

Future Nillumbik Committee

to be held at the Hurstbridge Community Hub, 50 Graysharps Road, Hurstbridge
on Tuesday 15 August 2017 commencing at 7pm.

Agenda

Mark Stoermer
Chief Executive Officer

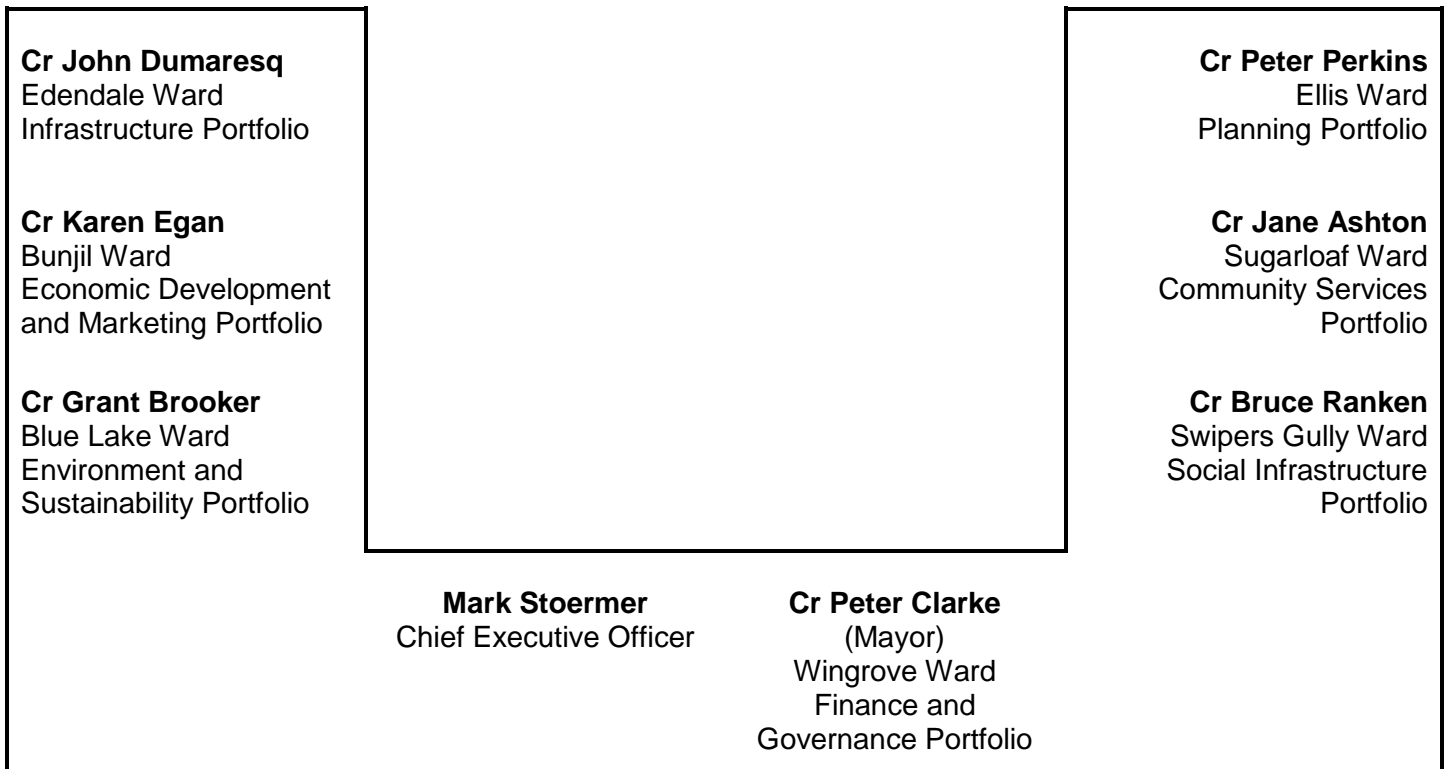
Thursday 10 August 2017

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Wominje ka

Future Nillumbik Committee seating plan



Visitors in the gallery at Committee meetings are:

- Welcome to copies of the various reports which will be considered by this Committee at the meeting.
- Welcome to tea, coffee and water.
- Requested to observe deliberations quietly in order for Committee meetings to run smoothly.
- Advised that the meeting will be recorded for the purpose of verifying the accuracy of the minutes.

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Future Nillumbik Committee Meeting to be held Tuesday 15 August 2017 commencing at 7pm.

1. Welcome and apologies

Welcome by the Chair

Members of the public are advised the meeting will be recorded for the purpose of verifying the accuracy of the minutes.

Apologies

Motion

That the apologies be accepted.

2. Disclosure of conflicts of interest

Committee members should note that any disclosure of conflict of interest must be disclosed immediately before the item in which they have an interest.

3. Confirmation of minutes

Confirmation of minutes of the Future Nillumbik Committee Meeting held on Tuesday 18 July 2017.

Motion

That the minutes of the Future Nillumbik Committee Meeting held on Tuesday 18 July 2017 be confirmed.

4. Officers' report

FN.036/17 Amendment C108 to the Nillumbik Planning Scheme (extension of the Diamond Creek Trail to Hurstbridge) - Consideration of the recommendations of an independent Planning Panel

Portfolio: Planning

Distribution: Public

Manager: Rachel Cooper, Director Business and Strategy

Author: Paul Fyffe, Senior Strategic Planner

Naomi Paton, Manager Integrated Strategy

Nadine Wooldridge, Coordinator Community Leisure

Summary

This report considers the recommendations of an independent Planning Panel regarding the exhibited Amendment C108 to the Nillumbik Planning Scheme (Extension of the Diamond Creek Trail to Hurstbridge).

The proposed Amendment will facilitate Council's intention to provide a shared trail along a creek alignment between Diamond Creek and Hurstbridge. The Amendment will do this by:

- Applying the Public Acquisition Overlay- Schedule 4 (PAO4) to land (part of 12 properties) which Council needs to acquire for the trail; and
- Inserting an incorporated document into the Nillumbik Planning Scheme which will allow future use and construction of the trail, subject to conditions.

The exhibited application of the PAO (with an indicative trail alignment) is shown on the aerial maps provided as Attachment 1.

The Amendment was considered by an independent Planning Panel in November 2016 and the Panel released its report (Attachment 2) in January 2017. In its report, the Panel provides a positive appraisal of the Amendment and recommends it be adopted as exhibited, subject to three conditions. The most notable of these conditions is that Council consider re-aligning the trail closer to the Diamond Creek where this will reduce the amount of arable land acquired.

Since receiving the Panel Report, Council has been investigating actions to implement the Panel's recommendations. Further, the Mayor, Cr Peter Clarke and Deputy Mayor, Cr Karen Egan have met with all the affected landowners to identify any further changes which can be made to reduce the imposition of the proposed Amendment and future Trail corridor upon them, but without jeopardising the Trail project. The outcomes of the above investigations and meetings are summarised in this report.

At this meeting, Council will consider the recommendations of the independent Planning Panel and receive public presentations on this matter, in advance of a subsequent report proceeding to the 29 August 2017 Ordinary Meeting of Council to consider Amendment C108 to the Nillumbik Planning Scheme.

4. Officers' Report

FN.036/17 Amendment C108 to the Nillumbik Planning Scheme (extension of the Diamond Creek Trail to Hurstbridge) - Consideration of the recommendations of an independent Planning Panel

Recommendation

That the Committee (acting under delegation from Council):

- 1. Receives and notes the report and recommendations of the independent Planning Panel for Amendment C108 to the Nillumbik Planning Scheme (Attachment 2).**
- 2. Acknowledges presentations to the Committee.**
- 3. Requests a further report to be presented at the Ordinary Meeting of Council on 29 August 2017 to consider Amendment C108 to the Nillumbik Planning Scheme.**
- 4. Advises the following of the Committee's resolution:**
 - a) All submitters to the Amendment and Planning Panel**
 - b) All owners of land affected by the Amendment.**

Attachments

1. Nillumbik C108: Aerials showing the exhibited application of the Public Acquisition Overlay (PAO) and the Amendment Area
2. Panel Report - Nillumbik C108
3. Nillumbik C108 - Exhibited Application (Table) of the PAO
4. Potential reductions in the exhibited application of the PAO at 185 and 201 Main-Hurstbridge Road, Diamond Creek
5. Potential reduction in the exhibited application of the PAO at 86 Wilson Road, Wattle Glen
6. Potential Reduction in the exhibited application of the PAO at 65-135 Wilson Road, Wattle Glen
7. Potential reduction in the exhibited application of the PAO at 26 Herberts Lane, Diamond Creek.
8. Revised Nillumbik C108 Incorporated Document (revisions to text highlighted)

Background

1. Amendment C108 to the Nillumbik Planning Scheme (the Amendment) is a vital step to achieving Council's long-term strategic commitment to provide a shared trail for horses, cyclists and pedestrians along a creek alignment between Diamond Creek and Hurstbridge; a regional priority in Council's Trails Strategy and the Northern Regional Trails Strategy.

4. Officers' Report

FN.036/17 Amendment C108 to the Nillumbik Planning Scheme (extension of the Diamond Creek Trail to Hurstbridge) - Consideration of the recommendations of an independent Planning Panel

2. The Amendment will facilitate the shared trail by:
 - Applying the Public Acquisition Overlay- Schedule 4 (PAO4) to land (part of 12 properties) which Council needs to acquire for the trail; and
 - Inserting an incorporated document into the Nillumbik Planning Scheme which will allow future use and construction of the trail, subject to conditions.
3. The exhibited application of the PAO (with an indicative trail alignment) is shown on aerials provided as Attachment 1.
4. The exhibited alignment and application of the PAO are based on the following considerations:
 - A creek alignment is strongly supported by the community and will provide the most enjoyable and attractive experience.
 - It is not possible to provide a creek alignment without acquiring some land. The proposed creek alignment maximises use of public land and minimises the number of private properties to be affected by acquisition.
 - The typical trail layout has been designed to satisfy a range of criteria, including the need to provide a sufficient setback to the Diamond Creek, minimise loss of creek-side vegetation, provide for shared uses and to allow sufficient room for fencing and the potential for screen planting between the trail and private property.
 - The proposed application of the PAO is predominantly to the periphery of properties.
 - The PAO is predominantly applied to flood prone land adjacent to the Diamond Creek, which has minimal development potential.
 - It is not proposed to apply the PAO to any dwelling, or in close proximity to any dwelling.
 - At three of the twelve properties, part or all of the proposed application of the PAO is to land which is already nominated by the approved Diamond Creek Area B Development Plan to be become public open space.
 - The proposed application of the PAO extends from the trail to the creek, so that land owners are not left with the difficult situation of having islands of private land to manage on the creek-side of the trail.
5. The exhibited application of the PAO to each property (as an amount in metres squared) is provided in Attachment 3.

Policy context

6. This report directly supports the achievement of Council Plan 2017-2021 strategies:
 - Ensure the provision of community infrastructure responds to community needs (1.4)

4. Officers' Report

FN.036/17 Amendment C108 to the Nillumbik Planning Scheme (extension of the Diamond Creek Trail to Hurstbridge) - Consideration of the recommendations of an independent Planning Panel

- Provide a range of infrastructure that encourages people of all ages to participate in a variety of active and passive opportunities (2.1)
- Encourage investment and development within the Shire to increase economic development and local employment, and broaden the rate base (4.1)
- Develop and market the tourism industry in Nillumbik (4.2)
- Identify new economic development opportunities and improve amenity for our villages in conjunction with key stakeholders including residents (4.5).
- Plan for the community's future needs for services and infrastructure (5.6).

7. It also supports the following priority actions:

- Continue to implement the Recreation Trails Strategy (2.1.6.)
- Undertake planning and consultation and secure funding to deliver particular major projects, one of which is the Diamond Creek to Hurstbridge Recreational Trail (2.1.10)
- Support and promote the Artisan Hills businesses and destinations (4.2.2.)

Budget implications

8. Preliminary planning has identified that provision of the trail will cost approximately \$11 million.
9. Council allocated \$500,000 in the 2015-2016 budget towards the construction of the Diamond Creek Trail project with further allocations in the Major Projects Plan.
10. There were further Council allocations of \$2 million in 2016-2017 and \$1.25 million anticipated in 2018-2019.
11. The balance of funding for the project will need to be funded from future Council allocations or grants. Council can pursue funding through the Growing Suburbs Fund in 2017-2018, subject to Council resolving to apply the PAO.

Consultation/communication

12. The Amendment was exhibited during July and August 2016 and 38 submissions were received. Of these, 12 opposed the amendment. The remainder of the submissions were either in support, expressed no objection or sought a modification.
13. Submissions to the Amendment were received from the owners of 10 of the 12 properties affected by the Amendment. Of these, the owners of eight of the properties stated their opposition to the Amendment and the owners of two of the properties stated their support.
14. On 6 September 2016, Council's Policy and Services Committee resolved to request that an independent Planning Panel consider the Amendment and submissions. The Panel Hearing was conducted from 28 November to 1 December 2016. The Panel provided its report (Attachment 2) on 23 January 2017.

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15. On receiving the Panel report, the Mayor Cr Peter Clarke and Deputy Mayor Cr Karen Egan undertook onsite meetings with all the owners of private land affected by the proposed application of the PAO. The objectives of these meetings were for the Mayor and Deputy Mayor to understand the opinion of landowners regarding the Amendment and to consider actions to address or reduce any issues landowners may have with the Amendment. The outcomes of these meetings are discussed below in Issues/Options.

Issues/options

16. This section will:
- Summarise the Panel's report, particularly its recommendations
 - Summarise the outcomes of work undertaken in response to the Panel's recommendations and in response to meetings between the Mayor and Deputy Mayor and owners of land affected by the Amendment.

The Panel report

17. The Panel has recommended that the Amendment be adopted as exhibited, subject to the following three conditions:
- Consider revising the alignment of the PAO in locations where realignment of the trail extension closer to the Diamond Creek would result in reducing the amount of arable land being acquired for the shared trail.
 - Revise the Incorporated Document to include the Melbourne Water and Country Fire Authority conditions.
 - Resolve mapping anomalies where the boundary of the PAO is the Diamond Creek, preferably prior to approval and gazettal, but on the advice of the Department of Environment, Land, Water and Planning (DELWP), resolution may occur at a later stage.
18. All three conditions were broadly supported as appropriate by officers during the Panel Hearing. The three conditions are explained later in this report.
19. Significantly, as reflected in its recommendation, the Panel finds the Amendment is intrinsically sound and appropriate. For example, the Panel makes the following key points:
- The proposed alignment is based on extensive background research and consultation with the community, including investigation of alternative alignments for the trail.
 - The Amendment is well founded and strategically justified.
 - The use of an incorporated document to provide planning approval, subject to conditions, for future use and development of the trail is appropriate.
 - No evidence or submission was provided to the Panel indicating that the trail extension is not viable.

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- Council's proposal to ensure that access to 673 Heidelberg-Kinglake Road is maintained via a carriageway easement across the proposed trail is supported.
- The application of the PAO to all 12 properties, subject to Council considering some modification (discussed below), is supported.

20. The three changes recommended by the Panel to the Amendment are explained as follows.

Include conditions in the incorporated document from Melbourne Water and the CFA

21. Both Melbourne Water and the CFA provided submissions to the Amendment. Neither submission opposed the Amendment, but requested that conditions be included in the Incorporated Document to guide future use and development of the Trail.
22. The Melbourne Water submission requested conditions relating to procedural matters, safety management, flood management and design standards. The CFA submission requires Council to provide a Fire Management Plan for the trail extension which considers such matters as signage, access for emergency vehicles and water supply for emergency purposes. Council met with the CFA on 26 October 2016 to clarify its requirements and at that meeting, the CFA stated that it supports the Amendment and further, broad agreement was reached between Council and the CFA regarding the content of the future Fire Management Plan.

Resolving mapping anomalies where the boundary of the PAO is the creek

23. The mapping anomalies referred to is that, typically, the beds and banks of a creek are Crown land, but planning scheme maps, unless the land is a defined reserve, typically show the bed and banks as private land. For this reason, the application of the PAO, exhibited by Amendment C108, often technically extends beyond private land and onto Crown land (bed and banks of the Diamond Creek). The situation is complicated by the fact the alignment of a waterway in planning scheme maps does not always reflect recent movements in the waterway.
24. It has been Council's intention that the anomalies discussed above will be appropriately addressed as a standard procedural matter which will simply require more detailed survey work later in the acquisition process, preferably after gazettal of the Amendment, which will plot the boundary of Crown land (bed and banks) and private land along the Diamond Creek. Council's approach is informed by discussions with a public land consultancy, land surveyors and the State Government.
25. The Panel received a submission from one land owner which argued that, because of the above anomalies regarding Crown land, Amendment C108 is fundamentally flawed and unlawful. However, the Panel has rejected this view, stating:
- 'The Panel is of the view that the mapping anomalies are of a procedural nature that can be remedied prior to adoption of the Amendment or during acquisition and subdivision of the acquired land'.

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26. The Panel recommends that Council liaise with the State Government to agree on a process to address the matter. Council has done this successfully and the outcome is discussed below at point 44 below.

Consider a reduction of the PAO to avoid arable land

27. The land most affected by the proposed application of the PAO is a large property at 86 Wilson Road, Wattle Glen. The exhibited alignment of the Trail is along an existing track which runs parallel to the Diamond Creek (see Sheet 2 of Attachment 1). The exhibited Amendment proposes to apply the PAO to approximately 101,000 square metres (approximately 20 percent) of the property. The extent of the PAO is increased because the track does not follow bows in the creek, which places some arable land into the proposed PAO area.
28. In its report, the Panel states that Council should consider modifying the alignment of the trail to reduce, where appropriate, the acquisition of arable land. The Panel particularly refers to 86 Wilson Road as a property where this modification should be considered. At the Panel, Council supported such a recommendation.
29. On considering the Panel report and the outcome of meetings between the Mayor and Deputy Mayor and landowners, officers investigated opportunities to reduce the exhibited application of the PAO by:
- Aligning the Trail closer to the creek
 - Minimising the width of any buffer area between the proposed Trail and the future (proposed) boundary of private land.
30. Further, officers considered a recent proposal from the owners of 673 Heidelberg-Kinglake Road that Council acquire all, rather than part, of a lot within their property.

Outcomes of investigations of potential improvements

31. The outcomes of the investigations are as follows.

Outcome 1: Reductions to the exhibited PAO

32. Officers have identified that the following reductions to the exhibited application of the PAO are viable without compromising the Trail:
- Approximately 1,500 square metres at 185 Main-Hurstbridge Road (see Attachment 4)
 - Approximately 360 square metres at 201 Main-Hurstbridge Road (see Attachment 4)
 - Approximately 16,500 square metres at 86 Wilson Road (see Attachment 5). This is a reduction of approximately 18 per cent of the PAO's application up to the bed and banks (Crown land) of the Diamond Creek. The reduction provides significantly less application of the PAO to arable land.
 - Approximately 15,700 square metres at 65-135 Wilson Road (see Attachment 6), which is a reduction of approximately 60 per cent to the exhibited application of the PAO and provides significantly less application of the PAO to arable land.

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- Approximately 330 square metres at 26 Herberts Lane (see Attachment 7). While a small amount, this reduction provides scope (subject to a planning permit) for an additional residential lot at the property.
33. The two Wilson Road properties (86 and 65-135) are the two properties most impacted by the exhibited application of the PAO and the proposed reduction to the PAO at these properties is considered significant.
34. Larger reductions or reductions at other private properties were investigated, but not considered viable or necessary for one or more of the following reasons:
- The reductions would push the Trail into a location where:
 - It would have unacceptable environmental impacts.
 - Construction costs would be significantly higher.
 - The Trail would be so close to the creek that the Trail's long-term viability could be particularly jeopardised by movement of the creek.
 - The relevant landowner did not support the reduction. For example, due to likely environmental impacts.
 - The landowner wished to have a proposed landscaped buffer within the Trail corridor (between the Trail and their private property).
 - The proposed application of the PAO is consistent with land which an approved Development Plan nominates to be public open space as part of future development of the land.
 - The width of the Trail corridor was required to allow flexibility to deal with constraints that could be potentially discovered at the later detailed design stage.
35. Regarding the last point, it is emphasised that, at the later detailed stage, it is likely that further reductions in the necessary land acquisition may be identified and therefore, Council's final acquisition of land may be reduced.

Outcome 2: Modifications to the incorporated document

Including Melbourne Water and CFA Conditions

36. The recommendation by the Panel to include the conditions suggested by Melbourne Water and the CFA is considered a positive and appropriate modification to the document.
37. Attachment 8 provides a revised incorporated document with the conditions included.

Reduction in application of the incorporated document

38. The suggested reductions in the exhibited application of the PAO (discussed above) must be mirrored by a reduction in the application of the incorporated document, as the document should only apply to existing and proposed public land associated with development and use of the Trail. Further, a reduction in the application of the incorporated document has been identified at future Council land at 142 Broad Gully Road, Diamond Creek.

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FN.036/17 Amendment C108 to the Nillumbik Planning Scheme (extension of the Diamond Creek Trail to Hurstbridge) - Consideration of the recommendations of an independent Planning Panel

39. A map provided at the rear of the incorporated document has been revised to reflect the reduced application of the Incorporated Document. The revised map can be seen in Attachment 8.

Staging of development

40. Further review of the incorporated document has also identified a minor modification is required to more clearly state that it is the intent of the document to provide permission for staged development. The minor modification is the inclusion of the following sentence:

'The development of the land may be undertaken in stages and the following conditions will apply to the relevant stage'.

41. Council has received clear legal opinion that the change is appropriate for the following reasons:
- Council's submission to the Panel and the Panel's own report make it clear that the Panel was well aware and contemplated that a development such as the Trail would necessarily occur in stages.
 - The modification is not a 'transformation' to the Amendment and is therefore permitted and appropriate.
42. This change has also been included in the revised incorporated document provided as Attachment 8.

Outcome 3: Ownership of the access bridge at 673 Heidelberg-Kinglake Road

43. An investigation of the landowner's proposal (mentioned above) has been conducted and suggests that a decision on the matter should be delayed until the statutory compensation and acquisition negotiations, which would be conducted after the Amendment (if the Amendment is approved) and prior to acquisition of land. This suggestion is made for the following reasons:

- Council should only apply the PAO to that land which it requires for the Trail corridor and not to the whole of the eastern lot at 673 Heidelberg-Kinglake Road.
- The compensation and acquisition negotiations, which are conducted in accordance with a statutory process, will allow a full assessment of the proposal, including the associated compensation costs.

44. The key point to make is that the suggested response does not refuse the landowner's proposal, but instead defers full consideration of the proposal to a more appropriate point in the acquisition process.

Outcome 4: Resolving mapping anomalies regarding creek-side Crown land

45. Officers proposed to the State Government in February 2017 that Council will address the mapping anomalies regarding Crown land along the creek by conducting more detailed surveying of the creek boundaries just prior to acquisition of private land (i.e. after gazettal of the Amendment). The State Government has agreed to Council's proposed course of action. Therefore, no further action would need to be taken regarding this matter until after gazettal of the Amendment.

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FN.036/17 Amendment C108 to the Nillumbik Planning Scheme (extension of the Diamond Creek Trail to Hurstbridge) - Consideration of the recommendations of an independent Planning Panel

Summary of proposed changes to the exhibited amendment

46. To summarise the above, after considering the Panel Report and other matters, such as the outcomes of meetings between the Mayor and Deputy Mayor and landowners, the following are considered appropriate modifications to the Amendment:
- Reductions to the proposed application of the PAO at 26 Herberts Lane, 185 Main-Hurstbridge Road, 201 Main-Hurstbridge Road, 86 Wilson Road and 65-135 Wilson Road, as shown in Attachments 4-7.
 - Modifications to the incorporated document which principally:
 - incorporate the recommended conditions of Melbourne Water and the CFA
 - reduce application of the incorporated document
 - clearly permit staged development.
47. A report will be presented to the 29 August Ordinary Council Meeting which will consider the Panel report and recommend a decision by Council to complete the Amendment.

Conclusion

48. The proposed Amendment is vital to facilitating Council's intention to extend the Diamond Creek Trail to Hurstbridge along a creek alignment.
49. The Amendment was considered by an independent Planning Panel in late 2016 and was well received, noting the Panel recommends adoption of the Amendment subject to some modifications.
50. Since receiving the Panel report, Council has been investigating changes requested by the Panel and the outcomes of meetings between landowners and the Mayor and Deputy Mayor.
51. The outcome of this work has supported some changes to the Amendment, particularly to make significant reductions to the proposed application of the PAO at particular points in the proposed Trail corridor.

4. Officers' report

FN.037/17 Civic Drive Open Space Detailed Concept Plan

Portfolio: Social Infrastructure

Distribution: Public

Manager: Rachel Cooper, Director Business and Strategy

**Author: Paige Macdonald, Leisure Services Project Officer
Nadine Wooldridge, Coordinator Community Leisure
Naomi Paton, Manager Integrated Strategy**

Summary

This report presents the Civic Drive Open Space Detailed Concept Plan, with recommendations for adoption and for the next steps for Officers to complete.

The Civic Drive Open Space Detailed Concept Plan has been developed following an identified need to design and construct community facilities across the open space precinct which better accommodates use by the local community.

Development of the detailed concept plan has been completed through extensive community consultation to ensure the proposed plan responds to current and future needs.

Once adopted by Council, officers will commence a procurement process to commence construction in October 2017.

Recommendation

That the Committee (acting under delegation from Council):

- 1. Acknowledges the key stakeholders and community members involved in developing the Plan.**
- 2. Considers submissions from those stakeholders and community members for the Civic Drive Open Space Detailed Concept Plan.**
- 3. Invites final broader community feedback at a community engagement session on Monday 21 August 2017.**
- 4. Requests officers present a report with the final Concept Plan to the Ordinary Meeting of Council on Tuesday 29 August 2017 for adoption.**

Attachments

- Draft Detailed Concept Plan
- Summary of Civic Drive Consultation Notes

Background

- The Civic Drive Precinct Development: Facilities Upgrade Masterplan (Masterplan) was adopted by Council on 24 May 2016 following extensive community consultation.

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2. The Masterplan seeks to upgrade the open space and multi-purpose outdoor space to better provide for the surrounding residential community, as well as visitors to the precinct accessing Diamond Valley Sports and Fitness Centre (DVSFC), Melbourne Polytechnic, Civic Centre, Greensborough Library, Apollo Parkways Primary School and Banyule-Nillumbik Tech School from 2018.
3. The Masterplan retains the precinct's outdoor performing arts function which hosts two Christmas Carol events annually. In adopting the Masterplan, Council requested officers retain the underutilised community building for multipurpose use, make the toilets publically access and upgrade in the future subject to further community consultation.
4. Planning for the site has taken into consideration current planning for the major redevelopment of the DVSFC. Development of DVSFC will complement the open space and could include a café and outdoor seating space abutting the proposed multi-purpose outdoor space.
5. Further community consultation took place in March and April 2017 which has informed the Detailed Concept Plan.

Policy context

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
 - Ensure that the provision of community infrastructure responds to community needs.

Budget implications

7. In 2016 Council secured \$950,000 through the Victorian Government's Growing Suburbs Fund. Council's financial contribution to the project is \$335,000. The total project cost is \$1,285,000 to be split across the 2017-2018 and 2018-2019 financial years.
8. As part of the Growing Suburbs Fund funding agreement, Council has committed to commencing construction of the project before 15 October 2017.

Consultation/communication

9. Community consultation on the draft detailed concept plan was undertaken in March and April of 2017. Two onsite meetings were held, led by an external facilitator to ensure all community views were heard and independently tested.
10. Participants were given the opportunity to view the draft detailed concept plan and select the play elements they felt were best suited to the space. This effectively gave the community a unique opportunity to have specific input into the design. A further 40 comments were received from local schools, clubs, groups and residents.

Issues/options

11. The following points summarise the feedback.
 - a) There was a general consensus that the space needs to include features that support family activities. This includes young and older children's play, barbeques and seating. There was also particular emphasis for the play space to be a combination of nature based, adventure and active play.

4. Officers' Report**FN.037/17 Civic Drive Open Space Detailed Concept Plan**

- b) The community wants the space to be opened up and activated with a creatively designed landscape using a mix of native and exotic trees, and to include artistic features that are practical and functional.
 - c) There is a strong desire for the space to be a multiple use space for events like Christmas carols, markets, food truck festivals, outdoor cinemas, ball and bike activities and various other festivals and events. The community feels the current building is dated and prevents the site from being used for multiple purposes. It also obstructs the visual connection through the open space. There was a strong desire from the community for the building - used on average 60 hours per year - to be demolished.
 - d) Access to public toilets will remain at the Diamond Valley Fitness Centre, Diamond Valley Library and the Civic Centre.
 - e) There is a preference to consolidate the play and active leisure space in the area where the current building is located, and keep the southern space next to the Greensborough Bypass as passive open space.
12. Community feedback informed the updated detailed concept plan which was then peer reviewed by consultant Aaron Wallis from Playce. Aaron had assisted Council in preparing the recently adopted Lifetime Play Strategy.
13. The detailed concept plan was finalised with key changes including:
- a) Consolidation of activity in and around the multi-use space.
 - b) The multi-use space will continue to provide for events and new community and economic development opportunities.
 - c) Ensuring the southern space remains passive and open.
 - d) The inclusion of traffic treatments through the car park for pedestrian safety.

Conclusion

14. The Civic Drive Open Space Detailed Concept Plan has been developed following extensive community consultation through various planning steps over a number of years. The park's development is to primarily serve the local community and visitors to the surrounding facilities.
15. The total project cost is \$1,285,000, part-funded by the Victorian Government through a \$950,000 Growing Suburbs Fund grant.
16. The community has expressed a strong desire for the open space to be a multiple use space for Christmas carols, markets, food truck festivals, outdoor cinemas, ball and bike activities and various other festivals and events. To realise its potential, there is strong community support for the removal of the dated, non-compliant building and replace it with a flexible space with access to three phase power. The sloped lawn will include improved seating to retain its amphitheatre function.
17. Consultation with the community on the Civic Drive Open Space Detailed Concept Plan will allow officers to hear from the community and confirm that the plan meets community expectations and needs.

- 5. **Supplementary and urgent business**
- 6. **Confidential reports**

The Meeting may be closed to members of the public to consider confidential matters.

Motion

That Council closes the meeting to the public pursuant to section 89(2) of the *Local Government Act 1989* to consider the following items, which are confidential for the reasons indicated:

Report No.	Title	Reason for confidentiality
FN.038/17	Open Space and Precinct Plan, Graysharps Road, Hurstbridge - Project Reference Group Nominations	(h) any other matter which the Council or special committee considers would prejudice the Council or any person