

Special Meeting of Future Nillumbik Committee

to be held at the Civic Centre, Civic Drive, Greensborough
on Thursday 22 March 2018 commencing at 5.30pm.

Agenda

Mark Stoermer
Chief Executive Officer

Thursday 15 March 2018

Distribution: Public

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Wominje ka

Special Meeting of Future Nillumbik Committee seating plan

Submitter	Submitter
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Hjalmar Philipp
Director
Sustainability
and Place

Mark Stoermer
Chief Executive
Officer

Blaga Naumoski
Executive
Manager
Governance

Cr Jane Ashton
Sugarloaf Ward
Community
Services Portfolio

Cr Peter Perkins
Ellis Ward
Planning
Portfolio

**Cr Peter Clarke
(Mayor)**
Wingrove Ward
Finance and
Governance
Portfolio

**Cr John
Dumaresq**
Edendale Ward
Infrastructure
Portfolio

Cr Karen Egan
Bunjil Ward
Economic and
Development
Portfolio

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. These are on the table in the foyer.
- Welcome to tea, coffee and water. These are on the table in the foyer near the Council Chamber entry.
- Requested to observe deliberations quietly in order for Committee meetings to run smoothly.
- Advised that the meeting will be recorded and an audio recording of the meeting will be made publicly available on Council's website.

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Nillumbik Shire Council

**Agenda of the Special Meeting of Future Nillumbik Committee to be held Thursday
22 March 2018 commencing at 5.30pm**

1. Welcome and apologies

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.

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

Nil

4. Officers' reports

FN.007/18 Funding major infrastructure projects through surplus asset sales

Portfolio: Finance and Governance

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Jon Miller, Manager Assets and Property

Summary

At the Ordinary Meeting of Council on 30 January 2018, Council considered the details of 17 parcels of land (including two road discontinuances) that are being proposed for future sale.

At that meeting, Council resolved to:

- Commence the necessary public notification process required under the *Local Government Act 1989* (the Act) and publicly advertise its intention to:
 - sell 15 parcels of Council owned land
 - discontinue two roads and sell the land
- In accordance with section 223 of the Act, consider any submissions on the proposed land sales and road discontinuances at a Special Future Nillumbik Committee meeting.

The required public consultation period closed on 12 March 2018. Five Special Future Nillumbik Committee meetings have been organised so that Council can hear those submitters who wish to speak on behalf of their submission. Meetings have been allocated to hear submitters for specific properties. There are two additional opportunities for submitters to be heard. For those that made submissions of a general nature, this will be on Tuesday 3 April 2018, and any overflow will be heard on Thursday 5 April 2018.

The purpose of this meeting is to allow those people that made a submission to the proposed sale of 20A Henry Street, Eltham, 120 Arthur Street, Eltham, 17A Ruskin Court, Eltham, part of 34 Glen Park Road, Eltham North, 60 David Hockney Drive, Diamond Creek, 18A Citriodora Court, Diamond Creek and 14 Ripon Close, Diamond Creek to address members of the Special Committee of Council. Council is required to take into consideration the contents of all submissions received, prior to making a final decision on the proposed sale of the subject properties.

The summary table in Attachment 1 outlines the total number of public submissions received on the matter (as of 12 March); the number of submissions opposing and supporting the land sales program in general and for the individual parcels that are the subject of this report.

4. Officers' reports

FN.007/18 Funding major infrastructure projects through surplus asset sales

Recommendation

That the Committee (acting under delegation from Council):

1. **Acknowledges and considers public submissions specifically received on the intention to sell:**
 - **20A Henry Street, Eltham**
 - **120 Arthur Street, Eltham**
 - **17A Ruskin Court, Eltham**
 - **Part of 34 Glen Park Road, Eltham North**
 - **60 David Hockney Drive, Diamond Creek**
 - **18A Citriodora Court, Diamond Creek**
 - **14 Ripon Close, Diamond Creek**
2. **Requests a further report to be presented at a future Ordinary Meeting of Council regarding the consideration of submissions in accordance with section 223(1)(c) of the *Local Government Act 1989*.**

Attachments

1. Submissions summary table

Background

1. The Council Plan 2017-2021 includes:
 - Priority Action 5.6.2, which commits Council to implement a program of surplus asset sales to fund a range of major infrastructure projects
 - Priority Action item 2.1.10, being a commitment to secure funding to enable Council to deliver a number of major community infrastructure projects.
2. In implementing these priority actions, Councillors resolved at 30 January 2018 Ordinary Meeting of Council to advertise its intention to sell 17 parcels of Council owned land (including two road discontinuances), and seek public submissions on the matter.

Policy context

3. This report directly supports the achievement of Council Plan 2017-2021 strategy:
 - Ensure responsible and efficient management of Council's financial resources.

Budget implications

4. All costs associated with running this meeting will be funded from the Assets and Property Team's operational budget.

4. Officers' reports

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Consultation/communication

5. Following Council's resolution at the Ordinary Meeting held on 30 January 2018 to commence the formal processes required under the Act to sell land and discontinue two roads, a public notice was placed in the Wednesday 31 January 2018 edition of the Diamond Valley Leader advising the public of its intention, and seeking public submissions on the matter.
6. The closing date for submissions was Monday 12 March 2018. Engagement on the proposed land sales and road discontinuances was provided on the 'Have Your Say' page on the Council website.
7. Written notification was sent to occupiers and owners of properties adjoining all of the subject land parcels.

Issues/options

8. All people who completed a formal submission to the proposed sale of 20A Henry Street, Eltham, 120 Arthur Street, Eltham, 17A Ruskin Court, Eltham, part of 34 Glen Park Road, Eltham North, 60 David Hockney Drive, Diamond Creek, 18A Citriodora Court, Diamond Creek and 14 Ripon Close, Diamond Creek have been invited to present their submissions to this Committee.

Submissions

9. Councillors have been provided full copies of all submissions received in relation to this matter.
10. At the early stage of submissions analysis for all properties the key themes emerging from submitters include:
 - That the proposed sale of land will contribute funding for other open space projects, which is a legitimate consolidation of Council assets.
 - Funding from the proposed sale will allow delivery of open space infrastructure projects that are utilised by and will benefit the wider community.
 - The proposed sale of the land is not consistent with the Green Wedge philosophy.
 - That the proposed sale will facilitate additional development that submitters do not support.
 - That many people choose to live in Nillumbik because it's of present amenity (including tree canopy, open spaces), and that the proposed sale of the land will negatively impact on this characteristic.
 - That the proposed sale will stop utilisation of the subject land for its many passive users.
 - That the proposed sale may negatively impact existing native flora and fauna.
 - That Council should not undertake planned infrastructure projects without appropriate budget funding in place (that doesn't involve the sale of land).
 - That there is a preference to have passive open space rather than more formalised sporting facilities such as ovals and pavilions.

4. Officers' reports

FN.007/18 Funding major infrastructure projects through surplus asset sales

11. The final Council report to be considered at a future Ordinary Meeting of Council will contain an updated summary of themes raised across the full land sales program.

Conclusion

12. In accordance with section 223 of the Act, the contents of all submissions received in response to the Council's public advertisement to sell land and discontinue 2 roads are now required to be considered.
13. Council will make a final decision to proceed (or otherwise) with the proposed sale of the subject parcels of land and road discontinuances at a future Ordinary Meeting of Council.

Land Sales Submissions received as of 5pm Monday 12 March 2018

Property	Ward	Total submissions	Oppose	Support	Wishing to speak
62 Frank Street Eltham	Swipers Gully	257	256	1	66
1307 Main Road Eltham	Swipers Gully	175	171	4	41
26 Renshaw Drive Eltham	Swipers Gully	159	157	2	36
12 The Eyrie Eltham	Swipers Gully	202	201	1	47
251-259 Yan Yean road Plenty	Blue Lake	99	94	5	22
46 Symon Crescent G'borough	Blue Lake	111	110	1	25
303 Plenty River Drive G'borough	Blue Lake	92	91	1	21
8-9 Cosham Court Greensborough	Blue Lake	126	126	0	24
20A Henry Street Eltham	Wingrove	145	144	1	33
120 Arthur Street Eltham	Wingrove	190	188	2	38
17A Ruskin Court Eltham	Wingrove	159	158	1	35
34 Glen Park Road Eltham North	Edendale	185	184	1	44
60 David Hockney Drive D.Creek	Edendale	120	117	3	25
18A Citriodora Court D.Creek	Edendale	96	95	1	20
4 Raglan court Research	Sugarloaf	123	122	1	28
34 Raglan road Research	Sugarloaf	137	134	3	29
14 Ripon close Diamond Creek	Ellis	115	113	2	23
General land sale submissions		296	292	4	48
Total		2787	2753	34	605