



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

**MONDAY, 24 APRIL 2017**

**7.00 PM**

**COUNCIL CHAMBER, HUME GLOBAL LEARNING CENTRE,  
BROADMEADOWS**

**OUR VISION:**

*Hume City Council will be recognised as a leader in achieving social, environmental and economic outcomes with a common goal of connecting our proud community and celebrating the diversity of Hume.*



# HUME CITY COUNCIL

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**Notice of an  
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**  
to be held on Monday, 24 April 2017  
**at 7.00 PM**  
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

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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 Ms Margarita Caddick Mr Kelvin Walsh Ms Kylie Ezzy	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy

## **ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND**

*"I would like to acknowledge that we are meeting on Gunung-Willam-Balluk land. The Gunung-Willam-Balluk of the Wurundjeri are the first and original people of this land. I would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here today."*

## **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**

### **3. DISCLOSURE OF INTEREST**

Councillors' attention is drawn 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**

The Mayor will ask the Councillors and gallery at the commencement of this section, which reports they wish to speak to. These reports will then be discussed in the order they appear on the notice paper. Reports not called will be dealt with in a block resolution at the end.

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**5. CONFIDENTIAL MATTERS**

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

**RECOMMENDATION:**

**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:**

<b>Report No.</b>	<b>Title</b>	<b>Reason for Confidential</b>
COHE019	Proposed Development	(e) proposed developments
COSU065	Contract Matter	(d) contractual matters
COGE125	Organisational Matter	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

<b>Report No.</b>	<b>Title</b>	<b>Reason for Confidential</b>
COGE126	Organisational Matter	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE127	Organisational Matter	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE128	Contract Matter	(d) contractual matters

**6 CLOSURE OF MEETING**

**DOMENIC ISOLA  
CHIEF EXECUTIVE OFFICER**

**20/04/2017**

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<b>REPORT NO:</b>	HE055
<b>REPORT TITLE:</b>	Public Health Unit Annual Report 2016
<b>SOURCE:</b>	Tony Gullone, Coordinator Public Health Services
<b>DIVISION:</b>	Corporate Services
<b>FILE NO:</b>	HCC12/852
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	2.1 Foster a community which is active and healthy.
<b>ATTACHMENT:</b>	1. <i>Public Health Unit Annual Report</i>

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**1. SUMMARY OF REPORT:**

The purpose of this report is to inform Council of the Public Health Unit's service delivery for the period January - December 2016.

**2. RECOMMENDATION:**

**That Council note the attached Public Health Unit Annual Report 2016.**

**3. LEGISLATIVE POWERS:**

Council has statutory obligations to administer relevant provisions of in *Food Act 1984*, *Public Health and Wellbeing Act 2008* (PHWB Act), *Environmental Protection Act 1970* and *Tobacco Act 1987* as prescribed.

**4. FINANCIAL IMPLICATIONS:**

The financial implication for the delivery of the Public Health Unit for 2015/16 was a net cost of \$151,560 and for 2016/17 is forecast to be a net cost of \$125,223.

**5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:**

There are no direct environmental sustainability implications associated with the delivery of the Public Health Unit's function.

**6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:**

Climate change adaptation has been considered and the recommendations of this report give no rise to any matters.

**7. CHARTER OF HUMAN RIGHTS APPLICATION:**

The Charter has been reviewed in relation to this report and there are no issues to be considered in this regard

**8. COMMUNITY CONSULTATION:**

Not applicable.

**9. DISCUSSION:**

9.1 2016 Annual Targets

The Public Health Unit has statutory obligations in five service components. The service activity is reported to the relevant bodies, this ensures funding is maintained, and that Council meets its legislative requirement to report the data. The Food Safety area reports to Department of Health and Human Services

9.2 Annual Service Activity

The required targets are stipulated in the table below and are measured against the actual target (where possible).

REPORT NO: HE055 (cont.)

Activity	Annual Legislative Target	Actual Target	Variance
<b>Food Act 1984</b>			
Statutory Food Premises Inspections	1372	1478	8%
Food Premises Inspections	NA	1918	NA
Streatrader Applications	NA	354	NA
Streatrader Statement of Trade	NA	974	NA
Food Sampling	244	248	2%
<b>Public Health and Wellbeing Act 2008</b>			
PHWB Assessments	319	402	26%
Complaints (Nuisance / Food)	NA	419	NA
<b>Environmental Protection Act 1970</b>			
Wastewater Applications	NA	14	NA
<b>Tobacco Act 1987</b>			
Tobacco Test Purchase	60	66	10%
Tobacco Education Visits	120	129	8%

9.3 Food Act 1984

- 9.3.1 All food premises were inspected in accordance with the Food Act prior to renewal of registration. Whilst undertaking legislative requirements the Public Health Unit was able to enhance food safety and hygiene, this had direct benefits for our Hume residents and consumers who enjoy food across the spectrum. During this period the Unit had a core focus on educating food handlers, enhanced surveillance, monitoring and enforcement of food premises, particularly in the instance of non-compliance.
- 9.3.2 An enhanced food safety framework has obvious direct benefits to our community and consumers who enjoy food abroad. Ultimately public confidence in our food regulatory systems should remain high, this is further highlighted in our annual food sampling program. During the 2016 year the Unit procured 248 food samples for analysis, of these samples five were found not to comply with the relevant microbiological standards and eight having marginal non-compliance. One sample was also found not to comply with the relevant labelling requirements. Education visits to the food businesses operators were conducted, subsequent to this visit another sample was procured and deemed satisfactory.
- 9.3.3 Whilst conducting routine inspections Environmental Health Officers (EHO's) have identified a number of labelling breaches, particularly with importers. This issue is exacerbated in Hume due to our geographical area and current economic climate. The Unit is working collaboratively with manufacturers and importers to ensure food is labelled in accordance with Australian and New Zealand Food Standards Code.

**REPORT NO: HE055 (cont.)**

9.4 Public Health and Wellbeing Act 2008

9.4.1 A high level of compliance was identified during the inspection of PHWB Act registered premises. This further highlights the level of confidence that our residents and consumers can expect in our registered premises.

9.4.2 During the reportable period, a total of 419 complaints were received. 137 received related to food premises, eight related to PHWB Act premises and 274 were nuisance complaints. All were investigated through to resolution. This resulted in minimal enforcement action and no matters being refer to a Magistrate.

9.5 Environmental Protection Act 1970

Wastewater applications for the installation or alteration of a septic tank, has seen a steady decrease over the years. This is due to a decline in new developments in unsewered areas.

9.6 Tobacco Act 1987

Council has entered into a Municipal of Victoria (MAV) funding service agreement for delivery of test purchases to minors and education visits to our tobacco retails and food dining premises. During the 2016 year no tobacco retailers were found to sell cigarettes to a minor. Test purchases are unannounced activities made by a minor under the supervision of an EHO. The education visits took place to merely reiterate the obligation to comply with the Tobacco Act and ensure relevant signage continues to be visible as per the Tobacco Act. The majority of the Tobacco Act breaches pertain to lack of required signage.

9.7 Actions to address challenges

9.7.1 Over the past year the number nuisance complaints under the PHWB Act have risen by over 10%. Primarily due to an increase in residential odour (wood heater) and residential noise complaints. To address this, information articles will be developed and placed in Hume Pride to provide information to residents as to how to correctly operate wood heaters and what are the guidelines / timelines on residential noise, so as to not create a nuisance for their neighbours.

9.7.2 During the tobacco education visits, a number breaches relating to signage were identified, EHOs carry a range of signage (stickers) resources during statutory inspections. These issues will continue to be documented in our food newsletter and provided to all registered food premises

**10. CONCLUSION:**

The Public Health Unit's Annual Report for 2016 illustrates the adherence to statutory obligations as prescribed in the Food Act 1984, Public Health and Wellbeing Act 2008, Environmental Protection Act 1970 and Tobacco Act 1987.





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Governance Department

# **PUBLIC HEALTH UNIT**

## **Detailed Annual Report**

Jan – Dec 2016

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### **Public Health Unit - Service Description**

The Public Health Unit's primary focus is to enhance the health and wellbeing of the Hume community. This is achieved through the provision of a range of statutory services which aim to minimise the spread of preventable disease and improve the municipal community health status. The service comprises of five areas, all governed by specific legislation.

#### **Food Safety – Food Act 1984**

The Food Safety component oversees the approval, inspection and registration of food premises throughout the municipality. There are currently 1372 registered food premises within the municipality. The primary objective of this component is the prevention of food borne illness. Complaints of food borne illness, food contamination and food quality are investigated in accordance with legislative requirements. On an annual basis over 244 food samples are procured for the purpose of analysis to ensure that food prepared within the municipality meets relevant Food Standards.

#### **Infectious Disease Management – Public Health and Wellbeing Act 2008**

The infectious disease management component attempts to prevent the incidence and spread of communicable preventable diseases across the Hume Community. There are currently 319 registered premises under *Public Health and Wellbeing Act 2008*. This area also investigates infectious disease notifications and outbreaks as defined by Department of Health.

#### **Public Health Nuisance Investigation - Public Health and Wellbeing Act 2008**

Public Health Nuisance complaints are investigated by Environmental Health Officers(EHO), utilising the nuisance provisions of the *Public Health and Wellbeing Act 2008*. A nuisance is generally defined as a matter which is liable to be dangerous to health. Upon investigation, if the matter is deemed a nuisance the EHO will issue either an Improvement or Prohibition Notice, requiring the owner or occupier of the land to take appropriate remediate action as to elevate the nuisance. A failure to comply with an Improvement or Prohibition is ground for prosecution, where the maximum penalty is 120 penalty units (approximately \$18,650.00). There are currently no provisions to issue an infringement penalty for these offences.

#### **Environmental Control – Public Health and Wellbeing Act 2008/ Environment Protection Act 1970**

All Septic tanks less than 5000L must be approved prior to their installation, upon satisfactory installation a *certificate to use* is provided, this is a statutory function under the *Environment protection Act 1970*. Requests pertaining to nuisances complaints (i.e. emissions relating to land, water air pollution) as prescribed under the *Public Health and Wellbeing Act 2008* are also investigated by the unit.

#### **Tobacco Education and Enforcement – Tobacco Act 1987**

This component involves the education and enforcement activity of tobacco retailers, eating establishments and licensed premises as well conducting test purchases of tobacco products with the assistance of a minor. The unit also investigates complaints and breaches relating to the *Tobacco Act 1987*.

**TOTAL FOOD INSPECTIONS**

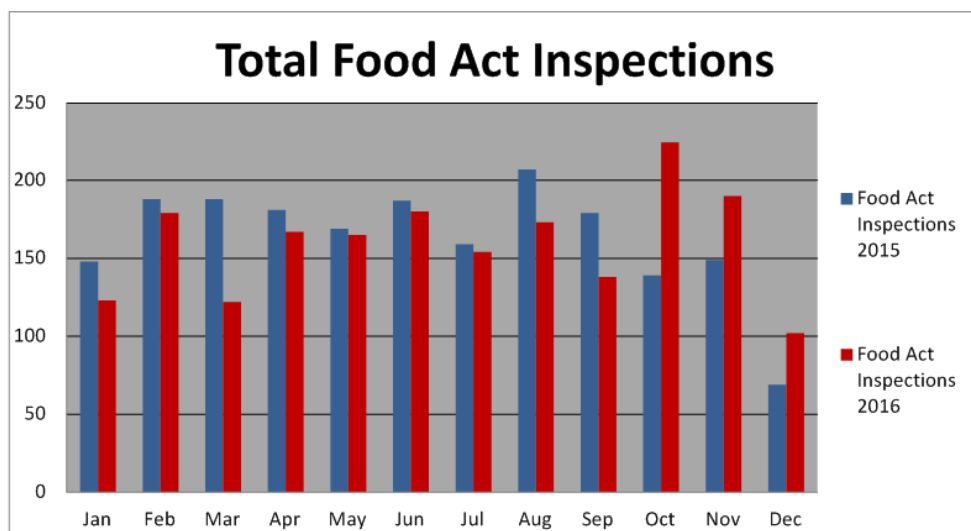
A total of 1918 inspections were conducted in 2016. This compares with 1963 inspections conducted in 2015. The Unit conducts a variety of different inspections these predominately include mandatory, progress, final, transfer and follow up inspections.

Of the 1918 inspections, 1478 were mandatory inspections (77%), 62 were progress inspections for new premises (3%), there were 206 (11%) follow up inspection and 92 (5%) non mandatory streatrader inspections.

**Inspection Results**

198 inspections resulted in major non-conformances (10%) and three critical non-conformance were identified. For the same time last year there were 193 (10%) unsatisfactory inspection results and one critical non-conformance. All non-conformances were followed up in accordance with established procedures and protocols.

The table below indicates total inspections carried out for each month over the quarter. These primarily include statutory inspections, follow up inspections of previously raised major non-compliances, transfer inspections, and progress and final inspections of new premises. All major and critical inspections are closely monitored to ensure risks are mitigated.



### MANDATORY FOOD INSPECTIONS

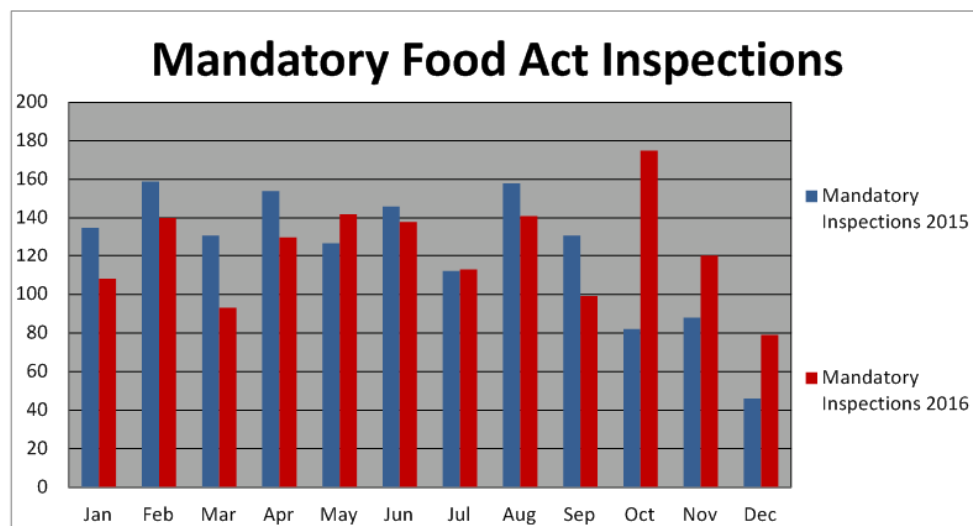
Council is required under the *Food Act 1984* to ensure all registered food premises are inspected annually; this is referred to as the mandatory inspections.

Inspections are categorised into one of the following compliance levels:

- Minor / Satisfactory (Mainly compliant with minor breaches which present no/minimal risk to food safety)
- Major (Indicates risk and potential for compromising food safety)
- Critical (Serious risk imminent to public health)

The mandatory inspection provides the impetus for scheduling in additional inspections when a major or critical non-compliance is identified.

A total of 1478 mandatory inspections were conducted in 2016. This compares with 1469 conducted in 2015.



123 inspections found major non-conformances (8.3%) and 3 found a critical non-conformance. In the previous year, there were 139 (9.5%) major non-conformances and 1 critical non-conformance. 112 major non-compliances were followed up in accordance with established procedures and closed off as of 31<sup>st</sup> December 2016.

Mandatory Inspections are scheduled to be conducted from January to December 2016. Ensuring premises are inspected prior renewing Food Act registration.

**STREATRADER APPLICATIONS**

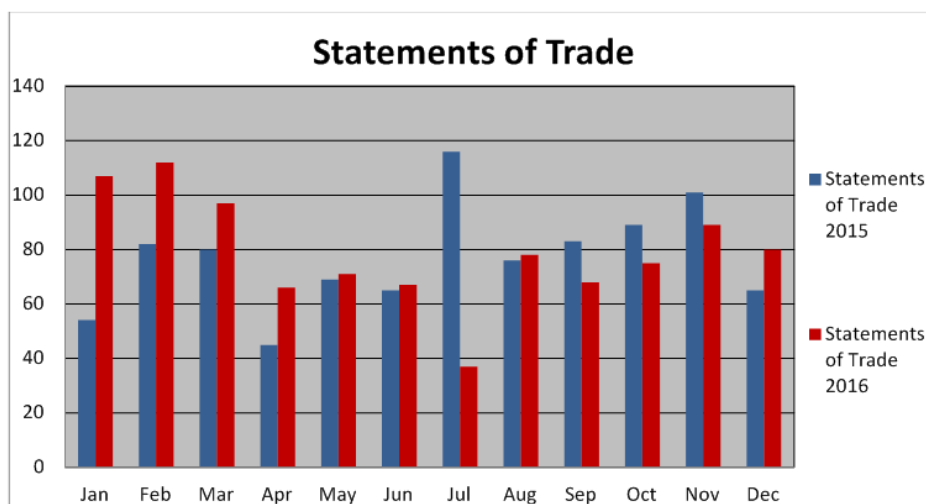
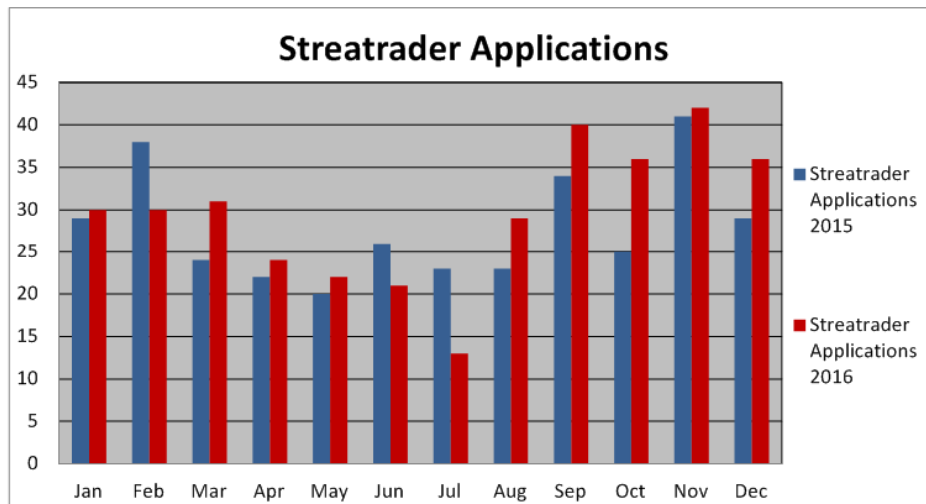
Streatrader is a state-wide registration and notification scheme for temporary and mobile food premises applied under the Food Act 1984. Depending on the food handling activities, for example; food van, food stall, food vending machine or a water carter, the business will only need to register with, or notify, the one Council.

The state-wide registration and notification scheme makes it easier for food businesses and community groups as they no longer require multiple registrations to operate in different Council districts.

Temporary and mobile food operators, private drinking water carters and food vending machine operators can register or notify Council, renew their registration, and lodge their statements of trade online in Streatrader.

When registered - or notified - under the state-wide system, the business must advise the Council when they will be trading in their district by lodging a statement of trade.

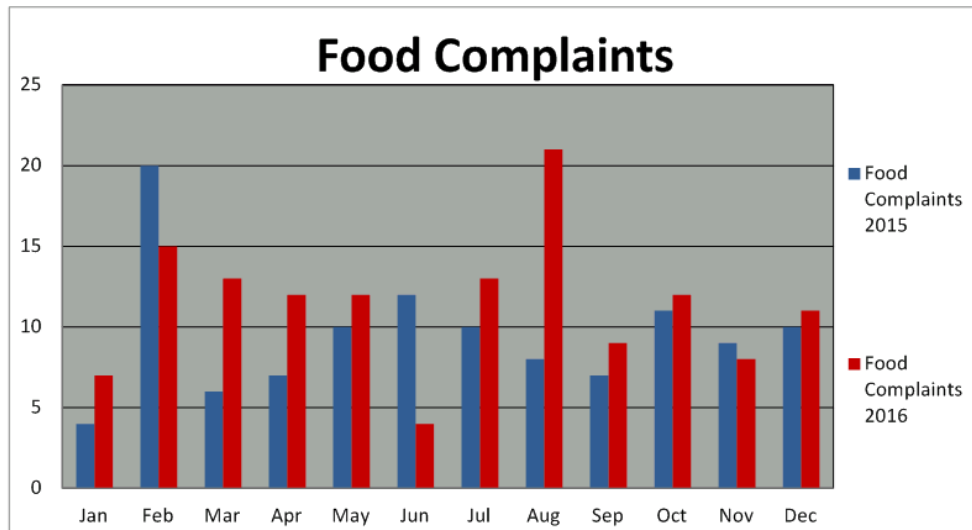
During 2016, 354 applications and 947 statements of trade were received. In 2015, 334 applications and 925 statements of trade were received.



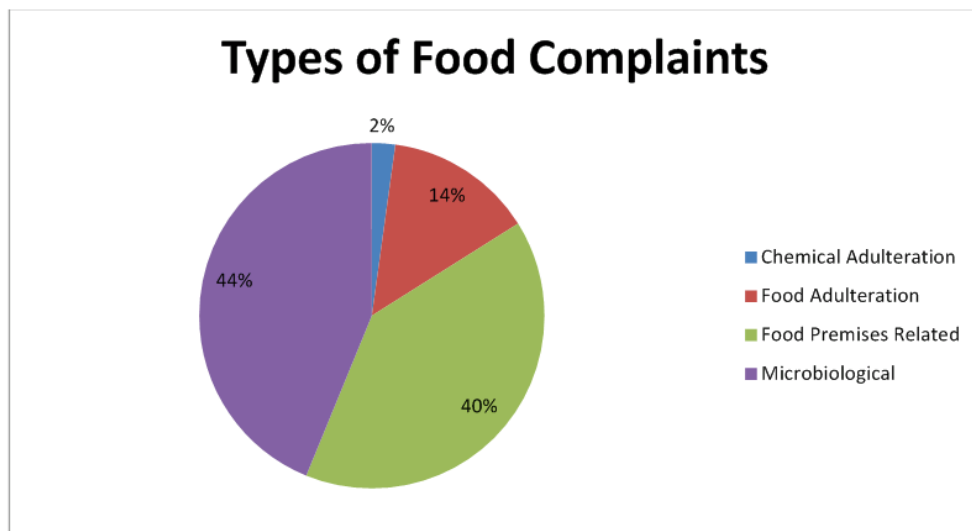
*Hume City Council - Governance Department  
 Public Health Unit Annual Report, 2016*

**FOOD COMPLAINTS**

A total of 137 food related complaints were received in 2016. This compares with 114 in 2015. All complaints have been investigated in accordance with established procedures and protocols.



A breakdown of the complaints received by type is shown in the following graphs.



**FOOD SAMPLING**

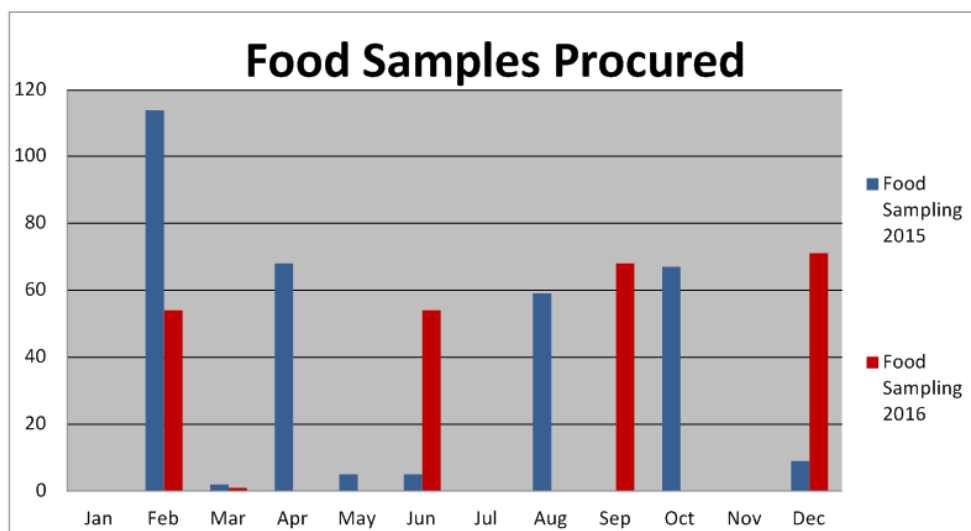
Council is required under the *Food Act* to procure a minimum of 244 food samples for analysis. This sampling target is an annual target (1 Mar to 28 Feb). The number of mandatory samples is legislated by State Government and is dependent on the number and type of food premises within the municipality.

The Public Health Unit conducts food sampling on a quarterly basis. The Unit's Annual Food Sampling Planner also allows for a regional food sampling exercise that is generally co-ordinated by the Northern and Western Metropolitan Region Councils. Food sampling is also cognisant of local food issues identified through the complaint or inspection processes.

A total of 248 food samples were procured during the 2016 sampling period. This compares with 329 taken during 2015 period. Food samples were taken to check compliance of microbiological composition.

Five samples were found not to comply with the relevant microbiological standards (2%), with eight samples having marginal non-compliance (3%). One sample was also found not to comply with the relevant labelling requirements. All these samples were followed up in accordance with established procedures and protocols.

All food re sampled was deemed to comply with the parameters of the Food Standards Australia and New Zealand (FSANZ) guidelines.





**PUBLIC HEALTH & WELLBEING ACT INSPECTIONS**

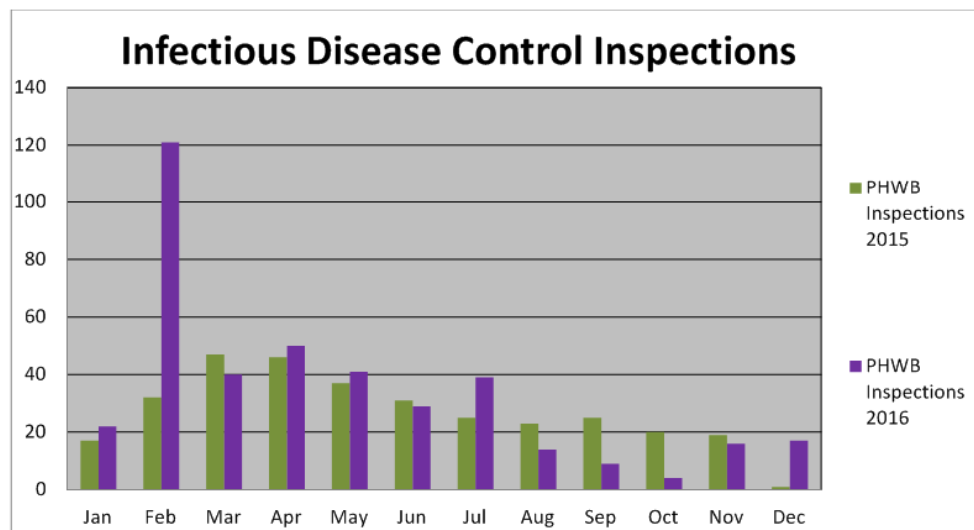
Local Government is required to register all of the following businesses under the *Public Health and Wellbeing Act 2008 (PHWB)*:

- Hairdressing
- Beauty therapy
- Skin penetration
- Tattooing
- Colonic irrigation

These registered premises must also be inspected on an annual basis.

A total of 402 inspections were conducted in 2016. This compares with 323 conducted in 2015, reflecting the increase in business activity across Hume City.

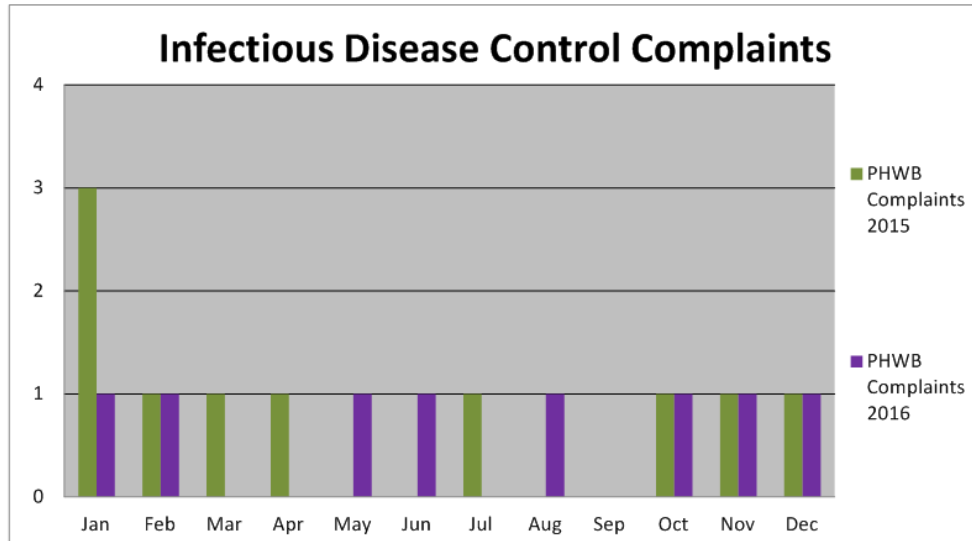
10 inspections found a major non-conformance (2.5%). In the previous year, there were three major non-conformances (1%). All non-conformances were followed up in accordance with established procedures and protocols. As of 31<sup>st</sup> December 2016, all major non-compliances raised during the year were actioned and closed off.



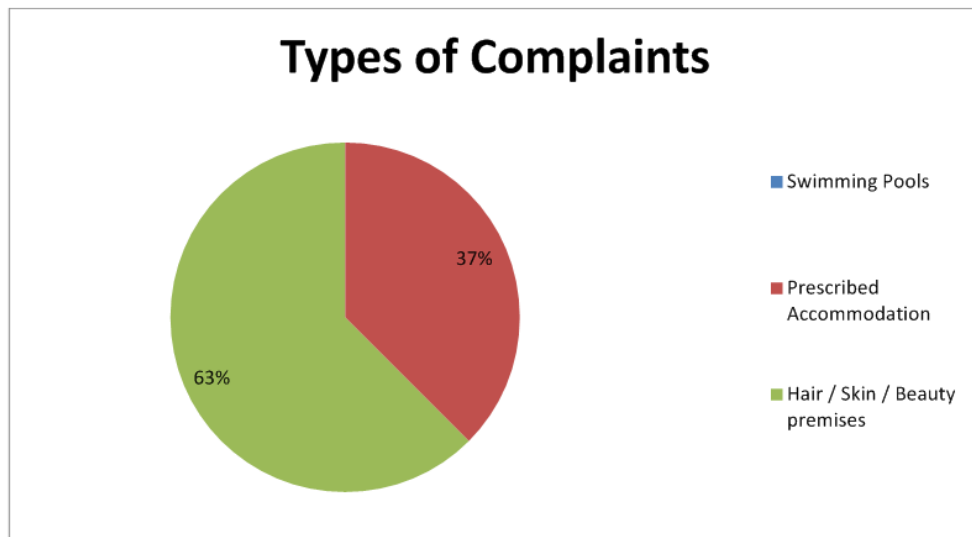
Infectious Disease Control Inspections are scheduled to be conducted from January to December. Ensuring premises are inspected prior to renewal of Public Health and Wellbeing Act registration.

**PUBLIC HEALTH & WELLBEING ACT COMPLAINTS**

Eight infectious disease related complaints were received during 2016. This compares with 10 in 2015. All complaints have been investigated in accordance with established procedures and protocols. All PHWB act complaints were resolved.



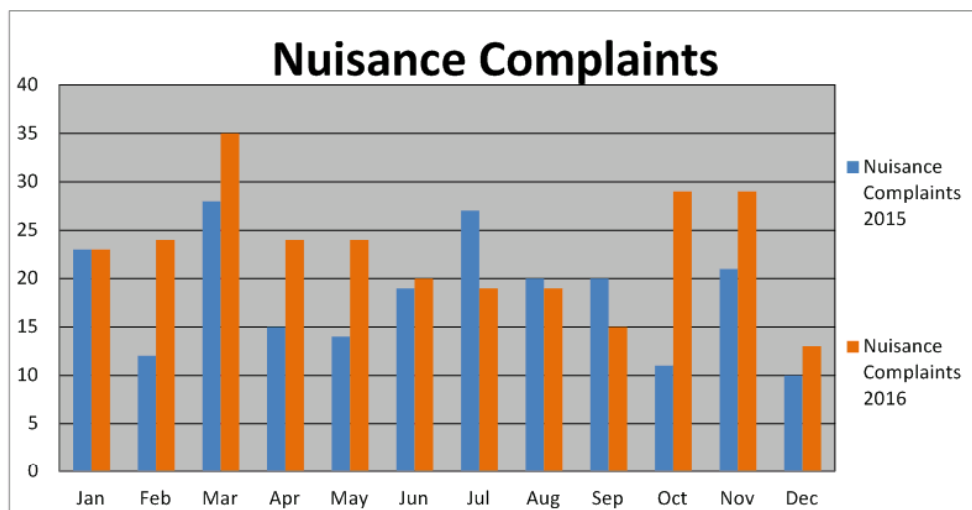
A breakdown of the complaints received by type is shown in the following graphs.



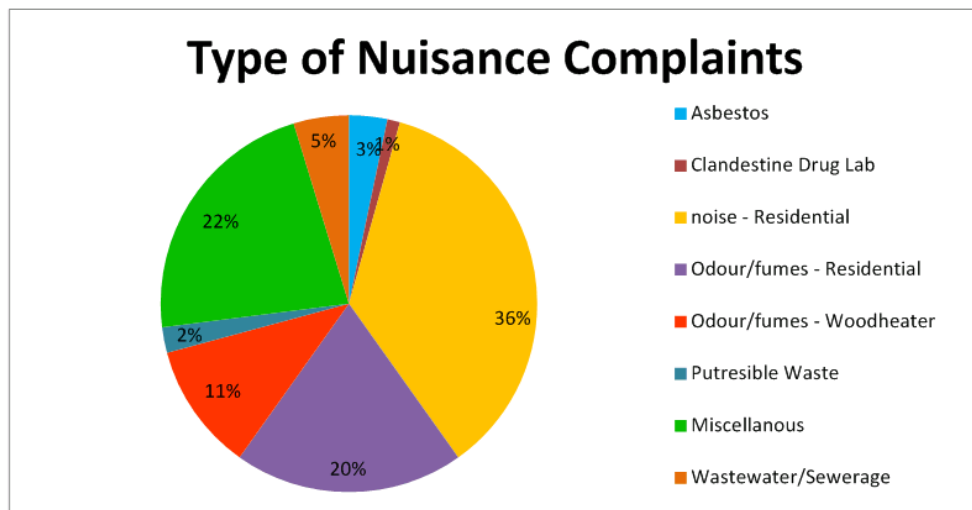
**NUISANCE COMPLAINTS**

The *Public Health and Wellbeing Act* requires Council to investigate any notice of a nuisance. If a nuisance is found to exist Council must take reasonable action to abate the nuisance. A nuisance is generally considered to be any noise or emission which is, or maybe liable to be dangerous to health.

A total of 274 nuisance complaints were received in 2016. This compares with 220 during 2015. All complaints have been investigated in accordance with established procedures and protocols. All nuisance complaints were resolved without any matters being referred to the magistrate’s court.



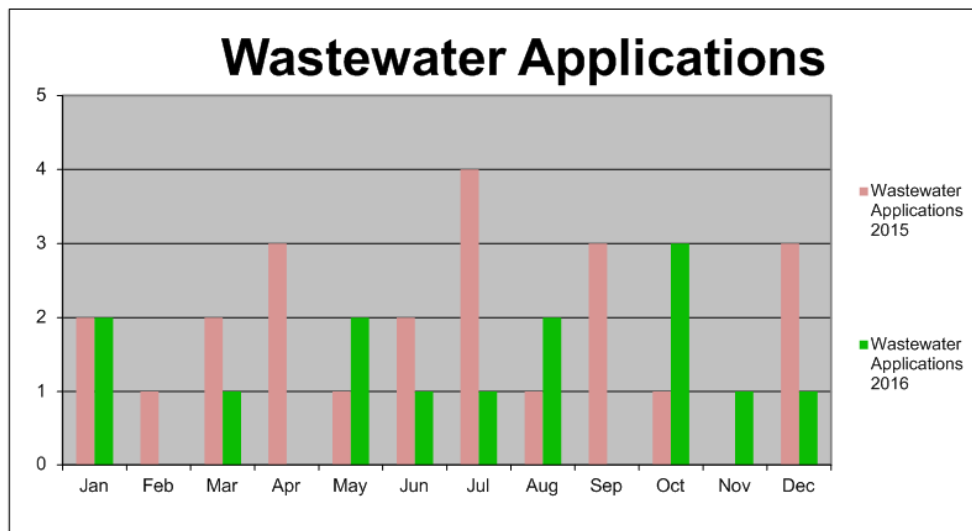
A breakdown of the complaints received by type is shown in the following graphs.



**WASTERWATER APPLICATIONS**

A total of 14 wastewater (septic tank alteration/installation) applications were received in 2016. This compares with 23 received in 2015. All applications are assessed against the relevant criteria set out in the *Septic Tanks Code of Practice*, the relevant Australia/New Zealand Standards, Council’s specifications and Environment Protection Authority (EPA) guidelines. We are noticing a decline in wastewater applications, as new development estates are being sewerred.

Council only receives applications relating to domestic wastewater systems that are designed to discharge less than 5,000 litres of effluent daily. All other applications are referred to the EPA.



**TOBACCO INSPECTIONS**

The Tobacco Education and Enforcement activity is a funded program from the Department of Health and Human Services (DHHS). Council is a signatory to a Service Agreement with the Municipal Association of Victoria (MAV), under which Council carries out a range of education and enforcement activities.

For 2016, the number of required visits has changed from a fixed percentage of specific premises types, to a fixed number of visits, determined by DHHS.

This means that Hume now has to conduct 120 education and enforcement inspections spread across the three premises types. The breakdown is tobacco retailers and specialists tobacconists (24), eating and drinking establishments (48) and outdoor areas where smoking is banned (48). The level of service for cigarette sales to minor’s enforcement remains the same.

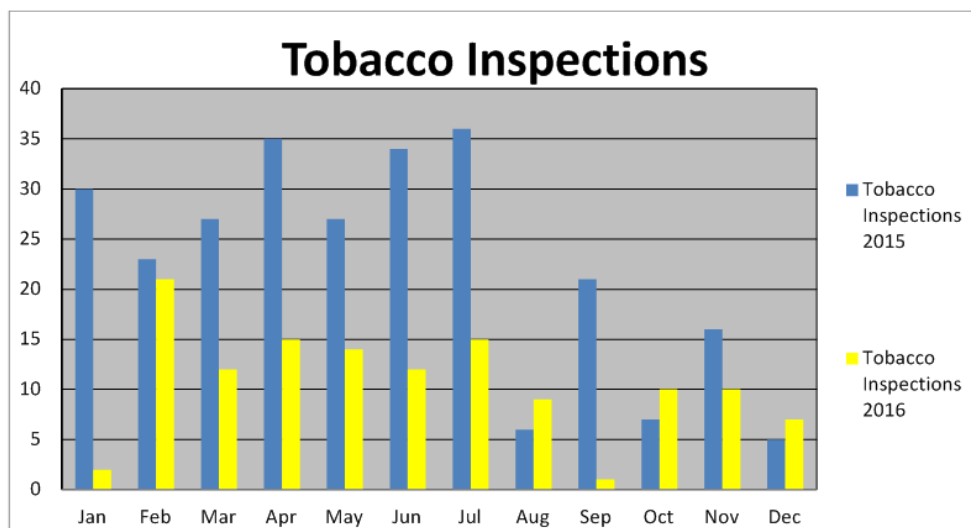
A total of 129 inspections were conducted in 2016. This compares with 267 conducted in 2015.

Of the 129 inspections, 44 were at tobacco retailers (34%), 48 were at eating establishments (37%) and 37 (29%) were at outdoor locations, including children’s playgrounds, skate parks, public swimming pools and school grounds.

38 breaches of the *Tobacco Act 1987* were found in 2016. In 2015, 77 breaches had been observed. All breaches were followed up in accordance with established procedures and protocols.

Of the 38 breaches 17 were at tobacco retailers (45%), 21 were at eating establishments (55%) and none were at outdoor locations.

Environmental Health Officers (EHOs) will also determine compliance during a statutory inspection of food premises that are also workplaces or that sell cigarettes. The EHOs carry out education visits to ensure proprietors are aware of their legislative obligation under the *Act*. As most breaches relate to signage, EHOs will carry a range a signage (stickers) resources during statutory inspections, this also continues to be addressed in Councils quarterly Food News publication.



*Hume City Council - Governance Department  
 Public Health Unit Annual Report, 2016*

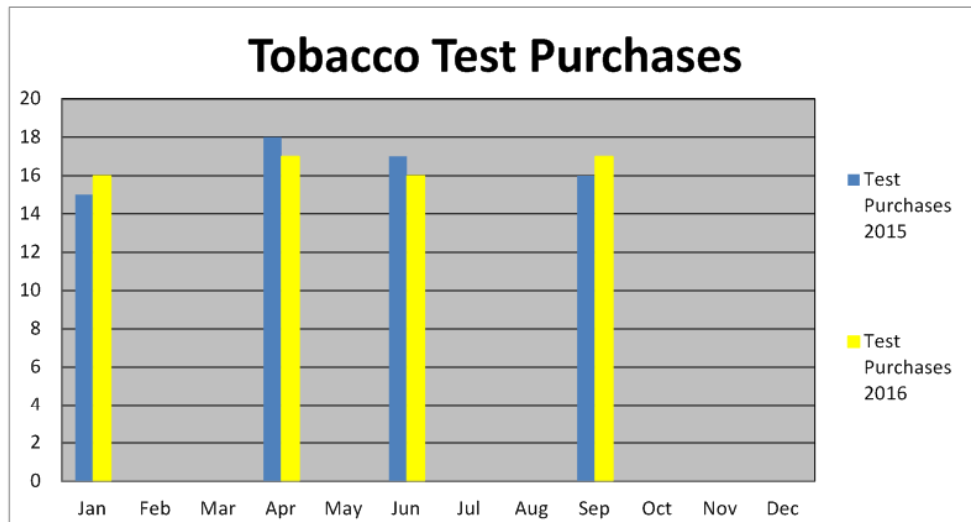
**TOBACCO TEST PURCHASES**

Tobacco test purchase is an activity funded by MAV, ensuring tobacco retailers do not sell to anyone under the age of 18.

A total of 66 test tobacco purchases using a minor were conducted for 2016. This compares with 66 conducted for 2015.

Of the 66 test purchases 62 were random and four were due to complaints. Test purchases are carried out in accordance with DHHS guidelines.

All 66 test purchases resulted in a no sale of tobacco to the minor.



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<b>REPORT NO:</b>	SU211
<b>REPORT TITLE:</b>	267 Mickleham Road, Westmeadows-Use of the land for the purpose of a Function Centre and Restaurant.
<b>SOURCE:</b>	Richard Siedlecki, Coordinator Statutory Planning
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P18644
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	1. <i>Locality Plan</i> 2. <i>Site Plan</i>

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<b>Application No:</b>	P18644
<b>Proposal:</b>	Use of the land for the purpose of a Function Centre and Restaurant
<b>Location:</b>	267 Mickleham Road, Westmeadows
<b>Zoning:</b>	General Residential 1
<b>Applicant:</b>	F3 Enterprises
<b>Date Received:</b>	15 April 2016

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**1. SUMMARY OF REPORT:**

Planning approval is sought for the use of the land at 267 Mickleham Road, Westmeadows for the purposes of a Function Centre and Restaurant. The site currently operates as a Function Centre subject to a permit issued by Council in 1997. Approval is being sought for the premises to also operate as a restaurant when not booked for private functions. Notice of the application was given to abutting properties at the conclusion of which four objections were received. The application has been assessed on its merits against the relevant policies and provisions of the *Hume Planning Scheme* (the Scheme) including consideration of the issues raised in objections. On balance, the proposal is considered acceptable and it is recommended that a Notice of Decision to Grant a Permit is issued subject to conditions.

**2. RECOMMENDATION:**

**That Council, having considered the application on its merits and the concerns of the objectors, resolve to issue a Notice of Decision to Grant a Planning Permit for the use of a restaurant and function centre at 267 Mickleham Road, Westmeadows, subject to the following conditions and notes**

- 1. The layout of the site and/or the size of the proposed or existing buildings and works and/or the internal layout and use of the buildings as shown on the endorsed plan/s shall not be altered or modified except with the written consent of the Responsible Authority.**
- 2. Within 6 months of the issue date of this permit the applicant must apply to the Victorian Civil and Administrative Tribunal to cancel permit P4087 issued on 22 July 1997.**
- 3. Accommodation for patrons must not exceed 150 except with the written consent of the responsible authority.**
- 4. Except with the prior written consent of the responsible authority, the uses permitted by this permit may only operate between the following times:**

REPORT NO: SU211 (cont.)

- Sunday to Thursday 10am to 10pm.
  - Friday to Saturday 10am to 11pm.
5. The use of the land or of any buildings on the subject land shall not be altered or changed to some other use except with the written consent of the responsible authority.
  6. The use hereby permitted shall at all times be conducted in a manner which ensures that the residential amenity of nearby residential properties is not detrimentally affected.
  7. No emptying of bottles into garbage bins will occur after 9pm on any night or before 7am on any day.
  8. The use hereby permitted shall at all times be conducted in accordance with the Venue and Patron Management Plan dated June 2016 and endorsed as forming part of this permit.
  9. The owners shall ensure that all patrons leave the premises in a quiet and orderly manner.
  10. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
  11. Noise levels emanating from the premises must be limited to within the State Environment Protection Policy (Control of Music Noise from Public Premises), No N-2 noise limits at 63, 125 and 250Hz. This must be controlled by a noise limiter on the audio system.
  12. The noise limiter installed on the audio system shall be secured to the satisfaction of the responsible authority to prevent settings being altered.
  13. New buildings or works must not be erected or constructed and existing buildings must not be enlarged, rebuilt or extended except with the written consent of the Responsible Authority.
  14. 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.
  15. The loading and unloading of goods from vehicles and the delivery of goods must at all times be carried out within the boundaries of the subject land.
  16. The car parking area at the western end of the abutting motel site must be resurfaced to the satisfaction of the responsible authority within 12 months of the issue date of this permit.
  17. The subject premises must, at all times be operated and supervised by a person over the age of 18 years who will be known as "the manager". The manager will be responsible for the conduct of patrons and shall be authorised to make statements and admissions to Council and Police officers, concerning such conduct and operation of the premises.
  18. The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the Responsible Authority *and of the Victoria Police and/or of Liquor Licensing Victoria authorised under section 129 of the Liquor Control Reform Act 1998*; and/or to take action on his/her behalf in accordance with a direction by such officer.
  19. The predominant activity carried out on the premises, must be the preparation and serving of meals for consumption on the premises.
  20. Odour filters must be installed and maintained to control cooking odours, fumes and smoke to the satisfaction of the Responsible Authority so as to prevent the emission of odours outside the premises.



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21. Goods, equipment, packaging material or machinery must not be stored or left exposed outside a building so as to be visible from any public road or thoroughfare.
22. Except with the further consent of the Responsible Authority no form of public address system shall be used on the premises so as to be audible outside the building.
23. The collection of garbage/rubbish from the subject land must only occur between the following times unless as part of a normal municipal rubbish collection services: 9am-5pm (Monday to Sunday).
24. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm.
25. A sign or signs must be provided to the satisfaction of the Responsible Authority to direct drivers to the car parking area at 265 Mickleham Road, Westmeadows. Such sign(s) must be located in the vicinity of the frontage of the subject land and maintained to the satisfaction of the Responsible Authority.
26. Entertainment only in the form of pre-recorded background music may be provided for the benefit of patrons of the premises. Highly amplified music must not be played.
27. The permit will expire if:
  - a) The use permitted by this permit does not commence within two years of the date of this permit.
  - b) The use is discontinued for a period of two years.
  - c) The License Agreement dated 27 September 2001 between the owners of 265 and 267 Mickleham Road, Westmeadows lapses or is ended.
  - d) The car spaces associated with the use hereby permitted, and made available to the land on 265 Mickleham Road, Westmeadows by way of the Licensed Agreement dated 27 September 2001, are reduced in any way unless this reduction is done in conjunction with an amendment to this permit which also reduces the maximum number of patrons specified so that it accords with the relevant car parking provisions specified for a restaurant use in the Hume Planning Scheme.

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 allowed by the permit has not yet started.

Note: If a request of an extension of commencement date is made out of time allowed by 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

**Notes:**

Prior to the commencement of the use associated with this permit, the permit holder must contact Council's Health Department to determine whether approval for the use is required pursuant to the provisions of the Health Act 1958.

**3. PROPOSAL:**

- 3.1 Planning approval is sought for the use of the land at 267 Mickleham Road, Westmeadows for the purposes of a function centre and restaurant. The site has operated as a function centre since 1997 when a permit was issued by Council for the use. Approval is now being sought for the premises to also operate as a restaurant when not booked for private functions.

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- 3.2 This application has previously been the subject of a Victorian Civil and Administrative Tribunal (VCAT) application for review that related to an appeal against conditions issued in a Notice of Decision to Grant a Permit to allow the use of the premises as a restaurant. Following a Compulsory Conference at VCAT in October 2015 the Tribunal ordered that “Pursuant to Section 51 (2)(d) of the *Victorian Civil and Administrative Act 1998*, the responsible authority’s decision is set aside and the application is remitted to the responsible authority for reconsideration.”
- 3.3 The remittal was the result of it becoming clear at the Compulsory Conference that a better approach to resolving planning issues relating to this site would be to allow for the application to be reconsidered by Council on the basis of both the function centre and restaurant use given that it became clear that this was the true nature of the use of the premises.
- 3.4 No alterations or additions to the building are sought as part of this application. The proposed addition of the restaurant use will also result in no change to patron numbers. The main operation of the premises is for private functions including weddings, birthdays, private parties and the like. The function centre will continue to operate as the primary use of the site whilst the proposed restaurant will operate at times when the premises are not operating for functions. This will generally occur during the week.
- 3.5 This process will allow for the revision of traffic, acoustic and other relevant reports so as to reflect the true nature of the use of the premises.

**4. SITE AND SURROUNDS:**

- 4.1 The subject site is located on the west side of Mickleham Road alongside the roundabout with Broadmeadows Road. A service lane associated with Mickleham Road is located in front of the subject site. The land is occupied by Azooba which currently operates as a function centre with a maximum capacity of 150 people and operating between 11 am to 11.30 pm Sunday to Thursday and between 9 am to midnight Friday and Saturday.
- 4.2 The main operation of the premises is for private functions including weddings, birthday events, private parties and the like. These are generally held on a Friday, Saturday or Sunday both at lunch and dinner times.
- 4.3 The premises also operates as a restaurant generally by booking only. This can occur at any time during the week other than where the private function may be large and in these cases the premises are not able to accommodate restaurant patrons.
- 4.4 Azooba is located within a single storey brick building and has a small setback to Mickleham Road with its entrance on its southern elevation. Internally the building is laid out with an open plan seating and bar area. Food preparation and amenity facilities are located at the western end of the building.
- 4.5 Residential properties are located to the north and west of the subject site. Immediately south of the subject site is the ‘Quality Hotel Melbourne Airport’. The hotel provides accommodation, conference facilities, and a restaurant within a two storey brick building. A car parking area is located to the west (rear) of the hotel.

**5. PLANNING CONTROLS:**

- 5.1 The following policies and provisions of the Hume Planning Scheme are relevant to the consideration of this application.

State Policies: Clause 11.02: Settlement  
Clause 17: Economic Development  
Clause 13: Environmental Risks

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	Clause 18: Transport
Municipal	Clause 21:03: Economy
Strategies:	Clause 21.06: Local Areas
Zones:	Clause 32.08: General Residential Zone
Particular	Clause 52.06: Car Parking
Provisions:	Clause 63: Existing Us
	Clause 65: Decision Guidelines

**State Planning Policy Framework**

- 5.2 Clause 17.01 (Business) relates to the location and design of commercial businesses and how they should ideally be located in activity centres but recognises out of centre establishments as useful where they serve a community benefit. The objective of this clause is:

*To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

**Local Planning Policy Framework**

- 5.3 Clause 21.03-2 (Business) relates to the importance of business within the municipality in terms of providing employment opportunities to the local community and attracting business investment. It also talks about the importance of the location of businesses within suitable areas. The relevant objectives include:

*To support, retain and encourage development of the business sector to help foster and support local employment.*

*Support the development of a network of vibrant and economically viable activity centres throughout Hume for existing and future residents and businesses.*

*Encourage the development and use of land within the Hume Highway employment corridor for a range of industry, warehousing and service business, subject to suitable separation from adjoining land uses and between different industrial activities.*

- 5.4 Clause 21.06-5 (Greenvale Attwood and West Meadows Neighborhood Economic Development) relates to retaining the economic development and encouraging the development of local shops in appropriate locations throughout the neighbourhood. Relevant objectives include:

*Retain existing employment areas on the west side of Mickleham Road and encourage the development of Global Business Park as a high quality business and industry park.*

**Aboriginal Cultural Heritage:**

- 5.5 The land is not located within an area of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007 and therefore a Cultural Heritage Management Plan is not required.

**Major Electricity Transmission Line:**

- 5.6 The land is not located within 60 metres of a major electricity transmission line.

**PLANNING PROVISIONS**

**Zoning**

- 5.7 The subject land and surrounding area is currently zoned General Residential Zone 1.

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5.8 As outlined at Clause 32.08, the purpose of the General Residential Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.*

5.9 The proposed uses are classified as Section 2 uses under the zone triggering a permit requirement.

**Overlays**

5.10 The site is not affected by any overlays.

**Particular Provisions**

5.11 Clause 52.06 relates to car parking and has the following purpose:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated by the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

**6. REFERRALS:**

The application was not required to be referred externally to any statutory referral authorities in accordance with Section 55 of the Act. No internal referrals were necessary in regard to this application.

**7. ADVERTISING:**

The subject application was advertised via notices sent to abutting land owners for a period of not less than 14 days. At the conclusion of advertising period, four objections were received. A summary of the objections is provided below;

- *Excessive noise from music and guests outside premises drinking.*
- *Inappropriate behaviour of guests on site*
- *Insufficient car parking*
- *Hours of operation too long associated with noise from music and patrons and not appropriate to a residential area.*

**8. OBJECTIONS:**

8.1 The above objections are addressed below:

REPORT NO: SU211 (cont.)

8.2 Excessive *noise from music and guests outside premises drinking.*

Complaints have been previously received from abutting land owners regarding noise associated with patrons drinking outside the premises and excessive noise from amplified music. Council officers have recently attended the site and requested the restaurant owner to play the amplified music to its permitted limit with Council officers both inside the premises and at the abutting property. The sound emanating from the restaurant was not considered excessive. The complainant has said however that the noise is excessive when 'live' artists are performing who have their own sound system. A condition requiring a device which limits noise levels will be required to be used on any amplified music system.

8.3 Inappropriate *behaviour of guests on site*

Complaints have been received concerning patrons leaving the premises in a noisy manner and parking inappropriately within the hotel premises often blocking hotel residents from being able to access the parking areas. This concern does have some substance and a condition can be placed on any approval that the owners ensure that patrons leave the premises in a quiet and orderly manner. The behaviour of patrons is also part of the Venue and Patron Management Plan which can form part of any approval.

8.4 Insufficient car parking

Prior to the use of the function centre permitted by permit P4087, the owner of the function centre pursuant to conditions 26 and 27 of the permit had to enter into a Licence arrangement with the adjoining owner (the motel) for the use of parking facilities at the western end of the motel site and the right of ingress and egress over the motel property for a period of 99 years.

8.5 Council is entitled to rely on the function centre's assertion that it has legal rights to use the motel land for car parking under the Licence arrangement. Furthermore condition 27 of the existing permit contains a mechanism to ensure alternate car parking is provided if the Licence lapses. Both conditions 26 and 27 of the existing permit can be included on any new approval issued.

The car parking required for the proposed restaurant use being 60 can easily be accommodated on the motel land which has 120 spaces on site. An issue with the car parking is however that works are required to improve the condition of some of the parking area at the western end of the motel. A condition can require improvement of the state of the parking area.

**9. ASSESSMENT:**

9.1 The State and Local Planning Policies promote the establishment and on-going support for vibrant and attractive business and employment precincts in a way that does not affect the safety and amenity of local communities. Whilst the proposed use is located within a residential zone, it provides a service that supports the local community.

9.2 It is further noted that the premises are currently operating as a function centre, which much like a restaurant use is a non-residential use within the General Residential Zone. The addition of restaurant use to the already operating function centre is not expected to result in a significant impact to the surrounding area although the premises will be in use more often.

9.3 The proposed trading hours 11am to 11.30pm Sunday to Thursday and 9am to 12am Friday to Saturday are however considered to be excessive given the use is within a General Residential Zone and that the nature of the use will be more regular than the current function centre. Noise complaints were raised in the objections with noise from the function centre affecting adjoining residents in the early hours of the morning.

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- 9.4 Although the reception centre has currently been operating within these hours for some time, records show that there have been complaints raised about the noise from the site by both adjoining residents and patrons of the motel since the time the permit was issued in 1997. Now that a fresh application has been lodged it is an opportunity to review the hours of operation and assess the impact on the surrounding area since the original permit was issued over 15 years ago. Given that the site is located within a residential zone and that the adjoining dwelling to the north of the restaurant is only set back 5 metres from a residential building, a reduction in the hours of operation by the way of a permit condition is considered appropriate.
- 9.5 The hours of operation recommended for inclusion on the permit are;
- *Sunday – Thursday 10 am to 10 pm.(currently 11pm)*
  - *Friday – Saturday 10 am to 11 pm.(currently midnight)*
- 9.6 In terms of car parking, the number of car spaces required pursuant to Clause 52.06-5 is as follows:
- *Restaurant 0.4 to each patron permitted. The restaurant proposes 150 patrons*
  - *Car spaces required: 0.4 spaces per 150 patrons = 60 spaces*

As previously stated, the restaurant/function centre will have access to at least 62 formal car spaces to the rear of the abutting hotel.

- 9.7 The applicants have submitted a Venue and Patron Management Plan which has been prepared to provide a framework under which the conduct of the premises is managed to avoid unreasonable amenity impacts on the surrounding area. The plan addresses issues such as access to the premises, noise sources, patron management, waste management, provision of music, service of alcohol and responding to complaints. A condition placed on any approval can require compliance with the Venue and Patron Management Plan.
- 9.8 It is not considered necessary to specify times as to when the restaurant can be used or when the function centre can operate. There is a cap on the number of patrons permitted and hours of operation regardless of the use. The premises are not equipped to operate as a restaurant and function centre at the one time.
- 9.9 In regard to the original permit P4087 issued by Council on 22 July 1997 for the site to be used as a reception centre and associated car parking, a condition will be placed on any approval that the permit be cancelled within three months of the approval for this proposal. This would be advisable to avoid any confusion about the relevance of either permit should any enforcement action be required in the future.
- 9.10 Several new conditions are recommended for inclusion in the new permit and some conditions amended as follows:
- The closing hours of operation have been reduced by one hour
  - Times have been placed on the permit when empty bottles can be emptied into garbage bins.
  - The uses must now comply with a Venue and Patron Management Plan.
  - Conditions that require noise limiting devices on the amplified music system are added.
  - The tenure of the premises for a restaurant and function centre is directly linked to the availability of car parking on the motel site.
  - That the original permit for a reception centre and parking be cancelled.
  - Condition added that the parking area at the western end of the motel be resurfaced.

**REPORT NO: SU211 (cont.)**

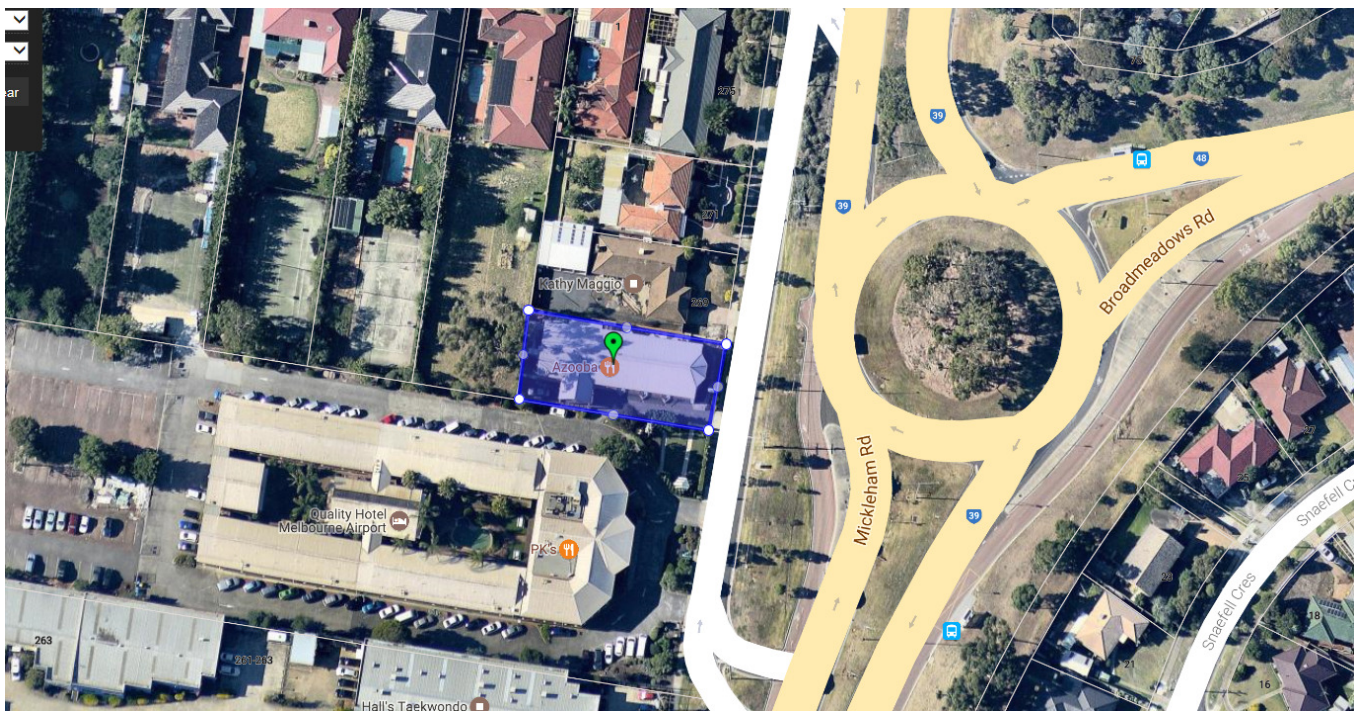
**10. CONCLUSION**

The proposal has been considered against the relevant policies and provisions of the Hume Planning Scheme, including the State and Local Planning Policy Frameworks, Clause 52.06 (Car Parking) as well as the General Residential Zone 1. The views of the objectors have also been considered. A further assessment of the proposed uses has shown the uses are considered appropriate for the site on the basis that several previous conditions imposed are reviewed particularly those relating to hours of operation, noise and patron management.

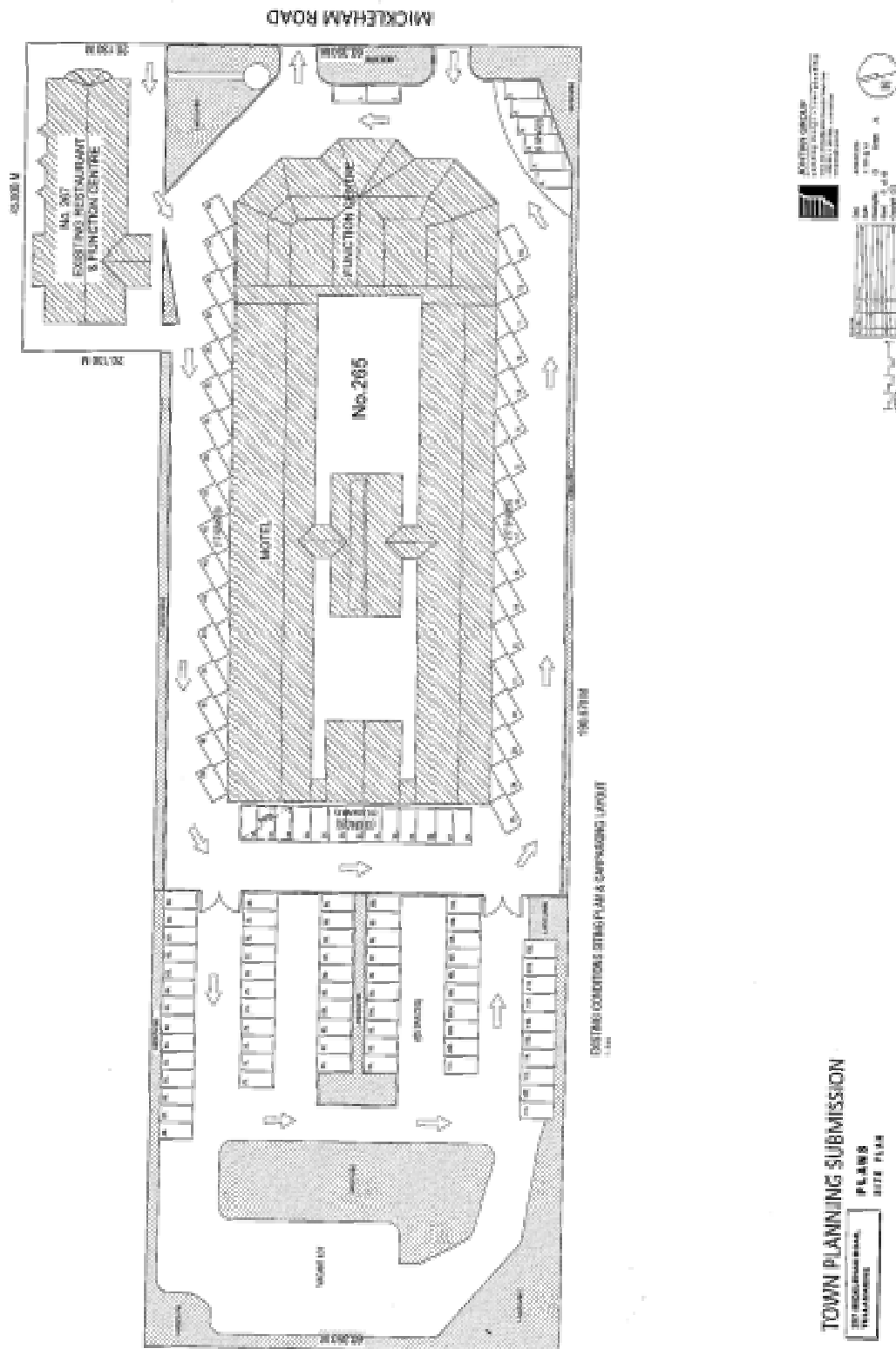
# LOCALITY PLAN

P18644

267 Mickleham Road Westmeadows







TOWN PLANNING SUBMISSION  
 PLAN &  
 SITE PLAN

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<b>REPORT NO:</b>	SU212
<b>REPORT TITLE:</b>	765 - 785 Mt Ridley Road, Yuroke - Use and development of the land for the disposal of clean fill and earthworks (clean fill) and the creation of access to a road in a Road Zone Category 1.
<b>SOURCE:</b>	Brydon King, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P18003.01
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Aerial Map</i></li><li>2. <i>Locality Map</i></li><li>3. <i>Proposed Amendment to Conditions</i></li><li>4. <i>Proposed Development Plans</i></li></ol>

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<b>Application No:</b>	P18003
<b>Proposal:</b>	Use and development of the land for the disposal of clean fill and earthworks (clean fill) and the creation of access to a road in a Road Zone Category 1.
<b>Location:</b>	765 – 785 Mt Ridley Road, Yuroke
<b>Zoning:</b>	Green Wedge Zone
<b>Applicant:</b>	Creative Landfill Pty Ltd
<b>Date Received:</b>	20 January 2017

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## 1. SUMMARY OF REPORT:

- 1.1 The original application related to allowing clean fill to be placed on the subject land and a permit has been granted for that to occur.
- 1.2 The original application was subject to a Failure to Determine hearing at the Victorian Civil and Administrative Tribunal (VCAT). The application received five submissions and three submitters were direct parties to the Failure to Determine appeal at VCAT. Council supported the proposal via a decision at its Council meeting of 29 March 2016. A planning permit for the works was granted in July 2016 at the direction of the Tribunal after a three day hearing on the merits of the application.
- 1.3 The original application had vehicle access to the site via Mt Ridley Road to the north. The proponent is now seeking to have access from Mickleham Road to the east of the land via a property known as 1775 Mickleham Road. All other elements of the proposal remain the same including the amount of fill, the location of fill, truck movements etc.
- 1.4 The proponent has applied directly to VCAT to consider this amendment under Section 87A of the Planning and Environment Act 1987 and subsequently the ultimate decision maker will be VCAT. The only parties to the application at VCAT are Council and the proponent, Creative Landfill Pty Ltd. A Compulsory Conference has been scheduled for May 2017 to explore a mediated outcome for the matter. A position of Council is required to present at the Compulsory Conference.

REPORT NO: SU212 (cont.)

**2. RECOMMENDATION:**

That Council, having considered the application to amend permit P18003 on its merits and the Statement of Grounds, resolves to advise the Victorian Civil and Administrative Tribunal that Council:

1. Supports the alternate access to the earthworks (clean fill) at 765 – 785 Mt Ridley Road Yuroke from Mickleham Road, across land known as 1775 Mickleham Road, Yuroke.
2. Supports amendments to permit P18003 per the marked changes in the attached permit, submitted to Council on 20 January 2017, with the inclusion of the following additional conditions as follows:
  - The removal of the stone wall to facilitate the crossover to Mickleham Road must be to the minimum extent necessary. The stone must be relocated to the south east corner between the internal stone wall and the Mickleham Road stone wall for the duration of the project. Within 30 days of the completion of the works the stone wall must be rebuilt by a suitable qualified person to the satisfaction of the responsible authority.
  - The proposed temporary access to Mickleham Road is to be removed and reinstated accordingly once the operation of the land fill has ceased (3 years).

**3. PROPOSAL:**

- 3.1 The subject land has received permission to place 360,115 cubic metres of clean fill on the site. The proposed fill will be carried out in 4 stages with Stage 1 being the front portion of the site along the Mt Ridley Road, Stage 2 being the rear south-east corner portion of the site while stages 3 and 4 will occur within the central parts of the subject fill area.
- 3.2 The original proposals had access to the site via Mt Ridley Road to the north and conditions were placed on the planning permit for the upgrade of Mt Ridley Road accordingly. No other changes are proposed to the clean fill operation and the amount of fill, location of fill and truck movements etc remain the same.
- 3.3 The proponent subsequently has sought permission to alter the access point for the earthworks and take access from Mickleham Road across land known as 1775 Mickleham Road to the east of the land.

**4. SITE AND SURROUNDS:**

- 4.1 The subject site is located at the western end of Mt Ridley Road and is approximately 102.7 hectares in area. The site is vacant and it contains a number of significant river red gums and significant native grasslands centrally and at the southern end of the site.
- 4.2 The site contains two dams which are located toward the southern end of the site. The general fall of the site is toward the south, south-west.
- 4.3 The site has primarily been used for grazing purposes.
- 4.4 Properties surrounding the subject site are similar in size, if not larger, and are generally occupied by dwellings or various outbuildings.
- 4.5 Approximately 14,500 cubic metres of illegal fill was placed on the site which was allowed to remain as part of the permission granted in the planning permit.
- 4.6 The alternate access site at 1775 Mickleham Road is rectangular in shape and the land rises from Mickleham Road to the eastern boundary of land where fill is permitted to be placed.
- 4.7 The land at 1775 Mickleham Road features a dwelling (unoccupied) and shedding located to the south of the proposed access road.

REPORT NO: SU212 (cont.)

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

<i>State Policies:</i>	Clause 12: Environment and Landscape Values Clause 14.02: Natural Resource Management
<i>Municipal Strategies:</i>	Clause 21.05-1: Natural Environment and Built Environment Clause 21.05-2: Catchment and Land Management Clause 21.05-4: Landscape Clause 21.06-6: Local Areas
<i>Local Policies:</i>	Clause 22.02: Rural Land Character and Urban Design Local Policy
<i>Zones:</i>	Clause 35.04: Green Wedge Zone
<i>Overlays:</i>	Clause 42.01: Environmental Significance Overlay Schedule 1 Clause 45.01: Public Acquisition Overlay Schedule 3
<i>Particular Provisions:</i>	Clause 52.17: Native Vegetation
<i>General Provisions:</i>	Clause 65.01: Approval of an Application or Plan

- 5.2 The land at 765-785 Mt Ridley Road is located within a Green Wedge Zone (GWZ) and is affected by the Environmental Significance Overlay Schedule 1 (ESO1) and Public Acquisition Overlay Schedule 3 (PAO3).

- 5.3 The land proposed for the alternate access at 1775 Mickleham Road is located within a GWZ with no overlays.

- 5.4 The following purposes apply to the Green Wedge Zone:

- *‘To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*
- *To encourage use and development that is consistent with sustainable land management practices.*
- *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
- *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
- *To protect and enhance the biodiversity of the area’.*

- 5.5 Pursuant to Clause 35.04-5 of the Hume Planning Scheme, a planning permit is required for works associated with a Section 2 use being the earthworks permitted on the adjacent site and as the earthworks to create the access road will need more than 100 cubic metres of material.

- 5.6 An assessment of the suitability of the proposal needs to be made within the context of the rural setting of the area, having regard to the decision guidelines found at Clause 35.04-6 of the Green Wedge Zone. The decision guidelines highlight key issues and information that need to be taken into consideration when assessing proposals in order for relevant stakeholders and Council to make an informed decision.

REPORT NO: SU212 (cont.)

- 5.7 There are no overlays on 1775 Mickleham Road, however, the Environmental Significance Overlay Schedule 11 (ESO11) applies to the road reserve of Mickleham Road. The ESO11 provides the following statement of environmental significance:
- 'The rural areas of the municipality contain a number of waterways which are significant visual and geological significant features of the rural landscape and which serve important environmental, drainage and recreation functions. These waterways provide a habitat for a range of flora and fauna species and make a significant visual contribution to the overall character, amenity and identity of the municipality.'*
- 5.8 A permit is required under Clause 42.01-2 to remove, destroy or lop any vegetation, however no vegetation removal is proposed in Mickleham Road to create the access road.
- 5.9 Clause 21.05-1 of the Hume Planning Scheme encourages the protection and enhancement of biodiversity within the municipality. The policy has the following relevant objectives that apply to the proposal:
- 'To protect and where possible restore the integrity of the City's biodiversity.*
- To appropriately manage, protect and where possible restore the integrity of the City's catchments and broader land management practices.*
- To maintain and protect the identified permanent landscape and non-urban buffer, known as the 'inter-urban break', between Craigieburn and any additional urban development which may occur further to the north in the Merri (Hume) Growth corridor.*
- To provide for the protection and appropriate management of sites of heritage and cultural significance'.*
- 5.10 Clause 21.06-6 of the Hume Planning Scheme relates to rural areas within the municipality. The policy has the following relevant strategies:
- 'Ensure that new development is located and designed to have a minimal visual impact on the rural character of the area.*
- Encourage the use of rural land for rural purposes and the protection of the rural landscape from incompatible development.'*
- 5.11 Clause 22.02, Rural Land Character and Urban Design Local Policy, of the Hume Planning Scheme relates to land zoned Green Wedge and located outside the Urban Growth Boundary. The policy has the following relevant provisions:
- *On steeply sloping land, access roads and service lines should follow contour lines where ever practicable.*
  - *Buildings are sited to maximise the retention of existing remnant vegetation.*
  - *Effective storm water management will be considered as part of new development proposals.*
  - *New development on or near hilltops and other visually prominent locations is avoided. Where hilltop development cannot be avoided, appropriate mounding treatment around the developed area is encouraged to provide screening.*
  - *Extensive earthworks are avoided as substantial alterations to the natural topography disrupt the flow of the landform and generally appear as unsightly scars in the landscape.*
  - *Where cut and fill batters cannot be avoided, the batters should be landscaped with appropriate erosion control planting and other stabilisation techniques.*
- 5.12 The original proposal was considered to meet the objectives and policy requirements relating to the above by ensuring native vegetation is retained and not destroyed by placing fill within non-sensitive areas of the subject site. The proposed finished contour of the fill will integrate with the broader contours of the site and overall improving the

**REPORT NO: SU212 (cont.)**

appearance of the site. The proposed new access road to Mickleham Road is consistent with the objectives and policy requirements through providing efficient and effective access to the site.

- 5.13 Clause 52.29 Land adjacent to a Road Zone Category 1 triggers a planning permit for new access from Mickleham Road which is in Road Zone Category 1. Approval from VicRoads is required for the access. The access proposed is temporary in nature and is to be removed when the earthworks are complete in line with VicRoads requirements.
- 5.14 The south eastern portion of 1775 Mickleham Road is indicated as an area of cultural heritage sensitivity however the proposed access road will not impact on that area. On this basis no mandatory Cultural Heritage Management Plan is required.

**6. REFERRALS:**

- 6.1 The application was referred internally to Council's Sustainable Environment Department (SED) who supports the application subject to permit conditions to manage stone walls in vicinity of the access road.
- 6.2 The application was referred to Council's Engineering and Traffic Department who did not offer any objections.
- 6.3 VicRoads provided in principle support for the access road in November 2016 with a suggested condition that the access road be removed once the operation has ceased in three years. The application was referred to VicRoads at the direction of the Tribunal as the access from Mickleham Road is within a road in a Road Zone Category 1. VicRoads have not requested to be party to the appeal by the date provided, however, the in principle support from November 2016 has been relied on by the permit holder.

**7. ADVERTISING:**

- 7.1 The request to amend the current permit to allow the alternate access road was lodged directly with VCAT. Subsequently VCAT directed the applicant to undertake public notice of the application and send advice to referral authorities per orders dated 9 February 2017. The closing date for objectors and referral authorities to lodge statement of grounds to the application was the 8 March 2017.
- 7.2 As a result of the public notice and referrals processes two statement of grounds were lodged with the Tribunal. The statement of grounds received related to property owners to the east of the proposed access route site on the opposite side of Mickleham Road. The key issues raised in the statement of grounds are as follows:
- Increase in heavy vehicles on Mickleham Road which will ultimately be a more suburban based arterial road subject to the Craigieburn West Precinct Structure Plan being processed (for land on the east side of Mickleham Road).
  - Nuisance created by vehicles.
  - Suggestions that access should only be left in, left out to Mickleham Road.
  - Need expiry conditions on permit.
- 7.3 The above statement of grounds specifically detailed that the submitters did not want to attend a hearing on the matter and subsequently they are not formal parties to the VCAT proceeding. The only formal parties to the matter that will attend the Compulsory Conference are Council and the proponent, Creative Landfill Pty Ltd.

**8. STATEMENT OF GROUNDS**

- 8.1 The issues raised in the statement of grounds are detailed below with an officer's response.

REPORT NO: SU212 (cont.)

- 8.2 Increase in heavy vehicles on Mickleham Road which will ultimately be a more suburban based arterial road subject to the Craigieburn West Precinct Structure Plan being processed.

Mickleham Road will change over time as part of adjacent development occurring on the eastern side of the road into the future. In the meantime it is considered Mickleham Road offers a more practical route along an existing arterial road for access to the subject land. VicRoads have provided support for the access along Mickleham Road.

- 8.3 Expiry conditions on the permit

The current permit details that the clean fill operation should be completed within three years of the use commencing ensuring that the impact of development to the east can be considered in the event extensions of the permit are requested into the future. There is no proposed change to the expiry condition sought by this amendment.

- 8.4 Nuisance created by vehicles and suggestions that access should only be left in, left out to Mickleham Road

A traffic report was provided with the amendment to permit application which outlines that the proposed truck movements proposed along Mickleham Road, to access the clean fill operation, are manageable in context to nature of Mickleham Road being an arterial road. The report also highlighted that Mickleham Road is a VicRoads B-Double Access Approved Route. The report has suggested that given the volumes of traffic recorded the need for left, left out is not necessary.

- 8.5 VicRoads are the relevant authority managing Mickleham Road and in the absence of any specific concerns or requirements for left, left out from VicRoads it is considered the proposed truck volumes along Mickleham Road as a result of the proposed amendment to the access are a reasonable outcome.

## 9. DISCUSSION

### Traffic and Amenity

- 9.1 The alternate access road proposed is considered a reasonable outcome on the land. The access arrangements will provide a direct route to the site for the earthworks from an existing arterial road, being Mickleham Road. The access arrangements from Mickleham Road have been supported by VicRoads as the road manager.
- 9.2 Two statement of grounds have been provided to VCAT concerning the impact of traffic on Mickleham Road. Whilst these concerns are noted the nature of Mickleham Road ensures higher volumes of traffic can be accommodated and VicRoads have supported the access off Mickleham Road.
- 9.3 Based on the above it is considered amending the permit to allow access from Mickleham Road provides for a practical access route to be provided to manage the earthworks. Amendments to the permit to reflect this outcome will relate to referencing the access site in what the permit allows and deleting conditions related to the upgrading of Mt Ridley Road previously proposed for access.

### Consistency with the Green Wedge Zone

- 9.4 The proposed new access arrangements are considered consistent with the purpose of the GWZ which emphasises the importance of the environmental and landscape values and encourages use and development that is consistent with sustainable land management practices. The alternate access road will provide more direct access from an arterial road and will not have significant environmental impacts or compromise the overall values of the land.
- 9.5 The proposed access from Mickleham Road will be designed and located to:
- Not impact on native vegetation.
  - Avoid create unreasonable impacts to the amenity of the surrounding area.

**REPORT NO: SU212 (cont.)**

- Be of a temporary nature and not undermine the ongoing use of land for agricultural purposes.

9.6 On the basis of the above the amendment of the permit to provide for alternate access is considered consistent with the objectives of the GWZ.

**10. CONCLUSION**

10.1 The proposal amendment of planning permit P18003 to provide for alternate access to the land at 765-785 Mt Ridley Road via 1775 Mickleham Road is considered beneficial compared to the previous access arrangement via Mt Ridley Road.

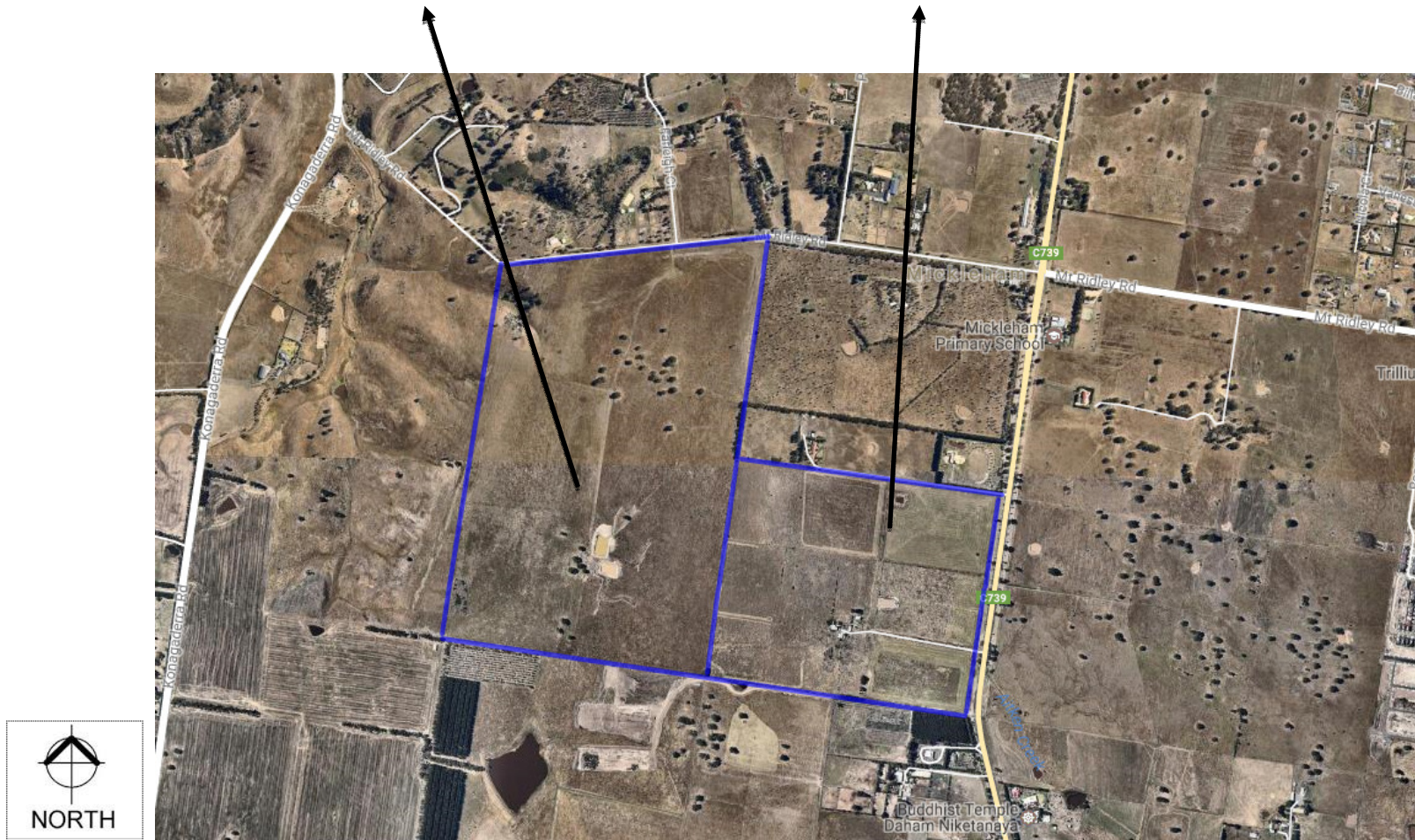
10.2 On balance the proposed amended access and amendments to the planning permit should be supported.



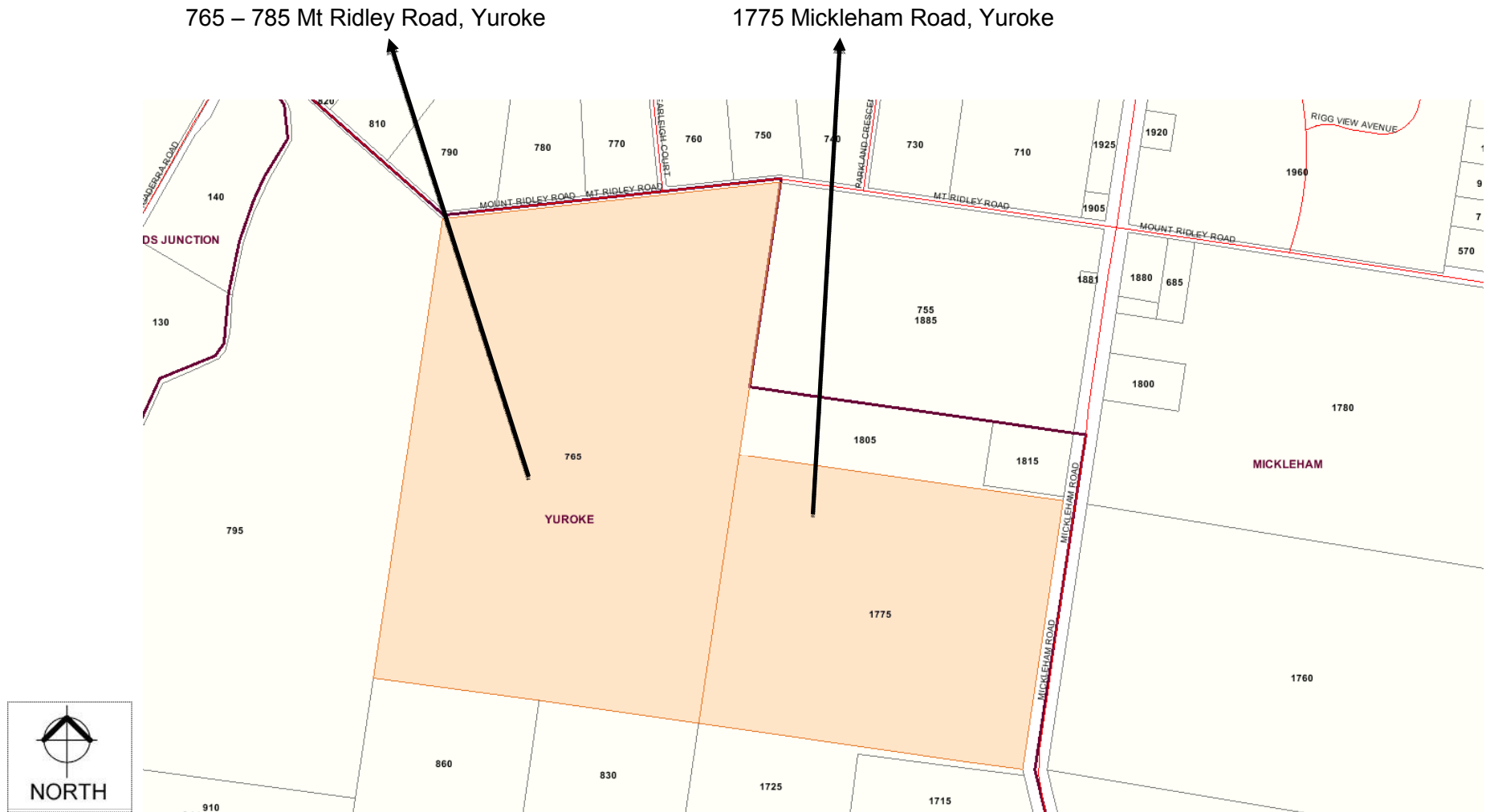
Permit Application: P18003.01

765 – 785 Mt Ridley Road, Yuroke

1775 Mickleham Road, Yuroke



Permit Application: P18003.01



## APPENDIX A

<b>PERMIT APPLICATION NO:</b>	P18003
<b>LAND:</b>	765-785 Mt Ridley Road, Yuroke and 1775 Mjckleham Road, Yuroke
<b>WHAT THE PERMIT ALLOWS:</b>	<ul style="list-style-type: none"><li>• Use and development of the land for disposal of clean fill and earthworks (clean fill), <u>and creation of access to a road in a Road Zone Category 1</u>, in accordance with the endorsed plans and the permit conditions.</li></ul>

## Conditions

- ~~1~~ Before the development permitted by this permit commences, ~~amended Version M plans, dated 15 December 2016 which have been updated to incorporate changes required from Version L plans to the satisfaction of the Responsible Authority as detailed in VCAT Order 1075, dated 28 June 2016,~~ must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. ~~The plans must be generally in accordance with the substituted plans submitted (Sheets 1 to 7 Version L Dated 10 Feb 2016) with the application but modified to show:~~
- ~~(a) Deletion of the words 'proposed' where relevant.~~
  - ~~(b) Deletion of the words 'Captured water to discharge evenly to imitate current flow of water across the site' from the Survey Plan.~~
  - ~~(c) Protection fencing must be shown and noted around the tree located closest to the north-eastern boundary fence.~~
  - ~~(d) Increase vegetation avoidance zone to include all areas outside of the proposed fill area.~~
- 21 The layout of the site and the extent of earthworks as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.
- 32 No fill is to be placed beyond the areas as shown on the endorsed plans.
- 43 The amenity of the locality must not be adversely affected by:
- (a) the activity on the site or related to the site,
  - (b) the appearance of any buildings,
  - (c) works or materials,
  - (d) emissions from the site, or
  - (e) in any other way

all to the satisfaction of the Responsible Authority.

- ~~54~~ Once the works permitted by this permit have commenced, the works must be continued and completed in accordance with the endorsed plans with all areas of fill stabilised and revegetated to minimise erosion, prevent mass land movements and sediment laden runoff, all to the satisfaction of the Responsible Authority.
- ~~65~~ No additional fill material other than that permitted in accordance this permit is to be brought onto the site unless with the prior written consent of the Responsible Authority.
- ~~76~~ Except with the prior written consent of the Responsible Authority, the approved earthworks approved by this permit shall only be undertaken between the following hours:
- (a) Monday to Friday 7.30 a.m. - 4.00 p.m.
  - (b) Saturday ~~7.30am- 1.00pm.~~
- ~~87~~ Except with the prior written consent of the Responsible Authority, no more than 200 truck movements (noting that a truck that enters and exits the site equates to 2 truck movements) can occur on each day from Monday to Friday excluding public holidays and no more than 100 truck movements on Saturday.
- ~~9~~ ~~Trucks associated with the earthworks approved by this permit must not use Parkland Crescent when entering or egressing the site.~~
- ~~108~~ The earthworks operator must keep a written summary of daily truck movements to and from the site and a tally of fill volumes transported onto the site. Unless otherwise advised in writing by the Responsible Authority, these summaries shall be provided on a quarterly basis after the commencement of the use.
- ~~112~~ The operation must not track dirt, sediment or fill or cause overspill of earthworks materials onto ~~Mt Ridley Road~~ Mickleham Road.
- ~~1210~~ Existing fill that has been imported onto the land as identified on the plans to be endorsed under this permit:
- (a) Must be tested by a consultant whose qualifications are acceptable to the Responsible Authority. The testing must be consistent with the *Industrial Waste Resource Guidelines – Soil Sampling - no. 702* as amended from time to time.
  - (b) Must be removed from the site and disposed of to an appropriately licensed landfill if the fill does not meet the required fill material standard specified within the *Industrial Waste Resource Guidelines - Soil Hazard Categorisation and Management no. 621* as amended from time to time prior to the importation and placement of any new material to the satisfaction of the responsible authority and the Environment Protection Authority.
- ~~1311~~ Upon completion of the works, the permit applicant must submit a survey plan by a qualified licensed surveyor confirming the finished levels on the site are compliant with the endorsed plans to the satisfaction of the responsible authority.

- ~~14~~12 Written records must be maintained to show that all fill brought onto the site is natural soil and earth material generated through the excavation of greenfield subdivisions and has been sampled and classified as clean fill in accordance with Industrial Waste Resource Guideline 621 *Soil Hazard Categorisation and Management*. These records shall be provided to the Responsible Authority when requested. No industrial waste or contaminated soil is to be brought onto the site.
- ~~15~~13 Prior to commencement of works, a Construction Site Environmental Management Plan (CSEMP), must be submitted to the satisfaction of and approved by the Responsible Authority to address the potential impacts of construction works. The CSEMP must be generally in accordance with 'doing it right on subdivision' (Environment Protection Authority, 2004) and address methods for noise, dust, erosion and sediment control, waste and chemical management, flora/fauna protection, weed control, appropriate fencing for stock control and archaeological/heritage impacts.
- ~~16~~14 Prior to commencement of works, all personnel on site must be inducted into the CSEMP and all flora and fauna conservation requirements.
- ~~17~~15 The approved CSEMP must be implemented to the satisfaction of the Responsible Authority.
- ~~18~~16 No earthworks, compaction or modification of existing drainage patterns may be undertaken which present a risk to any remnant trees, understorey, or revegetation areas without the written consent of the responsible authority.
- ~~19~~17 Prior to the commencement of works the boundary of the works area ~~and temporary haul road~~ must be fenced with secure and obvious temporary fencing to the satisfaction of the Responsible Authority. The fence must remain secure and not be moved during the entire development project unless with the written consent of the Responsible Authority.
- ~~20~~18 Prior to the commencement of works, all trees on the site must be temporarily fenced off with secure and obvious fencing in accordance with Australian Standard (AS4970-2009). Fencing must be signposted as "tree protection zone". The tree protection fence must remain in place until the works are completed. Fill, machinery and building materials must not be placed, even for a short time, within the tree protection zone.
- ~~21~~19 Following the commencement of works and at the completion of works, nothing, including vehicles, is to be stored under the canopy of any existing remnant trees.
- ~~22~~20 Works must be restricted to the area of development shown on the endorsed plans.
- ~~23~~21 Prior to commencement of works, a landscape plan generally in accordance with the descriptions and recommendations of Mr Allan Wyatt contained in his Section 3 of Expert Statement of Evidence filed in VCAT Proceeding P893/2015 (dated March 2016). The landscape plan must provide for but is not limited to:
- (a) boundary planting along a 5m width using a mix of indigenous native trees;

- (b) revegetation of all disturbed and fill areas on completion of each stage of the fill works hereby permitted using a mix of grasses or pasture species;
- (c) an outline of the means proposed to protect planted trees from vermin and grazing impacts; and
- (d) weed management.

The landscape plan must be to the satisfaction of and approved by the Responsible Authority.

~~2422~~ Prior to the commencement of the works or at such other time as may be approved in writing by the Responsible Authority, the landscape plan must be implemented to the satisfaction of the Responsible Authority. The landscaping, including the staged revegetation of the filled areas, must be maintained by the landfill operator to the satisfaction of the Responsible Authority for a period of two years following completion of each stage.

~~2523~~ The operator shall ensure that an experienced and trained site manager is present at all times the site is open to receive clean fill, together with a sufficient number of staff to ensure the satisfactory operation of the site. Entry to the site shall at all times be controlled to ensure that only clean fill authorised by this permit is received.

~~2624~~ There must be no discharge of wastewater, contaminated stormwater or sediment-laden runoff beyond the boundary of the site or directly or indirectly into Council's drains or into watercourse, all to the satisfaction of the Responsible Authority.

~~2725~~ There must be no discharge of nuisance dust beyond the boundary of the site to the satisfaction of the Responsible Authority.

~~28~~ If requested by the Responsible Authority, every six (6) months from the commencement of the use and development hereby permitted until cessation of the use, written notification to the Responsible Authority must be provided about the quantity of fill received on site, the sources of the fill material and the projected timeframes for completion.

~~2926~~ Prior to the commencement of the use and development approved by this permit, the permit applicant must prepare plans and specifications to the satisfaction and approval of the Responsible Authority for the upgrade of Mt Ridley Road. The design of the upgrade works must provide for the re-construction of the existing road to a two-lane sealed road (one lane in each direction) generally in accordance with the recommendations of Mr Pablo Toro as set out in his Expert Statement of Evidence filed in VCAT Proceeding P893/2015 (dated 22 March 2016) with lanes of not less than 3.1m width (a minimum of 6.2m total width of sealed road) and 1.5m shoulders to each lane along with all other necessary engineering and road works. The upgrade of Mt Ridley Road must extend from the intersection of Mickleham Road to the end of the final entry or access point into the works area hereby approved.

~~30~~ Prior to the delivery of fill to the site commencing, the works operator/permit applicant must complete the upgrade of Mt Ridley Road in accordance with the approved design of the upgrade works at no cost to the Responsible or any other relevant road authority (i.e. at the works operator/permit applicant's full cost).

~~31~~<sup>27</sup> Prior to the delivery of fill to the site commencing, the works operator/permit applicant shall submit to the satisfaction and approval of the Responsible Authority a Dust Management Plan which shall generally be in accordance with the recommendations of Mr Barry Cook as set out in his Expert Statement of Evidence filed in VCAT Proceeding P893/2015 (dated ~~December~~ <sup>22 March</sup> 2016) and which must include, but is not limited to:

- (a) Setting out conditions or triggers for when the operation of specified plant should cease. These plant and operations include but are not limited to any bulldozer, trucks transporting fill and or fill stockpile operations.
- (b) Details in the use and management of real time monitoring downwind of work area(s) using an automated monitoring station, including applicable response trigger levels.
- (c) The watering or other treatments of haul roads.
- (d) The watering of or other treatment of stockpiles at placement and under specified works and/or weather conditions when raised dust may be generated.
- (e) Cleaning and maintenance of rumble strips.
- (f) Management actions to reduce and remove tracked dirt, sediment or fill from access roads (e.g. ~~Mt Ridley~~<sup>Mickleham</sup> Road).
- (g) Clear identification for responsibilities of site personnel and the site manager.
- (h) Clear identification of actions or responses when specified trigger levels or conditions occur.

~~28~~ The dust management plan must be implemented to the satisfaction of the Responsible Authority.

~~32~~<sup>29</sup> At the conclusion of works, the temporary crossover providing access to Mickleham Road must be removed and grass verge reinstated.

~~33~~<sup>30</sup> Prior to the delivery of fill to the site commencing, the permit applicant/works operator must, to the satisfaction of the Responsible Authority, complete the construction of an earth berm (acoustic berm) in Stage 1 in accordance with the recommendations of Mr Darren Tardio in his Statement of Evidence filed in VCAT Proceeding P893/2015 (dated 21 March 2016) found at paragraph 21(c) of this statement, and sections 5.2 and 6 and sheet 1 of the technical report attached as appendix B of the Statement.

~~34~~<sup>31</sup> Any bulldozer (or similar tracked machinery equivalent) used on the site during Stage 1 of the use and development must be of wheel operated and not a tracked type machine.

3532 Prior to the commencement of fill being delivered for disposal under Stages 2 or 3 of the use and development hereby permitted, the permit applicant/works operator must provide to the satisfaction and approval of the Responsible Authority an acoustic assessment report that evaluates and sets out as necessary noise reduction measures required to bring noise levels at any sensitive receptor to the east of the subject site into compliance with State Environmental Protection Policy – (Noise from Industry, Commerce and Trade) No N-1 (the SEPP N-1).

3633 Prior to the spreading of fill under Stages 2 or 3 of the use and development hereby permitted, the permit applicant/works operator must, to the satisfaction of the Responsible Authority, implement any noise reduction measures in accordance with the requirements set out in the acoustic assessment approved by the Responsible Authority under condition 352 of this permit.

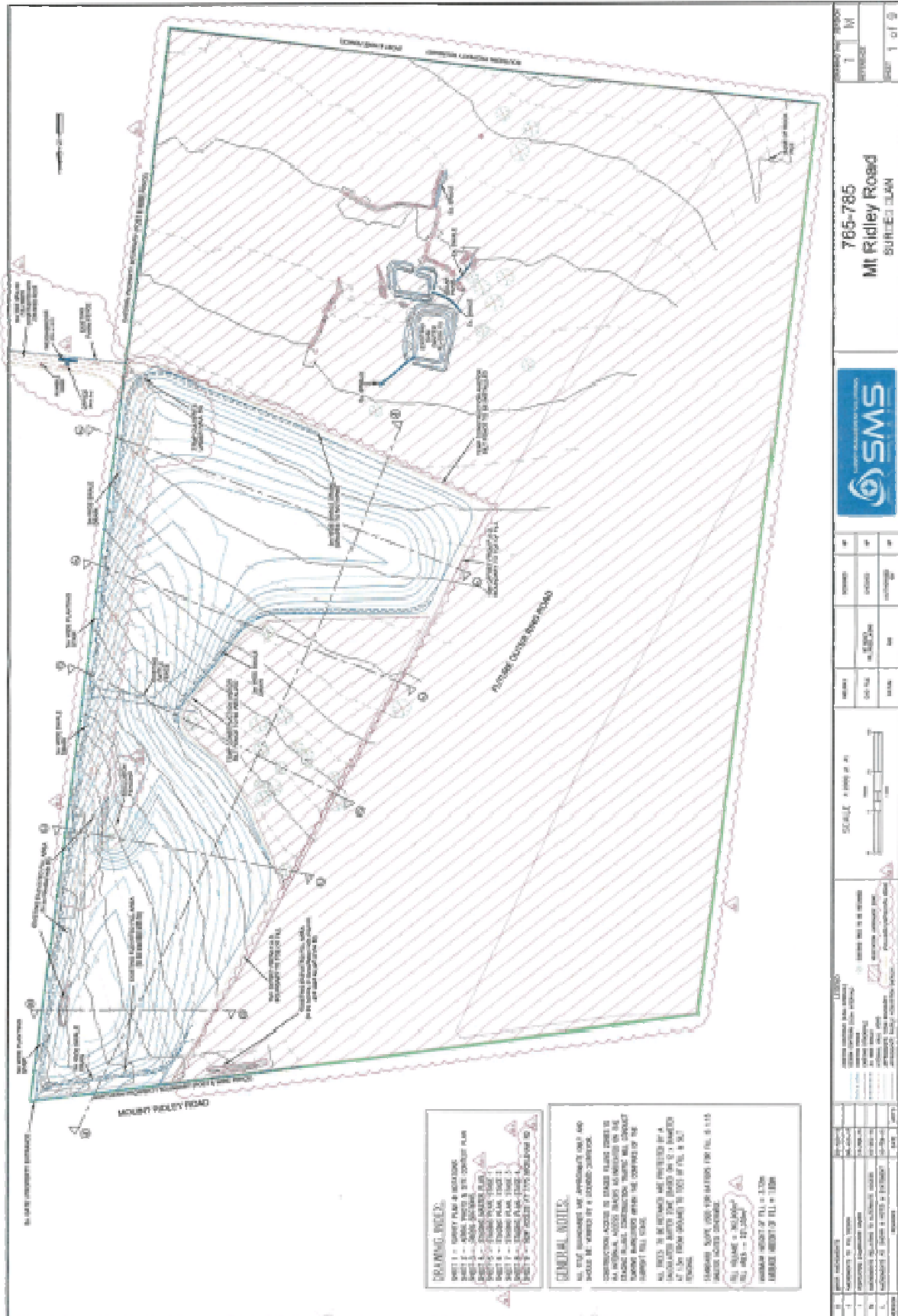
3734 This permit will expire if one of the following circumstances applies:

- (a) The use and / or development is not started within two years of the issued date of this permit.
- (b) The development is not completed within three years of the use commencing.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

--- End of Conditions ---

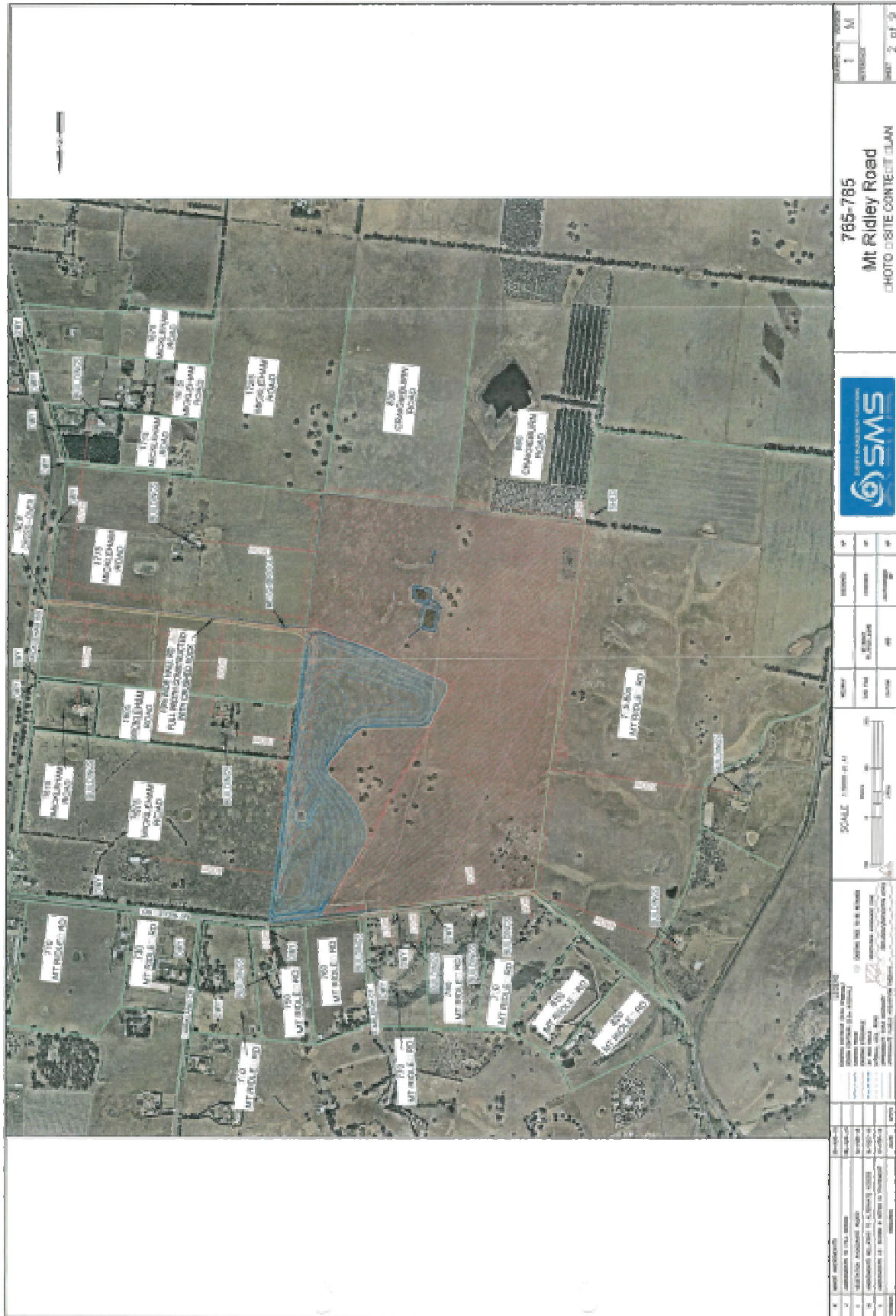


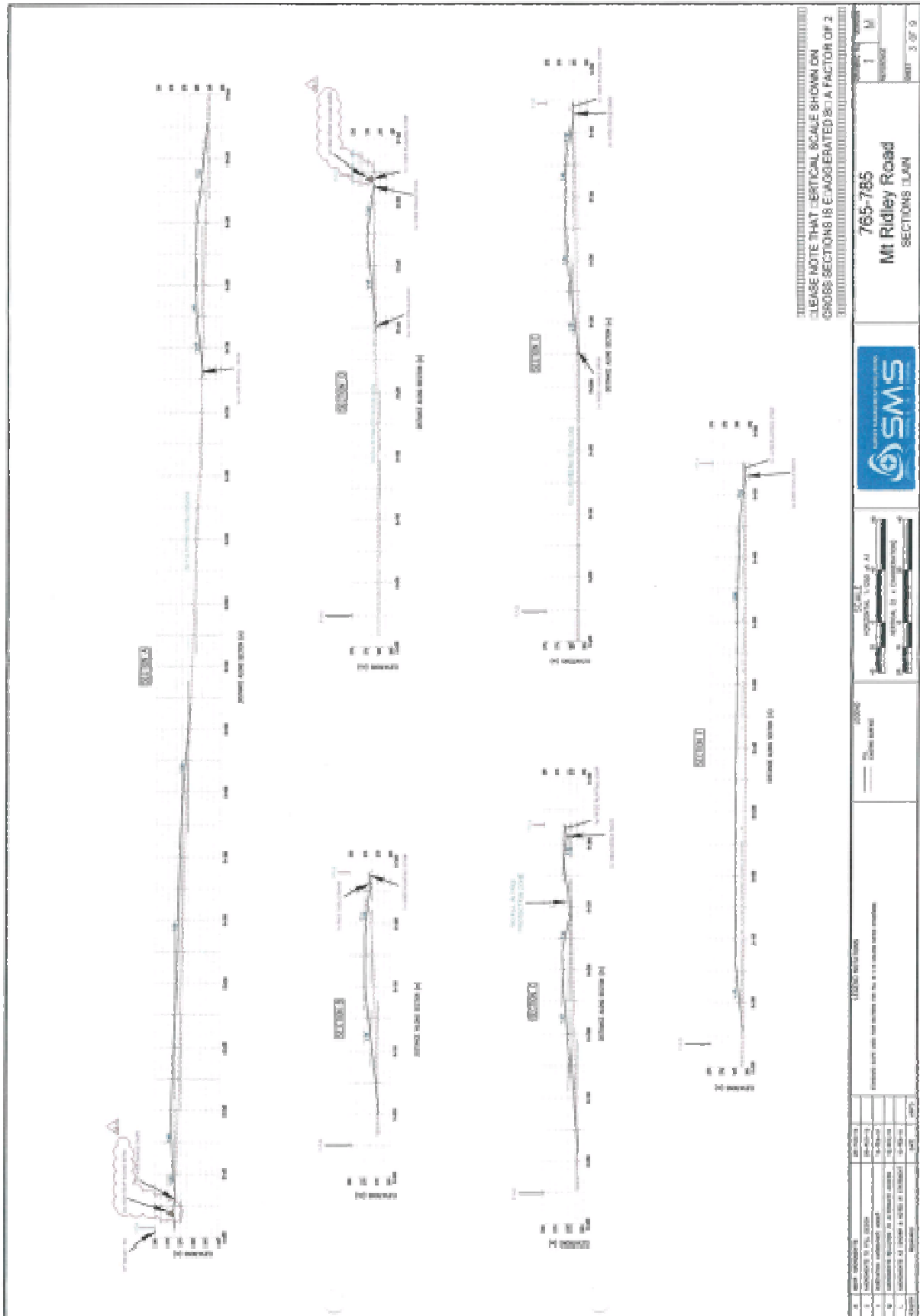


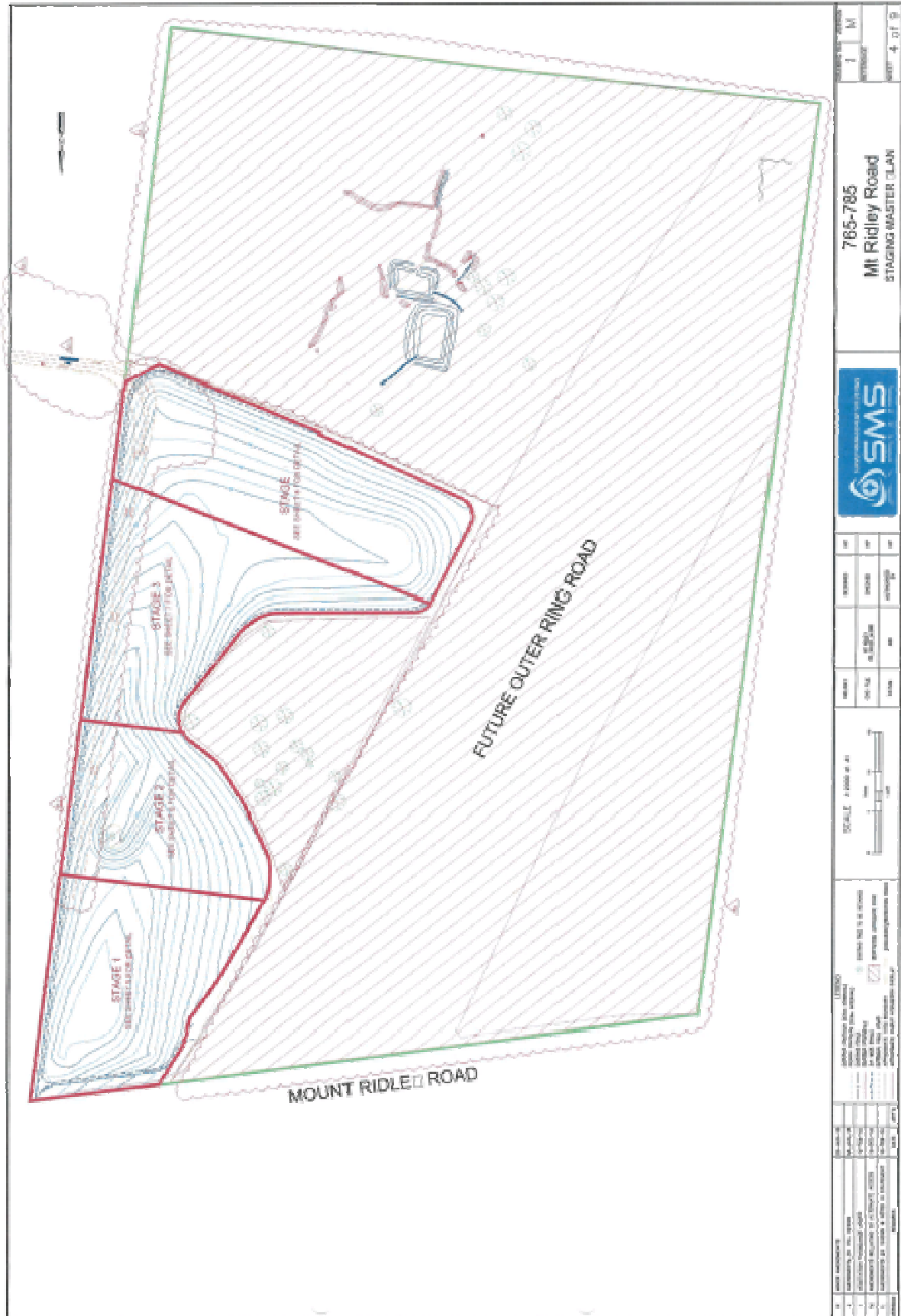
**DRAWING NOTES:**  
 SHEET 1 - SITE PLAN & LAYOUT  
 SHEET 2 - ACCESS, UTILITIES & SITE COORDINATE PLAN  
 SHEET 3 - LANDSCAPE ARCHITECTURE  
 SHEET 4 - TRAFFIC MANAGEMENT PLAN  
 SHEET 5 - ENVIRONMENTAL MANAGEMENT PLAN  
 SHEET 6 - FLOODING PLAN (1:100)  
 SHEET 7 - FLOODING PLAN (1:500)  
 SHEET 8 - FLOODING PLAN (1:1000)  
 SHEET 9 - FLOODING PLAN (1:2000)  
 SHEET 10 - FLOODING PLAN (1:5000)

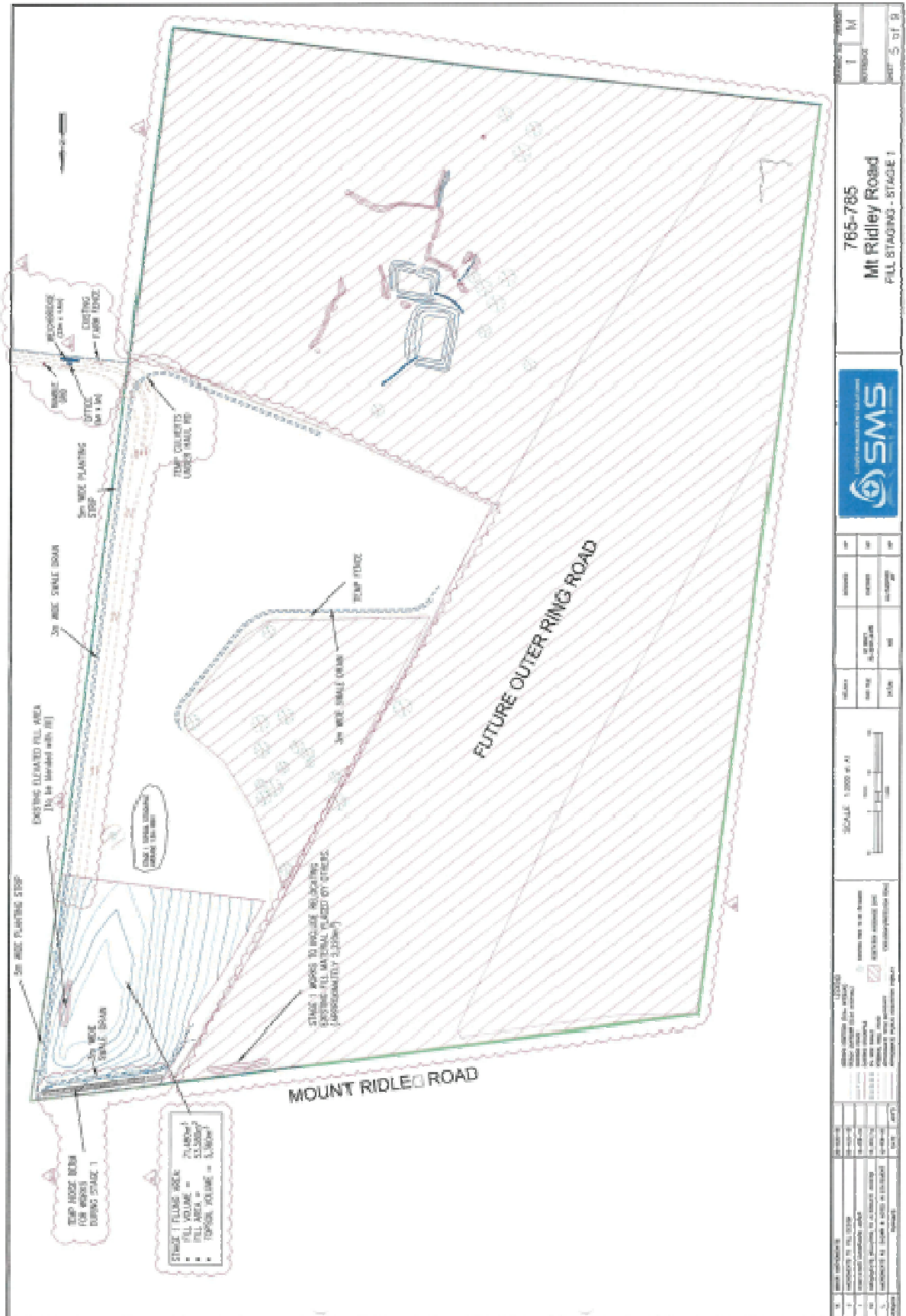
**GENERAL NOTES:**  
 ALL SITE REQUIREMENTS AND APPROVALS MUST ONLY BE OBTAINED BY THE APPLICANT.  
 CONSTRUCTION ACCESS TO EXISTING PAVED DRIVEWAYS TO BE MAINTAINED. EXISTING DRIVEWAYS TO BE MAINTAINED AND REPAIRED TO ORIGINAL CONDITION. EXISTING DRIVEWAYS TO BE REPAIRED TO ORIGINAL CONDITION.  
 ALL NOTES TO BE OBSERVED AND INTERPRETED BY A QUALIFIED ARCHITECT (OR ENGINEER OR SURVEYOR) AT ALL TIMES THROUGHOUT THE LIFE OF THE PROJECT.  
 STANDARD: SUPPLY SPECIFICATIONS FOR ALL MATERIALS TO BE USED SHALL BE OBTAINED FROM THE APPLICANT.  
 ALL DIMENSIONS TO BE IN METERS.  
 ALL DIMENSIONS TO BE TO FACE UNLESS OTHERWISE SPECIFIED.  
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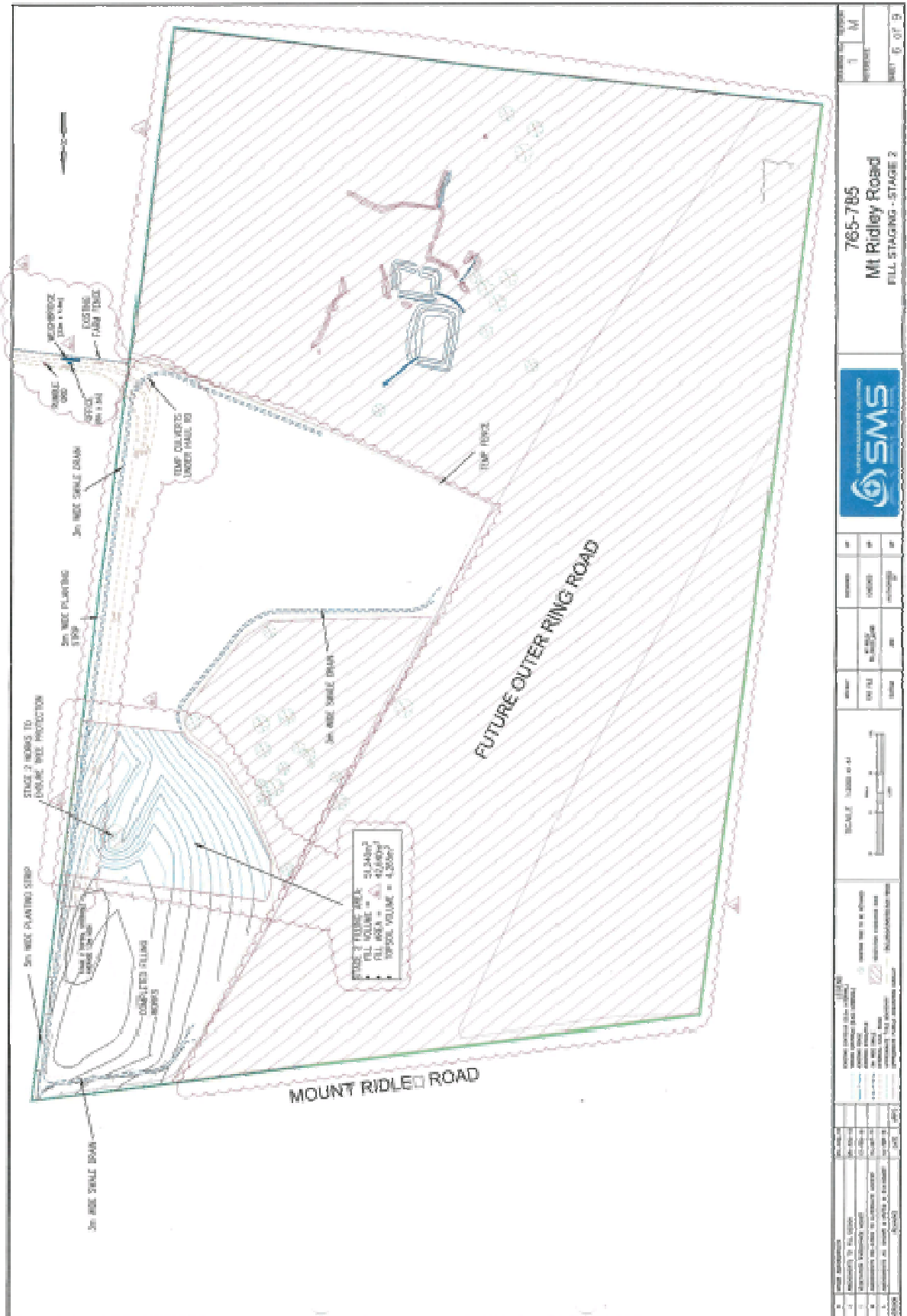
		765-785 Mt Ridley Road SURVEY PLAN		SHEET 1 of 10
SCALE: 1:500 (as shown)	DATE: 15/04/17	DRAWN BY: [Name]	CHECKED BY: [Name]	APPROVED BY: [Name]

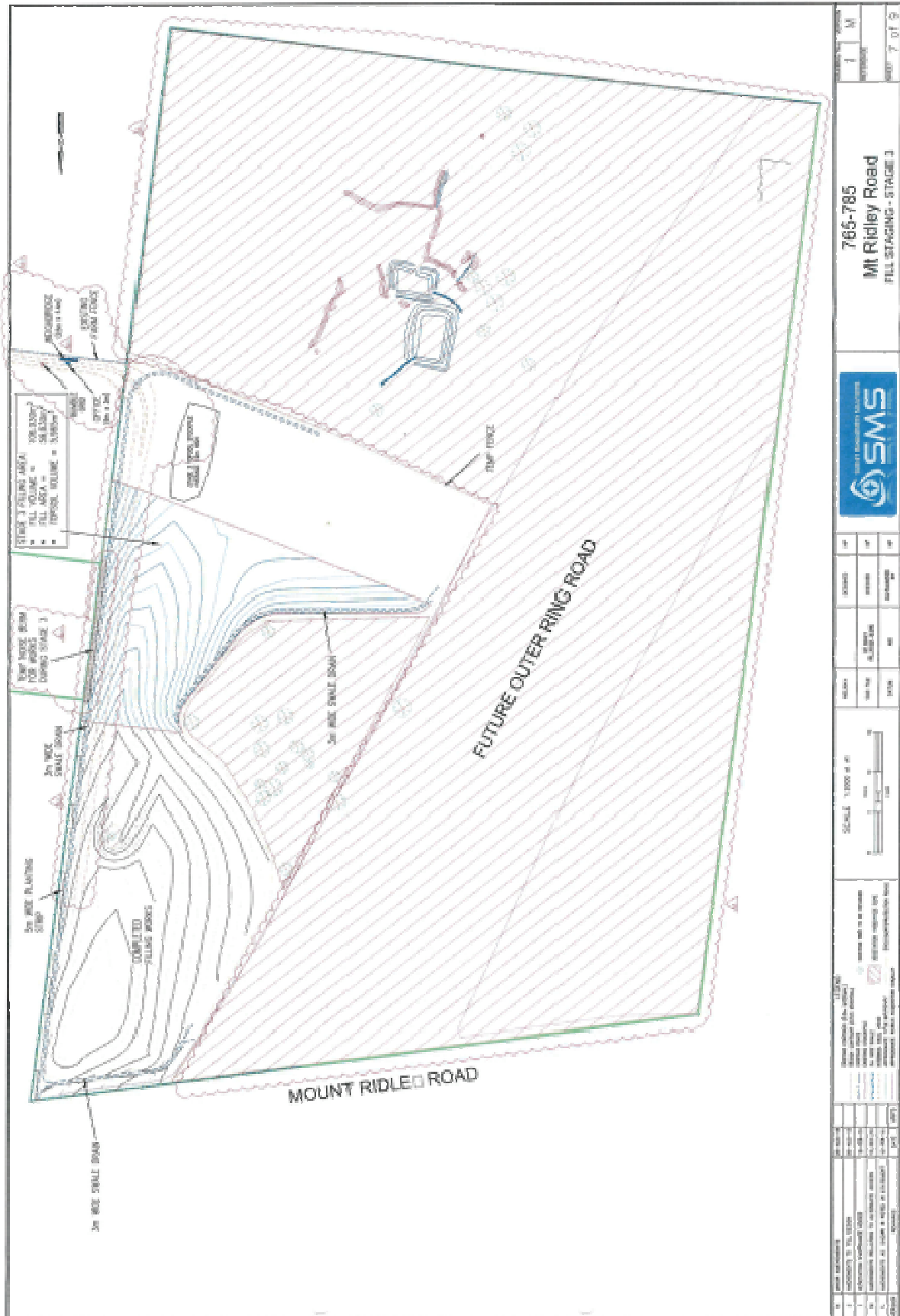


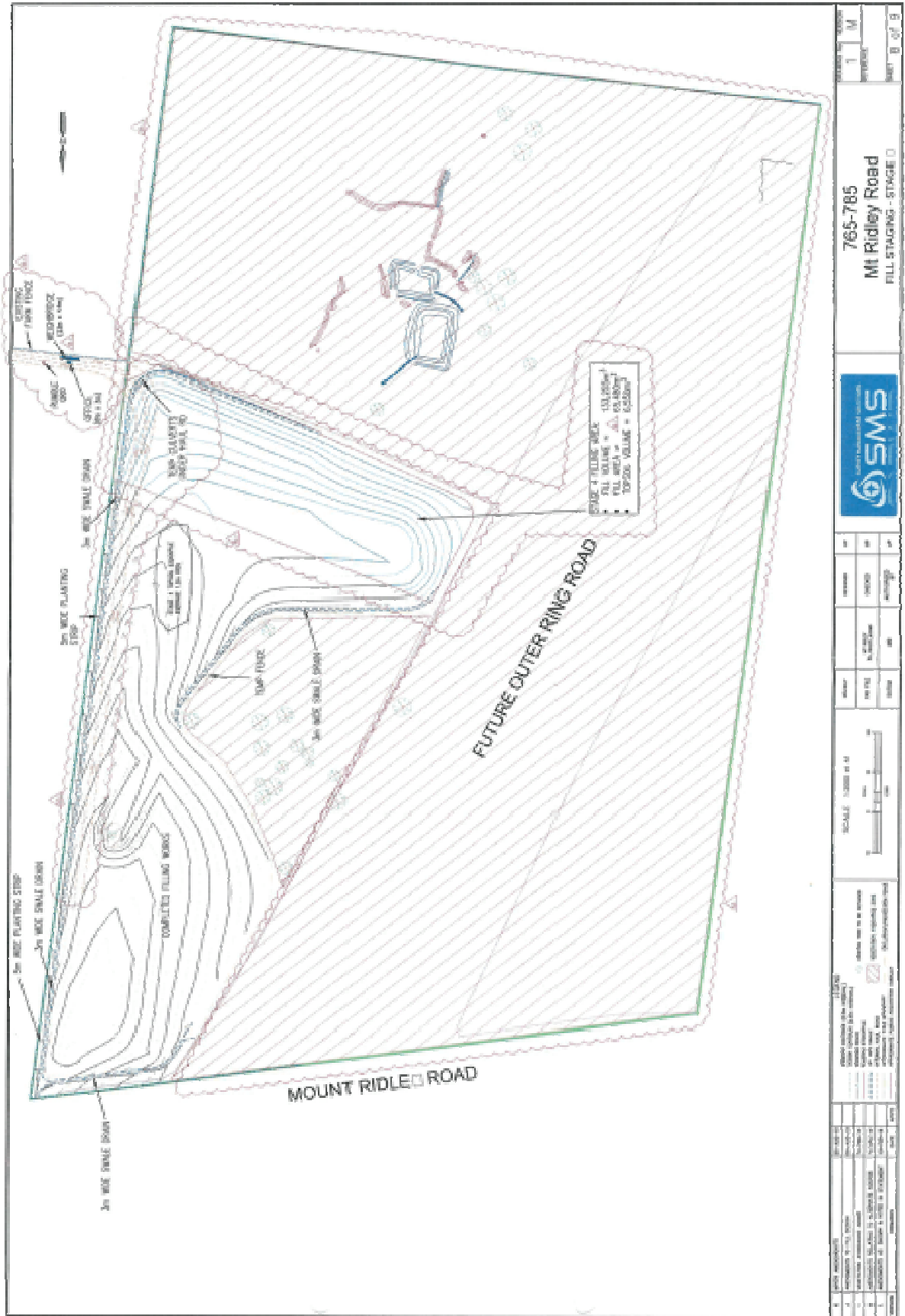




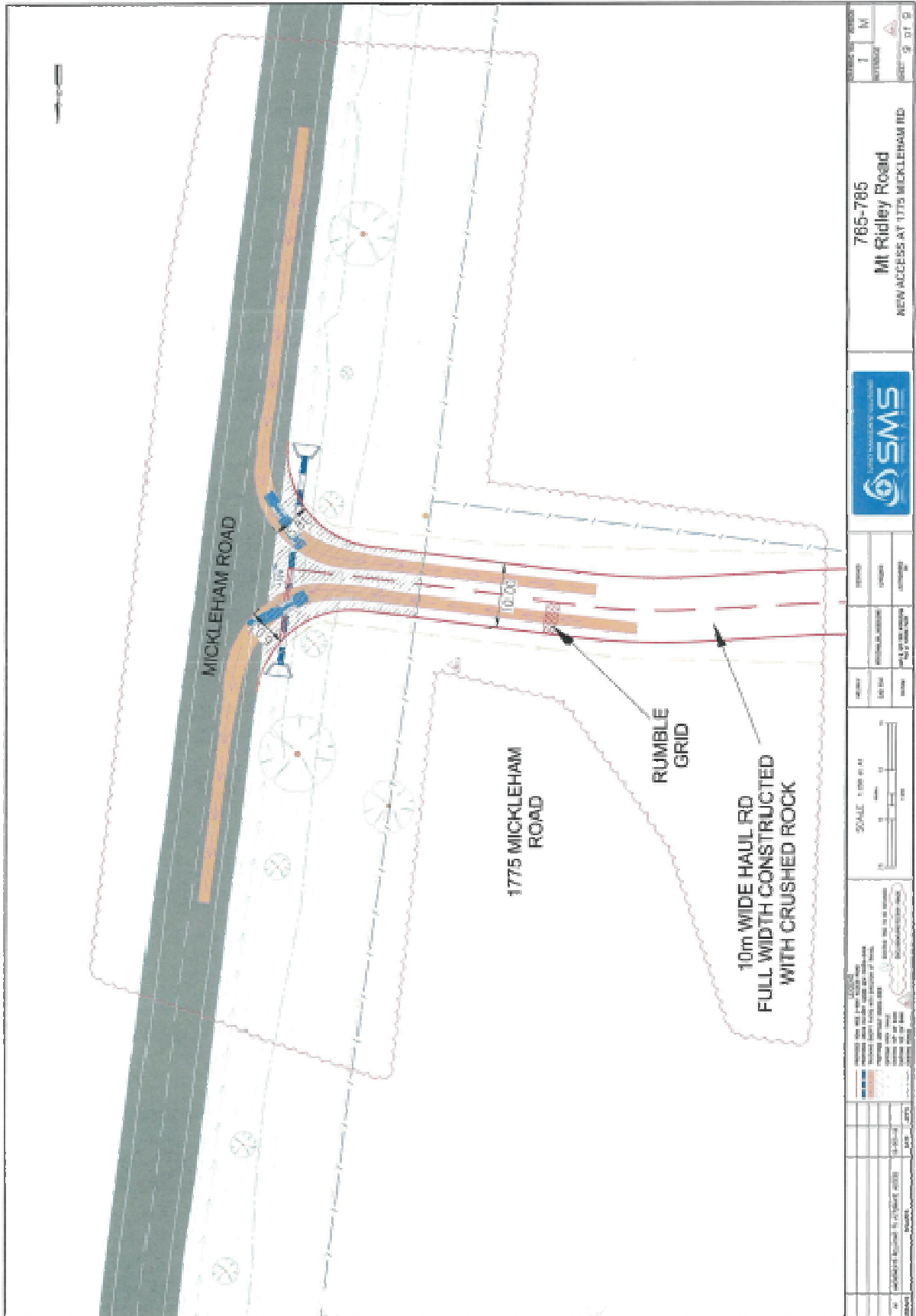












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<b>REPORT NO:</b>	SU213
<b>REPORT TITLE:</b>	17 Fidge Court, Jacana - Development of two double storey dwellings and one single storey dwelling on a lot.
<b>SOURCE:</b>	Narelle Haber, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P20028
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	1. <i>Locality Map</i> 2. <i>Development Plans</i>

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<b>Application No:</b>	P20028
<b>Proposal:</b>	Development of two double storey dwellings and one single storey dwelling on a lot.
<b>Location:</b>	17 Fidge Court, Jacana
<b>Zoning:</b>	General Residential Zone – schedule 1
<b>Applicant:</b>	U Property Australia Pty Ltd
<b>Date Received:</b>	12 October 2016

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**1. SUMMARY OF REPORT:**

Planning approval is sought to develop three dwellings, (comprising two double storey dwellings and one single storey dwelling) at 17 Fidge Court, Jacana. The application was advertised and four objections received. The application has been assessed on its merits against the relevant policies and provisions of the *Hume Planning Scheme* (the Scheme) including consideration of the issues raised in objections. On balance, the proposal is considered acceptable and it is recommended that a Notice of Decision to Grant a Permit is issued subject to conditions.

**2. RECOMMENDATION:**

**That Council, having considered the application on its merits and the concerns of the objectors, resolve to issue a Notice of Decision to Grant a Planning Permit for the development of three dwellings (two double storey and one single storey) at 17 Fidge Court, Jacana subject to the following conditions and notes:**

- 1. Before the development 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 plans submitted with the advertised plans but modified to show:**
  - a) The 4 metre turning radii for dwellings 2 and 3. Plans will need to be amended accordingly, to ensure vehicles from these dwellings can enter and exit the site in a forward direction.**
  - b) The inclusion of a notation regarding visibility splays to state “no obstruction greater than 900mm in height are to be placed within the pedestrian visibility splays including fencing structures, letterboxes and landscaping”.**

REPORT NO: SU213 (cont.)

2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
3. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
4. Before development allowed by this permit is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the responsible authority.
5. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.
6. Once the development has started it must be continued and completed to the satisfaction of the responsible authority.
7. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that it is well presented to neighbouring properties in a manner to the satisfaction of the responsible authority.
8. Outdoor lighting must be provided to the entrances of all dwellings and designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on neighbouring land.
9. All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
10. New fencing or fence extensions must be provided and paid for solely by the owner/developer of the subject site and constructed to the satisfaction of the responsible authority.
11. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land or premises and/or must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
12. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the responsible authority.
13. Car spaces, access lanes and driveways shown on the endorsed plan must be kept available for these purposes at all times to the satisfaction of the responsible authority.
14. No vehicles are to park behind the garages of Dwellings 2 and 3. These areas are turning areas and no parking is permitted. If parking occurs vehicles would not be able to drive out in a forward motion.
15. Any service relocations must be to the approval of the service authority and at the owners cost.
16. Stormwater from all paved areas must be drained to an underground stormwater system.
17. Any cut or fill must not interfere with the natural overland stormwater flow.

REPORT NO: SU213 (cont.)

18. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
19. This permit will expire if one of the following circumstances applies:
  - The development is 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.

The responsible authority may extend the periods referred to if a request is made in writing:

- a) Before or within six months after the permit expiry date, where the development allowed by the permit has not yet started; or
- b) Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

**Permit Notes:**

- a) If a request for an extension of commencement/completion dates is made out of time allowed by the condition 19, 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.
- b) An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing must 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 must be carried out to the approval of the service authority and at the owners cost.
- c) 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 is to be attached to the application. Any service relocations are to the approval of the Service Authority and at the owners cost.
- d) Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- e) Drainage investigation is required for this development (fees apply). Plans to be submitted to Council's Civil Design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
- f) Following the Drainage Investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
- g) Prior to commencement of any works within the road reserve or require alteration/connection to the Council's drainage assets in the road reserve/easement, an 'Application form for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council to obtain a permit to carry out the works

**3. PROPOSAL:**

It is proposed to develop the subject site for three dwellings, comprising two double storey dwellings and one single storey dwelling. Details are summarised as follows:

- Removal of the existing dwelling.
- Development of two double storey dwellings and one single storey dwelling down the length of the site.
- Dwellings 1-2 are double storey and typically comprise ground level entry, open plan kitchen/living/meals area, powder-room and laundry. The first floor contains 3 bedrooms and a shared bathroom.

REPORT NO: SU213 (cont.)

- Dwelling 3 is single storey, and located at the rear of the site. This dwelling comprises entry, open plan kitchen/living/meals area, 3 bedrooms, study nook, bathroom and laundry.
- Dwelling 1 has a single garage with tandem space accessed via a new crossover adjacent to the western boundary. Dwelling 2 will have a double garage and dwelling 3 a single carport with tandem space to the rear. Dwellings 2 and 3 are accessed via the existing crossover and a new driveway adjacent to the eastern boundary.
- New construction is only partly to the side boundaries. Maximum average boundary wall height is 3.2 metres.
- Upper levels are set back at least 1.9 metres for a 6.1 metre wall height.
- Maximum height of the development is 7.8 metres.
- Front setback is 8.5 metres at ground level and 8.9 metres at first floor level.
- All dwellings are provided with secluded private open space of at least 25sqm with total open space of at least 40sqm.
- The proposal is of a contemporary design constructed in brick, timber and render with a pitched tiled roof.
- The following table provides a summary of the proposed development:

<b>Site Area:</b>	664 m <sup>2</sup>
<b>Dwelling Density:</b>	1:221 m <sup>2</sup>
<b>Site Coverage:</b>	40.5% (60% max)
<b>Permeability:</b>	32.2% (20% min)

4. SITE AND SURROUNDS:

- 4.1 The subject site is located on the south side of Fidge Court, approximately 9 metres east from the intersection with Bliburg Street.
- 4.2 The site is relatively flat but irregular in shape, with a wider frontage and a narrow rear boundary. The northern (front) boundary measures 21.34 metres, the rear (south) boundary measures 12.19 metres; the western (side) boundary measures 40.67 metres and the eastern (side) boundary measures 39.62 metres, yielding a total site area of 664 square metres.
- 4.3 The site is currently occupied by a single storey dwelling with a hip tiled roof. The dwelling is set back off both side boundaries. There is no significant vegetation on the site. A 2.48 metre wide easement is located along the rear boundary of the site.
- 4.4 The surrounding area is an established residential neighbourhood characterised by a combination of single and double storey dwellings interspersed with medium density unit developments. Dwellings typically have open landscaped front gardens, with low or no front fencing, creating a moderate density and open streetscape character. The street width is approximately 7 metres.
- 4.5 The site is located within close proximity to a range of infrastructure and services. These include:
  - Broadmeadows Health Service approximately 500 metres from the site.
  - Broadmeadows Shopping Centre approximately 1km from the site.
  - Bus service on Bliburg Street, approximately 50 metres from the site.
  - Jacana train station, approximately 700 metres from the site.
  - Broadmeadows train station, approximately 900 metres from the site.
  - Various schools within proximity to the subject site.
  - Several reserves within proximity to the site.
  - The property has a generous site area of 664 square metres.

REPORT NO: SU213 (cont.)

- Located in close proximity and has convenient access to Pascoe Vale Road.

5. PLANNING CONTROLS:

5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

<i>State Policies</i>	Clause 15.01-1: Urban Design Clause 15.01-2: Urban Design Principles Clause 15.01-5: Cultural Identity and Neighbourhood Character Clause 15-02-1: Energy and Resource Efficiency Clause 16.01-1: Integrated Housing Clause 16.01-2: Location of Residential Development Clause 16.01-4: Housing Diversity Clause 16.015: Housing Affordability
<i>Municipal Strategies:</i>	Clause 21.02-1: Housing Clause 21.02-2: Health and Safety Clause 21.08: Particular Uses and Development. Clause 21.06-1: Broadmeadows and Meadow Heights Neighbourhood.
<i>Local Policies:</i>	Nil
<i>Zones:</i>	Clause 32.08: General Residential Zone (Schedule 1)
<i>Overlays:</i>	Nil
<i>Particular Provisions:</i>	Clause 52.06: Car Parking Clause 55: Two or more dwellings on a lot
<i>General Provisions:</i>	Clause 65.01: Approval of an Application or Plan

5.2 It is State policy to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity, and to achieve urban design outcomes that contribute positively to the local urban character.

5.3 It is also policy that new housing is designed to respond to the community needs by providing affordable higher density housing developments which are strategically located close to transport corridors and activity centres.

5.4 In relation to Housing, Clause 21.02-1 seeks:

- “To provide access to a range and quality of housing opportunities that meet the varied needs of existing and future residents”; and
- “To deliver urban growth that is cost effective, orderly and achieves the greatest social benefits to the community, without diminishing the unique character and identity of the City”.

5.5 Clause 21.06-1 relates to the Broadmeadows and Meadow Heights neighbourhood.

*The area includes the suburbs of Jacana, Dallas, and Broadmeadows. The area is also serviced by the Craigieburn rail line and the Broadmeadows train station. The neighbourhood is strategically located, having direct access to Somerton, Pascoe Vale and the Western Ring Roads, and being at the terminus for electrified rail services on the Melbourne-Sydney railway line.*

*Broadmeadows contains the most extensively developed retail, leisure, entertainment, medical and civic facilities in the municipality. The precinct has been recognised in the State Government’s Melbourne Metropolitan Strategy, Melbourne 2030 as a Central Activity District and one of thirteen declared ‘Transit Cities’ in Victoria.*

REPORT NO: SU213 (cont.)

*The infrastructure in the neighbourhood, including private and public housing, is coming under increasing pressure and is ageing and in need of repair or upgrade as development to the north proceeds. There are opportunities for infill development in the southern half of the neighbourhood, and beyond the Broadmeadows Transit City.*

5.6 The policy has the following relevant objective:

- *To provide for a range of quality housing opportunities within the Broadmeadows and Meadow Heights neighbourhoods, while ensuring that development is managed to ensure attractive and pleasant residential environments*

**Aboriginal Cultural Heritage:**

5.7 The land is not located within an area of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007 and therefore a Cultural Heritage Management Plan is not required.

**Major Electricity Transmission Line:**

5.8 The land is not located within 60 metres of a major electricity transmission line.

**Planning Permit Trigger/s:**

5.9 Clause 32.08-4 of the *Hume Planning Scheme* requires planning approval for buildings and works associated with the construction of two or more dwellings on one lot located within a General Residential Zone.

**6. REFERRALS:**

6.1 The application was not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987* (“the Act”).

6.2 The application was referred internally to Council’s Assets and Civil Design Department for comment whom have no objection subject to standard conditions being included on any permit issued.

**7. ADVERTISING:**

7.1 The application was advertised under Section 52 of the Act by way of letters to adjoining land owners and occupiers and a notice board placed on site.

7.2 A total of 4 objections were received.

7.3 The following is a summary of the grounds of objection:

- *Overdevelopment*
- *Parking and traffic issues as a result of the development*
- *Inconsistent with the existing neighbourhood character*
- *Not all windows facing the eastern property are frosted – overlooking*
- *The location of the driveway is dangerous – on the intersection*
- *Devaluation of properties*
- *The development will bring in more renters to the area*

**8. OBJECTIONS:**

8.1 A response to the objections is provided below:

8.2 Overdevelopment:

Appropriate medium density development is encouraged by both State and Local Planning Policy. There are no provisions in the scheme which restrict dwelling density. As discussed throughout the assessment of this report, the proposed development generally complies with the requirements of Rescode (Clause 55). The provisions of Rescode provide the tools to determine whether a development is appropriate for a site.

REPORT NO: SU213 (cont.)

8.3 Parking and traffic issues:

In accordance with Clause 52.06-5 of the Scheme, *each three bedroom dwelling requires two car spaces*. In this instance, as each dwelling contains three bedrooms they require two car spaces each to be provided on site. The required number of car spaces has been satisfied by this proposal.

Whilst the development will generate additional vehicle movements, the increase in traffic movements arising from a net increase of three dwellings is considered to be an acceptable increment and the increase in vehicle movements is not considered to be beyond the capacity of the local street network (Fidge Court and Bliburg Street).

The construction of additional vehicle crossings is typically not supported as it reduces available on-street parking. However, in this instance, the proposed additional vehicle crossing is within the allowable provision in the planning scheme which allows up to 33% of the subject site frontage to be used for vehicle crossing(s) pursuant to Clause 55.03 of the *Hume Planning Scheme*.

8.4 Inconsistent with the existing neighbourhood character:

The site forms part of an established residential area where medium density housing may be contemplated. The zoning of the land anticipates appropriate medium density housing. The broad concept of two storey development at the front and middle with single storey development at the rear is a common and a generally acceptable approach subject to no unreasonable amenity outcomes. Double storey medium density development is not an uncommon occurrence in this neighbourhood and is part of the urban fabric of Melbourne's suburbs.

The Victorian Civil and Administrative Tribunal (VCAT) have long held the belief that for a development to be 'respectful' of the neighbourhood character, it is not about replicating what already exists. Rather, the notion of 'respectful' development must embrace the need for change and diversity in the type of dwellings that are provided and an increase in the intensity of development (*Iloray Pty Ltd v Darebin CC and Ors* [2003] VCAT 692).

8.5 Not all windows facing the eastern property have been frosted – overlooking:

The owners of the adjoining property at number 15 Fidge Court have raised an issue with potential overlooking and loss of privacy as a result of the first floor windows on the eastern elevation not being frosted. A review of the plans has found that all windows along the eastern elevation have been designed to accord with Clause 55.04-6 of the *Hume Planning Scheme* by way of either:

- *Having sill heights of at least 1.7 metres above floor level.*
- *Having fixed, obscure glazing in any part of the window below 1.7 metres above floor level; or*
- *Having permanently fixed external screens to at least 1.7 metres above floor level and no more than 25 per cent transparent.*

There is no requirement to request changes to the plans as they fully comply with Clause 55.04-6 of the *Hume Planning Scheme*.

8.6 The location of the driveway on the intersection is dangerous:

The application was referred to Council's Traffic Department for comment and assessment. They had no objection to the proposal with regard to the location of the proposed driveways and access way in relation to the intersection.

8.7 Devaluation of properties:

The devaluation of property is not a valid consideration for planning applications and is consistently dismissed by VCAT. There is no definitive evidence to suggest that medium density housing will depreciate adjoining or nearby property values.



REPORT NO: SU213 (cont.)

8.8 The development will bring in more renters to the area:

VCAT has long held the belief that good neighbours are not determined by nature of tenure. In (L and A Gugliotti and Others v City of Preston [Appeal No. P88/0782 2AATR 97]), the Tribunal stated that:

*“...the Planning Scheme draws no distinction between rental and owner-occupied accommodation. The argument that such distinction ought to be drawn is discriminatory and suggests a form of social apartheid based on economic standing which should be abhorrent in today's society.*

*Third, there is no empirical evidence (either in this appeal or any other in the Tribunal's experience) which could lead to the conclusion that occupiers of flats, be they owners or tenants, are any more prone to anti-social, illegal, noisy or insensitive behaviour than any other sector of the community.”*

9. **ASSESSMENT:**

9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 of the *Scheme* is provided below. In short, the proposal is able to acceptably satisfy the requirements of the respective provisions subject to the inclusion of permit conditions.

**Clause 52.06 – Car Parking**

9.2 Clause 52.06-5 requires car parking at the following rates:

- *One car space for each one or two bedroom dwelling.*
- *Two car spaces for each three or more bedroom dwellings, with one space under cover.*
- *One car space for visitors for developments of five or more dwellings.*

9.3 All three dwellings are proposed to contain three bedrooms. Accordingly, each dwelling is required to have two car spaces with one space under cover. In accordance with this requirement, each dwelling has been provided with required number of car spaces. No visitor car space is required.

9.4 The design standards of Clause 52.06, including the internal dimensions of the garages, are all suitably met.

9.5 In term of the access, a minor concern was raised in relation to maneuverability within the site, so vehicles from dwellings 2 and 3 can exit the site in a forward direction. It is considered that these concerns can be addressed through appropriate permit conditions.

**Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5):**

9.6 The neighbourhood character of the area is predominately single storey dwellings with large open front gardens. In recent years, there has been an increase in the number of new in-fill developments within the area, many of which are medium density and double storey.

9.7 State Planning Policy supports medium density housing in locations of this nature. The Local Planning Policy Framework further says that *“infrastructure in the neighbourhood, including private and public housing, is coming under increasing pressure and is ageing and in need of repair or upgrade as development to the north proceeds. There are opportunities for infill development in the southern half of the neighbourhood and beyond the Broadmeadows Transit City”*. In this regard, the subject land represents a good opportunity to contribute to the growth of Broadmeadows and Jacana on what is a relatively unencumbered site

REPORT NO: SU213 (cont.)

- 9.8 The concept of two storey development is generally acceptable in principle, however, two storey development at the rear needs to be treated cautiously. The proposed development appropriately manages its bulk impacts by breaking up the extent of two storey form down the length of the site and by ensuring the rear dwelling is single storey and providing generous upper level setbacks from side and rear boundaries. Overall it has appropriate regard for the expected broader pattern of residential development.
- 9.9 The dwellings have a domestic scale with pitched roof forms, eaves, large windows, porches and utilise materials common to this locality (brick, render and roof tiles).
- 9.10 The proposed dwellings have been appropriately located in the context of an established urban environment with the site being connected to all relevant services and utilities within an area where infill residential development is considered appropriate.

**Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15):**

- 9.11 The adjacent western dwelling has a front setback of 7.9 metres and the adjoining eastern dwelling has a front setback of 9.2 metres, Standard B6 therefore requires a setback of 8.5 metres. The proposed development has a street setback of 8.5 metres at ground level and 8.9 metres at first floor level, satisfying Standard B6.
- 9.12 The proposed development has an overall height of 7.8 metres to the roof pitch of the double storey dwelling and 5.1 metres for the single storey dwelling. This is well within the maximum nine metres specified by the standard and is deemed to be respectful of the existing neighbourhood character.
- 9.13 The development will result in a site coverage of 40.5% which is within the maximum 60% specified under Standard B8. Site permeability is noted as being 32% which exceeds the minimum 20% required under Standard B9. Proposed site coverage and permeability satisfies Standards B8 and B9.
- 9.14 The living space of the proposed dwellings is able to receive adequate solar access and eaves will be provided which will assist with cooling in the summer months.
- 9.15 The property does not immediately adjoin any public open space and as such Standard B11 is not applicable.
- 9.16 The layout of the development provides suitable safety and security to residents of the property. This has been achieved by ensuring that the entrances of the dwellings are not obscured or isolated and that they are clearly visible from the street or internal access way. A condition will also be included on any permit issued requiring the inclusion of lighting at the entrances to each of the proposed dwellings and along the shared access way to further enhance safety and security within the development
- 9.17 Submission of a detailed landscape plan to the satisfaction of the responsible authority will be included as a condition on any permit issued to ensure that the development provides appropriate landscaping and contributes to the landscape character of the surrounding area.
- 9.18 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14. The proposed development has a linear layout with a common driveway along the eastern property boundary providing access to Dwellings 2 and 3. Standard B14 requires that accessways must not exceed 33% of the street frontage width where the frontage is greater than 20 metres in length. The two crossovers will be 6 metres wide, equating to 29% of the frontage satisfying the requirements of Standard B14.

**REPORT NO: SU213 (cont.)**

9.19 Vehicle parking is appropriately located, provides convenient parking for residents, and avoids parking and traffic difficulties. The design adequately protects residents from vehicular noise within the development. The arrangement of windows has been designed in accordance with Standard B15.

**Clause 55.04 – Amenity Impacts (Standards B17 to B24)**

9.20 Majority of walls have been set back in accordance with Standard B17.

9.21 The wall of the bedroom and bathroom of Dwelling 3 is proposed to be constructed along the western common boundary. The length of wall along the western boundary is approximately 5.3 metres and a height of 3.2 metres which is well within the limits of B18 which allows 10 metres plus 25% of the remaining length. Furthermore, the carport proposed for dwelling 3 is proposed to be constructed on the eastern boundary. This is an open sided carport, so there will be limited impact on the adjoining property. The length and height of the walls constructed on the common boundaries does not exceed the specified length and height requirements of Standard B18.

9.22 The proposal allows for the adequate separation of the proposed built form in relation to all existing windows on neighbouring properties, with the required light courts provided.

9.23 The proposal is set back appropriately from the common boundary in accordance with Standard B20 to ensure the solar access to the existing north facing habitable room windows on the adjoining properties will not be impacted.

9.24 The shadow diagram indicates that the majority of the overshadowing is contained within the subject site. There will however, be some shadow 'spillage' onto the adjoining eastern and western properties. These properties will still receive the required amount sunlight in accordance with Standard B21.

9.25 The proposed 1.8 metre boundary fence is sufficient to prevent overlooking from the new dwellings at the ground floor level. All upper level habitable room windows and balconies are suitably screened to a height of 1.7 metres in accordance with the requirements of Standard B22 to prevent overlooking.

9.26 The dwelling layout, dividing fence and window screenings will prevent internal views into the secluded private open space within the development in accordance with Standard B23.

9.27 There will be no unreasonable noise impacts generated from the proposed development. It is anticipated that the only additional noise generated by the proposed dwellings will be consistent with the residential use of the land.

**Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30):**

9.28 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be easily accommodated in the future if the need arises which is consistent with Standard B25. The single storey dwelling at the rear will also provide people with limited mobility the opportunity to reside in the development.

9.29 The entries to each dwelling are generally visible and easily identifiable from the street for Dwelling1, and on site, for Dwellings 2 and 3. Each dwelling is provided with a sense of personal address and a transitional space around each of the entries, consistent with Standard B26.

9.30 All proposed habitable rooms are provided with windows that have the requisite dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.

**REPORT NO: SU213 (cont.)**

- 9.31 The areas of secluded private open space meet the minimum size and dimension requirements, and will be directly accessible from the living spaces.
- 9.32 The secluded private open space area to dwelling 1 has excellent northern orientation to allow ample solar access into this space. The secluded private open space of Dwelling 2 does not have direct north orientation, however it provides appropriate setback in accordance with Standard B29 to ensure adequate solar access into this space. Whilst the secluded private open space area for Dwelling 3 is south facing, the setback distance is in accordance with the formula in Standard B29 to allow adequate solar access to the area.
- 9.33 Each dwelling has been allocated a storage shed that accords with Standard B30.

**Clause 55.06 – Detailed Design (Standards B31 to B34)**

- 9.34 The proposed design of the dwellings, including the proposed hipped roof profiles and the use of brick and render, as well as the simple contemporary fenestration, are suitable in the context of the existing and emerging character of the area.
- 9.35 No front fence is indicated on the plans, which will ensure an open presentation to the street and maintain views to the front garden. This is acceptable and in accordance with Standard B32.
- 9.36 The proposed areas of common property relate only to the areas of shared access way and are functional and capable of efficient management
- 9.37 The plans suitably demonstrate the location of bin storage, mailboxes and clotheslines.

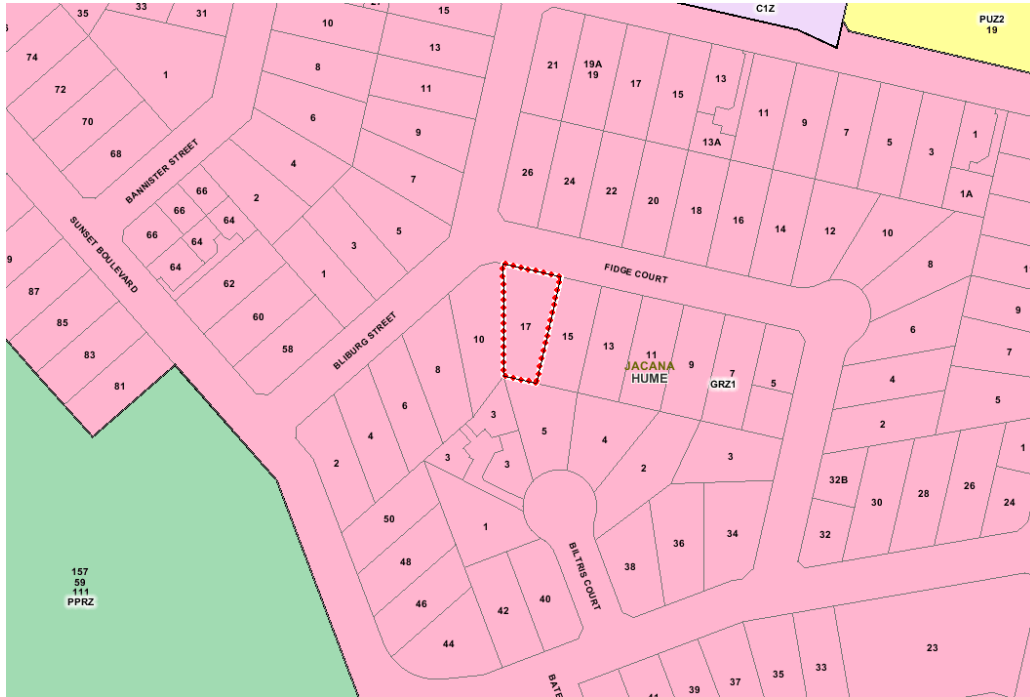
**10. CONCLUSION**

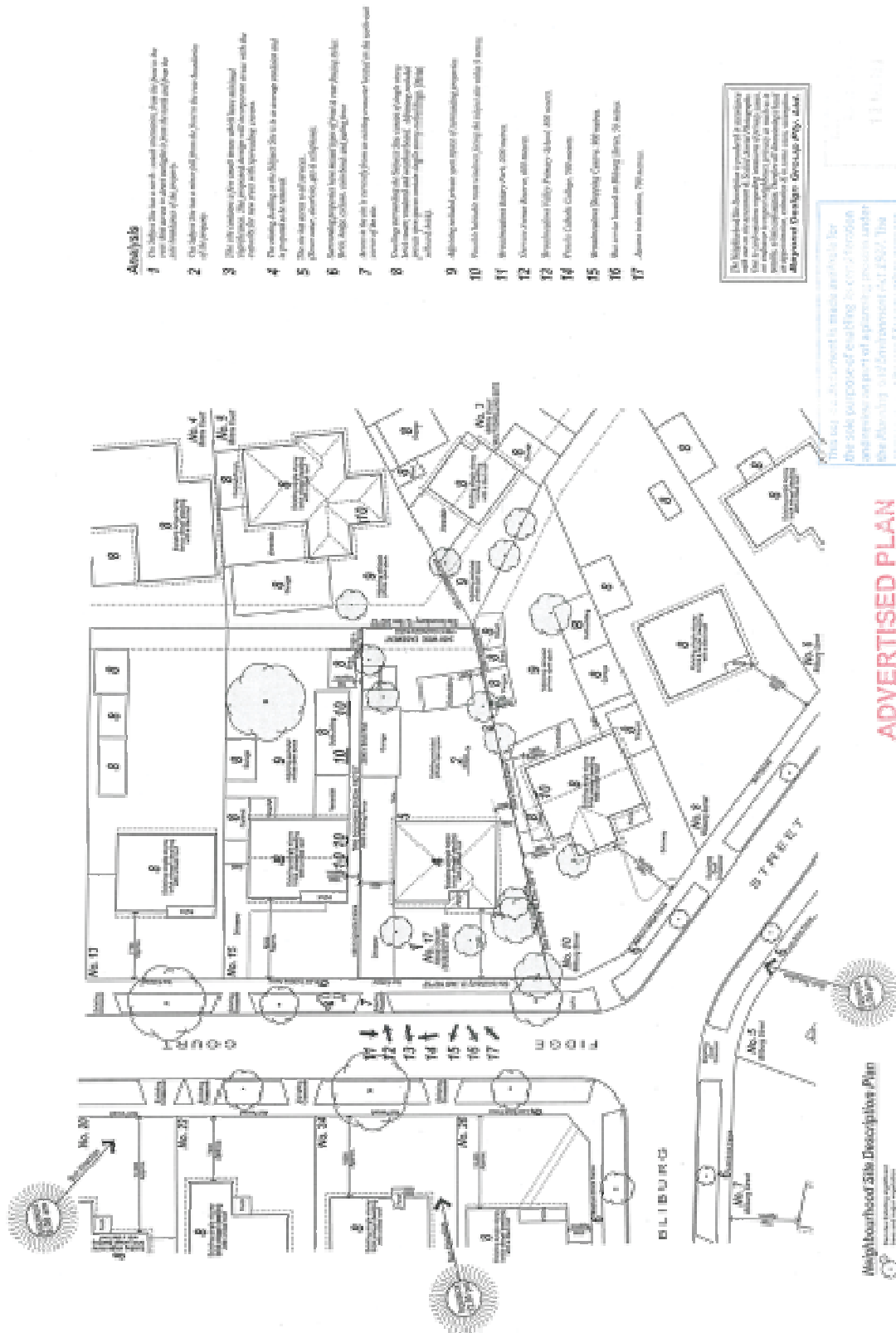
- 10.1 The development is considered to be a measured and site responsive design which is consistent with the existing streetscape character of Fidge Court.
- 10.2 The design is generally well resolved with respect to the requirements of Clause 55 (ResCode) of the *Hume Planning Scheme* and, subject to the conditions outlined in the officer's recommendation, will provide a development outcome that will not adversely diminish the existing or ongoing amenity of the area or neighbouring property owners and/or occupiers.
- 10.3 For these reasons, it is recommended that a Notice of Decision to Grant the permit be issued.

# LOCALITY PLAN

P20028

17 Fidge Court, Jacana





**Analysis**

- 1 The subject site has a small residential lot that has been subdivided into two lots, which are currently used as a residential lot and a parking lot.
- 2 The subject site has a small residential lot that has been subdivided into two lots, which are currently used as a residential lot and a parking lot.
- 3 The site contains a small residential lot that has been subdivided into two lots, which are currently used as a residential lot and a parking lot.
- 4 The existing building on the subject site is an average residential lot and is currently used as a residential lot.
- 5 The site contains a small residential lot that has been subdivided into two lots, which are currently used as a residential lot and a parking lot.
- 6 The existing building on the subject site is an average residential lot and is currently used as a residential lot.
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- 16 The existing building on the subject site is an average residential lot and is currently used as a residential lot.
- 17 The site contains a small residential lot that has been subdivided into two lots, which are currently used as a residential lot and a parking lot.

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**ADVERTISED PLAN**

Neighbourhood Site Descriptive Plan

	Project <b>Multif Dwelling Development</b>	Client <b>U Property Australia Pty Ltd</b>	
	Drawing Neighbourhood Site Descriptive Plan	Address 4/177 High Street, Jerram	
Designer U Property Australia Pty Ltd 10/100 High Street, Jerram VIC 3202		Date 11/04/2017	
Author U Property Australia Pty Ltd		Date 11/04/2017	
Checker U Property Australia Pty Ltd		Date 11/04/2017	
Approver U Property Australia Pty Ltd		Date 11/04/2017	
Date 11/04/2017		Date 11/04/2017	

**Design Response**

- The proposed development has been responded to by the Council in the following ways:
- The proposed buildings have a clear sense of identity, a defined form and transition from the surrounding landscape, which are positive features.
  - Proposed double storey construction at the front of the site for high level commercial uses, proposed to be used for retail, will be a positive feature. The inclusion of a small courtyard and open space within the site, which helps maintain existing street frontages, is a positive feature.
  - The proposed open space areas have been proposed to include any adverse impact on the surrounding landscape, which are positive features.
  - The site application has been maintained through the introduction of a defined form and transition from the surrounding landscape, which are positive features.
  - The proposed open space areas of each building will be accessed directly from main street frontages. The building open space areas will be accessed from the surrounding landscape, which are positive features.
  - Each building will have sufficient room for storage and outdoor seating during business hours.
  - The overall appearance of the site, and the inclusion of a defined form and transition from the surrounding landscape, which are positive features.
  - The proposed buildings will have a clear sense of identity, a defined form and transition from the surrounding landscape, which are positive features.
  - The proposed buildings will have a clear sense of identity, a defined form and transition from the surrounding landscape, which are positive features.
  - The proposed buildings will have a clear sense of identity, a defined form and transition from the surrounding landscape, which are positive features.
  - The proposed buildings will have a clear sense of identity, a defined form and transition from the surrounding landscape, which are positive features.



**ADVERTISED PLAN**

**Project:** Multi Dwelling Development

**Client:** U Property Australia Pty Ltd

**Design:** Design Response Plan

**Address:** 41-43 High Street, Jerrard



**Area:** 15,400 sqm

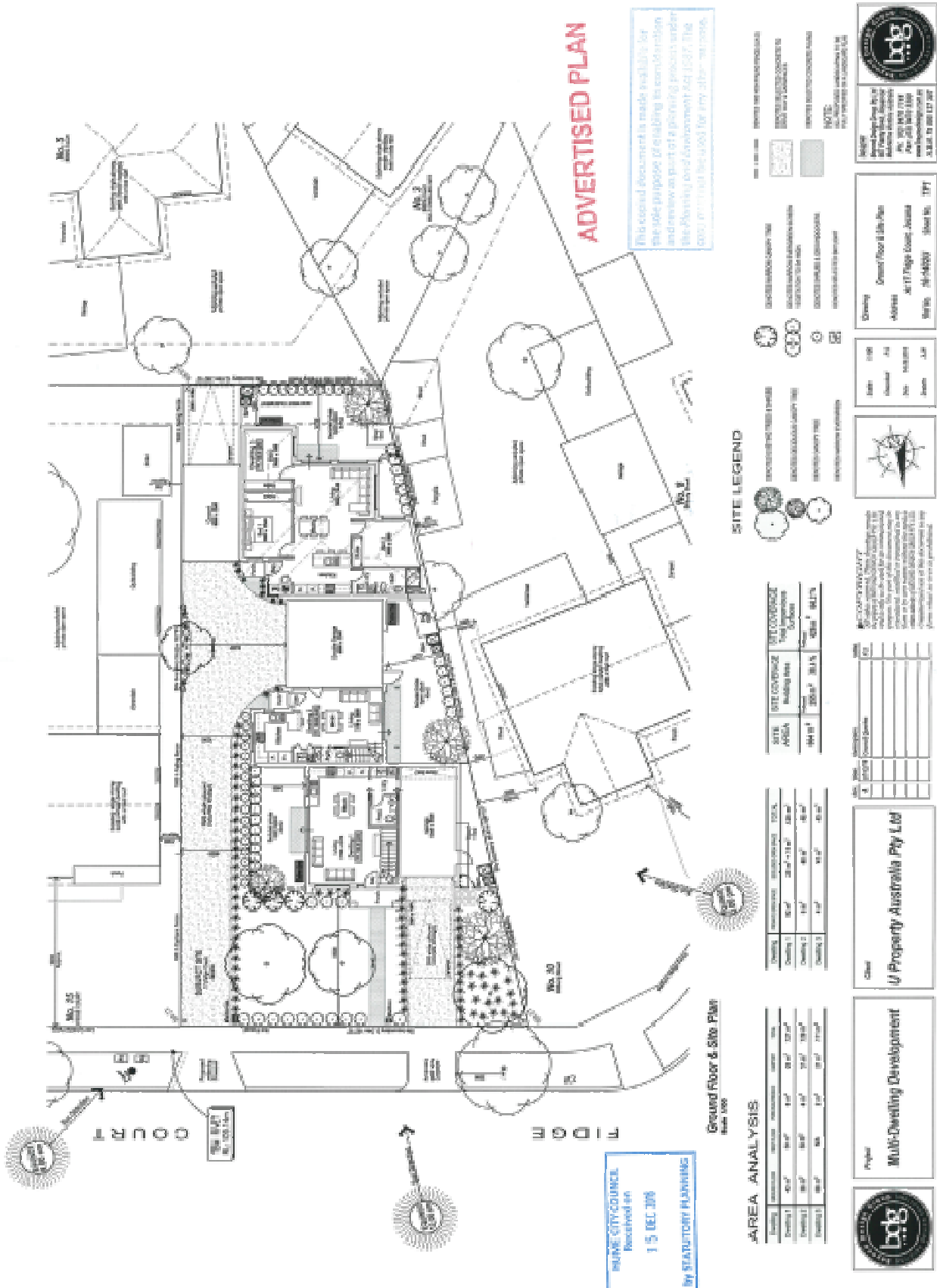
**Site:** 15,400 sqm

**Scale:** 1:500

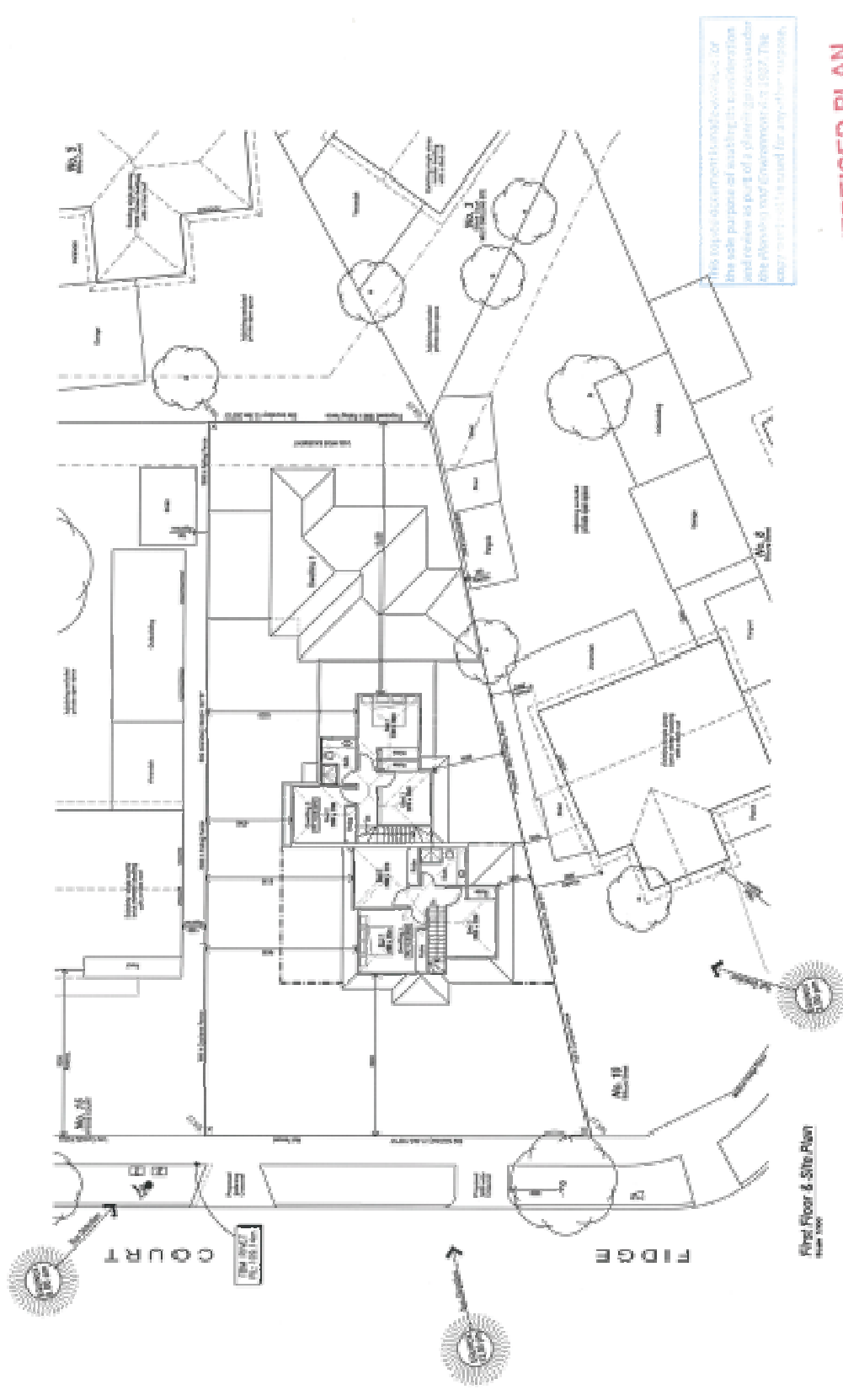
**Drawn:** 15/04/2017

**Checked:** [Signature]







First Floor & Site Plan  
 From 1000

**ADVERTISED PLAN**

**bdg**  
 Building Design Group  
 100/102 Stirling Street  
 Perth WA 6000  
 Tel: 08 9442 1188  
 Fax: 08 9442 1189  
 Email: info@bdg.com.au

**City of Perth**  
 City of Perth  
 117 High Street, Perth  
 WA 6000  
 Tel: 08 9440 6000

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Chiller	1.00
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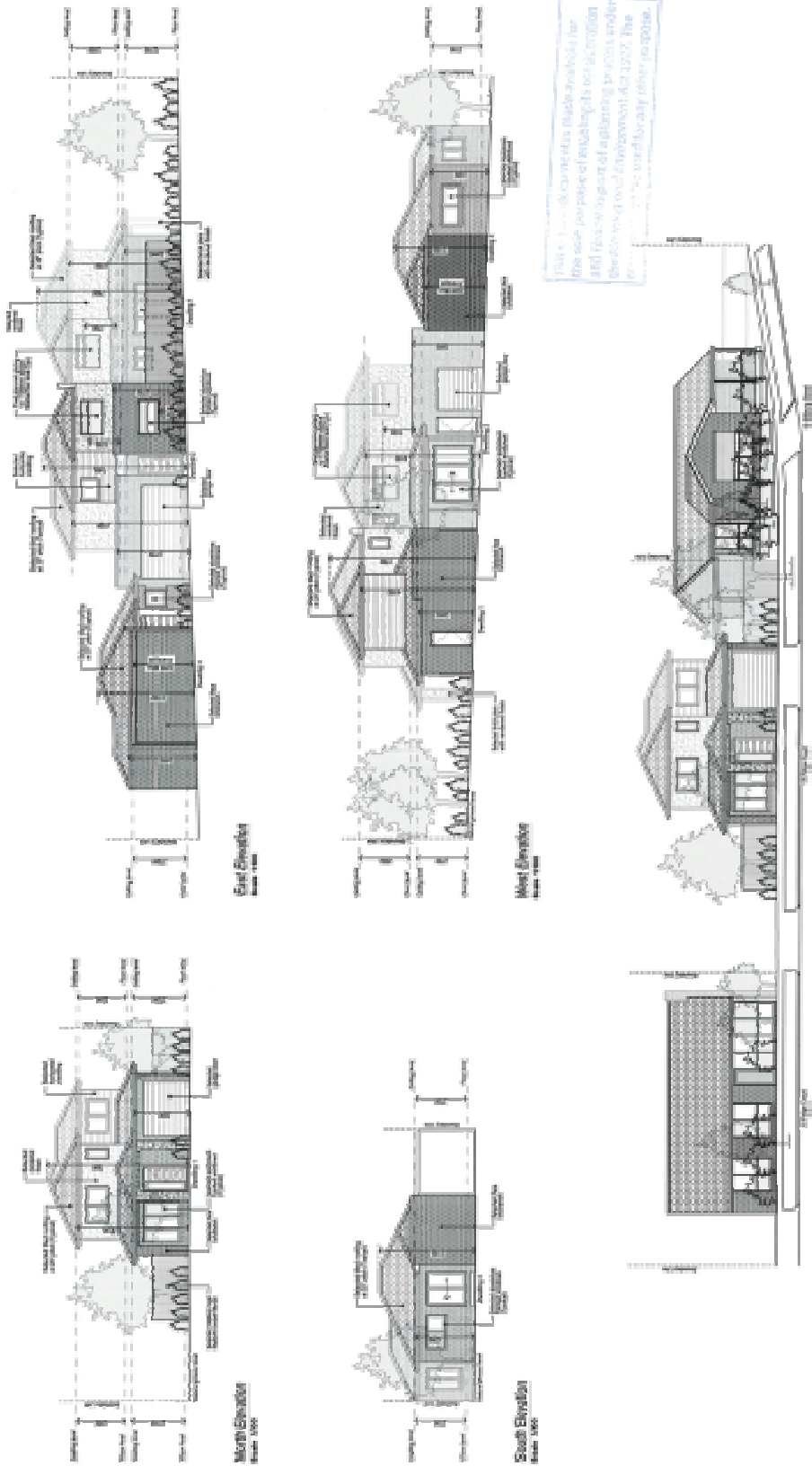


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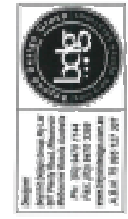
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**U Property Australia Pty Ltd**

**Multi-Dwelling Development**



ADVERTISED PLAN



Project: Multi-Dwelling Development  
 Address: 4/17 Fidge Court, Avenue  
 Warragul, VIC 3920  
 Plans No. 274

Client: U Property Australia Pty Ltd

No.	Area	Proposed	Current	Use	AP	SP
1	Lot 1	Residential	Residential	Residential		
2	Lot 2	Residential	Residential	Residential		
3	Lot 3	Residential	Residential	Residential		
4	Lot 4	Residential	Residential	Residential		

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No.	Area	Proposed	Current	Use	AP	SP
1	Lot 1	Residential	Residential	Residential		
2	Lot 2	Residential	Residential	Residential		
3	Lot 3	Residential	Residential	Residential		
4	Lot 4	Residential	Residential	Residential		

Client: U Property Australia Pty Ltd

Project: Multi-Dwelling Development



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<b>REPORT NO:</b>	SU214
<b>REPORT TITLE:</b>	133-141 Western Ave Westmeadows - Use and development of the land for a Residential Hotel
<b>SOURCE:</b>	Brydon King, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P20112
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Aerial Map</i></li><li>2. <i>Locality Map</i></li><li>3. <i>Proposed Development Plans</i></li></ol>

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<b>Application No:</b>	P20112
<b>Proposal:</b>	Use and development of the land for a Residential Hotel
<b>Location:</b>	133-141 Western Ave, Westmeadows
<b>Zoning:</b>	Commercial 2 Zone
<b>Applicant:</b>	Western Avenue Pty Ltd
<b>Date Received:</b>	21 November 2016

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## 1. SUMMARY OF REPORT:

- 1.1 The application seeks permission for the use and development of a Residential Hotel on the subject land. The proposed hotel is to be nine storeys high with a maximum height of 28 metres. The hotel is to be constructed on the north part of the site and the remaining portion of the land will continue to operate as a commercial car parking operation for patrons of the airport.
- 1.2 A Failure to Determine application has been lodged at the Victorian Civil and Administrative Tribunal (VCAT) and a Compulsory Conference has been scheduled for May 2017 with a final hearing scheduled for July 2017. A position of the Council is required to be present at the Compulsory Conference.
- 1.3 VCAT has directed referrals and public notification of the application and this process has resulted in:
  - A submission from an Owners Corporation of residential land to the north east of the site raising concerns about the height and scale and amenity impact of the hotel. The submission outlines they do not wish to attend the hearing on the matter and are subsequently not formal parties to the appeal.
  - No objections to the proposal from internal Council departments or external agencies such as Public Transport Victoria, Melbourne Airport and the Federal Department of Infrastructure and Regional Development as the building protrudes into Melbourne Airport airspace have been submitted to date.
- 1.4 The subject land is impacted by Planning Scheme Amendment C218 which seeks to rezone the subject land (and adjacent land to the south) along with six other sites across the City of Hume, from Commercial 2 Zone to Industrial 3 Zone, to better support the strategic intention of these areas for industrial development and employment generation. Amendment C218 is currently on public exhibition and a Panel hearing is scheduled for August 2017 subject to submissions and future Council decisions. The proposed use and development of a Residential Hotel is prohibited in the Industrial 3 Zone.

REPORT NO: SU214 (cont.)

- 1.5 Based on the strategic change to the zoning of the land proposed under Amendment C218 along with issues relating to the height and scale of the proposal, it is recommended that Council form a view to not support the proposed hotel use and development.

**2. RECOMMENDATION:**

That Council, having considered the application for use and develop the land for a residential hotel at 133-141 Western Ave, Westmeadows on its merits and the Statement of Grounds, resolves to advise the Victorian Civil and Administrative Tribunal that Council does not support the proposed use and development on the following grounds:

1. The residential hotel use and development conflicts with the intent of the land to provide for Business Park and industrial development as identified in Clause 21.03 and 21.06 of the *Hume Planning Scheme*.
2. The use and development of a residential hotel on the land is inconsistent with Council's strategic intent to rezone the subject land to Industrial 3 via Amendment C218.
3. The scale, form and height of the proposed residential hotel are contrary to the predominantly lower height and scale of the immediate area. The proposal provides a lack of transition from the lower scale farmland and residential areas to the north and north east and will result in a visually prominent building in the landscape.

**3. PROPOSAL:**

- 3.1 The proposal seeks permission to construct a nine storey hotel building on the northern portion of the existing site. The hotel will feature 214 full suites for guests as well as 21 basic sleeping pods for short staying visitors. The building will feature a pool, gym and restaurant facilities to service guests.
- 3.2 The building is proposed to be setback 46.5 metres from Western Ave and between 3.2 metres and 9.6 metres from Tullamarine Freeway at ground level. The building will be setback between 1 metre and 7.8 metres to the property boundary to the north. The building will have a maximum height of 28.4 metres with a four storey section closer to Western Ave at 16.4 metres in height. The building is orientated to capture views to the north.
- 3.3 Parking for the proposal will be provided in a basement car park providing 64 car parking spaces. The balance of the land will provide commercially operated long term car parking for airport patrons and guests of the proposed hotel.

**4. SITE AND SURROUNDS:**

- 4.1 The subject land is located north of the Tullamarine Freeway with access to Western Ave located further to the north east of the site. The land is trapezium in shape and has an area of 2 hectares.
- 4.2 The land is currently used to provide commercially operated long term car parking for users of the airport accessed via Western Ave. The site has buildings related to the car parking use in proximity to the eastern and south eastern boundaries.
- 4.3 Land to the north is open farm land zoned Farming Zone Schedule 3. Land to the north east of the site consists of residential dwellings and land to the south east also features existing dwellings located in the Commercial 2 Zone fronting Western Ave. To the south is the Tullamarine Freeway and on the opposite side of the freeway exists land owned and managed by Melbourne Airport.

REPORT NO: SU214 (cont.)

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

*State Policies:* Clause 9: Plan Melbourne  
Clause 11.02 Urban Growth  
Clause 11.04 Metropolitan Melbourne  
Clause 15.01-1 Urban Design  
Clause 17.03 Tourism

*Municipal Strategies:* Clause 21.03-1 Employment  
Clause 21.03-2 Business  
Clause 21.03-4 Melbourne Airport  
Clause 21.06-5: Local Areas - Greenvale, Attwood and Westmeadows Neighbourhood  
Clause 21.08 Particular Uses and Development

*Zones:* Clause 34.02: Commercial 2 Zone

*Overlays:* Clause 45.08: Melbourne Airport Environs Overlay Schedule 2

*Particular Provisions:* Clause 52.06: Car parking

Clause 53.34 Bicycle Facilities  
Clause 52.35 Urban Context Report and Design Response for residential development of five or more storeys

*General Provisions:* Clause 65.01: Approval of an Application or Plan

- 5.2 The land at 133-141 Western Ave is zoned Commercial 2 Zone and features the Melbourne Airport Environs Overlay Schedule 2.

- 5.3 The Commercial 2 Zone has the following purposes:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

- 5.4 Pursuant to Clause 34.02 of the *Hume Planning Scheme* a planning permit is required for the use and development of a Residential Hotel. A Residential Hotel is defined as:

- *Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.*

- 5.5 The Melbourne Airport Environs Overlay Schedule 2 has the following purpose:

- *To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.*

- 5.6 A planning permit is required pursuant to the overlay for use of the land for Accommodation uses. Whilst the overlay applies to the southern part of the site and the

**REPORT NO: SU214 (cont.)**

proposed use and development is not located within the overlay the provisions have been considered given the overall interaction of the proposal across the site.

- 5.7 The proposed Residential Hotel broadly responds to the policy settings in the Municipal Strategic Statement related to supporting economic development and tourism outcomes. Whilst this is acknowledged the strategic intent of the subject land is clearly outlined in Clause 21.03-1 Employment and Clause 21.06-4 Gladstone Park and Tullamarine Neighbourhood as providing for industrial development and employment generation. The Commercial 2 Zone allows for the use and development proposed to be considered on merit, however, Council has initiated Planning Scheme Amendment C218 which seeks to change the zoning of the subject site to the Industrial 3 Zone.
- 5.8 Planning Scheme Amendment C218 seeks to rezone seven areas of existing Commercial 2 zoned land across the City of Hume to the Industrial 3 Zone. The Commercial 2 Zone was introduced in 2013 in a State wide process as part of the updated commercial zones. The broad range of commercial uses in the Commercial 2 Zone has resulted in implications of changing the original strategic intent of areas from employment based industrial parks and creating opportunities for out of centre development. As a consequence, the intentions of the C218 is to apply the Industrial 3 Zone to the various sites to better support the original intent of these areas and as articulated in the Municipal Strategic Statement. The Industrial 3 Zone is considered to better represent the original zoning of the land as Business 3 or 4 zones. The Industrial 3 Zone allows for less detrimental industrial uses as well as some limited retail uses to service local areas and this is considered to be consistent with the intent of the areas impacted by the amendment, including the subject land.
- 5.9 In the event the Industrial 3 Zone was applied to the subject land via Amendment C218, the proposed Residential Hotel use and development would be prohibited and a planning permit could not be granted.

**6. REFERRALS:**

- 6.1 Notice of the application was provided to the Melbourne Airport Corporation pursuant to the Melbourne Airport Environs Overlay Schedule 2. No objections were provided and standards conditions in relation to development in context to the site were provided.
- 6.2 Advice was also received from Melbourne Airport that the proposed development's height protrudes into the Prescribed Airspace for Melbourne Airport and as such approval is needed from the Federal Department of Infrastructure and Regional Development. Information has been forwarded to Airspace Protection in the Department of Infrastructure and Regional Development. Initial advice received is subject to obtaining advice from other federal agencies, a recommendation for approval is likely to be forwarded to the relevant delegate.
- 6.3 The application was referred to Public Transport Victoria and no objection was provided.
- 6.4 The application was referred to VicRoads, however, at the time of preparing this report no formal response has been received.
- 6.5 The application was referred to Council's Civil Engineering Department and no objection was provided with standard conditions.
- 6.6 The application was referred to Council's Traffic Department who suggested that more basement parking was necessary to service the residential hotel and suggested changes to the layout of parking.

**7. ADVERTISING:**

- 7.1 VCAT directed the applicant to undertake public notice of the application and send advice to referral authorities per orders dated 16 February 2017. The closing date for

**REPORT NO: SU214 (cont.)**

objectors and referral authorities to lodge statement of grounds to the application was the 24 March 2017.

- 7.2 As a result of the public notice and referral process, two statement of grounds were lodged with the Tribunal on behalf of an Owners Corporation of residential land to the north east of the site and from Melbourne Airport.
- 7.3 Melbourne Airport's statement of grounds reiterated their letter of 5 January 2017 outlining no objection to the proposal subject to conditions related to the proposed hotel however no new issues were raised.
- 7.4 The key issues raised in the statement of grounds from the Owners Corporation are as follows:
- Hotel use not suited to the area
  - Concerns about hotel use and amenity impacts.
  - Oversupply of hotels and motels in the area.
- 7.5 The above statement of ground specifically detailed that the submitters do not want to attend a hearing on the matter and subsequently they are not formal parties to the VCAT proceeding. The only formal parties to the matter and that will attend the Compulsory Conference are Council and the proponent, Western Avenue Pty Ltd.

**8. STATEMENT OF GROUNDS**

8.1 The statements of grounds are detailed below with an officer's response.

8.2 Hotel use not suited to the area

The grounds related to the above issue relate to the lack of access to the site and its lack of proximity to food and recreation facilities. Whilst those issues are not specifically relied on in assessing the proposal in this report, the broader issue of whether such a use is appropriate to the area is directly related to the proposed rezoning of the land to Industrial 3.

8.3 Concerns about the hotel use and amenity impacts

A number of concerns are raised in the statement of grounds concerning noise, lighting, vehicle movements and general impacts on the surrounding residential area. Whilst these issues are acknowledged the nature of the land zoned as Commercial 2 currently and proposed to change to Industrial 3 will result in non-residential based uses being located on the site. It is important to ensure such uses do not have significant detrimental impacts to surrounding residential uses however it is not considered these are matters in this instance that support the current refusal recommendation.

8.4 Oversupply of hotel and motels in the area

The issue of the number of these facilities in the immediate area is not considered a specific ground to refuse the proposal in a land use planning context. Issues of cumulative impacts can be considered in relation to liquor licencing aspects of land use planning however in this context the issue raised is not considered a factor to underpin the recommendation to not support the application.

**9. DISCUSSION**

**Strategic Context**

- 9.1 The key issue with the proposed Residential Hotel on the subject land relates to alignment with the strategic intent of the area. Clause 21.03-1 Employment highlights the area of the subject land and land to the south as a focus for business and industry development as referenced in the following strategy:

REPORT NO: SU214 (cont.)

- *Retain existing employment areas on the west side of Mickleham Road and encourage the development of Global Business Park as a high quality business and industry park.*
- 9.2 The above focus is also emphasised in Clause 21.06-4 Gladstone Park and Tullamarine Neighbourhood with the following relevant objective:
- *To support existing industries and encourage the establishment of new industries and businesses that will benefit from maximum accessibility to Melbourne Airport, seaports, and regional and interstate markets.*
- 9.3 The existing policy setting has a clear focus for the area on business and industry development. The overall intent for the subject land and adjacent land to the south east was for industry based development that can support employment and ensure uses in proximity of Melbourne Airport are of a nature that does not compromise the ongoing operation of the airport curfew free.
- 9.4 The Commercial 2 Zone (applied to the subject land in 2013 as part of a State wide change) has allowed for a broader range of commercial uses that undermine the long term intent of the subject land and adjacent land. Amendment C218, initiated by the City of Hume, seeks to address this issue through rezoning the subject land (and adjacent areas) to the Industrial 3 Zone along with six other sites across the municipality.
- 9.5 The amendment has been authorised and is currently on public exhibition. Submissions have been received and it is anticipated the matter will likely proceed to a pre-set Panel Hearing scheduled for August 2017 subject to Council decisions.
- 9.6 In light of the concerns that the current zoning of the land does not support the strategic intent for the area as outlined in the *Hume Planning Scheme* it is considered the Residential Hotel use will further undermine the future development of the area and the use and development cannot be supported.

**Traffic and Parking**

- 9.7 Clause 52.06 does not provide a specific parking rate for a Residential Hotel use and any parking provision to support the use is required to be to the satisfaction of the responsible authority.
- 9.8 Parking for the proposed Residential Hotel is to be provided through 64 car spaces in a basement and patron access to the commercial car park operating on the balance of the land. The balance of the land will accommodate 710 car parking spaces. On this basis it is considered that car parking provisions to service the hotel will be available at an appropriate level if set aside on the adjoining land.
- 9.9 Improvement can be made to the car parking layout in the basement through modifications to some elements of access and layout.
- 9.10 The proposal also seeks a waiver of bicycle parking spaces on the land. Whilst the 54 bicycle spaces required under Clause 52.34 of the *Hume Planning Scheme* are not considered necessary, it is considered reasonable to provide a level of bicycle parking for staff of the facility. In the event a permit was to issue for the proposal the requirement for bicycle parking spaces could be dealt with as a permit condition.

**Scale and form**

- 9.11 The proposed nine storey hotel will provide for a significant building form on the subject land. The surrounding development is of a mainly single to double storey scale and the proposal will be significantly higher than existing development in the Global Business Park to the south east.



REPORT NO: SU214 (cont.)

- 9.12 The proposal does provide for setbacks from boundaries and for landscaping within the immediate vicinity of the building, however, the height of the proposed building at 28 metres does create a visual impact to the immediate surrounds, particularly to the residential properties to the north-east and the gateway status of the Tullamarine Freeway.
- 9.13 The height of the building also protrudes into the Prescribed Flight Path of Melbourne Airport and requires approval from the relevant Federal Government agencies. Whilst initial responses seem positive about such permission it is considered that combined with the overall visual impact some reduction in the building height would be beneficial.

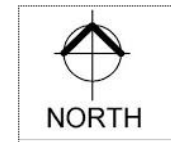
**10. CONCLUSION**

- 10.1 It is acknowledged that the use and development of a Residential Hotel on the land at 133-141 Western Ave, Westmeadows can help service tourism and commercial objectives in the *Hume Planning Scheme*. However, on review, it is considered the proposal is inconsistent with the strategic intent of the land as described in the *Hume Planning Scheme*, contrary to the intent of Amendment C218 and will present a built form and scale that is out of context to the immediate locality and should not be supported.

Permit Application: P20112

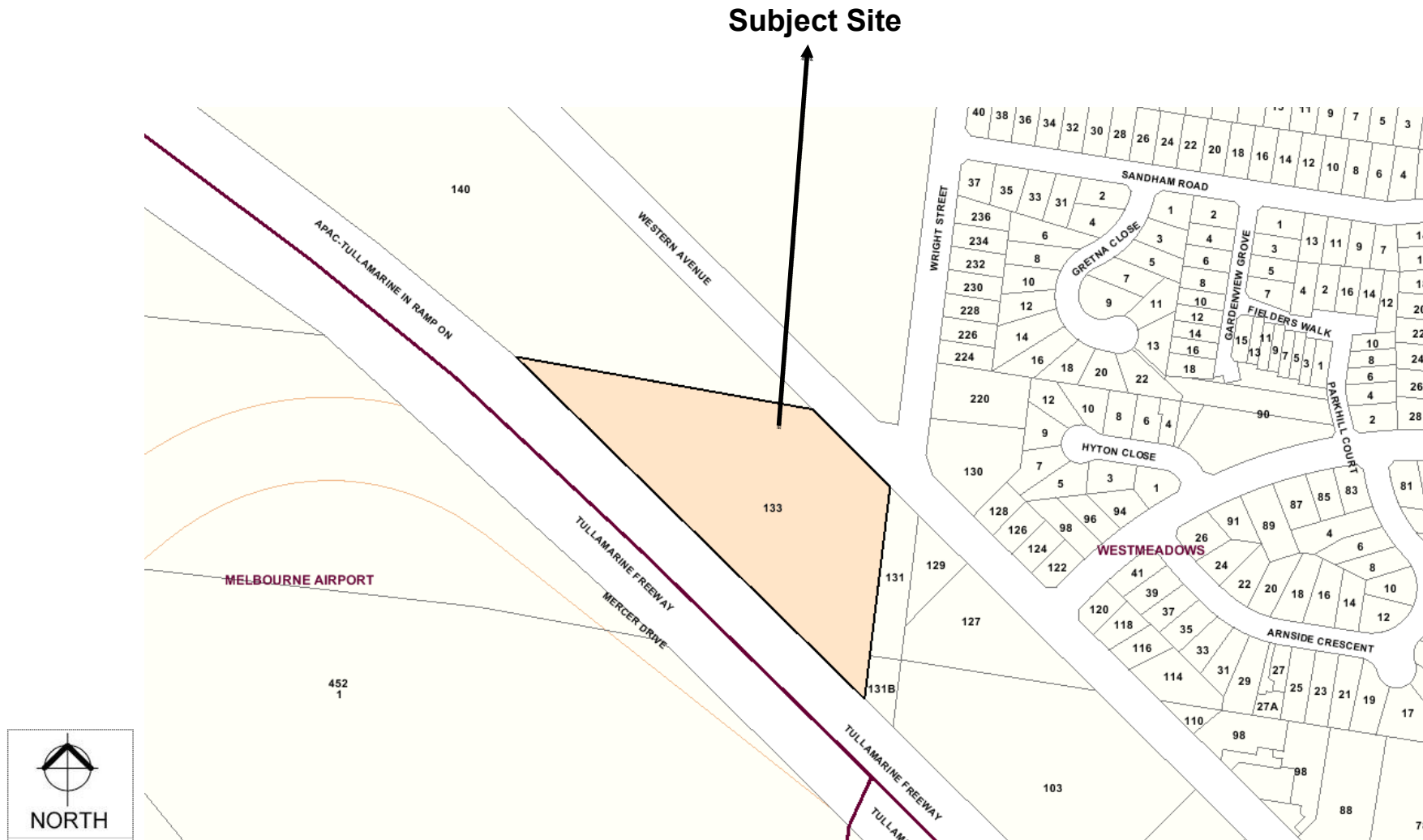
Site Address: 133 – 141 Western Avenue, Westmeadows

Subject Site



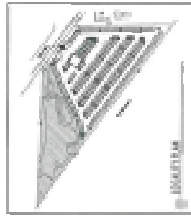
Permit Application: P20112

Site Address: 133 – 141 Western Avenue, Westmeadows





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	4. TOTAL	1000
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TP01

WESTERN MOUNTAINS  
 STRATEGIC  
 PLAN

2014 - 2018

2014 - 2018  
 WESTERN MOUNTAINS  
 STRATEGIC  
 PLAN

2014 - 2018

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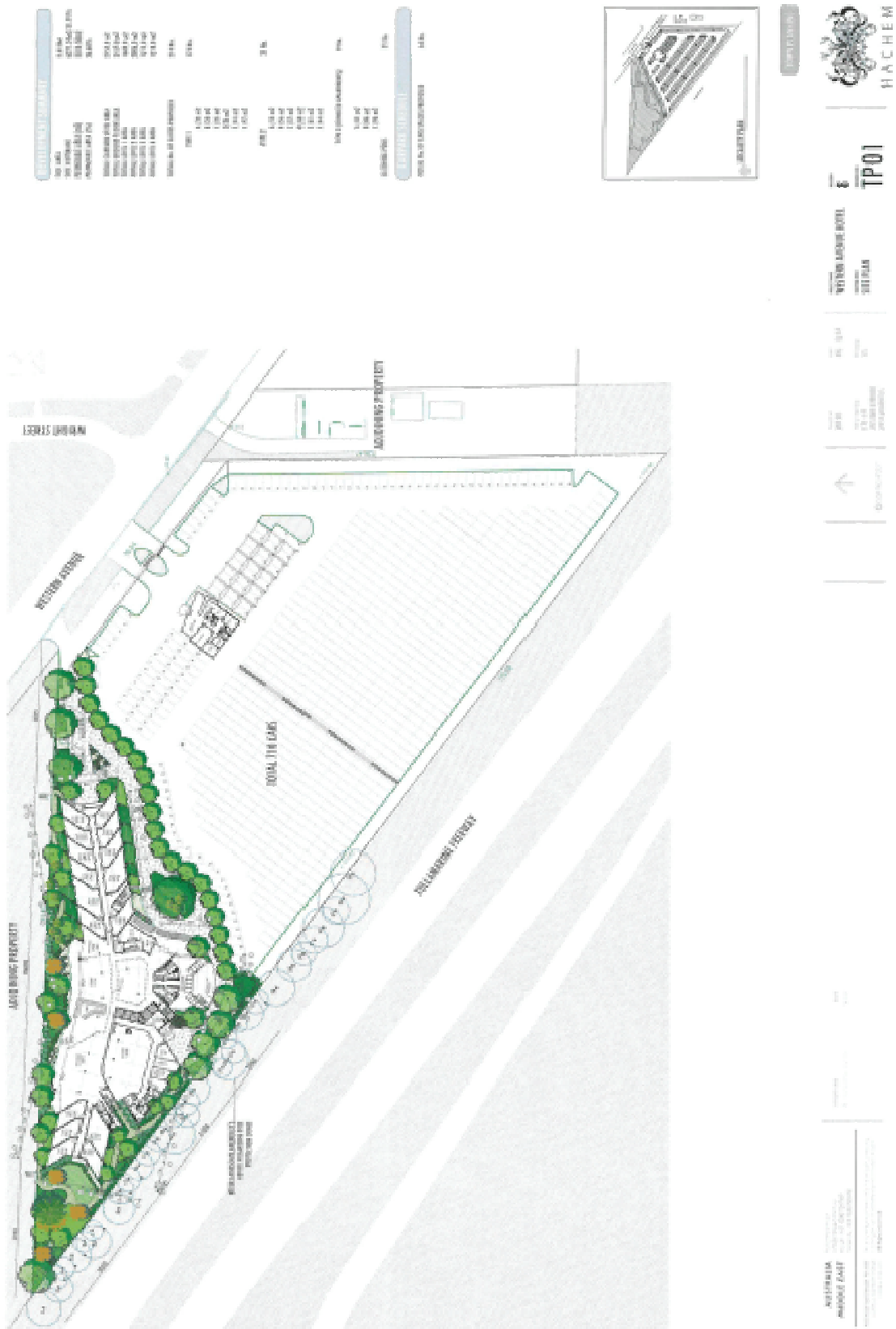
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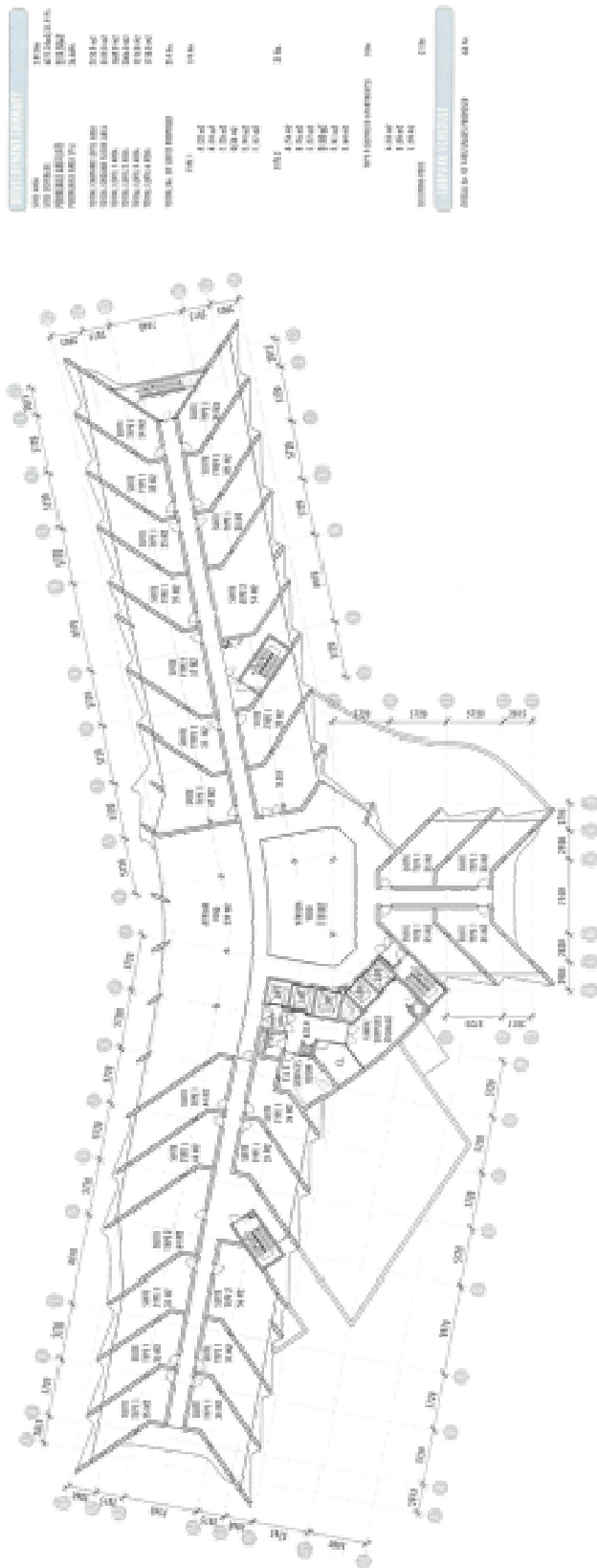
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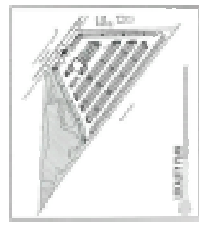








SUSTAINABILITY TARGETS	
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PERCENTAGE OF BUILDINGS WITH SUSTAINABILITY RATING 2	100%
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WITTEN INNOVATION HOTEL  
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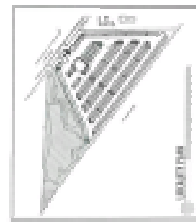
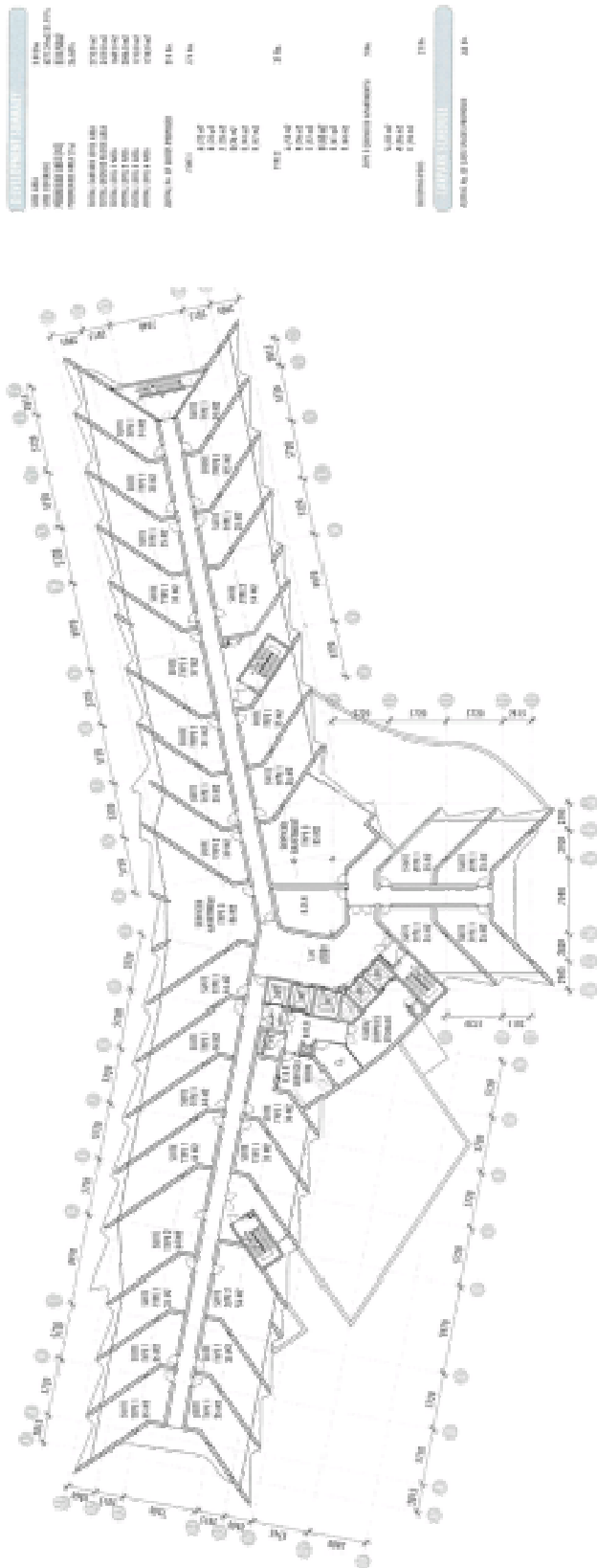
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ALBERTA  
 MARCH 2017





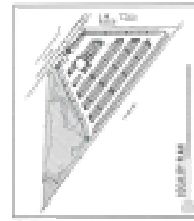
**WESTHILL JUNCTION HOTEL**  
**4TH FLOOR PLAN**  
**08/05/14**

TP05



ADDRESS: 1000 WESTHILL JUNCTION  
 ADDRESS (EAST): 1000 WESTHILL JUNCTION  
 ADDRESS (WEST): 1000 WESTHILL JUNCTION  
 ADDRESS (SOUTH): 1000 WESTHILL JUNCTION  
 ADDRESS (NORTH): 1000 WESTHILL JUNCTION

TOTAL FLOOR AREA (M <sup>2</sup> )	
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Scale 1:1000



8 TP06

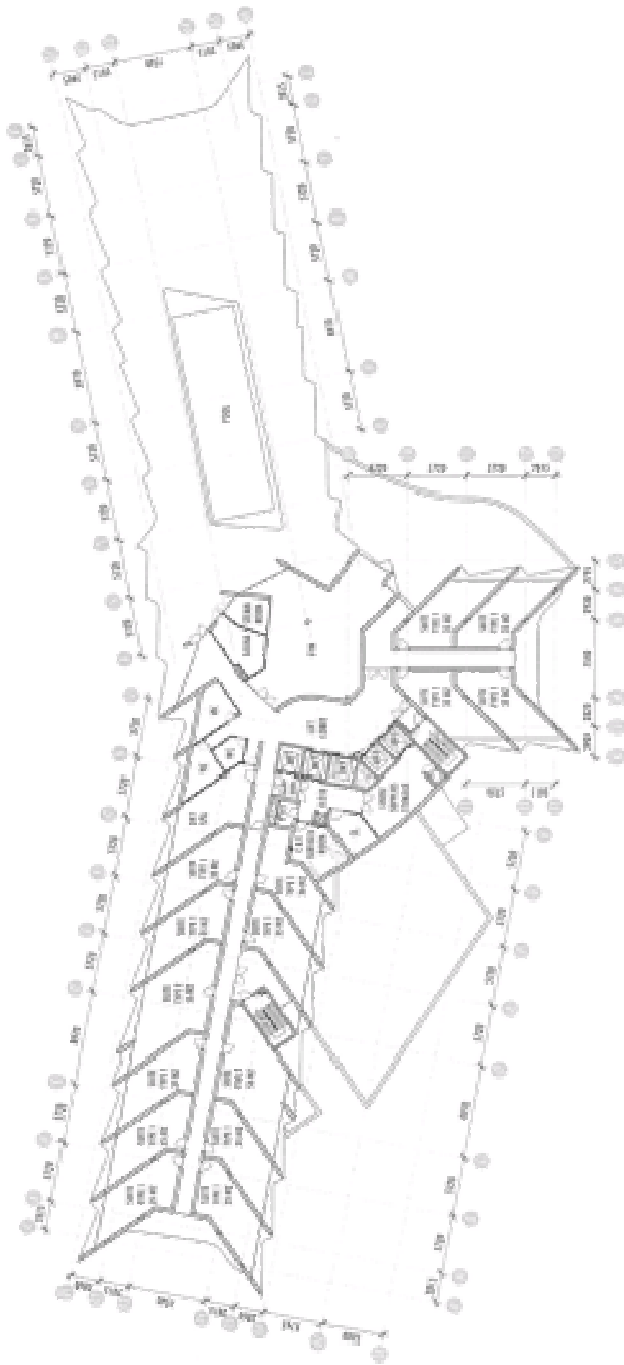
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 FLOOR PLAN  
 LEVEL 1

Scale 1:1000

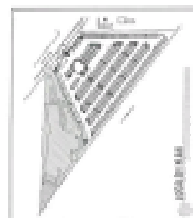
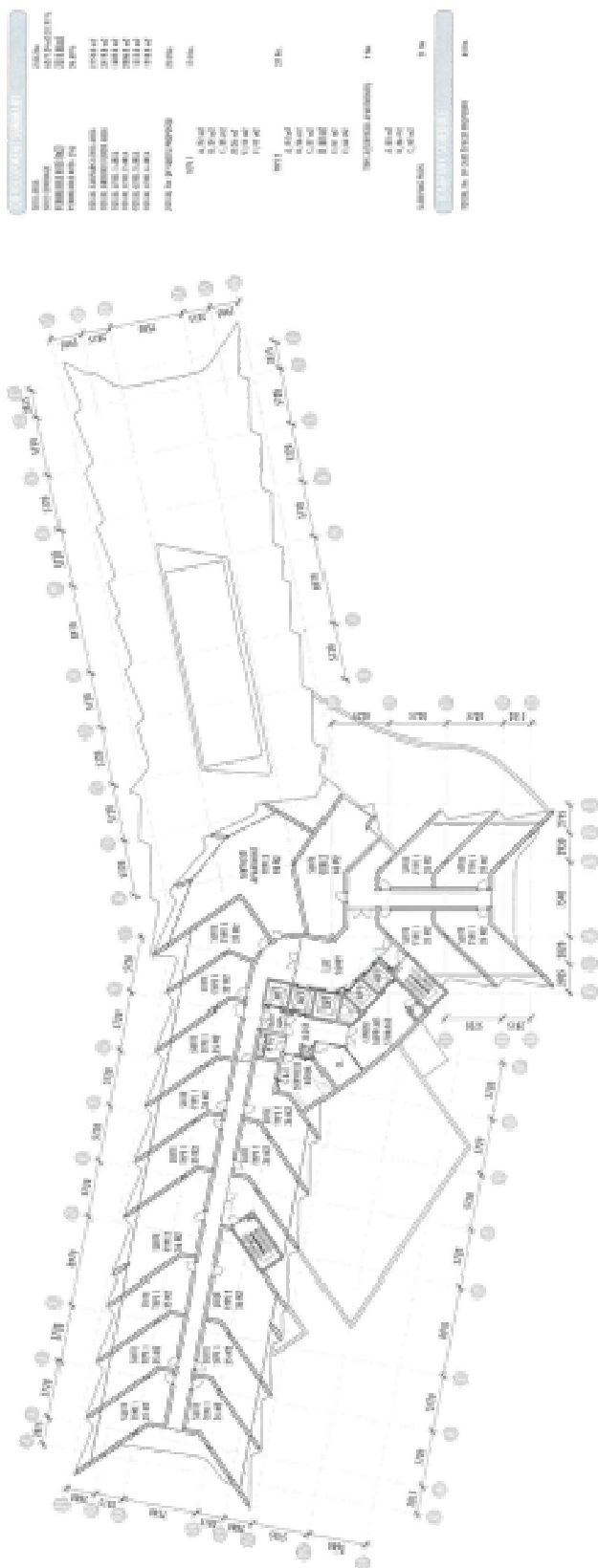
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8 **TP07**

PROPOSED DEVELOPMENT  
 PROPOSAL FOR  
 TOWN PLANNING  
 LOCAL GOVERNMENT  
 HUME CITY

DATE: 17/04/17

PROJECT NO: TP07/17



SCALE: 1:1000

PROJECT NO: TP07/17

DATE: 17/04/17

PROJECT NO: TP07/17

DATE: 17/04/17

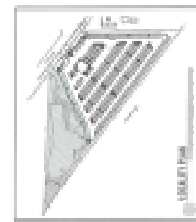
PROJECT NO: TP07/17

DATE: 17/04/17

PROJECT NO: TP07/17

DATE: 17/04/17

PROJECT NO: TP07/17



**TP08**

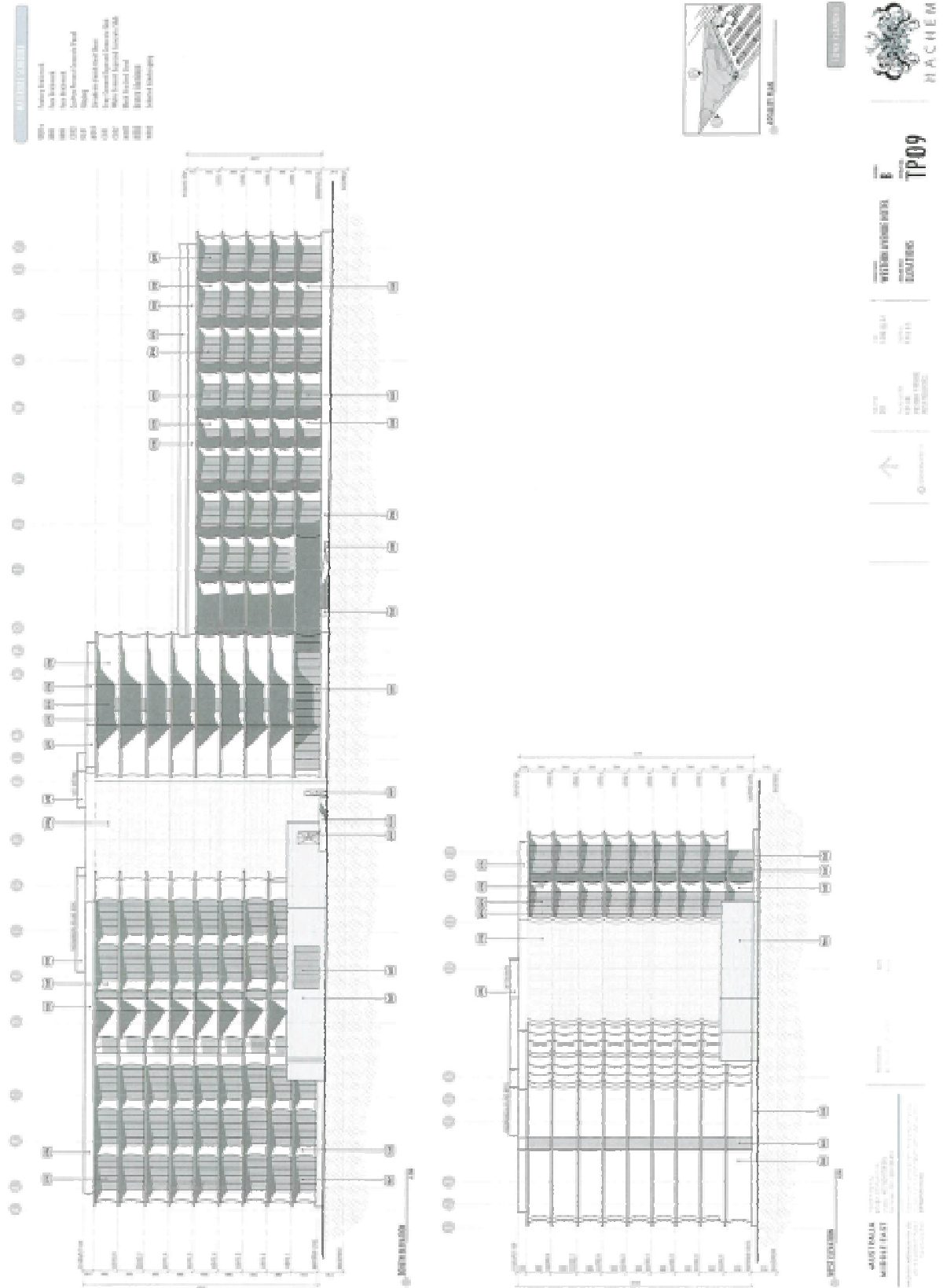
**PROPOSED DEVELOPMENT  
SUMMARY**

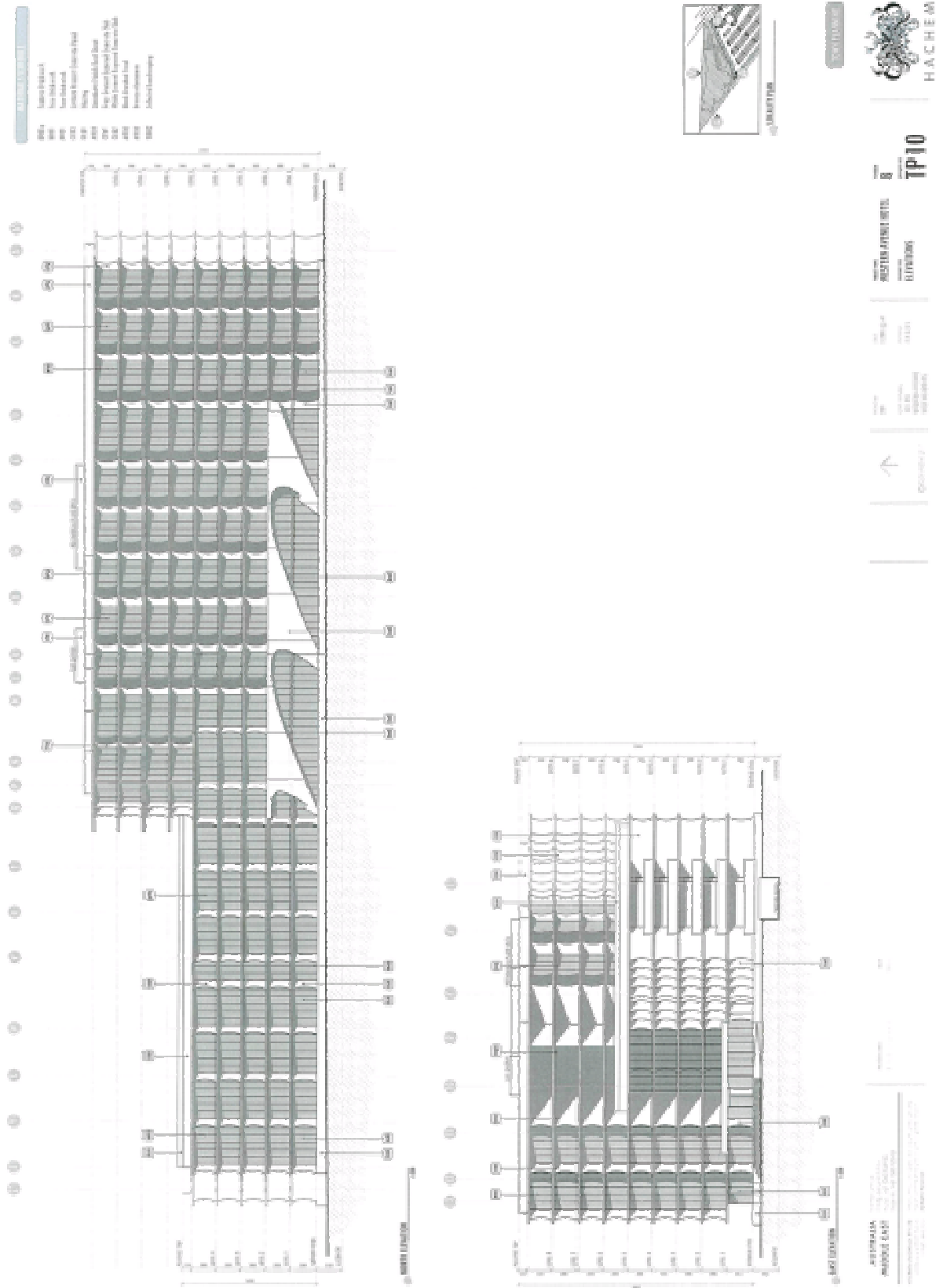
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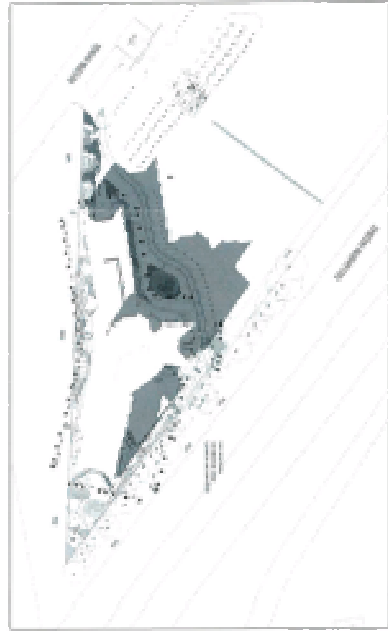
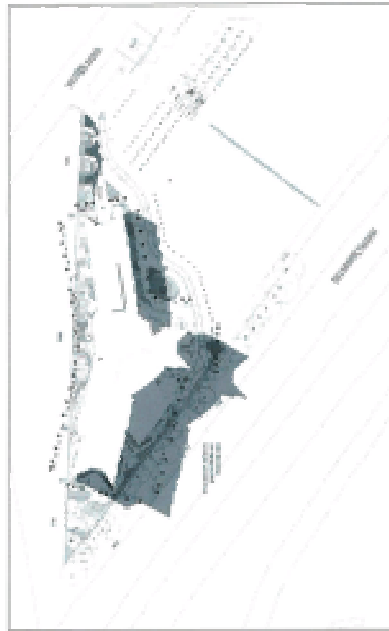


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WWW.HACHEMCONSULTANTS.COM









WESTERLYNCH HOTEL  
SOUTH YORK  
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<b>REPORT NO:</b>	SU215
<b>REPORT TITLE:</b>	Statutory Planning Monthly Report April 2017
<b>SOURCE:</b>	Richard Siedlecki, Coordinator Statutory Planning
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	-
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	Nil

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## **1. SUMMARY OF REPORT.**

This report incorporates the VCAT appeals update and decisions made by Council officers under delegation. This report also details some performance indicators.

### **1.1 Performance**

Included within this report are bar charts illustrating the following key performance Indicators:

- Planning applications received and determined in the previous month.
- Outstanding applications.
- Average gross days in dealing with planning applications.
- Percentage of applications issued in 60 days or less.
- Percentage of applications issued in 60 days or less based on difficulty of applications.

The number of permit applications received in March 2017 decreased from the previous month by 3.5 percent. Permits issued in March increased by 12.5% compared to February. The number of outstanding applications rose by two in March compared to February.

A project to reduce the number of outstanding applications has commenced, phase 1 of the project, which is currently underway, is reviewing the applications that were lodged 12 or more months ago, permit applicants will be contacted in the coming month to confirm the status of their permit applications in light of the fact that a significant time has elapsed. Measures have also been put in place to ensure the decision making timeframes of new applications not suffer.

The average number of gross days taken to determine planning applications in 60 days increased by two, still well below that of growth and metropolitan Councils. The percentage of applications issued in 60 days or less fell by 7% in March.

The percentage of simple applications issued in 60 days or less decreased by 3% in March when compared to February. Average applications issued in 60 days or less decreased by 14% in March. Twelve percent of complex applications were determined in sixty days or less.

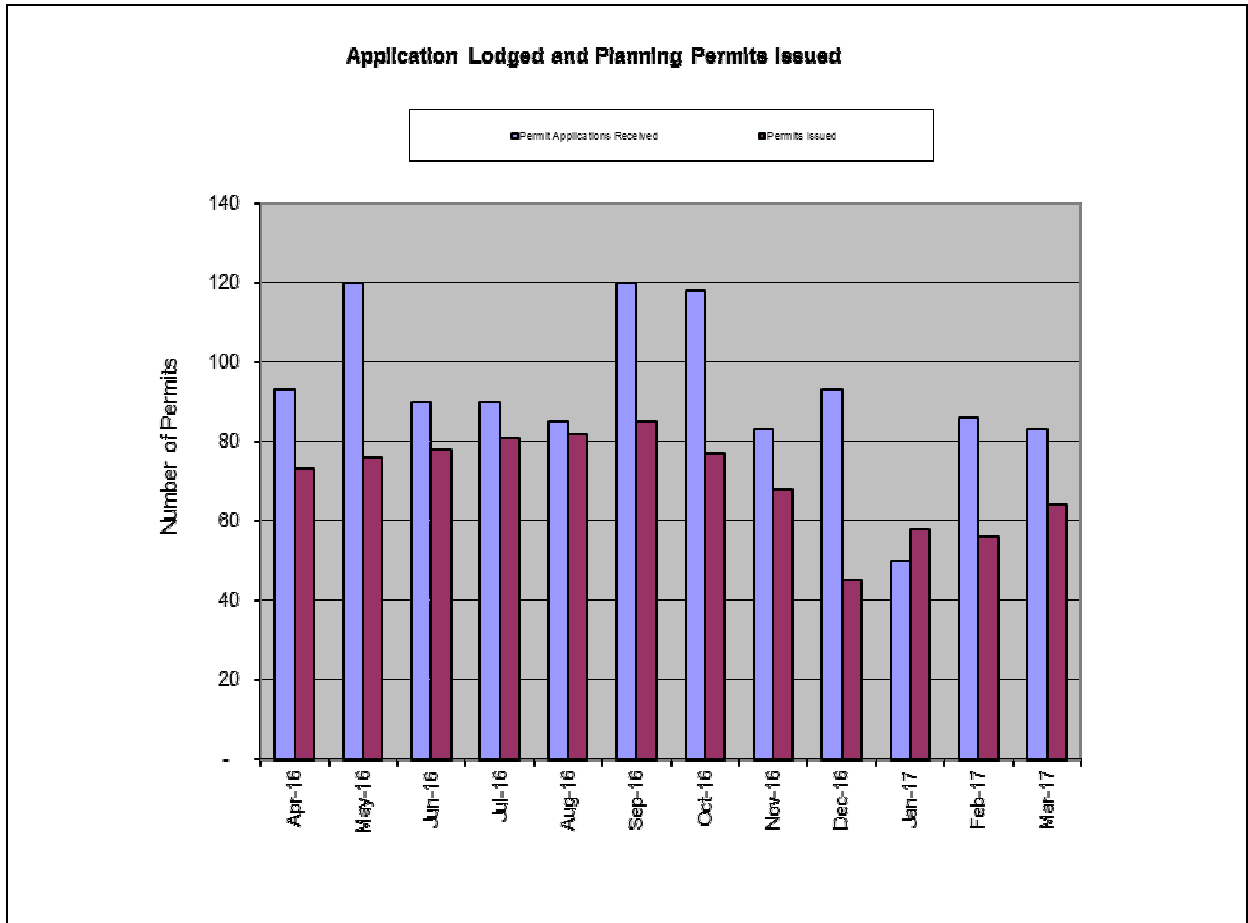
The table representing this data has been adjusted to accurately represent time frames and other reporting frameworks available to Council.

### **1.2 Delegated matters**

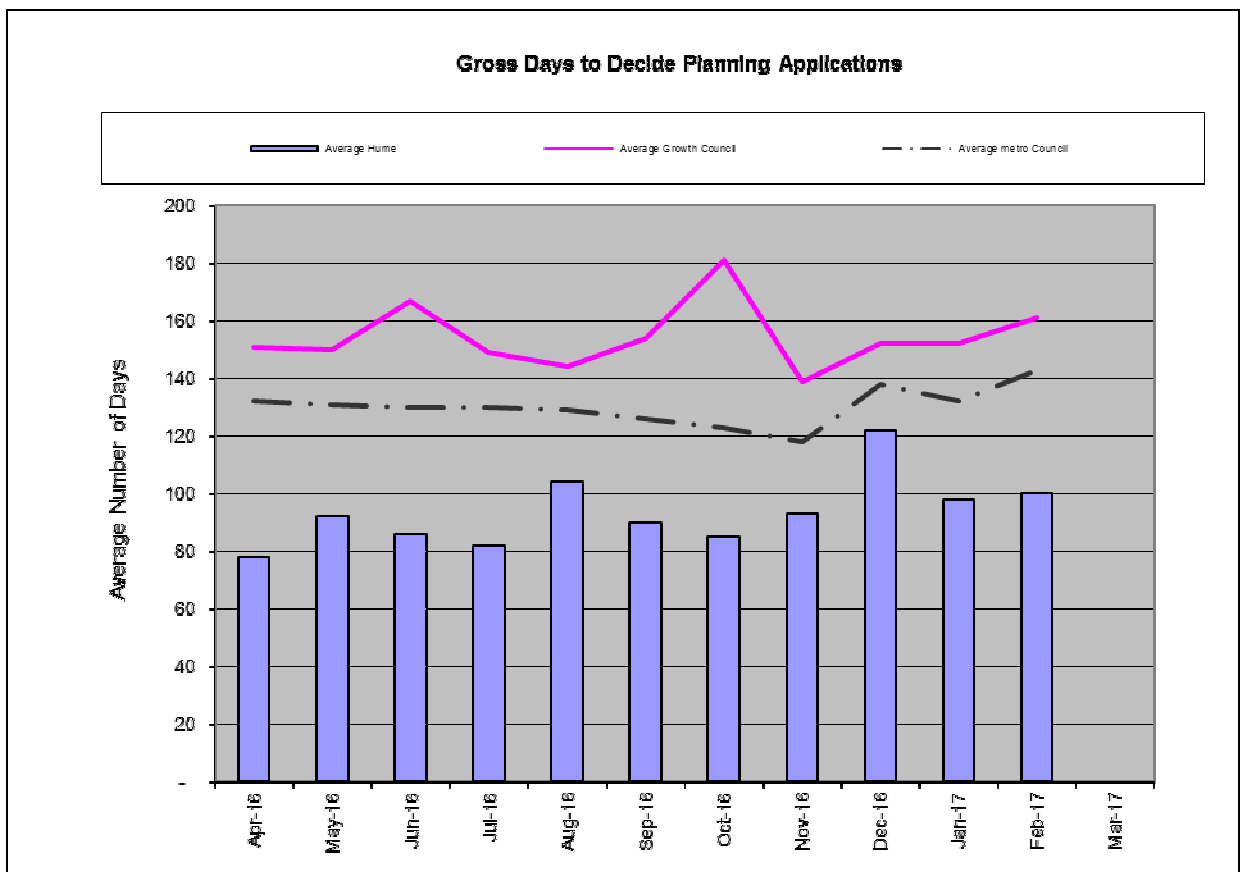
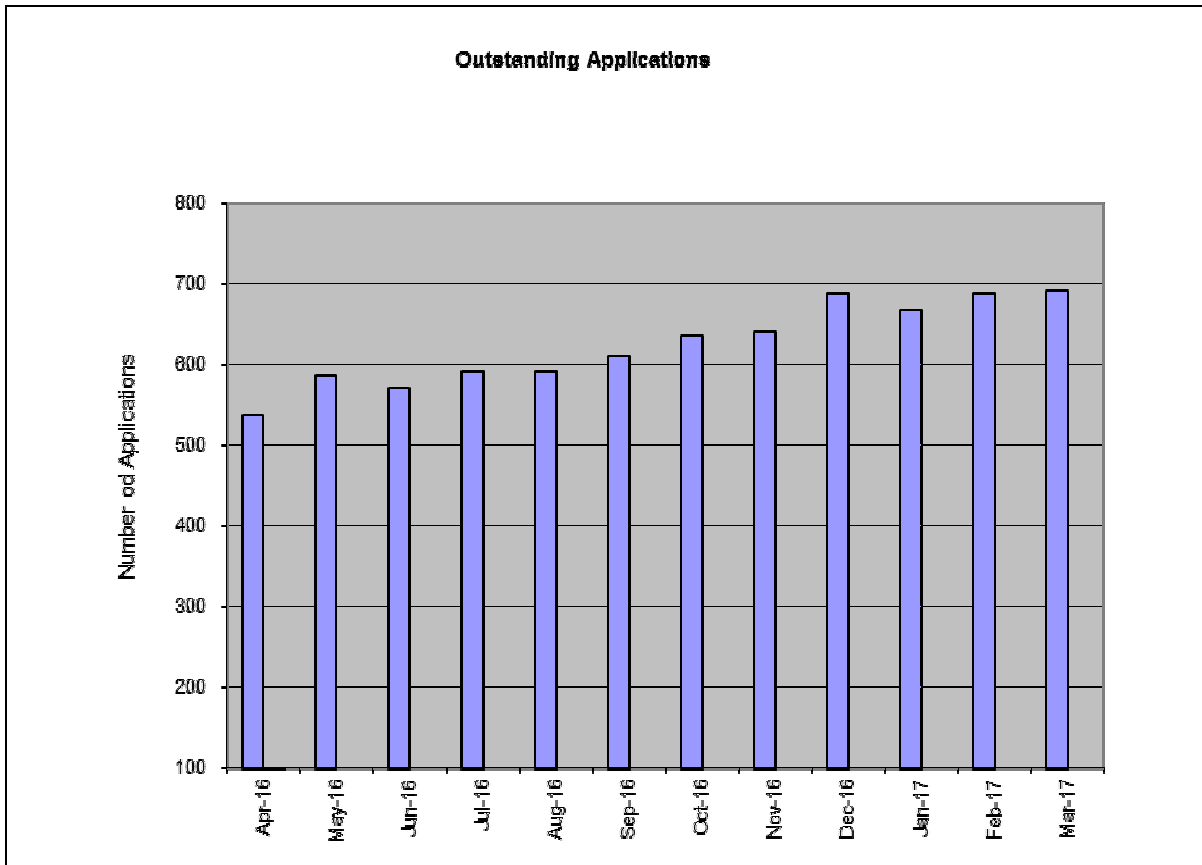
The table within Section 4 of this report further details applications that have been determined under delegated authority including planning applications that receive two objections or less, applications to amend planning permits or plans, applications to extend planning permits, applications to certify plans of subdivision, and the issuing of Statements of Compliance under the Subdivision Act and Section 173 Agreements signed under delegation.

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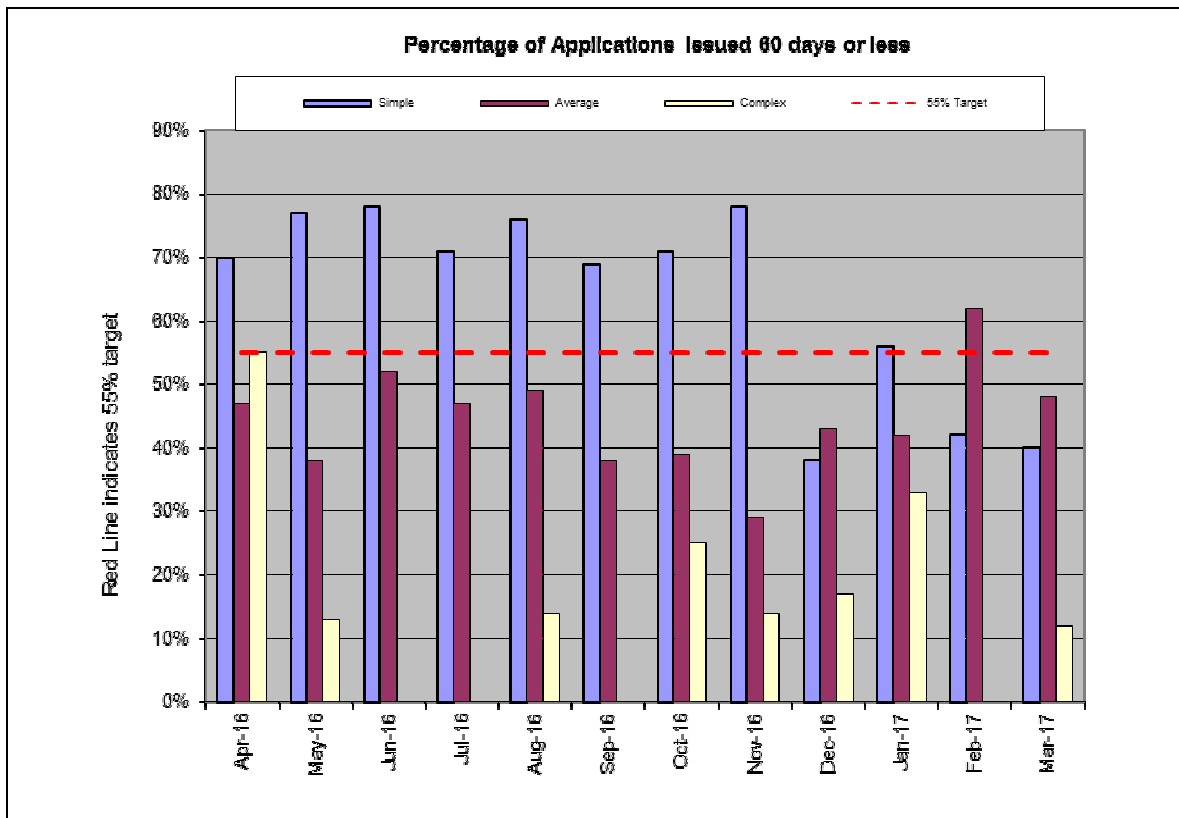
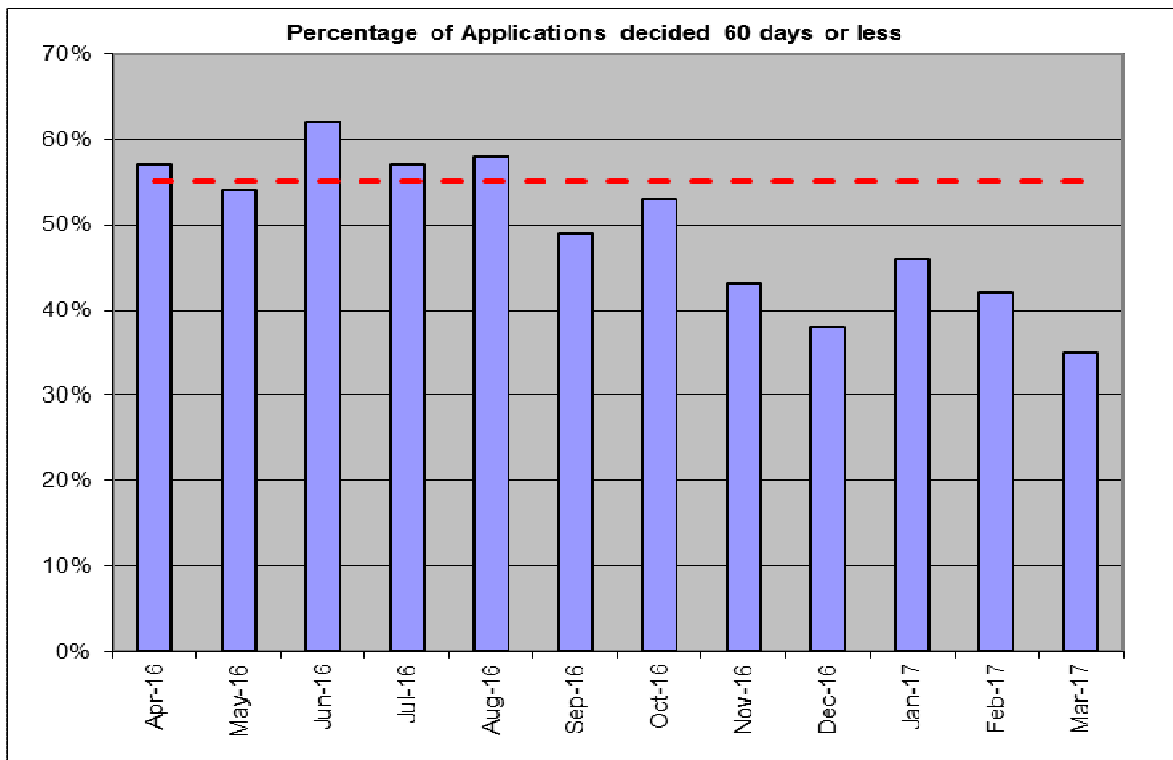
2. RECOMMENDATION:  
That the report be noted.



REPORT NO: SU215 (cont.)



REPORT NO: SU215 (cont.)



**REPORT NO: SU215 (cont.)**

**3. APPEAL DECISIONS TO DATE.**

- 3.1 This report includes all VCAT decisions received in the month of March 2017 and includes the current month prior to the Council meeting to give Council a more up to date report on VCAT decisions.
- 3.2 A compulsory conference was held at VCAT on 1 March 2017 regarding Council's failure to issue a permit for a Service Station and associated signage at 94-96 Horne Street, Sunbury. The result of the conference was that all parties to the proceeding agreed and sought orders by consent directing the grant of a permit subject to an agreed set of conditions. The permit conditions were largely those recommended by Council officers with additional conditions agreed between the parties at the compulsory conference. VCAT subsequently directed a permit issue.
- 3.3 The appeal against Council's failure to issue a permit for a Service Station, signage, convenience shop, vegetation removal, access to main road and reduction in car parking at 565 Mickleham Road, Greenvale has been dismissed by the Tribunal. Council had not made a decision on the application on the basis that no Cultural Heritage Management Plan had been submitted by the applicants. The Tribunal dismissed the appeal for want of jurisdiction and on the basis that it is misconceived having regard to Section 52(4) of the Aboriginal Heritage Act 2006.

WARD	APP. NUMBER	PROPOSAL	ADDRESS	DECISION	APPEAL TYPE	DATE	STATUS
Aitken Ward	P17604	Clean fill site	350 Konagaderra Road, Oaklands Junction	Failure to determine	Appeal by applicant	22/2/2017	Awaiting decision
Jacksons Creek Ward	P19343	Service station and advertising signage.	94-96 Horne Street, Sunbury	Failure to determine	Appeal by applicant	Compulsory conference 1 March 2017	VCAT directed that permit be issued
Aitken Ward	P19438	Two lot subdivision	29 Haddington Crescent, Greenvale	Notice of Refusal to Grant a Permit	Appeal by applicant	26/5/2017	To be heard
Aitken Ward	P19545	Service station, signage, convenience shop, vegetation removal, access to main road and car parking reduction.	565 Mickleham Road, Greenvale	Failure to determine	Appeal by applicant	Preliminary Hearing 16/3/2017	VCAT directed that appeal be dismissed.
Aitken Ward	P19584	Multi-lot subdivision	50, 65 and 80 Carroll Lane, Greenvale	Failure to determine	Appeal by applicant	Full hearing 3-5 May, 2017	Awaiting hearing
Aitken Ward	P18739	Landscaping works using clean fill	335 Old Sydney Road, Mickleham	Appeal against several conditions	Appeal by applicant	Full hearing 16/6/2017	To be heard
Aitken Ward	P18003	Application to amend ingress-egress arrangements.	765-785 Mt.Ridley Road, Yuroke and 1775 Mickleham Road. Oaklands Junction.	Failure to determine.	Appeal by applicant	Practice day hearing 17/3/2017 Compulsory Conference 16/5/2017 Hearing Date 26-28/6/2017	Awaiting further orders from VCAT
Meadow Valley Ward	P17268	Community market with associated business identification signage and reduction in car parking.	80A and 80-90 Blair Street, Broadmeadows	Application to VCAT to cancel permit	Application by land owner	Practice day hearing 3/2/2017	Awaiting further orders from VCAT

**REPORT NO: SU215 (cont.)**

WARD	APP. NUMBER	PROPOSAL	ADDRESS	DECISION	APPEAL TYPE	DATE	STATUS
Aitken Ward	P15564	Car park canopies and vertical wind barriers.	340 Craigieburn Road, Craigieburn	Failure to determine	Appeal by applicants	Full hearing 18/5/2017	To be heard
Meadow Valley Ward	P20112	Residential hotel and waiver of bicycle requirements	133-141 Western Avenue, Westmeadows	Failure to determine	Appeals by applicants	Compulsory conference 18/5/2017 Full hearing 14/7/2017	To be heard
Aitken Ward	P20075	166 lot subdivision	805 Somerton Road and 125 Bonds Lane Greenvale.	Failure to determine	Appeal by applicants	Compulsory conference 1/5/2017 Full hearing 5/6/2017	To be heard
Aitken Ward	P19901	Five two storey dwellings	12 Norcal Court, Greenvale	Failure to determine	Appeal by applicants	Full hearing 15/5/2017	To be heard
Aitken Ward	P19663	Two lot subdivision	32 Drummond Drive, Greenvale	Notice of Refusal to Grant a Permit.	Appeal by applicant	Full hearing 24/4/2017	To be heard

**4. MATTERS DETERMINED UNDER DELEGATION**

The following table lists all matters dealt with under delegation between 7 March 2017 and 3 April 2017.

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
P15215	Staged subdivision of land, construction of dwellings on allotments less than 300m <sup>2</sup> and removal of native vegetation	415 Mt Ridley Rd, Craigieburn	Amended plans endorsed (Secondary Consent)
P14164	Two dwellings at rear of existing dwelling	6 Harker St, Sunbury	Extension of Time issued
P16207	Double storey dwelling at rear of existing dwelling	13 Officer St, Meadow Heights	Amended plans endorsed (Secondary Consent)
P17192	Multi-lot staged subdivision with construction of dwellings on lots less than 300m <sup>2</sup> , removal of native vegetation and buildings and works	120 Waterview Bvd, Craigieburn	Amended plans endorsed (Secondary Consent)
P17322	Extension to existing single storey dwelling to double storey dwelling and development of double storey dwelling to rear of existing dwelling	28 Beacon Hills Cres, Craigieburn	Amended plans endorsed (Secondary Consent)
P17352	Single storey dwelling to rear of existing dwelling	25 Riversdale St, Craigieburn	Extension of Time issued
P18313	Single storey dwelling to rear of existing dwelling and extension to existing dwelling	33 Woking St, Craigieburn	Amended plans endorsed (Secondary Consent)
P18314	Single storey dwelling to rear of existing dwelling	37 Woking St, Craigieburn	Amended plans endorsed (Secondary Consent)
P18516	Warehouse and reduction of car parking requirements	42 Fordson Rd, Campbellfield	Amended plans endorsed (Secondary Consent)
P17601.02	Multi -lot subdivision	355 Donnybrook Rd, Mickleham	Amended plans endorsed (Secondary Consent)

**REPORT NO: SU215 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
P19402	Two double storey dwellings	8 Vivid Way, Craigieburn	Amended plans endorsed (Secondary Consent)
P19410	Staged subdivision and associated buildings and works	445 Mt Ridley Rd, Craigieburn	Amended plans endorsed (Secondary Consent)
P15973.02	Seven double storey dwellings	44 Barkly St, Sunbury	Amended permit issued and amended plans endorsed
P15198.01	Seven double storey dwellings and 1 single storey dwelling	2 Hopetoun Ct, Westmeadows	Amended permit issued and amended plans endorsed
P15515.01	Double storey dwelling to rear of existing dwelling	2 St Andrews Ct, Sunbury	Amended plans endorsed
P19121.02	Childcare centre and associated car parking	100 Bendigo St, Mickleham	Amended permit issued and amended plans endorsed
P16643.02	Three storey apartment building consisting of 28 apartments, parking and landscaping	25 Lygon Dr, Craigieburn	Amended permit issued and amended plans endorsed
P18201.03	Multi- lot subdivision Kallo Estate	40 Dwyer St, Kalkallo	Amended permit issued and amended plans endorsed
P18124	Two lot subdivision, closure of reserve and partial removal of easement	42-66 Barrymore Rd, Greenvale	Permit issued
P19211	Two double storey dwellings	1 Merlynston Cl, Dallas	Permit issued
P19250	Multi- lot subdivision	985 Mickleham Rd, Greenvale	Permit issued
P19355	Subdivision of land, buildings and works (bund and creation of restriction	400 Somerton Rd, Greenvale	Permit issued
P19419	Two double storey dwellings and one single storey dwelling	25 Cavendish St, Broadmeadows	Permit issued
P19441	Alterations and additions to existing advertising sign	256-262 Craigieburn Rd, Craigieburn	Permit issued
P19504	Double storey dwelling to rear of existing dwelling	6 Carol Gr, Tullamarine	Permit issued
P19559	Two single storey dwellings	61 Gibson St, Broadmeadows	Permit issued
P19581	Two double storey dwellings to rear of existing dwelling	35 Holberry St, Broadmeadows	Permit issued
P19694	25 metre NBN fixed wireless telecommunications tower	65 Green St, Bulla	Permit issued
P19726	Two warehouses with offices	53 Stanley Dr, Somerton	Permit issued
P19762	Three double storey dwellings and one single storey dwelling	7 Stevenson St, Broadmeadows	Permit issued
P19808	One double storey dwelling to rear of existing dwelling	33 Malmsbury Dr, Meadow Heights	Permit issued
P19822	Two single storey dwellings	2 Dalkeith Ave, Tullamarine	Permit issued
P19829	Two warehouses and reduction of car parking	4 Bubeck St, Sunbury	Permit issued
P19862	Warehouse and reduction of standard car parking requirement	27 The Gateway, Broadmeadows	Permit issued
P19883	Convenience store and reduction car parking	10 West Ct, Coolaroo	Permit issued

**REPORT NO: SU215 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
P19926	Three lot subdivision	105 Arena Ave, Roxburgh Park	Permit issued
P19935	Building for purpose of retail premises (motor vehicle sales) with signage	43 Randor St, Campbellfield	Permit issued
P19970	Primary school	120 Whites Lane, Craigieburn	Permit issued
P19971	Three double storey dwellings and associated garages	323 Camp Rd, Broadmeadows	Permit issued
P19973	Child care centre, reduction of car parking requirements and display signage	40 Hothlyn Dr, Craigieburn	Permit issued
P19975	Double storey dwelling and outbuilding on lot less than 300m <sup>2</sup>	156 Central Park Ave, Craigieburn	Permit issued
P19976	Two double storey dwellings to rear of existing dwelling	17 Jackson St, Sunbury	Permit issued
P19988	Warehouse and office	7 Thornycroft St, Campbellfield	Permit issued
P19991	Three lot subdivision	35 Hanson Rd, Craigieburn	Permit issued
P19993	Two warehouses and reduction of car parking	49 Merri Con, Campbellfield	Permit issued
P20045	Dental practice with reduction of car parking	16/106-110 Gap Rd, Sunbury	Permit issued
P20065	Two double storey dwellings and one single storey dwelling	38 Banksia Gr, Tullamarine	Permit issued
P20080	Modular classroom building	88-94 South Circular Rd, Gladstone Park	Permit issued
P20086	Display village and car park with advertising signs and reduction of car parking	550C Craigieburn Rd, Craigieburn	Permit issued
P20107	Four lot subdivision	87 Hamilton St, Craigieburn	Permit issued
P20109	Dependent person's unit	48 Kaniva St, Dallas	Permit issued
P20118	Two warehouses with offices and reduction of car parking	85 Yellowbox Dr, Craigieburn	Permit issued
P20171	Sale and consumption of liquor at existing restaurant	157A/1099-1169 Pascoe Vale Rd, Broadmeadows	Permit issued
P20172	Use to allow sale of packaged liquor	3M/1434-1468 Sydney Rd, Campbellfield	Permit issued
P20173	Buildings and works for installation of fixed awning	Shopping Centre, 1099-1169 Pascoe Vale Rd, Broadmeadows	Permit issued
P20178	Development of shed associated with existing dwelling	10 The Ridge, Oaklands Junction	Permit issued
P20192	Erection of internally-illuminated signage	17-19 Evans St, Sunbury	Permit issued
P20193	Installation of new light poles	48 Lindon Ct, Tullamarine	Permit issued
P20214	Warehouse and office development with car parking	7 Export Rd, Craigieburn	Permit issued
P20230	Single storey dwelling in Melbourne Airport Environs Overlay	42 Rubicon St, Dallas	Permit issued
P20241	Extension to existing dwelling in Melbourne Airport Environs Overlay	28 Warne St, Coolaroo	Permit issued
P20270	Erection of business identification and promotional signage	Shopping Centre, 1099-1169 Pascoe Vale Rd, Broadmeadows	Permit issued



**REPORT NO: SU215 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
P20277	Change of use to allow site to be used as a medical centre with reduction car parking	14-16/2-28 Evans St, Sunbury	Permit issued
P20293	Development of storage shed in association with existing dwelling	570 Racecourse Rd, Sunbury	Permit issued
P20299	Two warehouses and ancillary offices	24 Gasoline Way, Craigieburn	Permit issued
S007663	14 lot subdivision Bridgewater Road	175 Donald Cameron Drive, Roxburgh Park	Plan re-certified with Statement of Compliance on 3 March 2017
S007819	33 lot subdivision, Kallo Estate – Stage 7	Lot A Icarus Drive, Kalkallo	Plan re-certified on 8 March 2017
S007193	23 lot subdivision Lavinia Estate - Stage M2	1180 Mickleham Road, Greenvale	Statement of Compliance issued on 6 March 2017
S006677	Plan of subdivision creation of reserve for Minister for Environment, Climate Change and Water	135-285 Donnybrook Road, Mickleham	Plan certified with Statement of Compliance on 9 March 2017
S007976	Two lot subdivision	23 Housden Street, Broadmeadows	Plan certified with Statement of Compliance on 10 March 2017
S005866	Two lot subdivision	475 Sunbury Road, Bulla	Plan certified on 15 March 2017
S007047	24 lot subdivision Bridgewater Road Stage 3	175 Donald Cameron Drive, Roxburgh Park	Statement of Compliance issued on 16 March 2017
S007728	Three lot subdivision Superlot plan – Highlands Estate DP20a	415 Mt Ridley Road, Craigieburn	Plan certified on 16 March 2017
S007531	Plan of subdivision Aston Estate – Active open space	Lot K Craigieburn Road, Craigieburn	Plan re-certified with Statement of Compliance on 17 March 2017
S008097	Two lot subdivision	3 Blaxland Drive. Sunbury	Plan certified with Statement of Compliance on 17 March 2017
S007501	Three lot subdivision	51 Lahinch Street, Broadmeadows	Plan certified with Statement of Compliance on 20 March 2017
S007835	Three lot subdivision	15 Wattleglen Street, Craigieburn	Plan certified on 20 March 2017
S007906	Two lot subdivision	18 Knight Court, Meadow Heights	Plan certified with Statement of Compliance on 21 March 2017
S007977	29 lot subdivision Aston Estate - Stage 26	Lot X Carmichael Road, Craigieburn	Plan certified on 20 March 2017
S008007	Two lot subdivision	27 Bicentennial Crescent, Meadow Heights	Plan certified with Statement of Compliance on 22 March 2017
S007480	Two lot subdivision	6 Princetown Avenue, Craigieburn	Plan certified with Statement of Compliance on 22 March 2017

**REPORT NO: SU215 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
S008049	Three lot subdivision	59 Waranga Crescent, Broadmeadows	Plan certified with Statement of Compliance on 23 March 2017
S007678	53 lot subdivision Trillium Estate - Stage 25 (13)	555A Mt Ridley Road, Mickleham	Plan re-certified on 23 March 2017
S007728	Three lot subdivision Highlands DP20a superlot plan	Lot H Mt Ridley Road, Craigieburn	Statement of Compliance issued on 23 March 2017
S007854	Two lot subdivision	56 McDougall Road, Sunbury	Plan certified on 24 March 2017
S007925	64 lot subdivision Annadale Stage 11	495 Donnybrook Road, Mickleham	Plan certified on 24 March 2017
S007773	15 lot subdivision Trillium Estate - Stage 22 (16B)	555 Mt Ridley Road, Mickleham	Plan re-certified on 24 March 2017
S007882	Six lot subdivision	80 Station Street, Sunbury	Plan certified with Statement of Compliance on 27 March 2017
S005866	Two lot re-subdivision Boundary realignment	475 Sunbury Road, Bulla	Statement of Compliance issued on 27 March 2017
S008132	Two lot subdivision	11 Yarcombe Crescent, Craigieburn	Plan certified with Statement of Compliance on 29 March 2017
S007531	Plan of subdivision Aston Estate – Active open space	Lot K Craigieburn Road, Craigieburn	Statement of Compliance issued on 29 March 2017
S007933	Two lot subdivision Rosenthal Estate - Stage 10 superlot plan	100 Vineyard Road, Sunbury	Plan certified with Statement of Compliance on 3 April 2017 2017

<b>MATTERS DEALT WITH UNDER DELEGATION WITH OBJECTIONS</b>			
<b>FILE</b>	<b>PROPOSAL</b>	<b>ADDRESS OF PROPERTY</b>	<b>ACTION TAKEN</b>
P19366	One single storey dwelling to rear of existing dwelling	10 Susan Ct, Campbellfield	Notice of Decision to Grant a Permit issued
P19405	Eight double storey dwellings and two single storey dwellings	95 Lahinch St, Broadmeadows	Notice of Decision to Grant a Permit issued
P19432	Four double storey dwellings	2 Kinnaird St, Jacana	Notice of Decision to Grant a Permit issued
P19585	Two double storey dwellings and one single storey dwelling	30 Metropolitan Ave, Craigieburn	Notice of Decision to Grant a Permit issued
P19703	One double storey dwelling and one single storey dwelling	23 Aitken St, Sunbury	Notice of Decision to Grant a Permit issued
P17438.01	Two attached three storey dwellings	34 Clare Bvd, Greenvale	Notice of Decision to Grant a Permit issued

<b>SECTION 173 AGREEMENTS SIGNED UNDER DELEGATION</b>			
<b>FILE</b>	<b>PROPOSAL</b>	<b>ADDRESS OF PROPERTY</b>	<b>ACTION TAKEN</b>
	Nil		

<b>VICSMART PERMITS SIGNED UNDER DELEGATION</b>			
<b>FILE</b>	<b>PROPOSAL</b>	<b>ADDRESS OF PROPERTY</b>	<b>ACTION TAKEN</b>
	Nil		

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<b>REPORT NO:</b>	SU216
<b>REPORT TITLE:</b>	VicRoads 2016/17 Road Safety and Network Improvement Projects
<b>SOURCE:</b>	Nick Varvaris, Assistant Manager Engineering ; David Fricke, Manager Assets
<b>DIVISION:</b>	Sustainable Infrastructure and Services
<b>FILE NO:</b>	005/655
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	4.3 Create a connected community through efficient and effective walking, cycling, public transport and car networks.
<b>ATTACHMENTS:</b>	1. <i>Road Safety and Network Improvement Projects</i> 2. <i>Traffic Volumes on Arterial Roads</i>

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**1. SUMMARY OF REPORT:**

This report provides information on the VicRoads road safety and network improvement projects within the Hume municipality approved for funding and the current VicRoads road safety applications that are yet to be funded.

**2. RECOMMENDATION:**

That Council note:

- 2.1 the 2016/2017 successful Road Safety Projects, listed in Table 1 of Attachment 1.
- 2.2 the 2017/2018 proposed Road Safety Funding Applications, listed in Table 2 of Attachment 1.
- 2.3 the VicRoads Road Safety and Network Improvement Projects Council is currently advocating for, listed in Table 3 of Attachment 1.
- 2.4 the VicRoads Arterial Road Duplication Projects Council is currently advocating for, listed in Table 4 of Attachment 1.
- 2.5 the history of traffic volumes on arterial roads requiring duplication shown on Attachment 2.

**3. LEGISLATIVE POWERS:**

Management of the road network is governed by the Road Management Act 2004 and the Road Safety Act 1986.

**4. FINANCIAL IMPLICATIONS:**

- 4.1 Road safety projects are funded by the Federal and Victorian State Governments through the Federal and State Black Spot programs.
- 4.2 Improvements to the arterial road network are funded by the Victorian State Government through the Road Network Improvement programs.

**5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:**

There are no direct environmental implications as a result of this report.

**6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:**

There are no direct climate change implications as a result of this report.

**7. CHARTER OF HUMAN RIGHTS APPLICATION:**

The recommendations in this report do not limit any of the protected rights under the Victoria Charter of Human Rights.

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**8. COMMUNITY CONSULTATION:**

Community consultation is undertaken as required for individual projects.

**9. DISCUSSION:**

**9.1 Background**

9.1.1 Road safety treatments at locations where there is a history of casualty crashes are a proven way of reducing road trauma. At high casualty crash locations Council can seek funding for road safety improvement projects.

9.1.2 Road safety applications are submitted to VicRoads annually and a summary of current and successful applications are included in this report.

**9.2 Road Safety and Network Improvement Programs**

9.2.1 Black Spot Programs – Local and Arterial Roads

(a) The Black Spot program assesses locations where there is a history of 3 or more casualty crashes in the most recently available 5-year period of statistics.

(b) The funding criteria are similar for both the Federal and State Black Spot programs, except that Federal funds are applied to local roads only.

9.2.2 Network Improvements Program – Arterial Roads

(a) Funds under this program are available for localised area improvement works, reduction to traffic delays, bus and freight improvements and bicycle and pedestrian facilities on the VicRoads arterial road network.

**9.3 Road Safety and Network Improvement Projects**

9.3.1 The tables shown in Attachment 1 list the status of road safety and network improvement projects within the municipality.

(a) Table 1 lists the 2016/2017 successfully funded Road Safety and Network Improvement Projects. There are three projects with a total value of \$6,787,000. Council contributes in kind to local road projects by undertaking the design and supervising the construction.

(i) The Gap Road, Horne Street and Station Street intersection upgrade in Sunbury will replace the existing roundabout with traffic signals. This includes additional traffic lanes to increase capacity, pedestrian crossings and cycling lanes. The project has funding over two financial years with detailed design and service relocations being undertaken in 2016/17 and construction in 2017/18. The works are expected to be completed early in 2018.

(ii) The existing roundabout at the intersection of David Munroe, Thomas Brunton Drive and Murchison Drive in Roxburgh Park will be upgraded to improve safety and reduce crashes. The works include modifications to the road approaches of the roundabout to reduce vehicle speeds.

(iii) The existing roundabout at the intersection of Barry Road and Hazeldene Street in Meadow Heights will be upgraded to improve safety and reduce crashes. The works include modifications to the road approaches of the roundabout to reduce vehicle speeds.

(b) Table 2 lists the 2017/2018 proposed Road Safety Funding Applications. Council officers have identified crash locations and treatments that are suitable for funding at:

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- (i) Bridgewater Road and Newlyn Drive, Craigieburn – Upgrade of the existing roundabout to reduce approach speeds and provide a safer, slower speed environment at an estimated cost of \$324,000.
- (ii) Moore Road between Vineyard Road and Mitchells Lane, Sunbury – Treatment of ‘run off road’ crashes with shoulder sealing and safety barriers for fixed road side objects at an estimated cost of \$747,000. Delivered over two financial years in 2017/18 and 2018/19.
- (iii) Craigieburn Road between Oaklands Road and 2km east, Oaklands Junction/Yuroke – Treatment of ‘run off road’ crashes with shoulder sealing and safety barriers for fixed road side objects at an estimated cost of \$604,000.
- (iv) Donald Cameron Drive and Lakeside Drive, Roxburgh Park – Construct new roundabout to reduce turning movement crashes at an estimated cost of \$351,000.
- (v) Konagaderra Road between Havelock Road and Emu Creek Bridge, Clarkfield – Treatment of ‘run off road’ crashes with shoulder sealing and safety barriers for fixed road side objects at an estimated cost of \$481,000.
- (vi) Dalrymple Road between Mundy Road and 1km east of Riddell Road, Sunbury – Treatment of ‘run off road’ crashes with shoulder sealing and safety barriers for fixed road side objects at an estimated cost of \$188,000.
- (c) Table 3 lists VicRoads Road Safety and Network Improvement Projects on the arterial road network that Council is currently advocating for.
- (d) Table 4 lists the VicRoads Arterial Road Duplications that Council is currently advocating for.

#### 9.4 Victoria’s Road Safety Strategy

- 9.4.1 The Victorian State Government announced on 1 March 2013 that it will increase funding to improve the highest risk roads and intersections to \$1billion over the next 10 years.
- 9.4.2 This has and should continue to provide increased opportunities for Council to secure funding for road safety infrastructure upgrades in the coming years.
- 9.4.3 In the three years since the commitment to increase road safety funding, Council has been successful in receiving over \$4.5M for nine local road safety projects.

#### 9.5 VicRoads Arterial Road Duplication Projects

- 9.5.1 Typically when a two lane arterial road reaches a daily traffic volume of 20,000 vehicles, this is regarded as an indicator that the road needs to be duplicated to two lanes with turning lanes in each direction to improve traffic flow and create a safer road environment.
- 9.5.2 Traffic surveys were undertaken on Somerton Road, Mickleham Road and Craigieburn Road. Refer to Attachment 2 showing a history of traffic volumes on these roads. This information will assist with Council’s advocacy for upgrades of these roads.
- 9.5.3 Somerton Road Duplication
  - (a) Somerton Road and Cooper Street is the most important east west road link in the Northern Growth Region. Council has been advocating for a number of years for it to be duplicated between Roxburgh Park Drive and Mickleham Road.

**REPORT NO: SU216 (cont.)**

- (b) The connection of Aitken Boulevard to Somerton Road in 2016 has provided a direct link to Craigieburn and together with the residential growth of Craigieburn and Greenvale to the north the traffic volumes on Somerton Road will continue to increase.
- (c) Somerton Road has daily traffic volumes over 28,000 vehicles. Additionally there have been 52 casualty crashes over a 5-year period which represents 14 crashes per kilometre. Based on the high traffic volumes and the high incidence of crashes it is necessary that the rural road standard of Somerton Road is duplicated and upgraded to urban standards.

**9.5.4 Craigieburn Road Duplication**

- (a) In the past ten years, there has been a significant amount of residential development in Craigieburn with growth continuing. This is also reflected in the sharp increase in traffic volumes on Craigieburn Road. There has been a 166% and 78% increase in traffic volumes on Craigieburn Road on the west and east ends respectively between 2005 and 2016.
- (b) Craigieburn Road has daily traffic volumes above 28,000 vehicles. Additionally there have been 61 casualty crashes over a 5-year period which represents 12 crashes per kilometre. Based on the high traffic volumes and the high incidence of casualty crashes it is necessary that Craigieburn Road is duplicated and upgraded to urban standards.
- (c) Council and VicRoads jointly commissioned AECOM consultants who produced a functional plan of the proposed duplication of Craigieburn Road which was endorsed by Council and approved by VicRoads in 2015.

**9.5.5 Mickleham Road Duplication**

- (a) Recent traffic surveys on Mickleham Road, north of Somerton Road have identified an increase of 55% in traffic volumes in the last three years. This is a result of the accelerated residential developments along Mickleham Road and to the west of Craigieburn.
- (b) Mickleham Road has daily traffic volumes exceeding 23,000 vehicles. Additionally there have been 25 casualty crashes over a 5-year period which represents 5 crashes per kilometre.
- (c) Based on the high traffic volumes, the high incidence of casualty crashes and the rapid urban growth it is necessary that Mickleham Road is duplicated and upgraded to urban standards.

**9.5.6 Sunbury Road and Bulla Road Duplication including Bulla Bypass**

- (a) Sunbury and Bulla Roads are experiencing significant traffic volumes and a high number of reported casualty crashes. The traffic volumes will continue to increase with the proposed urban growth of the Sunbury region.
- (b) Sunbury Road has daily traffic volumes exceeding 24,000 vehicles. Additionally there have been 44 casualty crashes over a 5-year period which represents 3 crashes per kilometre. Based on the high traffic volumes, delays and the incidence of casualty crashes it is necessary that Sunbury Road is duplicated and upgraded to urban standards.
- (c) The proposed Bulla Bypass including upgrades to sections of Sunbury Road is essential to provide a more efficient and safer road environment.

**REPORT NO: SU216 (cont.)**

**10. CONCLUSION:**

- 10.1 In 2016/2017, three road safety projects in the municipality received funding with a total value of \$6,787,000.
- 10.2 The successful, proposed and current VicRoads Funding Applications as outlined in Tables 1-3, show the road safety locations in the municipality that are the highest priority.
- 10.3 Table 4 lists the arterial road duplication projects that Council is advocating for indicating updated traffic volume and crash statistics data.

TABLE 1 – 2016/2017 – SUCCESSFULLY FUNDED ROAD SAFETY PROJECTS

LOCATION	TREATMENT	FUNDING PROGRAM	RESPONSIBLE ROAD AUTHORITY	TOTAL PROJECT COST \$	DELIVERY YEAR	STATUS
David Munroe Drive, Thomas Brunton Drive and Murchison Drive, Roxburgh Park	Improve existing roundabout to reduce approach speeds	Federal Black Spot	Hume City Council	246,000	2016/17	Construction
Barry Road and Hazeldene Street, Meadow Heights	Improve existing roundabout to reduce approach speeds	Federal Black Spot	Hume City Council	141,000	2016/17	Construction
Gap Road, Horne Street and Station Street, Sunbury	Remove roundabout & install traffic signals with pedestrian crossings.	State Black Spot	VicRoads	6,400,000	2016/17 & 2017/18	Design
			<b>Total</b>	<b>6,787,000</b>		



TABLE 2 – 2017/2018 – ROAD SAFETY FUNDING APPLICATIONS

LOCATION	PROBLEM	TREATMENT	FUNDING PROGRAM	RESPONSIBLE ROAD AUTHORITY	CASUALTY CRASHES 5-year period (2011 – 2015)	DELIVERY YEAR	ESTIMATED COST \$
Bridgewater Road and Newlyn Drive, Craigieburn	Crashes at roundabout	Improve existing roundabout to reduce approach speeds	Federal Black Spot	Hume City Council	4 crashes (0 fatal, 3 Serious, 1 other)	2017/18	324,000
Moore Road between Vineyard Road and Mitchells Road, Sunbury	'Run off Road' crashes	Shoulder sealing and protect off road obstacles	Federal Black Spot	Hume City Council	5 (0 fatal, 3 Serious, 2 Other)	2017/18 & 2018/19	747,000
Craigieburn Road	'Run off Road' crashes	Shoulder sealing and protect off road obstacles	Federal Black Spot	Hume City Council	7 (0 fatal, 3 Serious, 4 Other)	2017/18	604,000
Oaklands Road and 2km east, Yuroke	'Run off Road' crashes	Shoulder sealing and protect off road obstacles	Federal Black Spot	Hume City Council	3 (0 fatal, 2 Serious, 1 Other)	2017/18	351,000
Donald Cameron Drive and Lakeside Drive, Roxburgh Park	Crashes at intersection	Construct roundabout	Federal Black Spot	Hume City Council	4 (0 fatal, 2 Serious, 2 Other)	2017/18	481,000
Konagaderra Road	'Run off Road' crashes	Shoulder sealing and protect off road obstacles	Federal Black Spot	Hume City Council	3 (0 fatal, 2 Serious, 1 Other)	2017/18	188,000
Havelock Road and Emu Creek, Clarkfield	'Run off Road' crashes	Shoulder sealing and protect off road obstacles	Federal Black Spot	Hume City Council			
Dairymple Road	'Run off Road' crashes	Shoulder sealing and protect off road obstacles	Federal Black Spot	Hume City Council			
Between Mundy Road and 1km east of Riddell Road, Sunbury	'Run off Road' crashes	Shoulder sealing and protect off road obstacles	Federal Black Spot	Hume City Council			
				<b>Total</b>			<b>2,695,000</b>

TABLE 3 – VICROADS ROAD SAFETY AND NETWORK IMPROVEMENT PROJECTS COUNCIL IS ADVOCATING FOR

LOCATION	AVERAGE DAILY TRAFFIC VOLUME (year of count)	PROBLEM	RESPONSIBLE ROAD AUTHORITY	PROGRAM (No. of casualty crashes in 5-year period 2011 – 2015)	TREATMENT	ESTIMATED COST \$
Somerton Road	25,254 2016	RC	VicRoads	State Black Spot 6 Crashes (1 fatal, 1 Serious, 5 Other)	Replace existing Give-Way sign with Traffic Signals.	1,400,000
Fleetwood Drive	1,759 2014					
Broadmeadows - Deviation Road	23,326 2016	MD S P	VicRoads	State Network Improvements 1 Crashes (0 fatal, 0 Serious, 1 Other)	Replace existing Give-Way sign with Traffic Signals.	1,400,000
Johnstone Street, Westmeadows	6,316 2014	RC				
Macedon Street	24,281 2016	MD S P	VicRoads	State Network Improvements 2 Crashes (0 fatal, 1 Serious, 1 Other)	Replace existing Give-Way sign and install traffic signals with pedestrian crossings.	1,600,000
Barkly Street, Sunbury	3,616 2016					
Sunbury Road	24,281 2016					
Francis Boulevard, Sunbury	11,612 2016	MD	VicRoads	State Network Improvements 2 Crash (0 fatal, 0 Serious, 2 Other)	Introducing two right turning lanes on Francis Boulevard at the approach to the roundabout.	200,000
Sunbury Road, between Tullamarine Freeway and Oaklands Road	24,145 2016	RC	VicRoads	State Black Spot 4 Crashes (0 fatal, 3 Serious, 1 Other)	Construct median barrier	5,400,000
<b>Total</b>						<b>10,000,000</b>

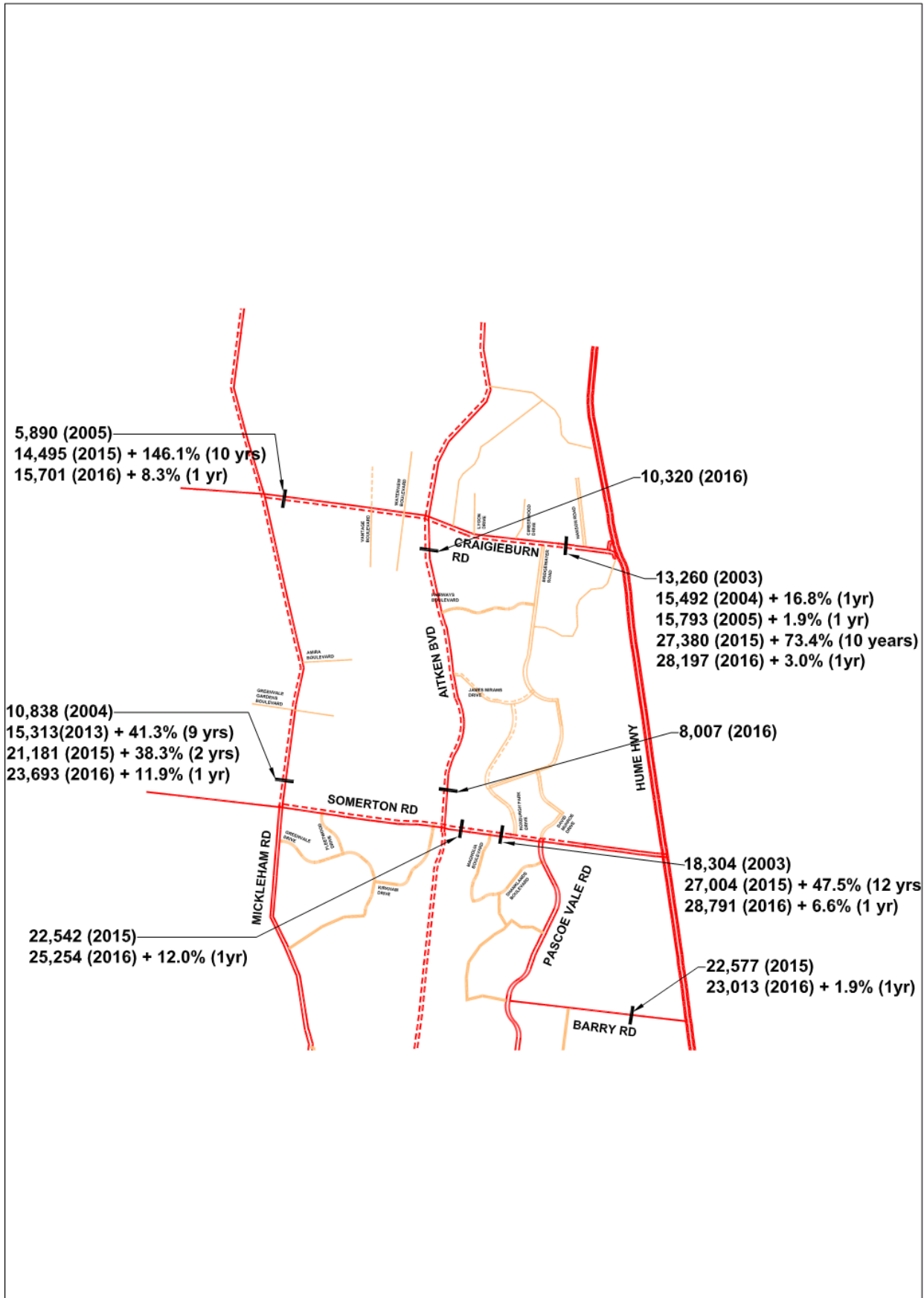
**Problem Legend**

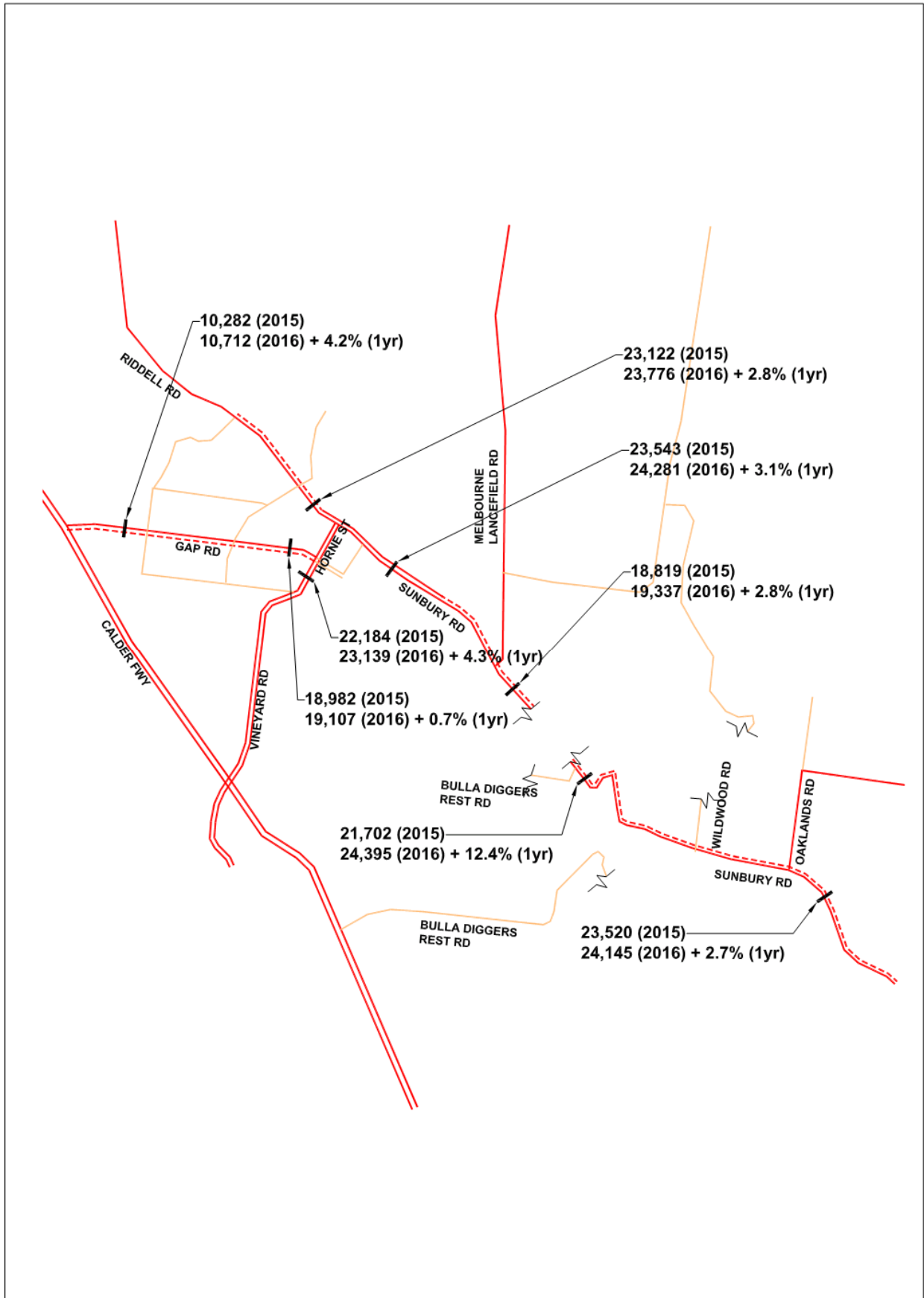
HD = High Delay      P = Improve pedestrian safety      RC = Reduce Crashes      MD = Medium Delay      S = Improve traffic safety

TABLE 4 – VICROADS ARTERIAL ROAD DUPLICATIONS PROJECTS COUNCIL IS ADVOCATING FOR

ROAD	LOCATION	AVERAGE DAILY TRAFFIC VOLUME (vehicles)	CASUALTY CRASHES (Including intersections)		TREATMENT	ESTIMATED COST \$
			5-year period (2011 – 2015)	Per km		
Somerton Road	Between Roxburgh Park Drive and Mickleham Road	28,791 (2016) (b/n Roxburgh Park Drv and Magnolia Blvd) 25,254 (2016) (b/n Magnolia Blvd and Kirkham Drive) 15,780 (2014) (b/n Kirkham Drv and Mickleham Rd)	52 Crashes (1 fatal, 8 Serious, 43 Other)	Length – 3.8 km 14 crashes/km	Road Duplication with traffic signals at: 1. Magnolia Boulevard 2. Aitken Boulevard / Kirkham Drive 3. Fleetwood Drive 4. Mickleham Road	39,000,000
Sunbury Road and Bulla Road	Between Tullamarine Freeway and Macedon Street.	24,145 (2016) (b/n Tullamarine Fwy and Oaklands Rd) 24,395 (2016) (b/n Loemans Road and Green Street) 19,337 (2016) (b/n Melb-Lancefield Rd and Shepards Ln)	44 Crashes (1 fatal, 17 Serious, 26 Other)	Length – 15 km 3 crashes/km	Road Duplication with potential Bulla Bypass.	190,000,000 (Does not include Bulla Bypass)
Craigieburn Road	Between Hanson Road and Mickleham Road.	28,197 (2016) (b/n Hanson Rd and Bridgewater Road) 15,701 (2016) (b/n Aitken Blvd and Mickleham Rd)	61 Crashes (1 fatal, 8 Serious, 52 Other)	Length – 5.2 km 12 crashes/km	Road Duplication with traffic signals at: 1. Bridgewater Road 2. Cimberwood Drive 3. Lygon Drive 4. Aitken Blvd 5. Mickleham Road	50,000,000

ROAD	LOCATION	AVERAGE DAILY TRAFFIC VOLUME (vehicles) MARCH 2015	CASUALTY CRASHES (Including intersections)		TREATMENT	ESTIMATED COST \$
			5-year period (2010 – 2014)	Per km		
Mickleham Road	Between Somerton Road and Craigieburn Road	23,693 (2016) (b/n Somerton Rd and Greenvale Garden Blvd)	25 Crashes (0 fatal, 7 Serious, 18 Other)	Length – 5.1 km 5 crashes/km	Road Duplication with traffic signals at: 1. Mickleham Road 2. Greenvale Garden Blvd 3. Destination Drive 4. Craigieburn Road	50,000,000
Riddell Road, Sunbury	Between Racecourse Road and Phillip Drive.	23,776 (2016) (b/n Ligar St and Elizabeth Drv) 14,145 (2016) (b/n Strathearn Drv and Spavin Drv)	9 Crashes (0 fatal, 3 Serious, 6 Other)	Length – 2.3 km 4 crashes/km	Road Duplication.	25,000,000
Gap Road, Sunbury	Between Calder Freeway and Home Street.	19,107 (2016) (b/n Home St and Ligar St) 10,712 (2016) (b/n Calder Fwy and Wilsons Ln)	32 Crashes (0 fatal, 7 Serious, 25 Other)	Length – 3.9 km 8 crashes/km	Road Duplication.	40,000,000
<b>Total</b>						<b>394,000,000</b>





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<b>REPORT NO:</b>	GE190
<b>REPORT TITLE:</b>	S173 Agreements - Building Over Easement - 1 January 2017 - 31 March 2017
<b>SOURCE:</b>	Peter Jolly, Municipal Building Surveyor
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	90.02.0002
<b>POLICY:</b>	Construct Buildings Over Easements
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENT:</b>	1. <i>S173 Agreements - 1 January 2017 - 31 March 2017</i>

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**1. SUMMARY OF REPORT:**

This report details agreements entered into under Section 173 of the *Planning and Environment Act 1987* (the Act). 30 Section 173 Agreements relating to consent to build over easements granted with conditions were entered into during the period 1 January 2017 to 31 March 2017. This report advises Council of the signing of the Agreements under Council delegation. The signing of the listed agreements finalises these consents.

**2. RECOMMENDATION:**

**That Council notes the listing of all Agreements under Section 173 of the *Planning and Environment Act 1987* dealt with under delegation between 1 January 2017 and 31 March 2017 (Attachment 1).**

**3. LEGISLATIVE POWERS:**

3.1 *Building Regulations 2006.*

3.2 *S173 of the Planning and Environment Act 1987.*

**4. DISCUSSION:**

4.1 Proposal

4.1.1 Regulation 310 (1) of the *Building Regulations 2006* requires the consent and report of a Council and other service authorities to an application for a Building Permit to construct a building over an easement vested in the Council or a service authority.

4.1.2 Section 173 of the *Planning and Environment Act 1987* enables a Responsible Authority to enter into an agreement with a landowner for an area covered by a planning scheme for which it is the responsible authority.

4.1.3 Council has received applications to construct buildings over drainage easements and can consent to these proposals pursuant to Regulation 310(1) of the *Building Regulations 2006*.

4.1.4 The Municipal Building Surveyor has delegated authority to consent to construction over a drainage easement.

4.1.5 Council has adopted the *Construct Buildings over Easements Policy*, which guides staff in assessing such applications where easements are vested in Council. The procedure for assessing such applications is as follows:

- (a) Plans of the proposal, together with a copy of the property title and relevant service authority comments (if available), are referred to the Traffic and Civil Design teams for comment.

**REPORT NO: GE190 (cont.)**

- (b) If the application is to be approved, the owner is required to enter into an agreement, made pursuant to Section 173 of *the Planning and Environment Act 1987*, which preserves Council's interests in the easement.
- (c) When the agreement is completed, the consent is granted and a building permit can be issued.
- (d) Council must execute the completed agreement. The signed agreement is lodged with the Office of Titles for registration on the certificate.

**5. CONCLUSION:**

This report provides details of Section 173 Agreements signed under Council delegation. The signing of the listed agreements finalises these consents.



<b>Ref.</b>	<b>Address</b>
<b>BRC20160192</b>	<b>464 Lot 1204 Brookfield Bvd., Mickleham, Vic. 3064</b>
<b>BRC20160291</b>	<b>35 Lot 2 Stewarts Lane, Sunbury, Vic. 3429</b>
<b>BRC20160329</b>	<b>19 Lot 153 Cooper Street, Broadmeadows, Vic. 3047</b>
<b>BRC20160369</b>	<b>7 Lot 119 Frontier Ave., Greenvale, Vic. 3059</b>
<b>BRC20160375</b>	<b>33 Lot B Stewarts Lane, Sunbury, Vic. 3429</b>
<b>BRC20160391</b>	<b>25 Lot 2206 Clarke Drive, Gladstone Park, Vic. 3043</b>
<b>BRC20160397</b>	<b>23 Lot 104 Tarcoola Ave., Meadow Heights, Vic. 3048</b>
<b>BRC20160401</b>	<b>9 Lot 20 Valley Court, Craigieburn, Vic. 3064</b>
<b>BRC20160404</b>	<b>35 Lot 4801 Cradle Mountain Dr., Craigieburn, Vic. 3064</b>
<b>BRC20160424</b>	<b>74 Lot 947 Venezia Prom., Greenvale, Vic. 3059</b>
<b>BRC20160425</b>	<b>6 Lot 757 Pinot Court, Sunbury, Vic. 3429</b>
<b>BRC20160437</b>	<b>8 Lot 27 Bates Court, Jacana, Vic. 3047</b>
<b>BRC20160440</b>	<b>107 Lot 29 McKell Ave., Sunbury, Vic. 3429</b>
<b>BRC20160445</b>	<b>6 Lot 1906 Ferrars Way, Mickleham, Vic. 3064</b>
<b>BRC20160447</b>	<b>2 Lot 25 Hopetoun Court, Westmeadows, Vic. 3049</b>
<b>BRC20160448</b>	<b>61 Lot 1856 Debonair Pde., Craigieburn, Vic. 3064</b>
<b>BRC20160451</b>	<b>152 Lot 186 Widford Street, Broadmeadows, Vic. 3047</b>
<b>BRC20160453</b>	<b>22 Lot 1821 Canning Drive, Mickleham, Vic. 3064</b>
<b>BRC20160455</b>	<b>67 Lot 9448 Clopton Rise, Craigieburn, Vic. 3064</b>
<b>BRC20160456</b>	<b>24 Lot 1820 Canning Drive, Mickleham, Vic. 3064</b>
<b>BRC20160464</b>	<b>245 Lot 15209 Newbury Bvd., Craigieburn, Vic. 3064</b>
<b>BRC20160473</b>	<b>7 Lot 741 Parnell Cres., Gladstone Park, Vic. 3043</b>
<b>BRC20170001</b>	<b>19 Lot 54 Mayfin Court, Sunbury, Vic. 3429</b>
<b>BRC20170008</b>	<b>95 Lot 1 Kenny Street, Westmeadows, Vic. 3049</b>
<b>BRC20170013</b>	<b>26 Lot 134 Firenze Road, Greenvale, vic. 3059</b>
<b>BRC20170023</b>	<b>12 Lot 164 Wattle Drive, Sunbury, Vic. 3429</b>
<b>BRC20170032</b>	<b>38 Lot 1 Dorrington Street, Greenvale, Vic. 3059</b>
<b>BRC20170038</b>	<b>11 Lot 104 Acland Street, Craigieburn, Vic. 3064</b>
<b>BRC20170047</b>	<b>15 Lot 77 Felgate Close, Tullamarine, Vic. 3043</b>
<b>BRC20170052</b>	<b>4 Lot 2503 Wellington Mews, Sunbury, Vic. 3429</b>

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<b>REPORT NO:</b>	GE191
<b>REPORT TITLE:</b>	Building Control Services Delegations Report - 1 January 2017 to 31 March 2017
<b>SOURCE:</b>	Peter Jolly, Municipal Building Surveyor
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	90.01.0001
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENT:</b>	1. <i>Approvals Granted 1 January 2017 to 31 March 2017</i>

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**1. SUMMARY OF REPORT:**

- 1.1 Council has discretionary powers under the *Building Act 1993 'Act'* and the *Building Regulations 2006 'Regulations'* to approve building proposals that do not comply with the “deemed to satisfy” Rescode provisions of the regulations.
- 1.2 Council also has discretionary powers to approve other siting matters such as constructing buildings over easements, on land not sewerred, on flood prone land and on designated land.
- 1.3 Places of Public Entertainment are required to comply with requirements for Occupancy Permits.
- 1.4 The siting and erection of Prescribed Temporary Structures require approval as set out in the Act and the Regulations.
- 1.5 This report provides Council with a summary of the 125 approvals granted during the period 1 January 2017 to 31 March 2017.

**2. RECOMMENDATION:**

- 2.1 That this report be received and noted.**

**3. LEGISLATIVE POWERS:**

- 3.1 *Building Act 1993*
- 3.2 *Building Regulations 2006*

**4. DISCUSSION:**

- 4.1 Council is responsible for the administration and enforcement of the *Building Act 1993* and the *Building Regulations 2006* within the municipal district. The legislation gives discretionary powers to Council to approve building proposals that do not meet the “deemed to satisfy” provisions in the regulations. Such applications are processed and decided under delegation from Council.
- 4.2 Part 4 of the regulations (which mirrors Rescode in the Planning Scheme) controls the siting and design of single dwellings and associated outbuildings on allotments of area greater than 300m<sup>2</sup>. A person may apply to Council for approval of a building design that does not comply with the standard (deemed to satisfy) siting provisions. The legislation refers to such approval as being the “Report and Consent” of Council. Such approval must be granted to facilitate the issue of a Building Permit.
- 4.3 It should be noted that Building Regulations ‘Rescode’ siting requirements do not apply to multi dwelling developments or single dwellings on allotments with a site area less than 300m<sup>2</sup>; and do not override Planning Permit siting requirements. For example, the minimum street setback applying to a dual occupancy development is determined by ‘Rescode’ under the Planning scheme and administered through the relevant Planning Permit. The Building Regulations do not apply.

**REPORT NO: GE191 (cont.)**

- 4.4 The Municipal Building Surveyor has delegated authority from Council to decide such applications. The powers are exercised in accordance with the Planning Minister's Guideline MG/12 and Council's instrument of delegation. Part 4 of the regulations controls 23 separate building siting and design matters as follows:
- 4.4.1 Regulation 408 - Maximum street setback
  - 4.4.2 Regulation 409 - Minimum street setback
  - 4.4.3 Regulation 410 - Building height
  - 4.4.4 Regulation 411 - Site coverage
  - 4.4.5 Regulation 412 - Permeability
  - 4.4.6 Regulation 413 - Car parking
  - 4.4.7 Regulation 414 - Side and rear setbacks
  - 4.4.8 Regulation 415 - Walls on boundaries
  - 4.4.9 Regulation 416 - Daylight to existing habitable room
  - 4.4.10 Regulation 417 - Solar access to existing north-facing windows
  - 4.4.11 Regulation 418 - Overshadowing of recreational private open space
  - 4.4.12 Regulation 419 - Overlooking
  - 4.4.13 Regulation 420 - Daylight to habitable room windows
  - 4.4.14 Regulation 421 - Private open space
  - 4.4.15 Regulation 422 - Siting of Class 10a buildings
  - 4.4.16 Regulation 424 - Front fence height
  - 4.4.17 Regulation 425 - Fence setbacks from side and rear boundaries
  - 4.4.18 Regulation 426 - Fences on or within 150mm of a side or rear boundary
  - 4.4.19 Regulation 427 - Fences on street alignments
  - 4.4.20 Regulation 428 - Fences and daylight to windows in existing dwellings
  - 4.4.21 Regulation 429 - Fences and solar access to existing north-facing habitable room windows
  - 4.4.22 Regulation 430 - Fences and overshadowing of recreational private open space
  - 4.4.23 Regulation 431 - Masts, poles etc.
- 4.5 Council also has powers to approve (give Report and Consent) the construction of buildings in other circumstances. Such applications are decided under delegation by the Municipal Building Surveyor in consultation with other relevant departments. Such approval must be granted to facilitate the issue of a Building Permit. The relevant regulatory provisions are:
- 4.5.1 Regulation 310(1) prohibits the construction of a building over an easement unless the Report and Consent of the service authority has been granted. Council is the service authority where an easement is vested in the Council. Council has adopted the Policy No. CP2006/05/72 to guide the administration of such applications.
  - 4.5.2 Regulation 801 prohibits the construction of a building on land that does not have connection to sewerage unless the Report and Consent of Council has been granted.
  - 4.5.3 Regulation 802 prohibits the construction of buildings on land designated as being flood prone unless the Report and Consent of Council has been granted.

**REPORT NO: GE191 (cont.)**

- 4.5.4 Regulation 806 prohibits the construction of buildings on land designated under Part 10 of the *Water Act* 1989 unless the report and Consent of Council has been granted.
- 4.6 Places of Public Entertainment (*POPE*) are subject to requirements in the legislation for Occupancy Permits. Events involving the gathering of a large number of people, such as Concerts, Festivals, Fairs, Carnivals and Shows, are covered by the requirement for an Occupancy Permit, whether held on public or privately owned land.
- 4.7 Section 57 of the Act requires that the Municipal Building Surveyor approve the siting and erection of any Prescribed Temporary Structure on any land within the municipal district. This requirement applies to structures such as circus tents, large marquees, concert stages and the like, whether they are associated with a POPE or a private event.
- 4.8 Council has adopted the Policy No. CP2006/03/65 “Building Control Policy for Places of Public Entertainment and Prescribed Temporary Structures” which guides Council’s Building Surveyors in the assessment and approval of such applications. The purpose of the policy is to ensure that permits and approvals are granted taking into account public safety and amenity.
- 4.9 There were 125 of these various matters approved during the period 1 January 2017 to 31 March 2017 as shown in Attachment 1.

**5. CONCLUSION:**

Council has various discretionary powers under building legislation to approve building siting and design proposals to facilitate the issue of a Building Permit. These powers are exercised by Council officers under delegation. Policy and procedures have been put in place to ensure that permits and approvals for Places of Public Entertainment and Prescribed Temporary Structures take into account public safety and amenity. This report provides Council with a summary of the approvals granted within the three month period to 31 March 2017.

Application Ref:	Approval Date:	Property Address:	Application Approval Description:
BRC20160171	4/01/2017	8 DELLAMORE BVD GREENVALE VIC 3059	Regulation 427, to allow a 2400mm high fence to be built within 9m of a point of intersection of the street alignments.
BRC20160296	3/02/2017	12 MELVILLE RD CRAIGIEBURN VIC 3064	Regulation 414, to allow a Verandah to be sited 0mm from the north allotment title boundary in lieu of 500mm
BRC20160297	3/01/2017	12 MELVILLE RD CRAIGIEBURN VIC 3064	Regulation 420(1)(a), to allow existing habitable room windows to face a Verandah with a 700mm wide light court in lieu of 1000mm, and Regulation 420(1)(b), to allow habitable room windows to face a Verandah which is not open for a third of its perimeter.
BRC20160320	30/01/2017	84 DUNFERMLINE AVE GREENVALE VIC 3059	Regulation 415, to allow an out Building wall sited along the northern and western allotment boundaries to have a maximum average height of 3500mm and 4200mm in lieu of 3200mm and a maximum height of 4900mm in lieu of 3600mm.
BRC20160335	31/01/2017	27 CARAWA DR MICKLEHAM VIC 3064	Regulation 420, to allow study and dining room windows to face a Verandah on the allotment with less than one third of its perimeter open.
BRC20160354	31/01/2017	69 STREAMSIDE DR CRAIGIEBURN VIC 3064	Regulation 421, to allow the allotment to have private open space of 24 metres square in lieu of 25 metres square.
BRC20160355	6/02/2017	1 INNES PL CRAIGIEBURN VIC 3064	Regulation 415, to allow a Carport to be constructed adjacent the north side boundary where the length will be 21320mm in lieu of 16537mm.
BRC20160367	23/02/2017	44 GORDON ST TULLAMARINE VIC 3043	Regulation 424, to allow a masonry front fence to be constructed at a maximum height of 2000mm in lieu of 1500mm.
BRC20160369	27/01/2017	7 FRONTIER AVE GREENVALE VIC 3059	Regulation 310(1), Garage Eave and Gutter (U2) constructed over an easement.
BRC20160370	3/01/2017	6 EMILY ST GREENVALE VIC 3059	Regulation 411, to allow a dwelling and garage to have a maximum total site coverage of 61.9 percent in lieu of 60 percent.
BRC20160372	30/01/2017	25 BICKERTON WAY ROXBURGH PARK VIC 3064	Application for Council consent to modify the Roxburgh Park Siting and Design Rules to allow a class 1a dwelling to be sited 1320mm from the north side allotment boundary in lieu of the required 3000mm.
BRC20160377	19/01/2017	15 BONDS LANE GREENVALE VIC 3059	Regulation 415, to allow a Garage wall sited adjacent the eastern allotment boundary to have a maximum average height of 3333mm in lieu of 3200mm.
BRC20160386	9/01/2017	11 ROCHESTER DR MICKLEHAM VIC 3064	Regulation 421, to allow the private open space in relation to the dwelling to have a minimum width of 1805mm in lieu of 3000mm.

BRC20160387	16/03/2017	119 BRIDGEWATER RD CRAIGIEBURN VIC 3064	Regulation 415, to allow a combined length of walls adjacent the eastern allotment boundary to be 17810mm in lieu of 12860mm, and to allow the Workshop adjacent the northern allotment boundary to have a maximum average wall height of 3400mm in lieu of 3200mm.
BRC20160391	16/01/2017	25 CLARKE DR GLADSTONE PARK VIC 3043	Regulation 310(1), Verandah constructed over an easement.
BRC20160394	4/01/2017	39 BOURKE ST BULLA VIC 3428	Regulation 410, to allow a Shed wall sited within 1000mm of the south eastern allotment title boundary to be 4887mm high in lieu of 3600mm.
BRC20160395	4/01/2017	39 BOURKE ST BULLA VIC 3428	Regulation 415, to allow a Shed wall sited along the south eastern allotment boundary to have a maximum average height of 4000mm in lieu of 3200mm and a maximum height of 4000mm in lieu of 3600mm.
BRC20160396	23/03/2017	475 SETTLEMENT RD SUNBURY VIC 3429	Regulation 424, to allow a fence to be constructed within 3.0m of the street alignment at the front of an allotment to a height of 2000mm in lieu of 1500mm.
BRC20160397	25/01/2017	34 TARCOOLA AVE MEADOW HEIGHTS VIC 3048	Regulation 310(1), Carport constructed over an easement.
BRC20160398	1/03/2017	47 LISTER CRES SUNBURY VIC 3429	Regulation 414, to allow a Verandah to be sited 0mm from the western side allotment boundary in lieu of 500mm.
BRC20160405	8/02/2017	35 CRADLE MOUNTAIN DR CRAIGIEBURN VIC 3064	Regulation 414, to allow a Verandah to be setback 150mm from the eastern allotment boundary in lieu of 500mm.
BRC20160407	22/02/2017	3 EILEENS WAY SUNBURY VIC 3429	Regulation 414, to allow a Garage with an average wall height of 2948mm to be setback 500mm from the western allotment boundary in lieu of 1000mm.
BRC20160409	30/01/2017	230 OAKLANDS RD OAKLANDS JUNCTION VIC 3063	Regulation 424, to allow a fence to be constructed within 3.0m of the street alignment at the front of an allotment to a height of 2000mm in lieu of 1500mm.
BRC20160410	16/01/2017	11 CHATEAU RISE SUNBURY VIC 3429	Regulation 419, to allow windows of Bedroom 2 to be sited such that there is overlooking of habitable room windows and/or private open space at Lot 412 Chateau Rise Sunbury.
BRC20160411	16/01/2017	11 CHATEAU RISE SUNBURY VIC 3429	Regulation 414, to allow a 3824mm high Garage wall to be setback 1000mm from the west side allotment boundary in lieu of 1067mm
BRC20160412	11/01/2017	22 TURNER ST WESTMEADOWS VIC 3049	Regulation 410, to allow a second Garage sited within 1000mm of the southern allotment boundary to be 3640mm high in lieu of 3600mm.
BRC20160413	24/01/2017	22 TURNER ST WESTMEADOWS VIC 3049	Regulation 415, to allow a Garage wall adjacent the southern allotment boundary to have an average wall height of 3605mm in lieu of 3200mm.

BRC20160414	23/01/2017	22 TURNER ST WESTMEADOWS VIC 3049	Regulation 409, to allow a second Garage to be setback 200mm from the side street allotment boundary (Turner Street) in lieu of 2000mm.
BRC20160415	23/01/2017	22 TURNER ST WESTMEADOWS VIC 3049	Regulation 409, to allow a Dwelling to be setback 4000mm from the front street alignment boundary in lieu of 5900mm.
BRC20160416	6/02/2017	35 LYNTON CT GREENVALE VIC 3059	Regulation 406, to allow a Dwelling with a porch that exceeds 3600mm in height to be set back 19000mm from that porch, in lieu of being set back one third the depth of the allotment (16357mm).
BRC20160417	16/01/2017	11 KINGSTON HEATH CT CRAIGIEBURN VIC 3084	Regulation 414, to allow the proposed Dwelling eaves to encroach into the northern side boundary setback by up to 603mm and 714mm (two [2] separate locations), in lieu of 600mm maximum width.
BRC20160418	4/01/2017	8 DELLAMORE BYD GREENVALE VIC 3059	Regulation 424, to allow a fence to be constructed within 3.0m of the street alignment at the front of an allotment to a height of 2400mm in lieu of 1500mm..
BRC20160419	9/01/2017	17 MELBA AVE SUNBURY VIC 3429	Regulation 409, to allow a Carport to be setback 6200mm from the front street alignment boundary in lieu of 8750mm.
BRC20160420	19/01/2017	7 MULGRAVE BVD KALKALLO VIC 3084	Regulation 410, to allow a Garage wall sited within 1000mm of the east side of the allotment title boundary to be 3800mm high in lieu of 3600mm.
BRC20160421	3/01/2017	74 CLARKE DR GLADSTONE PARK VIC 3043	Regulation 310(1), Dwelling (U1) Garage, second storey bedroom and ensuite, timber landing, staircase, pergola and eaves constructed over an easement.
BRC20160424	8/02/2017	74 VENEZIA PROM GREENVALE VIC 3059	Regulation 310(1), Garage constructed over Easement
BRC20160425	9/02/2017	6 PINOT CT SUNBURY VIC 3429	Regulation 310(1), Shed/Carport constructed over an Easement
BRC20160430	23/03/2017	7 LANDSCAPE PL SUNBURY VIC 3429	Regulation 414, to allow a 4420mm high Dwelling wall to be setback 1130mm from the north side allotment boundary in lieu of 12460mm, and 4770mm high Dwelling walls to be setback 1240mm from the south side allotment boundary in lieu of 1350mm.
BRC20160431	23/03/2017	9 LANDSCAPE PL SUNBURY VIC 3429	Regulation 410(3), to allow a Garage and Dwelling walls sited within 1000mm of the north side of the allotment boundary to be 4573mm high in lieu of 3600mm.

BRC20160432	23/03/2017	9 LANDSCAPE PL SUNBURY VIC 3420	Regulation 415, to allow a Dwelling and Garage wall sited along the northern allotment boundary to have a maximum average height of 4573mm in lieu of 3200mm and a maximum height of 4573mm in lieu of 3600mm.
BRC20160433	23/03/2017	9 LANDSCAPE PL SUNBURY VIC 3420	Regulation 414, to allow a 4573mm high Dwelling and Garage walls to be setback 0mm from the north side allotment boundary in lieu of 1460mm, and a 6894mm high Dwelling walls to be setback 1250mm from the south side allotment boundary in lieu of 1988mm.
BRC20160434	13/01/2017	4 STREETLY CL TULLAMARINE VIC 3043	Regulation 409 (3)(a), to allow a 4200mm high Porch to be setback 6800mm from the front street alignment boundary in lieu of 8000mm.
BRC20160436	30/01/2017	8 BATES CT JACANA VIC 3047	Regulation 410, to allow a Verandah to be constructed to a height of 5354mm at a distance of 1000mm from the western side boundary, in lieu of a height of 3600mm.
BRC20160437	25/01/2017	8 BATES CT JACANA VIC 3047	Regulation 310(1), Dwelling eave and stairs constructed over an easement.
BRC20160438	21/03/2017	11 LARA WAY CAMPBELLFIELD VIC 3061	Regulation 310(1), Retaining Wall constructed over an easement.
BRC20160439	16/01/2017	26 POSITANO GR GREENVALE VIC 3059	Regulation 310(1), Swimming Pool Safety Barrier constructed over an easement.
BRC20160440	9/01/2017	107 MCKELL AVE SUNBURY VIC 3429	Regulation 310(1), Shed constructed over an easement.
BRC20160442	12/01/2017	19 EYRE ST WESTMEADOWS VIC 3049	Regulation 409, to allow a Carport to be setback 6550mm from the front street alignment boundary in lieu of 9000mm.
BRC20160444	31/01/2017	6 FERRARS WAY MICKLEHAM VIC 3064	Regulation 420, to allow habitable room windows (Bedroom 3 and Study) to face a light court along the southern allotment boundary with a width of 750mm in lieu of 1000mm.
BRC20160445	13/01/2017	6 FERRARS WAY MICKLEHAM VIC 3064	Regulation 310(1), construction of a retaining wall and site cut over an easement.
BRC20160447	1/02/2017	2 HOPETOUN CT WESTMEADOWS VIC 3049	Regulation 310(1), Dwelling (U7) Spouting constructed over an easement.
BRC20160448	12/01/2017	61 DEBONAIR PDE CRAIGIEBURN VIC 3064	Regulation 310(1), Dwelling foundation element and private drainage constructed over easement.
BRC20160449	13/02/2017	3 ROCHESTER DR MICKLEHAM VIC 3064	Regulation 421, to allow the Private Open space in relation to the dwelling to have a minimum width of 2340mm in lieu of 3000mm.



BRC20160450	2/03/2017	120 WHITES LANE CRAIGIEBURN VIC 3064	Regulation 802(3), to allow a Primary School to be constructed on land designated as being liable to flooding.
BRC20160451	30/01/2017	152 WIDFORD ST BROADMEADOWS VIC 3047	Regulation 310 (1). Garage constructed over an easement.
BRC20160453	19/01/2017	22 CANNING DR MICKLEHAM VIC 3064	Regulation 310(1), Dwelling gutter and fascia constructed over easement.
BRC20160454	2/03/2017	46 GREENVALE GARDENS BVD GREENVALE VIC 3059	Regulation 310(1), Shed constructed over an easement.
BRC20160455	19/01/2017	67 CLOPTON RISE CRAIGIEBURN VIC 3064	Regulation 310(1), Dwelling eave and foundation element site cut over an easement.
BRC20160456	19/01/2017	24 CANNING DR MICKLEHAM VIC 3064	Regulation 310(1), Dwelling gutter and fascia constructed over easement.
BRC20160457	14/02/2017	123 BALMAIN RD MICKLEHAM VIC 3064	Regulation 409, to allow a Dwelling to be setback 5210mm from the front street alignment boundary in lieu of 5850mm.
BRC20160458	2/03/2017	3 QUEENSFERRY PL GREENVALE VIC 3059	Regulation 424, to allow a front fence to be constructed to a height of 1800mm in lieu of 1500mm.
BRC20160459	23/02/2017	22 YARRADALE DR MICKLEHAM VIC 3064	Regulation 417, to allow the proposed Dwelling to be setback 2000mm from the southern allotment boundary in lieu of 2470mm, where on the adjoining allotment (No. 20) there are north-facing habitable room windows within 3.0m of the common boundary.
BRC20160460	22/02/2017	81 TAGGERTY CRES MEADOW HEIGHTS VIC 3048	Regulation 409, to allow a 2200mm high Shed to be setback 200mm from the eastern allotment boundary in lieu of the required minimum 2000mm.
BRC20160461	10/02/2017	5 TANGEMERE AVE TULLAMARINE VIC 3043	Regulation 310(1), U2 Garage constructed over an Easement
BRC20160462	21/02/2017	84 BLUEBELL DR CRAIGIEBURN VIC 3064	Regulation 411, to allow buildings to occupy 68 percent of an allotment area in lieu of 60 percent.
BRC20160463	8/03/2017	245 NEWBURY BVD CRAIGIEBURN VIC 3064	Regulation 411, to allow a site coverage of 64.45 percent of the allotment in lieu of 60 percent.
BRC20160464	16/02/2017	245 NEWBURY BVD CRAIGIEBURN VIC 3064	Regulation 310(1), Verandah constructed over an Easement
BRC20160465	10/03/2017	50 BALMAIN RD MICKLEHAM VIC 3064	Regulation 415, to allow western boundary Garage wall to have average wall height of 3450mm in lieu of 3200mm.

BRC20160466	24/01/2017	SHOP C00-01A 340 CRAIGIEBURN RD CRAIGIEBURN VIC 3064	Regulation 604, to allow the erection of precautions over the street alignment.
BRC20160468	14/03/2017	1 ROTHESAY PL GREENVALE VIC 3059	Regulation 310(1), Retaining Wall constructed over an easement.
BRC20160469	9/02/2017	2 CASSARA WAY GREENVALE VIC 3059	Regulation 310(1), Dwelling Foundation Element (Site Cut) over Easement
BRC20160470	25/01/2017	SHOP C00-03 340 CRAIGIEBURN RD CRAIGIEBURN VIC 3064	Regulation 604, to allow the erection of precautions over the street alignment.
BRC20160471	16/02/2017	26 HAMPDEN ST DALLAS VIC 3047	Regulation 414 to allow a Dwelling Extension with a range of setbacks being 200mm, 480mm, 486mm, and 725mm from the north allotment boundary in lieu 1000mm
BRC20160472	27/02/2017	6 WHINFELL ST MICKLEHAM VIC 3064	Regulation 416, to allow the width of a light court between a Garage wall with a height of 3012mm, and a Dwelling habitable room window (Bedroom 3) on the adjoining allotment to the north to be 1010mm in lieu of 1505mm.
BRC20160473	1/02/2017	7 PARNELL CRES GLADSTONE PARK VIC 3043	Regulation 310(1), Carport constructed over an easement.
BRC20160474	27/02/2017	27-37 KRAFT CT BROADMEADOWS VIC 3047	Regulation 310(1), Sporting Facility (Class 9b) rear exit stairs constructed over Easement
BRC20170001	7/02/2017	19 MAYFIN CT SUNBURY VIC 3429	Regulation 310(1), Retaining Wall constructed over Easement
BRC20170002	30/01/2017	3 FRIESIAN DR SUNBURY VIC 3429	Regulation 426(1)(a), to allow a timber paling fence (combined with a retaining wall) located on the northern allotment boundary with a height greater than 2000mm, to have a total combined length of 15500mm in lieu of 13625mm.
BRC20170004	8/02/2017	100 CUTHBERT ST BROADMEADOWS VIC 3047	Regulation 409, to allow a porch with a height exceeding 3600mm to be setback 6980mm from the front street alignment in lieu of 9000mm.
BRC20170005	22/03/2017	79 CAMP RD BROADMEADOWS VIC 3047	Regulation 414, to allow a Carport to be sited 0mm from the eastern allotment boundary in lieu of 500mm.
BRC20170006	19/01/2017	PEPPERCORN EQUESTRIA 230 OAKLANDS RD OAKLANDS JUNCTION VIC 3063	Regulation 427, to allow a 2000mm high fence to be constructed within 9.0m of a point of intersection of street alignments.
BRC20170007	9/03/2017	48 HIGHLANDER DR CRAIGIEBURN VIC 3064	Regulation 416-Daylight to existing habitable room windows
BRC20170008	9/02/2017	95 KENNY ST WESTMEADOWS VIC 3049	Regulation 310(1), Unit 2 Garage constructed over an Easement

BRC20170009	16/03/2017	72 GREENVALE GARDENS BVD GREENVALE VIC 3059	Regulation 418, to allow the amount of existing sunlight to recreational private open space of the adjoining allotments at No.2 and No. 4 Scarlet Dr Greenvale and No. 70 Greenvale gardens Blvd Greenvale to be further reduced by the construction of a Dwelling.
BRC20170011	3/03/2017	6 FIDGE CT JACANA VIC 3047	Regulation 409, to allow a Dwelling to be setback 6080mm in lieu of the 11850mm .
BRC20170012	22/02/2017	33 STEWARTS LANE SUNBURY VIC 3429	Regulation 414, to allow a 3050mm high Shed to be setback 820mm from the south eastern allotment boundary in lieu of 1000mm.
BRC20170013	23/01/2017	26 FIRENZE RD GREENVALE VIC 3059	Regulation 310(1), Swimming Pool Safety Barrier constructed over an easement.
BRC20170014	8/02/2017	4 STREETLY CL TULLAMARINE VIC 3043	Regulation 418, to allow the overshadowing of recreational private open space on the adjoining allotment at Lot 344 No 7 Tangemere Avenue to the extent shown in the endorsed lodged plan.
BRC20170015	1/03/2017	29 EMILY ST GREENVALE VIC 3059	Regulation 410, to allow a Garage wall sited within 1000mm of the east side of the allotment title boundary to be 3807mm in lieu of 3000mm.
BRC20170016	14/03/2017	55 DYSON DR SUNBURY VIC 3429	Regulation 410, to allow a Shed sited within 1000mm of the northern allotment boundary to be 4600mm high in lieu of 3600mm.
BRC20170017	24/02/2017	55 DYSON DR SUNBURY VIC 3429	Regulation 414, to allow a shed to be sited 600mm from the northern allotment boundary in lieu of 1021mm.
BRC20170018	3/03/2017	43 CATHERINE AVE TULLAMARINE VIC 3043	Regulation 414, to allow an entertaining area wall with a height of 4800mm to be sited 0.0mm from the eastern allotment in lieu of 1390mm
BRC20170019	22/03/2017	43 CATHERINE AVE TULLAMARINE VIC 3043	Regulation 415, to allow a verandah adjacent to the eastern allotment boundary to have a maximum height of 4800mm in lieu of 3600mm
BRC20170020	27/02/2017	17 ERNEST ST BROADMEADOWS VIC 3047	Regulation 417, to allow a Verandah to be sited 500mm of south side allotment boundary in lieu of 1000mm where a north facing habitable room window on the adjoining allotment is located within 3000mm of the title boundary line.
BRC20170022	2/03/2017	32 RIEGELHUTH ST CRAIGIEBURN VIC 3064	Regulation 411, to allow a dwelling and garage to have maximum total site coverage of 62.2 percent of the allotment area in lieu of 60 percent.

BRC20170023	6/02/2017	12 WATTLE DR SUNBURY VIC 3429	Regulation 310(1), Swimming Pool Safety Barrier constructed over easement.
BRC20170026	1/03/2017	75 CREEKBRIDGE ST CRAIGIEBURN VIC 3064	Regulation 806, to allow a dwelling to be constructed on land designated as being liable to flooding.
BRC20170032	16/03/2017	38 DORRINGTON ST GREENVALE VIC 3059	Regulation 310(1), Garage (Dwelling 1) constructed over an easement.
BRC20170033	3/03/2017	45 BAMFORD AVE WESTMEADOWS VIC 3049	Regulation 310(1), Verandah constructed over an Easement
BRC20170034	1/03/2017	29 EMILY ST GREENVALE VIC 3059	Regulation 415, to allow a Garage wall adjacent the eastern allotment boundary to have a maximum average height of 3290mm in lieu of 3200mm.
BRC20170035	16/03/2017	8 BONDIN GR GREENVALE VIC 3059	Regulation 409(3)(a), to allow a 7220mm high Porch in lieu of 3600mm high and 1620mm high stairs in lieu of 800mm high, to encroach into the required 4000mm front setback.
BRC20170036	24/03/2017	16 GLENCARA CL WESTMEADOWS VIC 3049	Regulation 604(4), Protection of the public.
BRC20170037	2/03/2017	3 CAMPBELL ST CAMPBELLFIELD VIC 3061	Regulation 310(1), Garage (U4) constructed over an easement.
BRC20170038	22/02/2017	11 ACLAND ST CRAIGIEBURN VIC 3064	Regulation 310(1), Shed constructed over easement.
BRC20170043	8/03/2017	2 HUME ST SUNBURY VIC 3429	Regulation 310(1), Carport (U3) constructed over an easement.
BRC20170045	9/02/2017	CRAIGIEBURN GOLF COURSE 235-359 CRAIGIEBURN RD CRAIGIEBURN VIC 3064	Occupancy Permit for POPE - Food Truck Festival
BRC20170046	16/03/2017	8 DIVAN PL CRAIGIEBURN VIC 3064	Regulation 310(1), Dwelling Founding Element Site Cut constructed over an easement.
BRC20170047	23/02/2017	15 FELGATE CL TULLAMARINE VIC 3043	Regulation 310(1), Carport and Garage constructed over easement.
BRC20170048	3/03/2017	55-73 LAKESIDE DR ROXBURGH PARK VIC 3064	Regulation 431, to allow four freestanding light poles to be constructed to a height of 27 metres above ground level in lieu of 8 metres.
BRC20170051	15/03/2017	SHOP 3/128 HOTHLYN DR CRAIGIEBURN VIC 3064	Regulation 310(1), Storeroom constructed over an easement.
BRC20170052	9/03/2017	4 WELLINGTON MEWS SUNBURY VIC 3429	Regulation 310(1), Fascia and Eave constructed over an Easement
BRC20170055	20/03/2017	12 FINGLETON CRES SUNBURY VIC 3429	Regulation 409, to allow 4166mm high Shed to be setback 200mm from the western allotment boundary in lieu of 2000mm.

BRC20170056	3/03/2017	60 CENTRAL PARK AVE CRAIGIEBURN VIC 3064	POPE Occupancy Permit - 2017 Craigieburn Festival
BRC20170058	10/03/2017	8 GAINSBOROUGH DR CRAIGIEBURN VIC 3064	Regulation 415, to allow a combined length of walls adjacent to the north side boundary to be 18330mm in lieu of 15500mm
BRC20170059	10/03/2017	8 GAINSBOROUGH DR CRAIGIEBURN VIC 3064	Regulation 414, to allow a Verandah to be sited 150mm from the north side allotment boundary in lieu of 500mm.
BRC20170060	10/03/2017	8 GAINSBOROUGH DR CRAIGIEBURN VIC 3064	Regulation 420, to allow a habitable room window serving a kitchen to face a verandah open less than one third of its perimeter.
BRC20170061	23/03/2017	38 POSITANO GR GREENVALE VIC 3059	Regulation 409, to allow a Dwelling to be setback 8200mm from the front street alignment boundary in lieu of 6550mm.
BRC20170062	15/03/2017	15 CANNING DR MICKLEHAM VIC 3064	Regulation 420, to allow the habitable room windows serving the home theatre, bedroom 2 and bedroom 3 to face a light court having a width open to the sky of 750mm in lieu of 1000mm.
BRC20170063	8/03/2017	6 WHINFELL ST MICKLEHAM VIC 3064	Regulation 417, to allow a Garage wall to be sited 0mm from the southern allotment boundary in lieu of 1000mm, where on the adjoining allotment and within 3000mm of the boundary, there is a north facing habitable room window facing the proposed building.
BRC20170065	15/03/2017	SHOP 4/126 HOTHLYN DR CRAIGIEBURN VIC 3064	Regulation 310(1), Storeroom constructed over an easement.
BRC20170066	15/03/2017	20 COOKES RD YUROKE VIC 3093	S57 siting consent for a Prescribed Temporary Structure - 2017 Tibetan New Year Festival
BRC20170075	24/03/2017	16 DECARLA CRES ROXBURGH PARK VIC 3064	Regulation 411, to allow a Dwelling and Garage to have maximum total site coverage of 69.0 percent of the allotment area in lieu of 60 percent.
BRC20170080	29/03/2017	47 LISTER CRES SUNBURY VIC 3429	Regulation 414, to allow a 4002mm high Verandah to be sited 250mm from the western side allotment boundary in lieu of 620mm.
BRC20170082	21/03/2017	10 RAYFIELD AVE CRAIGIEBURN VIC 3064	Regulation 310(1), Dwelling (U2) eave and site cut constructed over an easement.
BRC20170089	30/03/2017	26 BERESFORD CRES GLADSTONE PARK VIC 3043	Regulation 415, to allow a 2800mm high Verandah to be setback 500mm from the west side boundary where the combined length of the existing Garage and Carport are 13190mm.

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<b>REPORT NO:</b>	GE192
<b>REPORT TITLE:</b>	Quarterly Financial Report - March 2017
<b>SOURCE:</b>	Fadi Srour, Manager Finance and Property Development
<b>DIVISION:</b>	Corporate Services
<b>FILE NO:</b>	HCC16/217
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENT:</b>	1. <i>Financial Statements</i>

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**1. SUMMARY OF REPORT:**

The quarterly financial report provides information to the community and stakeholders on the financial performance and position of Council as at 31 March 2017, as required on a quarterly basis under section 138 – Quarterly Statements of the *Local Government Act, 1989*.

**2. RECOMMENDATION:**

**That the Finance Report for the nine months ended 31 March 2017 be noted.**

**3. FINANCIAL IMPLICATIONS:**

3.1 Reports

3.1.1 The financial statements consist of three main reports:

1. The Income Statement;
2. The Balance Sheet; and
3. The Statement of Cash Flows.

3.1.2 Two additional reports have also been included that show the level of payments that Council directly makes to businesses, community groups, individuals and employees within Hume.

3.1.3 From a governance and accountability perspective, Council receives quarterly reports on key financial data with detailed commentary on variance analysis and actions being undertaken. The reporting of this key financial data on a quarterly and annual basis adds to the commitment Council has made to govern in an open manner and be accountable to residents for the management of resources and funding.

3.2 Income Statement [Attachment 1]

3.2.1 The Income Statement measures how well Council has performed from an operating or recurrent nature. It reports revenues and expenditure from the activities and functions undertaken with the net effect being the resulting surplus figure.

3.2.2 Attachment 1 identifies that Council has generated \$283.3m in revenue and \$152m in expenses. This has resulted in a surplus of \$131.3m which is \$39.3m above budget for the nine months ended 31 March 2017. This favourable variance is largely due growth in the municipality resulting in additional contributions non-monetary assets of \$22.1m, supplementary rates income of \$2.5m and statutory and user fees of \$2.6m due to the continued growth across the municipality. In addition, grants-recurrent income is favourable by \$1.8m due to higher utilisation and unbudgeted ratio supplement income for pre-school and childcare and additional grant income received for home support, supporting Early Years Hubs and Maternal and Child Health programs.

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3.2.3 Council's Revenue Base

- (a) The majority of Council's revenue is derived from rates and charges. During the financial year ended 30 June 2016, rates income was \$149.3m. This equated to 42% of Council's total revenue of \$352.2m.
- (b) For the nine months ended 31 March 2017, rates revenue was \$122.9m which equates to 43% of total revenue. Therefore, Council continues to be reliant on its rates revenue as a major source of income.
- (c) For the nine months ended 31 March 2017, the major items of revenue earned by Council include:
  - (i) Rates and charges \$ 122.9m
  - (ii) Contribution - non- monetary assets \$ 61.6m
  - (iii) Contribution – monetary \$ 24.8m
  - (iv) User and Statutory fees \$ 27.7m
  - (v) Grants – recurrent \$ 29.1m

3.2.4 Council's Expense Base

- (a) The majority of Council's expenses relates to employee benefits. During the financial year ended 30 June 2016, employee benefits were \$97m. This equated to 44% of Council's total expenses of \$220.2m.
- (b) For the nine months ended 31 March 2017, employee benefits were \$71.7m which equates to 47% of total expenditure.
- (c) For the nine months ended 31 March 2017, the major items of expenditure incurred by Council include:
  - (i) Employee benefits \$ 71.7m
  - (ii) Materials and services \$ 43.3m
  - (iii) Depreciation \$ 28.1m

3.3 Balance Sheet [Attachment 2]

- 3.3.1 The Balance Sheet is a statement at a point in time which shows all the resources controlled by Council and the obligations of Council. The aim of the Balance Sheet is to summarise the information contained in the accounting records relating to assets, liabilities and equity in a clear and intelligible form.
- 3.3.2 The major item on the Balance Sheet consists of property, infrastructure, plant and equipment. These fixed assets made up 93% of Council's total asset base in 2015/16 – a total of \$2.44b. As at 31 March 2017, fixed assets made up 92% of Council's total asset base – a total of \$2.55b.
- 3.3.3 The impact of sound financial management can be seen in the ratepayer equity of \$2.48b which reflects the strong financial position of Council. The information contained within the Balance Sheet also demonstrates that liquidity is strong as demonstrated by the favourable cash balance. Council assets are increasing, which is largely due to developer contributed assets and a substantial capital works program. All of these factors have led to favourable key ratios as identified in this report.

3.4 Statement of Cash Flows [Attachment 3]

- 3.4.1 The Statement of Cash Flows shows what was actually received and paid by Council, not what was owed or what was recorded. This is largely why it is different to the Income Statement which shows what income was raised and payments incurred during the same period.

REPORT NO: GE192 (cont.)

- 3.4.2 For example, Council may make a purchase of some goods/services today but may not make payment for those goods/services for another 30 days (in accordance with Council's credit terms). However, as the goods/services have already been provided, the accounting standards require that the cost of these goods/services be recorded in the Income Statement as soon as they have been provided.
- 3.4.3 Another reason for the difference between the surplus figure reported in the Income Statement and the Cash Flow Statement is the significant level of non-monetary developer contributed assets recorded as income, \$61.6m at 31 March 2017, (in the Income Statement) with no resulting cash receipts.
- 3.4.4 For the nine months ended 31 March 2017, Council's cash position is \$128.8m which is \$77.8m favourable to budget. This is largely due to commencing the year with a higher than expected cash balance primarily as a result of unbudgeted capital works income and a larger than expected carry forward in the capital works program as well as a favourable operating position.
- 3.5 Buying Local [Attachment 4]
- 3.5.1 The Buying Local report highlights the level of payments made by Council to businesses, community groups and individuals within the municipality. The report includes payments for grants and contributions, materials and services, building and utility costs and contractor and other services. For the nine months ended 31 March 2017, Council made payments to local suppliers totalling \$13.7m. Significantly, the level of local expenditure as a proportion of Council's total payments (including capital works) was 14% as at 31 March 2017.
- 3.5.2 It should be noted that the report only includes payments to suppliers whose mailing address is listed within Hume. There is therefore the possibility that the level of payments to local suppliers is in fact higher.
- 3.6 Employees Residing within Hume [Attachment 5]
- 3.6.1 The Employees Residing within Hume report highlights the level of salaries paid to employees who reside within Hume and also the number of employees who reside within Hume.
- 3.6.2 For the nine months ended 31 March 2017, Council paid salaries to employees residing within Hume totalling \$28.9m, representing 40% of total employee benefits. Also for the nine months ended 31 March 2017, there were 854 employees residing within Hume representing 52% of total employees.
- 3.7 Financial Ratios
- 3.7.1 The following financial ratios are required to be included in Council's financial report at year-end. Although their value may be limited as key financial indicators, they do provide information on trends.

Ratios	Nine Months to 31-Mar-17 2016/17	Nine Months to 31-Mar-16 2015/16	Twelve Months to 30-Jun-16 2015/16
<b>Debt Servicing Ratio (Target &lt; 3%)</b>			
This ratio measures the extent to which long-term debt is impacting on the annual total income of Council and identifies the capacity of Council to service outstanding debt. The ratio expresses the amount of interest paid as a percentage of Council's total revenue. (The lower the ratio the better).	0.03%	1.35%	1.30%



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Ratios	Nine Months to 31-Mar-17 2016/17	Nine Months to 31-Mar-16 2015/16	Twelve Months to 30-Jun-16 2015/16
<p><b><u>Debt Commitment Ratio (Target &lt; 15%)</u></b></p> <p>This ratio identifies Council's debt redemption strategy and expresses the percentage of rate revenue utilised to pay interest and redeem debt principal. (The lower the ratio the better).</p> <p>During the month of March 2016, Council repaid borrowings in full resulting in an unusually high ratio.</p>	0.36%	26.70%	20.10%
<p><b><u>Revenue Ratio (Target 65% - 70%)</u></b></p> <p>This ratio identifies Council's reliance on rates as a source of income. (The lower the ratio the better).</p>	43.42%	47.35%	42.40%
<p><b><u>Debt Exposure Ratio</u></b></p> <p>This ratio identifies Council's exposure to debt and expresses the total indebtedness to total realisable assets. (The lower the ratio the better).</p>	6.71%	6.65%	7.90%
<p><b><u>Working Capital Ratio (Target 100% - 150%)</u></b></p> <p>This ratio identifies Council's ability to meet current liabilities and enables an assessment of Council's liquidity and solvency. The ratio compares the current assets to current liabilities. (The higher the ratio the better).</p>	479.95%	392.45%	247.84%

**4. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:**

Environmental Sustainability has been considered and the recommendations of this report give no rise to any matters.

**5. CHARTER OF HUMAN RIGHTS APPLICATION:**

The Charter of Human Rights and Responsibility has been considered and the recommendations of this report give no rise to any matters.

**6. CONCLUSION:**

The quarterly report has been prepared on an accrual basis and in accordance with accounting practices, including an Income Statement, Balance Sheet and Statement of Cash Flows. Council's financial performance is ahead of expectations.

**Attachment 1**

**INCOME STATEMENT**

For the nine months ended 31 March 2017

	Nine months to 31/03/2017 ACTUAL 2016/17 \$'000	Nine months to 31/03/2017 BUDGET 2016/17 \$'000	Twelve months to 30/06/2016 ACTUAL 2015/16 \$'000
<b>Income</b>			
Rates and charges	122,992	120,401	149,312
Statutory fees and fines	10,874	9,216	12,497
User fees	16,821	15,840	23,814
Grants - recurrent	29,119	27,329	29,304
Property rental	1,376	1,319	1,545
Interest	1,474	1,087	3,391
property	-	-	942
<b>Total income</b>	<b>182,656</b>	<b>175,190</b>	<b>220,605</b>
<b>Expenses</b>			
Employee benefits	71,651	76,398	97,034
Materials and services	43,272	42,055	66,362
Utility costs	3,511	3,699	5,195
Grants, contributions and donations	3,029	3,062	4,121
Bad and doubtful debts	513	-	763
Depreciation and amortisation	28,103	30,945	38,191
Finance costs	92	84	5,721
Other expenses	1,815	1,982	2,781
<b>Total expenses</b>	<b>151,986</b>	<b>158,225</b>	<b>220,168</b>
<b>Underlying surplus</b>	<b>30,671</b>	<b>16,965</b>	<b>437</b>
Net gain on disposal of property, plant, equipment and infrastructure	159	368	434
Net gain on property development	4,508	4,014	1,049
Contributions - non-monetary assets	81,561	39,477	95,743
Contributions - monetary	24,845	18,348	25,410
Grants - capital	9,535	12,794	8,948
<b>Surplus for the year</b>	<b>131,279</b>	<b>91,964</b>	<b>132,020</b>
<b>Other comprehensive income</b>			
Net asset revaluation increment	-	-	(11,481)
<b>Comprehensive result</b>	<b>131,279</b>	<b>91,964</b>	<b>120,539</b>

**Attachment 2**

**BALANCE SHEET**

As at 31 March 2017

	Nine months to 31/03/2017 ACTUAL 2016/17 \$'000	Nine months to 31/03/2016 ACTUAL 2015/16 \$'000	Twelve months to 30/06/2016 ACTUAL 2015/16 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	128,755	89,296	101,201
Trade and other receivables	22,521	16,142	21,473
Non-current assets classified as held for sale	7,207	-	8,095
Other assets	-	-	2,179
<b>Total current assets</b>	<b>158,583</b>	<b>105,438</b>	<b>132,948</b>
<b>Non-current assets</b>			
Trade and other receivables	306	306	306
Property, infrastructure, plant and equipment	2,354,899	2,235,069	2,272,041
Investment property	31,382	30,866	31,382
Financial assets	310	310	310
Non-current assets classified as held for sale	9,529	20,176	9,529
<b>Total non-current assets</b>	<b>2,396,326</b>	<b>2,286,727</b>	<b>2,313,668</b>
<b>Total assets</b>	<b>2,554,909</b>	<b>2,392,165</b>	<b>2,446,616</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	2,255	1,895	19,032
Interest-bearing loans and borrowings	1,056	477	1,147
Provisions	23,337	24,495	23,295
Development fee obligation	5,794	-	10,169
<b>Total current liabilities</b>	<b>33,042</b>	<b>26,867</b>	<b>53,643</b>
<b>Non-current liabilities</b>			
Interest-bearing loans and borrowings	828	1,928	1,083
Provisions	27,117	23,656	27,114
Trust funds and deposits	6,168	3,785	8,299
Development fee obligation	12,097	24,600	12,097
<b>Total non-current liabilities</b>	<b>46,210</b>	<b>53,969</b>	<b>48,593</b>
<b>Total liabilities</b>	<b>79,252</b>	<b>80,836</b>	<b>102,236</b>
<b>Net assets</b>	<b>2,475,656</b>	<b>2,311,329</b>	<b>2,344,380</b>
<b>Equity</b>			
Accumulated surplus	1,437,075	1,281,487	1,302,929
Other reserves	1,038,581	1,029,842	1,041,451
<b>Total equity</b>	<b>2,475,656</b>	<b>2,311,329</b>	<b>2,344,380</b>

Attachment 3

STATEMENT OF CASH FLOWS

For the nine months ended 31 March 2017

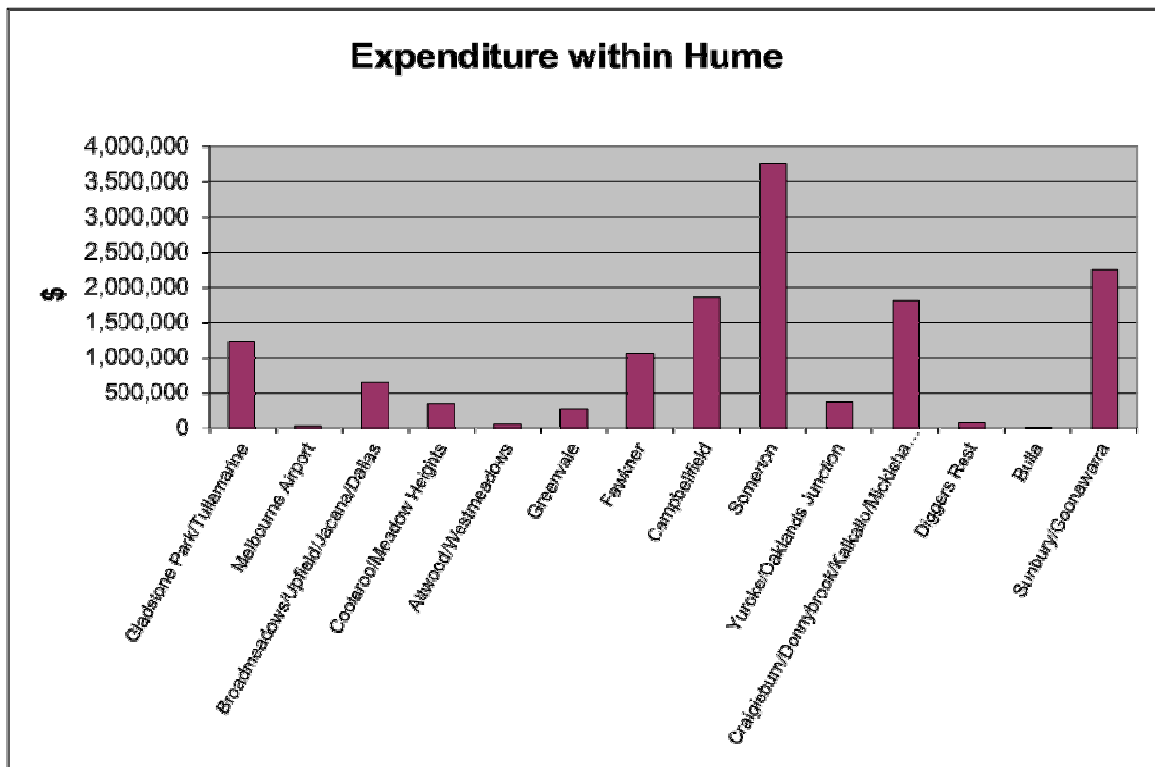
	Nine months to 31/03/2017 ACTUAL 2016/17 \$'000	Nine months to 31/03/2017 BUDGET 2016/17 \$'000	Twelve months to 30/06/2016 ACTUAL 2015/16 \$'000
<b>Cash flows from operating activities</b>			
<b>Receipts</b>			
General rates	118,911	120,578	147,268
Grants - operating	29,119	27,829	29,415
Grants - capital	9,609	12,794	11,055
User fees	17,882	18,277	26,918
Statutory fees and fines	9,962	9,215	11,672
Property rental	1,356	1,318	1,523
Interest	1,312	1,087	3,142
Net trust funds and deposits	-	-	1,123
Contributions - monetary	23,789	14,496	24,553
Net GST refund	-	-	11,279
	<b>211,950</b>	<b>205,595</b>	<b>267,848</b>
<b>Payments</b>			
Payments to employees	(74,260)	(80,848)	(94,782)
Materials and services	(49,213)	(48,124)	(88,619)
Other expenses	(1,815)	(1,982)	(2,778)
Grants, contributions and donations	(3,029)	(3,062)	(4,121)
	<b>(128,317)</b>	<b>(134,018)</b>	<b>(190,300)</b>
<b>Net cash provided by operating activities</b>	<b>83,634</b>	<b>71,577</b>	<b>77,649</b>
<b>Cash flows from investing activities</b>			
Payments for property, plant, equipment and infrastructure	(57,480)	(59,408)	(52,911)
Proceeds from sale of property, plant, equipment and infrastructure	781	523	2,325
Proceeds from sale of financial assets	-	-	63,200
Proceeds from property development	1,068	-	572
<b>Net cash used in investing activities</b>	<b>(55,641)</b>	<b>(58,885)</b>	<b>13,186</b>
<b>Cash flows from financing activities</b>			
Finance costs	(82)	(84)	(3,214)
Repayment of interest bearing loans and borrowings	(346)	(346)	(26,794)
<b>Net cash used in financing activities</b>	<b>(438)</b>	<b>(430)</b>	<b>(30,008)</b>
<b>Net increase in cash and cash equivalents</b>	<b>27,555</b>	<b>12,260</b>	<b>60,827</b>
Cash and cash equivalents at the beginning of the period	101,201	38,658	40,374
<b>Cash and cash equivalents at the end of the period</b>	<b>128,755</b>	<b>50,918</b>	<b>101,201</b>

Attachment 4

**Buying Local  
Expenditure by Locality**

As at 31 March 2017

Postcode	Suburb	Amount \$
3043	Gladstone Park/Tullamarine	1,218,770
3045	Melbourne Airport	35,295
3047	Broadmeadows/Upfield/Jacana/Dallas	647,886
3048	Coolaroo/Meadow Heights	340,271
3049	Attwood/Westmeadows	61,484
3059	Greenvale	264,124
3060	Fawkner	1,059,881
3061	Campbellfield	1,846,374
3062	Somerton	3,742,612
3063	Yuroke/Oaklands Junction	365,250
3064	Craigieburn/Donnybrook/Kalkallo/Mickleham/Roxburgh Park	1,802,939
3427	Diggers Rest	82,073
3428	Bulla	13,352
3429	Sunbury/Goonawarra	2,242,528
<b>Total</b>		<b>13,722,839</b>



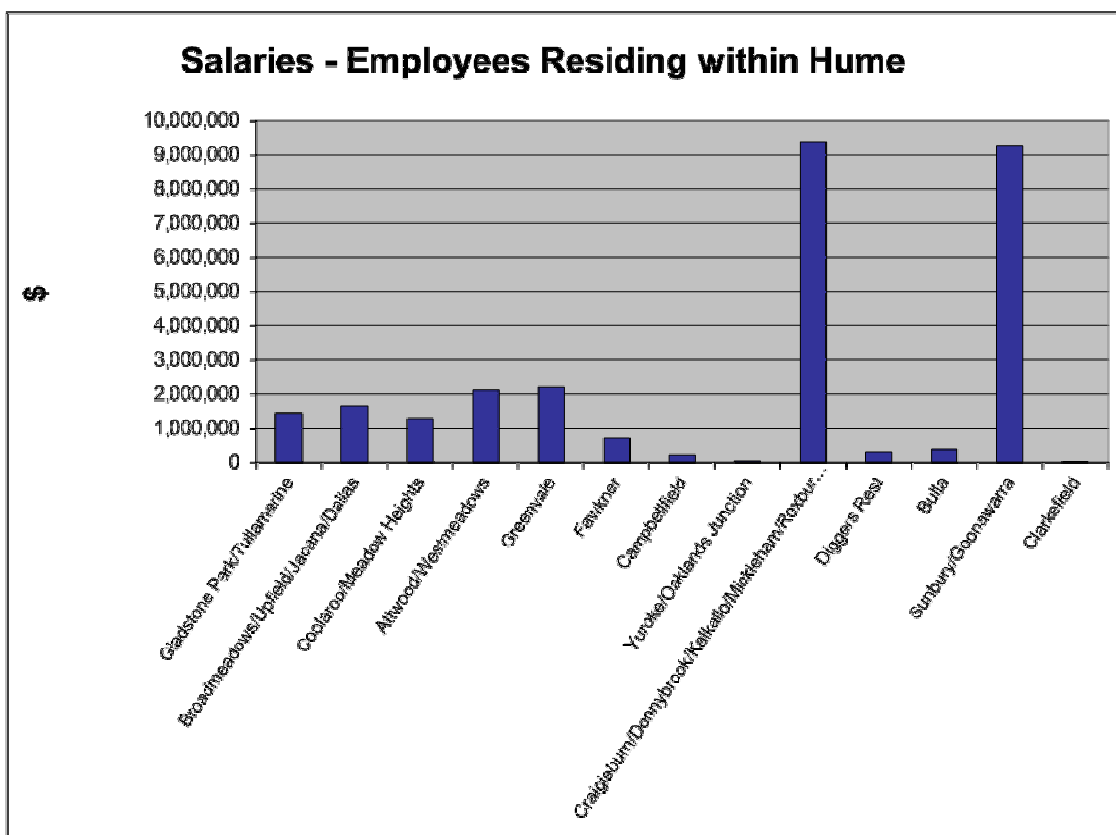
**Attachment 5**

**Employees Residing within Hume**

As at 31 March 2017

Postcode	Suburb	Gross Salaries \$
3043	Gladstone Park/Tullamarine	1,424,862
3047	Broadmeadows/Upfield/Jacana/Dallas	1,667,233
3048	Coolaroo/Meadow Heights	1,268,964
3049	Attwood/Westmeadows	2,107,601
3059	Greenvale	2,207,739
3060	Fawkner	727,117
3061	Campbellfield	218,284
3063	Yuroke/Oaklands Junction	47,494
3064	Craigieburn/Donnybrook/Kalkallo/Mickleham/Roxburgh Park	9,362,749
3427	Diggers Rest	297,263
3428	Bulla	371,585
3429	Sunbury/Gconawarra	9,252,291
3430	Clarkefield	24,615
<b>Total</b>		<b>28,977,797</b>

Total number of employees paid that reside within Hume was 854.



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<b>REPORT NO:</b>	GE193
<b>REPORT TITLE:</b>	Correspondence received from or sent to Government Ministers or Members of Parliament - March 2017
<b>AUTHOR:</b>	Louise Coulter, Senior Records Officer Archivist
<b>DIVISION:</b>	Corporate Services
<b>FILE NO:</b>	HCC04/13
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Planning Scheme Amendment C218</i></li><li>2. <i>Victorian and Proud of it Multicultural Policy - Event Funding Available</i></li><li>3. <i>Sale of the Camp Road Loop Site</i></li><li>4. <i>Defibrillators for Sporting Clubs Funding Available</i></li><li>5. <i>Graffiti Prevention Funding Available</i></li><li>6. <i>Men's Shed Grants Program 2017 Funding Available</i></li></ol>

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**1. SUMMARY OF REPORT:**

This report presents a summary of correspondence relating to Council resolutions or correspondence that is considered to be of interest to Councillors received from and sent to State and Federal Government Ministers and Members of Parliament.

**2. RECOMMENDATION:**

**That Council notes this report on correspondence sent to and received from Government Ministers and Members of Parliament.**

**3. DISCUSSION:**

There is a range of correspondence sent to and received from State and Federal Government Ministers and Members of Parliament during the normal course of Council's operations. Correspondence of this nature registered in the Council recordkeeping system during March 2017 that is considered to be of interest to Councillors are summarised in the table below and copies of the documents are provided as attachments to this report.

**REPORT NO: GE193 (cont.)**

<b>CORRESPONDENCE RELATING TO COUNCIL RESOLUTIONS OR OF INTEREST TO COUNCILLORS</b>						
<b>Direction</b>	<b>Subject</b>	<b>Minister or Member of Parliament</b>	<b>Date Received / Sent</b>	<b>Responsible Officer</b>	<b>Council Minute Reference</b>	<b>Attachment</b>
Outwards	Council has prepared Amendment C218 to the Hume Planning Scheme.	Minister for Energy, Environment and Climate Change	03/03/2017	Manager Strategic Planning		1
Inwards	Victorian & Proud of it Multicultural Policy - Funding grants for community festivals and events	State Member for Yuroke	27/03/2017	Manager Comms & Events		2
Outwards	Broadmeadows Revitalisation – Sale Of The Camp Road Loop Site	Member for Eastern Victoria	14/03/2017	CEO		3
Inwards	Defibrillators for Sporting Clubs and Facilities Program Funding Available	Member for Broadmeadows	29/03/2017	Manager Leisure Centres & Sport		4
Inwards	Victorian Government Graffiti Prevention Grant Now Open - Applications Close 12 May 2017	State Member for Yuroke	31/03/2017	Coordinator Grants and Advocacy		5
Inwards	2017 Mens Shed Grants Program – Grants Available - Applications Close 28 July	State Member for Yuroke	31/03/2017	Coordinator Grants and Advocacy		6



## REPORTS – GOVERNANCE AND ENGAGEMENT

24 APRIL 2017

ORDINARY COUNCIL (TOWN PLANNING)

Attachment 1 - Planning Scheme Amendment C218

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Our File: HCC16/599  
Enquiries: Angela Schirripa  
Telephone: 9205 2382

Friday, 3 March 2017

The Hon. Lily D'Ambrosio, MP  
Minister for Energy, Environment, & Climate Change  
PO Box 137  
HEIDELBERG VIC 3184

Dear Minister

**RE: NOTICE OF PREPARATION OF AN AMENDMENT TO THE HUME PLANNING SCHEME – PLANNING SCHEME AMENDMENT C218**

Council has prepared Planning Scheme Amendment C218 to the Hume Planning Scheme.

The amendment applies to land currently zoned Commercial 2 and described as:

- Land bounded by Jack Roper Reserve and Merlynston Creek, Camp Road, Upfield Railway Line, and Western Ring Road, Broadmeadows;
- Land bounded by Camp Road, Upfield Railway Line, Geach Street and Dallas Drive, Broadmeadows (known as Northcorp Industry Park);
- Land to the north of the Tullamarine Freeway within Westmeadows and bounded by the Tullamarine Freeway to the south, Mickleham Road to the east and residential properties to the north;
- Land to the south of the Tullamarine Freeway within Tullamarine and bounded by Mickleham Road, Derby Street, and Springbank Street;
- Land within Tullamarine bounded by Melrose Drive, Post Office Street, Airport Drive, and Trade Park Reserve;
- Land within Tullamarine bounded by Annandale Road, Keilor Park Drive, Keilor Park Recreation Reserve, and Commonwealth land; and
- 700 and 750 Hume Highway, Craigieburn and 95-135 Amaroo Road, Craigieburn.

The amendment proposes rezone the land from the Commercial 2 Zone to the Industrial 3 Zone. The amendment also updates ordinances within the Scheme to replace references to the old Business Zones with references to the new Commercial Zones.

Please find enclosed documentation relating to the amendment which includes:

- Notice of the amendment;
- Explanatory Report; and
- Proposed New Zoning Maps.

The detailed plans associated with the amendment may be viewed at the following places:

**REPORTS – GOVERNANCE AND ENGAGEMENT**

**24 APRIL 2017**

**ORDINARY COUNCIL (TOWN PLANNING)**

Attachment 1 - Planning Scheme Amendment C218

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Hume City Council  
Broadmeadows Office  
1079 Pascoe Vale Road  
Broadmeadows 3047

Hume City Council  
Craigieburn Office  
75-95 Central Park Avenue  
Craigieburn 3064

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at: [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

Written submissions must be received by **Monday, 1 May 2017** and can be sent to Hume City Council, PO Box 119, Dallas, 3047 or via email to: [strategicplanning@hume.vic.gov.au](mailto:strategicplanning@hume.vic.gov.au)

Any submission received will be considered by Council and may be referred to an independent panel for review before any decision is made on the proposed Amendment.

Should you have any queries regarding this matter or require further information, please contact Angela Schirripa, Strategic Planner on 9205 2382 or by email to: [strategicplanning@hume.vic.gov.au](mailto:strategicplanning@hume.vic.gov.au)

Yours faithfully



**MICHAEL SHARP**  
**MANAGER STRATEGIC PLANNING**

Encl.

# Ros Spence MP

STATE MEMBER FOR YUROKE



27<sup>th</sup> February 2017

Cr Drew Jessop  
Mayor  
Hume City Council  
PO Box 119  
Dallas VIC 3047



Dear Cr Jessop,

I am writing to let you know that organisers of community festivals and events celebrating Victoria's diversity can apply for funding from the Andrews Labor Government this year.

More than \$2 million will be available to community groups and schools as part of the Government's recently-launched *Victorian. And proud of it.* multicultural policy.

From today, organisers are encouraged to apply for grants under the Multicultural Festivals and Events (MFE) program for any events held during the 2017-18 financial year.

Successful bids will showcase Victoria's rich diversity through food, music and culture, strengthen ties with the public and demonstrate their contribution to the wider Victorian community.

Applications will be assessed under three tiers. Small grants are capped at \$10,000, large grants at \$100,000, while primary and secondary schools can apply for up to \$2000.

For more information, please visit [www.multicultural.vic.gov.au/grants](http://www.multicultural.vic.gov.au/grants). Please don't hesitate to contact my office for further details.

Kind regards,

**Ros Spence MP**  
**State Member for Yuroke**  
**Parliamentary Secretary for Public Transport**  
**Parliamentary Secretary for Roads**

*CC: Aitken Ward & Meadow Valley Ward Councillors*

**OFFICE:** 3A Hamilton Street, Craigieburn, VIC 3064  
**POSTAL:** PO Box 132, Craigieburn, VIC 3064  
**P:** 9305 7177 **F:** 9305 7362 **E:** [ros.spence@parliament.vic.gov.au](mailto:ros.spence@parliament.vic.gov.au)



Our File: HCC15/150  
Enquiries: Domenic Isola  
Telephone:

Monday 14 March 2017

Mr Daniel Mulino MP  
Member for Eastern Victoria  
Parliamentary Secretary to the Treasurer  
Parliamentary Secretary for Finance  
Unit 1, 23 James Street  
PAKENHAM VIC 3810



1079 PASCOE VALE ROAD  
BROADMEADOWS  
VICTORIA 3047

Postal Address:  
PO BOX 119  
DALLAS 3047

Telephone: 03 9205 2200  
Facsimile: 03 9309 0109  
www.hume.vic.gov.au

Dear Mr Mulino

**RE: BROADMEADOWS REVITALISATION – SALE OF THE CAMP ROAD LOOP SITE**

I would like to take this opportunity to thank you for taking the time to meet with Ms Ros Spence MP, Member for Yuroke, Parliamentary Secretary for Public Transport and Parliamentary Secretary for Roads on Wednesday 8 March 2017.

As outlined at our meeting, Hume City Council is frustrated at the long negotiation process being undertaken for the possible purchase of the Camp Road loop site (refer to Red 6 on the attached map).

Our discussions with VicRoads have been on-going for close to 2 years with the latest advice received from VicRoads that Council would have to pay for the site acquisition (\$5.5 million – Valuer General estimate) plus the decommissioning works (\$1.7 million – VicRoads estimate) and road works to accommodate the closure of the Camp Road loop road (\$2 million – VicRoads estimate). The total cost for Council would be \$5.5 million + \$1.7 million + \$2 million = \$9.2 million.

This amount is unacceptable to Council and I have raised these concerns with VicRoads.

I have also raised the possibility of a joint agreement with VicRoads and the Government for the use of land with Council contributing a decked car park.

As I outlined at our meeting, I believe an alternative to the sale and purchase transaction would be to establish a joint arrangement whereby the land on the VicRoads site (refer to areas 5 and 6 red) is used by all parties through Council constructing a deck on these areas.

As advised at our meeting, there is a parking requirement by Council (400 spots) as well as the Broadmeadows Police (refer to area 9) as well the Magistrate's Court (refer to area 8) in the immediate precinct.

The proposed joint arrangement would see all these parking needs met with the ability to charge a parking levy for those entities or businesses that wish to operate in the area on land available at site 3 blue. The proceeds of this could be shared by the contributors i.e. VicRoads for the land value and Council for the construction of the deck car park.

.../2

- 2 -

The need for parking in the area is now a critical point and a resolution needs to be made. Council needs to understand if it can acquire the VicRoads site (refer to area 6 red) at a fair and reasonable price or a joint arrangement being made. If both of these options are not achievable then Council will work with other groups to resolve the parking shortfall at this location.

Once again, thank you for your time and we look forward to receiving a favourable response in due course.

Yours sincerely



**DOMENIC ISOLA**  
**CHIEF EXECUTIVE OFFICER**

cc: Ms Ros Spence MP, Member for Yuroke; Parliamentary Secretary for Public Transport; and Parliamentary Secretary for Roads



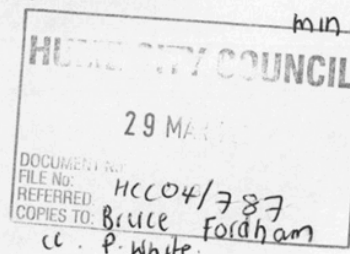


**Frank McGuire MP**  
Member for Broadmeadows

Mail: PO Box 3223, Broadmeadows VIC 3047 | Tel: 9300 3851 | Fax: 9300 3915 | frank.mcguire@parliament.vic.gov.au

27 March, 2017

Hume City Council  
PO Box 119  
Dallas VIC 3047



**Defibrillators for Sporting Clubs and Facilities Program are now open.**

Dear Hume City Council,

I am writing to advise Broadmeadows sports clubs have another chance to apply for a new defibrillator and help save the lives of players, volunteers or spectators who suffer a sudden cardiac arrest.

Applications for the third round of the \$2.7 million Defibrillators for Sporting Clubs and Facilities Program are now open. The Andrews Labor Government is getting on with the roll out of 1,000 life-saving defibrillators to clubs and facilities across the state. Our defibrillator roll out has been a huge success – already delivering nearly 600 defibrillators to clubs across the state.

That means there are just over 400 defibrillators and training packages still up for grabs, so there's no time to waste. Please delete if not an outer suburban electorate: Clubs in the booming outer suburbs, where record numbers of people are joining up, are being urged to apply. There have been lower applications rates from Hume, Mornington Peninsula and the Yarra Ranges.

Defibrillators at local sports clubs keep players safe and spectators protected, but they're also a vital tool for the community. The use of public defibrillators for cardiac arrests has soared four-fold from 2.8 per cent in 2006/07 to 11 per cent in 2015/16. I strongly encourage Hume City Council to assist in promoting this initiative to our local sporting clubs. Sporting clubs who already have a defibrillator are encouraged to register them with Ambulance Victoria.

Applications for this program close on 3 May 2017. For more information or to apply online visit [www.sport.vic.gov.au](http://www.sport.vic.gov.au). I hope this information is of assistance and please do not hesitate to contact me if I can be of any further assistance in relation to this or any other matter on 9300 3851.

Yours sincerely

**Frank McGuire MP**

**Member for Broadmeadows**

# Ros Spence MP

STATE MEMBER FOR YUROKE



16<sup>th</sup> March 2017

Cr Drew Jessop  
Mayor  
Hume City Council  
PO Box 114  
DALLAS VIC 3049



*Drew*  
Dear Cr Jessop,

I am writing to let you know that applications are now open for the Victorian Government's Graffiti Prevention Grants. Councils are invited to apply for grants of up to \$25,000 to partner with community groups to deliver local graffiti prevention initiatives.

Eligible projects can include:

- Environmental design initiatives to cover walls vulnerable to graffiti vandalism such as vertical gardens and plants, murals and public art;
- Place-based activities that encourage space activation and community ownership to care for an area which is a graffiti hotspot;
- Graffiti removal activities and resources for use by project partners that form part of broader graffiti prevention efforts;
- Anti-graffiti education initiatives to engage the community, in particular young people.

Program information, including guidelines, examples of previously funded projects and links to the online application form can be found at: [www.crimeprevention.vic.gov.au/graffitigrants](http://www.crimeprevention.vic.gov.au/graffitigrants).

Applications close 4.00pm on Friday 12 May 2017. Please do not hesitate to get in touch on 9305 7177 or via email at [ros.spence@parliament.vic.gov.au](mailto:ros.spence@parliament.vic.gov.au) for a letter of support or additional information.

Kind regards,

**Ros Spence MP**  
**State Member for Yuroke**  
**Parliamentary Secretary for Public Transport**  
**Parliamentary Secretary for Roads**

*CC Aitken Ward, Meadow Valley Ward Councillors*

**OFFICE:** 3A Hamilton Street, Craigieburn, VIC 3064

**POSTAL:** PO Box 132, Craigieburn, VIC 3064

**P:** 9305 7177 **F:** 9305 7362 **E:** [ros.spence@parliament.vic.gov.au](mailto:ros.spence@parliament.vic.gov.au)





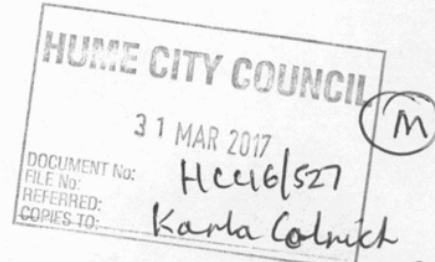
# Ros Spence MP

STATE MEMBER FOR YUROKE



15<sup>th</sup> March 2017

Cr Drew Jessop  
Mayor  
Hume City Council  
PO Box 114  
DALLAS VIC 3049



cc - Louise McFarlane  
cc - Felicity Leahy  
cc - Mayor  
cc - Paul White

Dear Cr Jessop,

I am writing to let you know that the 2017 Men's Shed Grants Program will open on 17 April.

Grants of up to \$60,000 are available for communities to build a new shed, or up to \$30,000 to refurbish an existing one.

Community groups and local councils are encouraged to apply, especially areas that are experiencing significant economic and social change.

The Andrews Government provides \$1 million per year through the Men's Shed program, including funding to support the Victorian Men's Shed's Association in strengthening the capacity of men's sheds.

For more information visit <http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/men-in-the-community/mens-sheds>

Applications close on 28 July. Please do not hesitate to get in touch on 9305 7177 or via email at [ros.spence@parliament.vic.gov.au](mailto:ros.spence@parliament.vic.gov.au) for a letter of support or additional information.

Kind regards,

**Ros Spence MP**  
State Member for Yuroke  
Parliamentary Secretary for Public Transport  
Parliamentary Secretary for Roads

CC Aitken Ward, Meadow Valley Ward Councillors

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