



**ORDINARY COUNCIL (TOWN PLANNING) MEETING OF
THE HUME CITY COUNCIL**

MONDAY, 27 MARCH 2017

CONFIRMED - 27 MARCH 2017

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 27 March 2017
at 7.00 PM
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

To: a: Council	Cr Drew Jessop Cr Ann Potter Cr Joseph Haweil Cr Jodi Jackson Cr Carly Moore Cr Leigh Johnson Cr Jack Medcraft Cr Naim Kurt Cr Geoff Porter Cr Karen Sherry Cr Jana Taylor	Mayor Deputy Mayor
b: Officers	Mr Domenic Isola Mr Peter Waite Mr Daryl Whitfort Mr Kelvin Walsh Ms Sue Haviland Mr Fadi Srour Ms Kirsty Miller Mr Peter Faull Mr Brad Mathieson	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Director Planning and Development Acting Director Communications, Engagement and Advocacy Manager Finance and Property Development Manager Statutory Planning Coordinator Governance & Corporate Support Governance Support Officer

Requests to Record Proceedings

The Mayor advised Councillors that he had received a request to make an audio recording of the meeting. The Mayor asked Councillors if there were any objections to the granting of consent to the request to record proceedings. No Councillors declared any objection to the request. The approval was granted.

Gallery Behaviour

The Mayor reminded the gallery that Council's Code of Meeting Procedures requires the gallery to be silent at all times, and that members of the gallery must not interject or take part in the debate. Any person who is called to order, may be asked to leave the Chamber. The Mayor advised that notwithstanding this, he will invite members of the gallery to speak, for up to two minutes either in support of or against an officer's recommendation.

ORDER OF BUSINESS

1. PRAYER

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Council. Direct and prosper its deliberations to the advancement of Thy glory and the true welfare of the people of the Hume City.

Amen

2. APOLOGIES

Nil.

3. DISCLOSURE OF INTEREST

The Mayor drew Councillors' attention to the provisions of the Local Government Act 1989 in relation to the disclosure of conflicts of interests. Councillors are required to disclose any conflict of interest immediately before consideration or discussion of the relevant item. Councillors are then required to leave the Chamber during discussion and not vote on the relevant item.

4. OFFICER'S REPORTS**Reports Identified as Requiring Individual Discussion**

Report No.	Report	Page in Agenda
SU203	94-96 Horne Street, Sunbury- The use and development of a service station, display of advertising signage and variation of the requirements of Clause 52.12 of the Hume Planning Scheme.	4

Ms Rachael O'Neill addressed Council regarding the Officer's recommendation.

Moved Cr Ann Potter, **Seconded** Cr Jack Medcraft

That Council, support the consent order agreed at the Compulsory Conference of the 1 March 2017 for the Victorian Civil and Administrative Tribunal application P221/2016, related to planning application P19343, which allows a planning permit to issue for the use and development of a service station, display of advertising signage and variation of the requirements of Clause 52.12 of the Hume Planning Scheme at 94-96 Horne Street, Sunbury (the site) subject to the conditions and agreements in the consent order.

Councillor Joseph Haweil left the meeting after the motion was moved on item SU203 - *94-96 Horne Street, Sunbury- The use and development of a service station, display of advertising signage and variation of the requirements of Clause 52.12 of the Hume Planning Scheme*, the time being 7:09pm.

Councillor Joseph Haweil returned to the meeting during discussion and prior to the vote on item SU203 - *94-96 Horne Street, Sunbury- The use and development of a service station, display of advertising signage and variation of the requirements of Clause 52.12 of the Hume Planning Scheme*, the time being 7:11pm.

CARRIED

Report No.	Report	Page in Agenda
SU206	22-38 Malcolm Street, Kalkallo - Use and development as an education centre (primary school) and removal of native vegetation	43

Councillor Ann Potter left the meeting before the first public speaker, and before the motion was moved on item SU206 - *22-38 Malcolm Street, Kalkallo - Use and Development as an Education Centre (primary school) and Removal of Native Vegetation*, the time being 7:14pm, and did not return to the meeting.

Ms Mia Zar, Mr Russell Symons, Mr Abdurrahman, Mr Abdullah Altintop, Mr Halil Gokcer, Ms Lisa Taylor, Mr Ray Becke, Ms Dee Becke, Ms Tayla Ellis, Mr Brian Ellis and Mr Robert Paull, addressed Council regarding the Officer's recommendation.

Moved Cr Geoff Porter, **Seconded** Cr Jack Medcraft

That Council, having considered the application and the objections received, resolves to issue a Notice of Refusal to Grant a Permit for the use and development of the land for the purpose of an education centre (primary school) and removal of native vegetation subject to the following grounds:

1. **The proposal is not consistent with Clause 22.04 of the *Hume Planning Scheme* (Townships Local Policy).**
2. **The proposal is not consistent with Clause 32.05 of the *Hume Planning Scheme* (Township Zone).**
3. **The proposal is not consistent with Clause 37.07 of the *Hume Planning Scheme* (Urban Growth Zone).**
4. **The proposal is not consistent with Clause 45.05 of the *Hume Planning Scheme* (Restructure Overlay).**
5. **The proposal is an over-development of the site.**

Councillor Joseph Haweil left the meeting after the motion was moved and prior to the vote on item SU206 - 22-38 *Malcolm Street, Kalkallo - Use and Development as an Education Centre (primary school) and Removal of Native Vegetation, the time being 7:43pm, and did not return to the meeting.*

CARRIED

Report No.	Report	Page in Agenda
SU207	340 Craigieburn Road, Craigieburn - Buildings and works associated with an outdoor seating area	64

Mr Brian Mannix addressed Council regarding the Officer's recommendation.

Moved Cr Jack Medcraft, **Seconded** Cr Geoff Porter

2.1 That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for buildings and works associated with the construction of an outdoor seating area at 340 Craigieburn Road, Craigieburn for the following reasons:

1. **The proposal is not consistent with Clause 15.01 of the *Hume Planning Scheme* (Urban Environment).**
2. **The proposal is not consistent with Clause 21.07 of the *Hume Planning Scheme* (Activity Centres and Retailing).**
3. **The proposal is not consistent with the Craigieburn Town Centre Development Plan.**
4. **The proposal is not consistent with Section 173 Agreement AJ893547R.**

CARRIED

Report No.	Report	Page in Agenda
SU208	175 Arundel Road, Keilor - Use and development of a sawmill (kindling production) and a reduction of the car parking requirements	85

Ms Sue Zhang addressed Council regarding the Officer's recommendation.

Moved Cr Jack Medcraft, **Seconded** Cr Jodi Jackson

That Council, having considered the application on its merits, resolves to issue a Notice of Decision to Grant a Planning Permit pursuant to Section 64 of the *Planning and Environment Act 1987* for the use and development of a sawmill (kindling production) and a reduction of the car parking requirements at 175 Arundel Road, Keilor, subject to the following conditions:

1. **Before the use commences, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed to form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans, received by Council 14 November 2016, but further modified to show:**
 - a) **Details of the internal layout of the shed, including:**
 1. **The location(s) of machinery;**
 2. **The location(s) of bagged and palletised kindling;**
 3. **A loading bay in accordance with Clause 52.07 of the Hume Planning Scheme.**
 - b) **Dimensions between each windrow, as shown on the 19M Articulated Vehicle Design Car Swept Paths prepared by Traffix Group (sheets 1 and 2), shown on the plans.**
 - c) **The northern boundary of the landscape buffer relocated 20 metres north of the windrows in the air log storage area.**
 - d) **The notation that the drainage trenches will be designed and manufactured by the responsible authority removed from the plans.**
 - e) **A stormwater management plan to the satisfaction of the responsible authority, for the outdoor log storage area and indoor work area, which includes the following:**
 1. **Details of the drainage layout and type, including constructed dimensions, and the location and use of the areas serviced by each device.**
 2. **Details of water sensitive urban design devices, including type and constructed dimensions, and the location, use and dimensions of the areas draining to each device. Water sensitive urban design devices may include raingardens, rainwater tanks, permeable gross pollutant (litter) traps and landscape elements.**
 3. **Schedule of establishment and maintenance procedures for water sensitive urban design devices.**
 - f) **Notation on the plans that semi-permanent walls will be constructed in the immediate area of kindling production.**

- g) Upgrades to the westernmost crossover and accessway as required by condition 20 and 21.
2. Before the use commences, an Operational Site Environmental Management Plan (OEMP), must be submitted to and approved by the responsible authority. When approved, the OEMP will be endorsed and will then form part of the permit. The approved OEMP must be implemented and complied with at all times to the satisfaction of the responsible authority. The OEMP must address the potential impacts of the operation as follows:
- a) Methods for site supervision;
 - b) Operation hours;
 - c) Location and maintenance of stormwater treatment facilities;
 - d) Maximum number of truck movements per hour per day;
 - e) Emergency provisions (i.e. fire prevention, fire access, spills, etc.);
 - f) Staff and contractor induction and training;
 - g) Reporting and testing processes;
 - h) Dust;
 - i) Erosion and sediment control;
 - j) Waste and chemical management;
 - k) Flora/fauna protection;
 - l) Weed control;
 - m) Archaeological/heritage impacts;
 - n) Mowing or maintaining the height of grass;
 - o) Any other matter required by the responsible authority.
3. The landscape buffer shown on the endorsed plans must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose.
4. The layout of the site and/or the size of the existing buildings and works and/or the internal layout and use of the buildings as shown on the endorsed plans must not be altered or modified except with the written consent of the responsible authority.
5. The stormwater management solutions shown on the endorsed plans must be installed and maintained to the satisfaction of the responsible authority.
6. The endorsed Operation Site Environmental Management Plan must be implemented to the satisfaction of the responsible authority.
7. The use of the site must at all times be in accordance with:
- a) The plans and documents endorsed under this permit; and
 - b) The endorsed Operational Site Environmental Management Plan.
8. The front end loader used to transport logs from the storage area to the shed must only be operational and used between the following times:
- Monday to Wednesday, 7:30A.M. to 5:00 P.M.
9. Except with the prior written consent of the responsible authority, the sawmill permitted by this permit must only operate between the following times:
- Monday to Friday, 7:30 A.M. to 5:00 P.M.

10. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the site or in any other way to the satisfaction of the responsible authority.
11. Except with the prior written consent of the responsible authority a maximum of 4 staff members shall be employed on the premises at any one time.
12. The subject land must be maintained in an orderly and neat manner at all times and its appearance must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.
13. Areas set aside for the parking and movement of vehicles as shown on the endorsed plans must be made available for such use and must not be used for any other purpose.
14. The logs must only be stored in the windrows in the air log storage area shown on the endorsed plans. The maximum height of any windrow utilised for the storage of logs must be no greater than 3 metres in height.
15. The air log storage area must comply with and be managed in accordance with any requirements of the Metropolitan Fire Brigade or Country Fire Authority (as relevant) at all times.
16. All doors to the shed are to remain closed when log splitting machinery is operational.
17. No production of kindling is to take place concurrently with the unloading of wood to the subject site.
18. Noise emitted from the premises must be in accordance with SEPP N-1 EPA Victoria noise levels.
19. The use hereby permitted must be operated in accordance with the Environmental Noise Assessment report prepared by SLR Global environmental solutions (Report Number 640.11324-R01-v.01, 25 August 2016) at all times.
20. All machinery with reverse beepers must use broadband reversing beepers, or a similar mechanism, and must not use tonal reversing beepers.

Traffic and Engineering Conditions:

21. Before the use commences, the westernmost crossover to Arundel Road must be upgraded to a minimum width of 6 metres wide in accordance with Council standard drawing 'Industrial Vehicle Crossing' SD302 and splayed to a minimum total width of 16 metres in order to accommodate the manoeuvring of a 19 metre articulated semi-trailer. Some kerb modification will be required.
22. Before the use commences, the accessway must be sealed for a minimum length of 30 metres from the southern boundary into the site.
23. All loading vehicles are to enter and exit the site in a forward motion.
24. Prior to the commencement of the use all parking bays are to be line marked to the satisfaction of the responsible authority.
25. Stormwater from all paved areas must be retained within the property and drained to the site's underground stormwater system.

26. Any cut or fill must not interfere with the natural overland stormwater flow.
27. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Council drains or watercourses during construction.
28. This permit will expire if one of the following circumstances applies:
- The use and development are not started within three years of the date of this permit; or
 - The development is not completed within six years of the date of this permit; or
 - The use is discontinued for a period of two years.
- The responsible authority may extend the periods referred to if a request is made in writing:
- Before or within six months after the permit expiry date, where the use or development allowed by the permit has not yet started; or
 - Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Notes:

- If a request for an extension of commencement/completion dates is made out of time allowed by the condition, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.
- Any modifications to existing vehicle crossings require an application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details must be attached to the application. Any service relocations are to the approval of the service authority and at the owners cost.
- A 'Legal Point of Stormwater Discharge' permit is required to be obtained from Council prior to the commencement of building and works.
- Prior to any works carried out within the road reserve (nature strip), a 'Non-Utility Minor Works within Municipal Road Reserve' permit must be obtained from Council.

CARRIED

Report No.	Report	Page in Agenda
SU209	520 Mickleham Road, Greenvale - Building and works associated with the development of a horse arena	106

Mr Jason Phillips, Mr Frank Boradio and Mr John Lucas addressed Council regarding the Officer's recommendation.

Moved Cr Jack Medcraft, **Seconded** Cr Geoff Porter
That this item be deferred.

CARRIED

Reports Not Otherwise Dealt With

Moved Cr Carly Moore, **Seconded** Cr Jana Taylor

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
SU204	450 Donnybrook Road, Mickleham - Multilot Subdivision	17
SU205	21 Norcal Court Greenvale - Development of five triple storey dwellings and waiver of the visitor car parking requirement	25
SU210	Statutory Planning Monthly Report March 2017	117
GE179	William Canning Reserve Naming Proposal	127
GE180	Adoption of Setting of Fees and Charges Policy	149
GE181	Audit Committee Instrument of Delegation Review 2017	158
GE182	Appointment of Audit Committee Chair	169
GE183	Adoption of Risk Management Policy	170
GE184	Recognition of Residents Policy	181
GE185	Correspondence received from or sent to Government Ministers or Members of Parliament - February 2017	186

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU204	450 Donnybrook Road, Mickleham - Multilot Subdivision	17

Moved Cr Carly Moore, **Seconded** Cr Jana Taylor

2.1 That Council, having considered the application on its merits, resolves to issue a Refusal to Grant a Permit for the Multi lot subdivision at 450 Donnybrook Road, Mickleham on the following Grounds:

1. The subdivision proposes residential development within Public Acquisition Overlay 3 (PAO3), which is inconsistent with the purpose of PAO3 (Outer Metropolitan Ring Road).
2. The subdivision is proposed on land that is or may be required for a public purpose and is therefore contrary to the orderly and proper planning of the site and surrounding area.
3. The proposed subdivision will prejudice the delivery of infrastructure of strategic significance at a regional and state level.

CARRIED

Report No.	Report	Page in Agenda
SU205	<p>21 Norcal Court Greenvale - Development of five triple storey dwellings and waiver of the visitor car parking requirement</p> <p>Moved Cr Carly Moore, Seconded Cr Jana Taylor</p> <p>That Council, having considered the application on its merits, resolves to advise VCAT that a view has been formed to not support the application for the development of five triple storey dwellings at 21 Norcal Court, Greenvale, on the following grounds:</p> <ol style="list-style-type: none"> 1. The proposal does not comply with a number of the requirements of Clause 52.06 of the Hume Planning Scheme; namely: <ol style="list-style-type: none"> a) Clause 52.06-5 <i>Number of Car Parking Spaces</i> required under Table 1 for visitor parking b) Clause 52.06-8 Design Standard for Car Parking and in particular Design Standard 2: Car Parking Spaces, Design Standard 5: Urban Design, Design Standard 6: Safety, Design Standard 7: Landscaping 2. The proposal does not comply with a number of objectives of Clause 55 of the Hume Planning Scheme; namely: <ol style="list-style-type: none"> a) Clause 55.02-1: Neighbourhood character b) Clause 55.03: Site Layout and Building Massing c) Clause 55.04: Amenity Impacts d) Clause 55.05: On-Site Amenity and Facilities e) Clause 55.06-1: Design detail 	25

CARRIED

Report No.	Report	Page in Agenda
SU210	Statutory Planning Monthly Report March 2017	117

Moved Cr Carly Moore, **Seconded** Cr Jana Taylor
That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
GE179	William Canning Reserve Naming Proposal	127

Moved Cr Carly Moore, **Seconded** Cr Jana Taylor

- 2.1 THAT Council notes the results of the community consultation process on the proposal to name an officially unnamed reserve located between Fordson Road and Sycamore Crescent in Campbellfield the 'William Canning Reserve'.
- 2.2 THAT Council endorses the proposal to name this officially unnamed reserve the 'William Canning Reserve', and submits the name to the Registrar of Geographic Names for review and registration in VICNAMES.

CARRIED

Report No.	Report	Page in Agenda
GE180	<p>Adoption of Setting of Fees and Charges Policy</p> <p>Moved Cr Carly Moore, Seconded Cr Jana Taylor</p> <p>That Council revoke the previous Setting of Fees and Charges Policy adopted by Council on 27 March 2006 and adopt the attached Setting of Fees and Charges Policy.</p>	149
		CARRIED
GE181	<p>Audit Committee Instrument of Delegation Review 2017</p> <p>Moved Cr Carly Moore, Seconded Cr Jana Taylor</p> <p>That Council:</p> <p>2.1 having conducted a review of its delegation to the Audit Committee under Section 86 of the Local Government Act 1989 adopts the amended Audit Committee Instrument of Delegation and Audit Committee Charter (attached)</p> <p>2.2 sign and seal the Instrument of Delegation pursuant to Section 86 of the Local Government Act 1989 for the establishment of Special Committee of Council – Audit Committee.</p>	158
		CARRIED
GE182	<p>Appointment of Audit Committee Chair</p> <p>Moved Cr Carly Moore, Seconded Cr Jana Taylor</p> <p>2.1 That Council revoke paragraph 7.3 of its resolution 7 November 2016, Appointment of Audit Committee for the 2016/17 Year. That paragraph being:-</p> <p style="padding-left: 40px;">That Mr Brian Keane be appointed as Chairperson effective April 2017.</p> <p>2.2 That Ms Claire Filson be appointed as Chairperson of the Audit Committee for a further three year period commencing April 2017.</p>	169
		CARRIED
GE183	<p>Adoption of Risk Management Policy</p> <p>Moved Cr Carly Moore, Seconded Cr Jana Taylor</p> <p>That Council revoke the previous Risk Management Policy adopted by Council on 14 July 2014 and adopt the attached Risk Management Policy.</p>	170
		CARRIED

Report No.	Report	Page in Agenda
GE184	Recognition of Residents Policy	181
	Moved Cr Carly Moore, Seconded Cr Jana Taylor	
	That Council adopts the Recognition of Residents Policy (Attachment 1).	
		CARRIED

Report No.	Report	Page in Agenda
GE185	Correspondence received from or sent to Government Ministers or Members of Parliament - February 2017	186
	Moved Cr Carly Moore, Seconded Cr Jana Taylor	
	That Council notes this report on correspondence sent to and received from Government Ministers and Members of Parliament.	
		CARRIED

5. CONFIDENTIAL ITEMS

Moved Cr Naim Kurt, **Seconded** Cr Leigh Johnson

THAT the Council close the meeting to the public pursuant to Section 89(2) (sub sections as listed), of the Local Government Act 1989 to consider the following items, which are confidential for the reasons indicated:

Report No.	Title	Reason for Confidential
COGE121	Organisational Matter	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE122	Organisational Matter	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

CARRIED

The meeting was closed to the public at 8:07PM.

The meeting was reopened to the public at 8:45PM.

5 CLOSURE OF MEETING

The meeting closed at 8:45PM.

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COUNCILLOR DREW JESSOP
MAYOR