the type of density being suggested is too intense and will overwhelm the existing dwellings and those that adjoin the centre;
  - Many submitters were unaware that the current planning controls allowed heights of 3-5 storeys in the activity centre. Responses to perceived increases in heights were varied, some requesting no increases, some moderate increases and some noting a maximum of 2-3 storeys in the Major Activity Centre was adequate;
  - Proposed commercial development produced a mixed response from submitters. Commercial development was welcomed by some with the caveat that the size and type of commercial use should fit with the semi-rural nature of Diamond Creek and to avoid building commercial spaces that will not be used; and
  - The nature of existing and future business was questioned by submitters, noting there was no perceived demand for increased retail and hospitality offerings. Submitters advocated for further consultation with the community and traders prior to further development.

Traffic management flow issues:Station Street/Elizabeth Street

- Congestion particularly at the railway crossing, in and around the railway station and the Station Street/Elizabeth Street interaction;
- The one-way traffic flow proposed was generally supported but a number of submitters suggesting it runs the other way so that traffic exists at the traffic lights on Elizabeth Street;
- Support for the addition of footpath and additional parking along Elizabeth Street;

6. Officers' Report

FN.031/20 Diamond Creek Major Activity Centre Structure Plan

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- Majority of submitters silent on Gipson Street bridge with minor numbers mixed in their response; and
- Concerns of potential loss of car parking if more development occurs around the station.

Main Hurstbridge Road

- Mixed response to traffic measures (including speed limit changes to Main Hurstbridge Road);
- Multiple calls for Main Hurstbridge Road to be duplicated, in particular at the level crossing;
- Existing congestion on Main Hurstbridge Road frequently cited;
- Concerns over increasing congestion generally due to proposed potential development.

Other transport issues

- Concerns over lack of car parking required in association with any increase in development, particularly in relation to Precinct 4 (retail core);
- Support for better access to railway station for both pedestrians and vehicles.
- The provision of car parking was raised by a number of submitters. There appears to be general concern that car parking can already be difficult and that any redesigning of the areas around the station and the main retail hub would need to ensure no net loss of spaces.
- The proposal to advocate for the removal of the railway level crossing by Council appears to have general community support, however the idea of a sky rail is generally not supported.

14. The measures to increase pedestrian and bicycle accessibility through the precincts was generally supported, with the exception being bike lanes on Main Hurstbridge Road which had a mixed reaction.

Other key issues raised

- The landscaping treatments in multiple precincts were mentioned and encouraged. The idea of using landscaping as a buffer was particularly encouraged.
- The concept of a civic hub was generally welcomed along with strong support for a community building (retro fit or new) and potential library.
- Particular concerns raised by residents of Gregg Street regarding the existing and proposed height limits to the rear of them which in turn front Main Hurstbridge Road.
- The level of consultation was questioned by some submitters who believe that all residents of Diamond Creek should have been notified directly.

15. It is emphasised that these themes do not capture all the points made in submissions to the draft Structure Plan.

## 6. Officers' Report

## FN.031/20 Diamond Creek Major Activity Centre Structure Plan

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16. All submitters had the opportunity to present to the July 2020 Future Nillumbik Committee and the Committee resolved to note:
- a) The submissions received in response to community consultation on the draft Diamond Creek Major Activity Centre Structure Plan.
  - b) A report will be presented to the August Ordinary Council Meeting which will recommend changes to the draft Diamond Creek Major Activity Centre Structure Plan.
  - c) A new draft was made available on Council's website on 24 July 2020.
17. Subject to a Council resolution (above) the revised final draft of the Diamond Creek Major Activity Centre Structure Plan (**Attachment 1**) with all changes captured through community consultation was made available on the Participate Nillumbik website (to view and download) from 24 July for a period of 14 days.

*Councillor concerns*

18. It is noted that some councillor concerns were raised in a deferred consideration of any adoption of the Structure Plan at the OCM of 25 August. For clarification the following is noted:
- a) Solar access to public spaces and a 'plaza heart':
    - i) Page 23 of the Structure Plan identifies the objective - *to maintain appropriate levels of solar access to existing and proposed public spaces.*
  - b) Landscaping of 'median' of Main Hurstbridge Road:
    - i) Page 23 and 31 of the Structure Plan identifies objectives and strategies:
      - *To create a 'landscaped civic spine' along Main Hurstbridge Road as the connecting feature of Diamond Creek. Note that this has not been put into cross sections in the Structure Plan because this would be subject to negotiations with VicRoads.*
      - *To retain and increase vegetation in the public realm*
      - *Strengthen the landscape character along Main Hurstbridge Road through the provision of mature trees and planting within the streetscape and public realm.*
  - c) Facilitate outdoor dining along Main Hurstbridge Road and widening of footpath:
    - i) Page 23 and 31 of the Structure Plan identifies the following objectives and strategies:
      - *To design new buildings with well-articulated facades and a fine grain to provide interest at the street level and reinforce the human scale of shopping areas.*
      - *Investigate potential footpath upgrades and widening along Main Hurstbridge Road.*
      - *Enhance the public realm with seating, shade trees and space for outdoor eating.*

## 6. Officers' Report

## FN.031/20 Diamond Creek Major Activity Centre Structure Plan

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- *Implement footpaths along northern side of Station Street and Gipson Street, and between Station Street and the Coles Supermarket on Main Hurstbridge Road.*
- d) Heights and State Planning Policy:
- i) There are (2 x) Planning Practice Notes (PPN's) that guide structure planning for activity centres and heights and setback controls for activity centres, noting that these are most relevant and would need to be complied with (along with a number of other PPN's) as part of any amendment to the Nillumbik Planning Scheme to implement a new Structure Plan for the Diamond Creek Major Activity Centre. These are:
- PPN58 - Structure Planning for Activity Centres requires that *Structure plans help give effect to State planning policy by managing and facilitating major changes to land uses, the built form and public spaces located within activity centres.* A key strategy of metropolitan development policy in the Victoria Planning Provisions (VPP) is to build up activity centres as a focus for housing and economic growth by ensuring Metropolitan Activity Centres and Activity Centres:
    - *can accommodate ongoing investment and change in retail, office, service and residential markets*
    - *have a mix of activities that generate high numbers of trips including business, retail, services and entertainment*
    - *have the potential to grow sustainably and support intensive housing developments without conflicting with surrounding land-uses*
    - *provide for services and infrastructure to support population growth*
  - PPN60 - Height & Setback Controls for Activity Centres identifies that *a council will need to demonstrate that proposed height controls are consistent with State policy. Height controls must not encumber a centre's ability to accommodate community requirements for retail, commercial, housing, community, health, educational and other essential requirements, as consistent with the metropolitan development policy in the Victoria Planning Provisions.*

**Policy context**

19. This report directly supports the achievement of Council Plan 2017-2021 strategy:
- Review existing precinct structure plans within activity centres to encourage investment and development..

**Budget implications**

20. The cost of preparing the new Structure Plan is estimated at \$40,000 and this cost is provided for in the Strategic Planning budget.

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**Issues/options**

21. Officers considered all written and verbal submissions and Councillor feedback and found the following key points respond to the themes raised:

- The key policy settings contained with the document are required by State Planning Policy.
- A height range of 3-5 storey height limits already applies in the Diamond Creek Activity Centre and is the lowest and strictest height limits that the State Government has allowed in the centre. The draft Structure Plan provides for increases from existing heights (within the current 3-5 storey limit) in the retail core / rail station (Precinct 4) only. Heights in areas interfacing with sensitive residential areas (e.g. Precinct 5 and Precinct 6) are proposed to be decreased from the existing current draft Structure Plan.
- The Structure Plan is a high-level strategic planning document, which cannot provide the level of detail or response to particular requests made in submissions. Many of these requests are the responsibility of State policy, or of further work by Council to implement the Structure Plan, much of which will have its own community engagement e.g. detailed landscape streetscape plans and implementation of planning controls through a planning scheme amendment.
- Notwithstanding the above points, the document has been modified to respond to certain issues raised in submissions. For example, to:
  - Better explain certain language used, or modify that language.
  - Better articulate the requirements and outcomes of State Planning Policy
  - Better indicate the breadth of work to implement the Structure Plan
  - Better articulate a preference for indigenous vegetation, whilst requiring the necessary flexibility to plant non-indigenous in particular instances.
  - Improve the vision of the document.

22. **Attachment 2** elaborates on officers' consideration of submissions. Based on that consideration, the revised Structure Plan, provided as **Attachment 1**, incorporates the following key changes:

- A clear preference for indigenous vegetation has been articulated, concurrent with retaining the option for the selection of non-indigenous vegetation where necessary. For example, where shade trees are required to meet the increasing need for shade in public areas. (Precinct 4 and the Marngrook Oval).
- Stronger emphasis has been included on flooding as a constraint in particular parts of the centre.
- In relation to car parking, there is now content which states that large amounts of at ground car parking result in underutilisation and a less legible or walkable urban environment thereby acknowledging the impacts of existing car parking arrangements in Diamond Creek town centre.

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- In relation to the heritage elements in Diamond Creek identifying that there is commentary provided at Sections 2.2 and 2.3 and also at Section 3.5.
- Cross-section diagrams have been revised to assist readers in visualising the desired frontage for development at key sites within the centre. In particular an additional cross section has been provided to show the built form outcomes across Elizabeth Street and down to the creek side.
- The description of existing conditions within certain sections of the activity centre has been improved, as has the description of the intended land use and built form outcomes.
- In Precinct 5 it has been made explicit that any existing businesses will continue alongside new start-ups and commercial enterprises.
- In Section 4.7 the text has updated to include that Council is actively engaged in applying for grant funding through the Sports Victoria Coronavirus Grant Applications for two projects being a Pool and Filtration Upgrade to the Diamond Creek outdoor pool and to replace to Diamond Creek Netball sporting surface and improve lighting.
- A glossary of terms has been inserted to better define terms which have caused confusion, such as “night-time economy”.
- A clearer and stronger explanation of the requirements of State Planning Policy for growth, economic consolidation and medium density housing has been provided.
- A clearer explanation has been included that 3-5 storey height limits already exist across the Diamond Creek Activity Centre.
- A clear explanation has been included that the Structure Plan is a high-level planning strategic document and that certain additional actions requested by submitters are either the responsibility of separate policy documents, or further work to implement the Structure Plan, such as:
  - Sub-projects to improve the road network and bicycle/pedestrian connections and streetscape planting and upgrades.
  - Improvements to the Nillumbik Planning Scheme via one or more planning scheme amendments.
  - Supporting local traders to benefit from opportunities presented by the Structure Plan.

A key part of this change is the inclusion of a diagram which details the subsequent work that will be required to implement the next level of detail and to implement the broader objectives of the Structure Plan.

23. These changes are considered to adequately respond to the issues raised in submissions, either by providing a stronger explanation for the stance of the document or, where possible, changing the current position of the Structure Plan.

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24. Now that the proposed Structure Plan has been tested and improved through community consultation, it is recommended that Council adopt the revised document, provided as **Attachment 1**. Further, it is recommended that Council requests a future Ordinary Council Meeting be presented with a planning scheme amendment which proposes to:
- a) Reference the newly adopted Structure Plan in the Nillumbik Planning Scheme; and
  - b) Implement the Structure Plan's proposed changes to planning provisions.
25. In regards to point a) referencing a Structure Plan in the planning scheme is the necessary approach to providing authority to a Structure Plan through the scheme. In regards to point b), key examples of the changes referred to include:
- a) Increasing the setbacks of buildings in key parts of the activity centre, such as at Residential Interfaces; and
  - b) Setting a higher building height limit (within existing limits available across the MAC) only for some land within proximity of the railway station.
26. It should be noted regarding any planning scheme amendment that:
- a) It will require authorisation from the State Government to be commenced, which will require that it agrees with the modest development and land use expectations set by the Structure Plan.
  - b) It will be publically exhibited with submitters having the right to make submission and that an independent planning panel will consider all submissions to the amendment.

**Conclusion**

27. The final draft of the Diamond Creek Major Activity Centre Structure Plan has now been tested with the community and has undergone an appreciable revision in response to issues raised in submissions. The revised document, provided as **Attachment 1**, is now considered ready for adoption. Further, it is recommended that Council initiate work to prepare a planning scheme amendment that will both provide authority to the Structure Plan in the Nillumbik Planning Scheme and implement key planning outcomes proposed by the plan.

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- 7. Supplementary and urgent business**
- 8. Confidential reports**