

# Future Nillumbik Committee

held at the Civic Centre, Civic Drive, Greensborough  
on Tuesday 10 September 2019 commencing at 7:00pm.

## Minutes

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

Friday 13 September 2019

Distribution: Public

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**Nillumbik Shire Council**

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## Nillumbik Shire Council

Minutes of the Future Nillumbik Committee meeting held  
Tuesday 10 September 2019. The meeting commenced at 7:01pm.

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### Councillors present:

Cr Karen Egan	Bunjil Ward (Mayor)
Cr Grant Brooker	Blue Lake Ward
Cr John Dumaresq	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Jane Ashton	Sugarloaf Ward
Cr Bruce Ranken	Swipers Gully Ward
Cr Peter Clarke	Wingrove Ward

### Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Financial Officer
Hjalmar Philipp	Director Operations and Infrastructure
Blaga Naumoski	Executive Manager Governance and Legal Services
Corrienne Nichols	Executive Manager Community Services
Kylie Lethbridge	Executive Manager Economic Development and Tourism
Jeremy Livingston	Executive Manager Business Transformation and Performance
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Kelly Reaburn	Acting Executive Manager Communications and Engagement
Jonathan McNally	Manager Community Safety and Amenity
Lisa Pittle	Manager Environment
Kirsten Reedy	Coordinator Environment
Nichole Johnson	Coordinator Strategic Projects
Geoff Lawler	Strategic Advisor
Eddie Cheng	Head of IT Operations
Michelle Wright	Community Engagement Officer
Katia Croce	Governance Lead

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### 1. Welcome by the Chair

### 2. Reconciliation statement

The reconciliation statement was read by the Chairperson, Cr Karen Egan.

### 3. Apologies

Nil

**4. Confirmation of minutes**

Confirmation of minutes of the Future Nillumbik Committee meeting held on Tuesday 13 August 2019.

**Committee Resolution**

**MOVED: Cr Peter Clarke**

**SECONDED: Cr Jane Ashton**

**That** the minutes of the Future Nillumbik Committee meeting held on Tuesday 13 August 2019 be confirmed.

**CARRIED**

**5. Disclosure of conflicts of interest**

Nil

*Cr Peter Clarke assumed the chair at 7:03pm as the Councillor responsible for the Finance and Governance Portfolio.*

## 6. Officers' reports

### FN.020/19 MAV State Council 19 October 2019 motions

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**Portfolio:** Finance and Governance

**Distribution:** Public

**Manager:** Blaga Naumoski, Executive Manager Governance and Legal Services

**Author:** Katia Croce, Governance Lead

#### Summary

The Municipal Association of Victoria (MAV) State Council meets to consider matters of state-wide significance. The MAV State Council meets to consider matters of state-wide significance. The next meeting is being held on 17 October 2019.

Under the Rules all motions are due to be submitted by no later than midnight on 20 September 2019. Early motions, received by midnight on 9 September, will be distributed to MAV representatives on 13 September (i.e. five weeks before State Council).

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

Furthermore, at the May 2019 State Council meeting there was unanimous support for a Rules change to minimise the number of repetitive motions that are included in State Council Business Papers.

On the 6 August 2019, Councillors were briefed on suggested topics for inclusion. Councillors were also afforded the opportunity to add motions for consideration. Officers prepared the motions and appropriate supporting documentation based on Councillor feedback and at the 3 September 2019 briefing, Councillors communicated their support for the proposed motions.

This report is seeking Councillor endorsement to lodge the three motions to the MAV State Council Meeting to be held of 17 October 2019.

#### **Committee Resolution**

**MOVED:** Cr Karen Egan

**SECONDED:** Cr Bruce Ranken

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

1. Resolves to adopt the following three motions to the Municipal Association of Victoria's State Council Meeting to be held on 17 October 2019:
  - a. *'That the MAV:*
    - i. *Take a leadership role in developing and supporting Councils in efficient and effective Local Government business and digital transformation; and*
    - ii. *Advocates to State Government to provide financial support, in the form of grants, for councils embarking on business and digital transformation to enable it to better deliver on community expectations and enhance service delivery.*

6. Officers' reports

**FN.020/19 MAV State Council 19 October 2019 motions**

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- b. That the MAV advocates to VicRoads to provide clarity and purpose on the value provided to local government agencies as a result of deducting 10 percent administration fees (6 percent for SSRIP - Safe System Road Infrastructure Program - and 4 percent VicRoads Metro regional offices) from infrastructure grants allocated to councils.*
  - c. That the MAV advocates to the State Government to create a grant to allow councils in the Green Wedge to apply for funds to help with preserving the Green Wedge and deliver on actions deriving from GWMPs.'*
2. Resolves to lodge motions and rationale (**Attachment 1**) to the Municipal Association of Victoria's State Council Meeting to be held on 17 October 2019.

**CARRIED**

**6. Officers' reports****FN.021/19      Fireworks Local Law - Submissions**

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**Portfolio:      Planning****Distribution:   Public****Manager:      Jeremy Livingston, Acting Director Community and Planning****Author:        Jonathan McNally, Manager Community Safety and Amenity****Summary**

In 2018, Council commenced investigations to create a local law either prohibiting or restricting the display of private fireworks shows within the Shire. The issue of private fireworks displays is of particular interest in rural areas following a display on private property in St Andrews which has resulted in considerable community interest, and a subsequent commitment from Council that it would undertake investigations in terms of regulating this type of activity. These investigations included considerable benchmarking of other councils, and seeking legal advice as to the nature of regulating such activity through a local law.

The process for making a local law is governed by Part 5 of the *Local Government Act 1989* (the Act). Council has the ability to make local laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this or any other Act.

Council endorsed the draft Fireworks Local Law and draft Prohibition of Fireworks Local Law for public consultation at the June 2019 Ordinary Council Meeting. The public consultation period was between 26 June and 7 August 2019, and Council has received 49 written submissions. An overview of the feedback received in the submissions and an officer response to the feedback is attached to this report.

This report recommends that the Committee, having received the submissions and heard any verbal submissions, refers a decision regarding the adoption of one of the two draft local laws to the Ordinary Council Meeting on 24 September 2019.

<b>Committee Resolution</b>
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**MOVED:        Cr Jane Ashton****SECONDED:   Cr Karen Egan****That** the Committee (acting under delegation from Council):

1. Notes all of the submissions received in respect of the draft Fireworks Local Law and draft Prohibition of Fireworks Local Law.
2. Requests that officers consider the matters contained in the written and verbal submissions in relation to the draft Fireworks Local Law and draft Prohibition of Fireworks Local Law and present recommendations to the 24 September 2019 Ordinary Council Meeting.
3. Requests that officers thank submitters who have provided contact details and provide a written response to their submissions.

**CARRIED UNANIMOUSLY**

*Cr Peter Perkins assumed the chair at 7:05pm as the Councillor responsible for the Planning Portfolio.*

*Note: Please be advised in Attachment 2 – Verbatim Submissions Responses, some submissions contain redacted material as they have been deemed to either contain personal or sensitive information in line with the Privacy and Data Protection Act 2014; or potentially contain defamatory material that if published may make Council liable under Common Law.*

## **6. Officers' reports**

**FN.022/19      Draft Green Wedge Management Plan 2019 summary of community feedback**

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**Portfolio:      Planning**

**Distribution:    Public**

**Manager:      Rosa Zouzoulas, Executive Manager Planning and Community Safety**

**Author:        Nichole Johnson, Coordinator Strategic Projects**

**Geoff Lawler, Strategic Advisor**

### **Summary**

The Green Wedge Management Plan 2019 (GWMP) will provide direction over the next decade and will include a vision, principles, goals, objectives and key actions for the management of the Green Wedge.

The GWMP is proposed to replace the existing Nillumbik Green Wedge Management Plan 2010-2025 and has resulted from inputs by various sources. This includes Council's response to the recommendations of the Community Panel majority report, Victorian Government guidelines, the extensive community engagement program and relevant Council policies and strategies, including the Bushfire Mitigation Strategy 2019-2023. Consideration has also been given to a minority report from five members of the Community Panel.

Preparation of the Draft GWMP has been informed by extensive community engagement. The draft GWMP underwent final community consultation over the six week period of 1 July 2019 to 11 August 2019.

This report summarises the feedback on the 746 written submission received on the Draft GWMP received up until Sunday 11 August 2019. Submissions received have been read thoroughly and a number of key themes have been identified. All submitters were advised that they could present their feedback to this Committee.

A report providing a response to the submissions, highlighting suggested changes and recommending the Draft GWMP be adopted, is scheduled for the Ordinary Council Meeting on 26 November.

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

1. Max Parsons
2. Ben Ramcharan
3. June English
4. Alan Thatcher
5. Archie Lappin and Poppy Lappin



**6. Officers' reports**

**FN.022/19 Draft Green Wedge Management Plan 2019 summary of community feedback**

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6. Jade Gedye
7. Ian Penrose
8. Len Renouf
9. Katherine Phelps (Friends Institute)
10. Nerida Kirov
11. Kate Fitzherbert (St Andrews Landcare Inc)
12. Andrew Robinson
13. Sue McKinnon
14. Natalie Duffy on behalf of Valentino Scaffidi
15. Natalie Duffy
16. Colleen Hackett
17. David McKinnon
18. Jeremy Loftus-Hills
19. Laurie Niven

*The Chairperson, Cr Peter Perkins called for a 10 minute recess of the meeting at 9:07pm. The meeting resumed at 9:22pm.*

20. Carlota Quinlan (Eltham Community Action Group)
21. Carlota Quinlan
22. Esther Caspi
23. Esther Caspi on behalf of Adjungbilly Pty Ltd (and tabled presentation / submission)
24. Alex Collum
25. Anika Van Hulsen on behalf of Tony Pinzone
26. Anika Van Hulsen
27. William Lord
28. Stewart Donald
29. Warwick Leeson
30. Bronnie Hattam

**Motion to extend the Meeting – 10:30pm**

In accordance with Clause 2.1 of the Meeting Procedure Local Law 2017, a meeting must not continue after 10:30pm unless a majority of Councillors present vote in favour of the meeting continuing.

6. Officers' reports

FN.022/19 Draft Green Wedge Management Plan 2019 summary of community feedback

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**Committee Resolution**

**MOVED: Cr Grant Brooker**

**SECONDED: Cr Bruce Ranken**

**That** the meeting be extended.

**CARRIED**

31. Liezl Shnookal
32. Melanie Ellis
33. Melanie Ellis (Roads and Roadside Ecology Northern Nillumbik)
34. Betty Russell (Nillumbik Greens)
35. Betty Russell
36. Terry Tovey on behalf of Carli Lange-Boutle (Warrandyte Community Association)
37. Narelle Campbell (Narelle disclosed a potential "perceived conflict of interest" advising that she works for the Department of Health and Human Services. Narelle advised that she was not there talking on behalf of the department, but there to talk on behalf of herself).

*Corrienne Nichols, Executive Manager Community Services, Jonathan McNally, Manager Community Safety and Amenity, Lisa Pittle, Manager Environment and Hjalmar Philipp, Director Operations and Infrastructure left the meeting at 9:07pm.*

In accordance with the *Local Government Act 1989* and Council's Meeting Procedure Local Law 2017, a Special Future Nillumbik Committee meeting was called for 11 September 2019 to continue hearing submissions to the draft Green Wedge Management Plan.

The meeting closed at 11:17pm.

Confirmed: \_\_\_\_\_  
Cr Karen Egan, Mayor