



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

**MONDAY, 24 JULY 2017**

**CONFIRMED - 14 AUGUST 2017**



# HUME CITY COUNCIL

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Minutes of the

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

held on Monday, 24 July 2017

at 7.02 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  Mr John Monaghan  Mr David Fricke Mr Michael Sharp  Mr Greg McLaren Ms Kirsty Miller  Mr Gavan O'Keefe Mr Brad Mathieson	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy Manager Capital Works and Building Maintenance Manager Assets Manager Community and Activity Centre Planning Manager Strategic Planning Manager Statutory Planning and Building Control Services Manager Governance Governance Support Officer

### ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND

The Mayor read the following:

"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."

### Requests to Record Proceedings

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

### Gallery Behaviour

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

## ORDER OF BUSINESS

## 1. PRAYER

The Mayor read the Opening Prayer:

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

Amen

## 2. APOLOGIES

Nil.

## 3. DISCLOSURE OF INTEREST

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

Cr Geoff Porter declared an indirect interest in item SU232 - *Jack Culpin Reserve Car Park, Dallas*.

Suspension of Standing Orders

**Moved** Cr Carly Moore, **Seconded** Cr Joseph Haweil

**7:05 PM** That standing orders be suspended.

**CARRIED**

**UB23 PASSING OF WORLD WAR II VETERAN BERT FOSTER**

**Moved** Cr Carly Moore, **Seconded** Cr Joseph Haweil

**That Council, through the Mayor, writes to the family of Bert Foster to express their deepest condolences on his recent passing.**

**CARRIED**

**Moved** Cr Ann Potter, **Seconded** Cr Leigh Johnson

**7:08 PM** That standing orders be resumed.

**CARRIED**

## 4. OFFICER'S REPORTS

LATE REPORT

The Mayor advised members of the gallery that a late report had been presented for inclusion in the officer's report section of the Agenda.

**Moved** Cr Naim Kurt, **Seconded** Cr Karen Sherry

**That Report No. HE061 - Fire at SKM Recycling Plant - Maffra Street, Coolaroo Update, be accepted as a late report.**

**CARRIED**

**Reports Identified as Requiring Individual Discussion**

Report No.	Report	Page in Agenda
SU229	8 Flinders Street Sunbury - development of two double storey dwellings	22

Mr Con Tsouvounakis and Mr Peter Standen addressed Council regarding the Officer's recommendation.

**Moved** Cr Geoff Porter, **Seconded** Cr Jodi Jackson

**That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of two double storey dwellings at 8 Flinders Street, Sunbury subject to the following conditions:**

1. **Before the development permitted by this permit commences, amended 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 and will then form part of the permit. The plans must be generally in accordance with the plans dated October 2016 but modified to show:**
  - a) **Minimum front setback of 7 metres with from Flinders Street (dwelling 1) with minimum additional 500mm recession to the upper level, front wall;**
  - b) **Minimum front setback of 3 metres from Mawson Court (dwelling 2) with minimum additional 500mm recession (3.5 metre setback) to the upper level front wall;**
  - c) **Minimum side setback of 2 metres from Mawson Court (dwelling 1) with minimum additional 500mm recession to the upper level, side wall;**
2. **The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
3. **Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with the prior consent of the responsible authority.**
4. **Immediately on completing the approved development, the owner of the land must give written notice to the Responsible Authority that the development complies with all the conditions and requirements of this permit. The development must not be occupied until the Responsible Authority has issued a statement confirming the development complies with the permit.**
5. **The external materials, finishes and paint colours of the approved building must be to be to the satisfaction of the responsible authority.**
6. **All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.**
7. **Except with the prior written consent of the responsible authority, no service equipment or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings.**

8. 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.
9. Before the use starts or the development is occupied (whichever occurs first), the areas set aside for the parking of vehicles together with the aisles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) surfaced with a durable all-weather seal;
  - (c) drained to the nominated point of discharged;
  - (d) line-marked to indicate each car space and access lanes;
  - (e) marked to show the direction of traffic along access lanes and driveways; and
  - (f) provided with concrete kerbs or other barriers to prevent direct vehicle access to an adjoining road other than by a vehicle crossing,all to the satisfaction of the responsible authority.

The areas must be maintained in a useable condition to the satisfaction of the responsible authority.

10. 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.
11. Before the development is occupied, vehicle access to and from the land from any roadway or service lane must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will use the crossing(s). After obtaining a road opening permit from Council, the location, design and construction of the vehicle crossing(s) must be approved by the responsible authority.
12. Any services within the road reserve requiring relocation must be approved by the relevant service authority and carried out and completed to the satisfaction of the responsible authority.
13. Before the use starts or the development is occupied or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
14. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
  - a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
  - b. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;

- c. details of surface finishes of pathways and driveways;
  - d. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
  - e. landscaping and planting within all open areas;
  - f. One large canopy tree (minimum two metres tall when planted) and understorey landscaping in the site frontage.
  - g. an in-ground irrigation system to all landscaped areas;
  - h. a tree protection zone and structural root zone for each tree to be retained; and
  - i. the location and details of root control barriers;
15. Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
  16. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
  17. Any cut or fill must not interfere with the natural overland stormwater flow.
  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:

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

**NOTE:**

If a request for an extension of commencement/completion dates is made out of time allowed, 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.

**Permit Notes:**

- An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is 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.

- Any modifications to existing vehicle crossings require an application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is 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.
- An application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- Any service relocations are to the approval of the service authority and at the owners cost.
- Prior to any works being carried out within the road reserve (nature strip), an application for "Non Utility Minor Works within the Municipal Road Reserve" must be lodged and approved by Council.
- Approval is required from Council and other responsible authorities for the construction of the garage over the side easement.

CARRIED

Report No.	Report	Page in Agenda
SU230	1-3 Freight Road, Tullamarine - Development of a six storey Residential Hotel comprising of serviced apartments with associated business centre, gymnasium, cafe, basement car parking, business identification signage and reduction in car parking requirements.	42

Mr Malcolm Thompson addressed Council regarding the Officer's recommendation.

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

**That Council, having considered the application on its merits and objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of a six storey Residential Hotel comprising serviced apartments with associated business centre, gymnasium, café, basement car parking, business identification signage and reduction in car parking requirements at 1-3 Freight Road, Tullamarine, subject to the following conditions.**

1. Before the use and/or development starts, 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 and will then 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 application but modified to show:
  - (a) One car space must be provided on site and clearly marked for use by disabled persons and constructed as per Australian Standard AS2890.6 2009.
  - (b) Details for the loading, unloading and manoeuvring of shuttle buses to be shown. 'Pick-up' and 'drop-off' to occur at a convenient location for passengers. Provision of parking bays for the two proposed shuttle buses must also be accommodated on-site.



- (c) Details for the loading, unloading and manoeuvring of the type of delivery / service vehicles appropriate to the development.
2. Prior to commencement of the use a fully indented parking area approximately 30 metres in length (minimum of four parking bays) must be provided on Freight Road along the frontage of the development, consistent with Council standard drawing SD307 to ensure two way traffic flow is maintained on Freight Road. A detailed design of the road works with associated drainage must be submitted to the responsible authority for approval. The existing side entry pit on Freight Road must be modified to a heavy duty channel grated pit. An application for a "Consent to Dig in the Road Reserve" permit for indented parking must be submitted to Council for approval. Any service relocation associated with the works are to be approved by the service authorities at the owner's cost.
3. Prior to the commencement of the use for serviced apartments, an Operational Management Plan concerning the serviced apartments prepared to the satisfaction of the responsible authority must be submitted and approved by the responsible authority. The plan should detail, but not be limited to:
- The presence of a manager on site at such times as is required to operate the office and reception area
  - Services provided
  - Operating hours
  - Management of the car park associated with the serviced apartments
  - Management of complaints

When approved, the Operational Management Plan must be implemented to the satisfaction of the responsible authority.

4. A duty manager must be present at all times.
5. Before the development starts, a Construction Management Plan must be prepared and submitted to the responsible authority for approval. Once approved, the plan must be implemented to the satisfaction of the responsible authority.

The plan must address the following issues:

- Measures to control noise, dust and water runoff.
- Prevention of silt or other pollutants from entering the Council's underground drainage system or road network.
- The location of where building materials are to be kept during construction.
- Site security
- Maintenance of safe movements of vehicles to and from the site during the construction phase.
- On-site parking of vehicles associated with construction of the development
- Wash down areas for trucks and vehicles associated with construction activities
- Cleaning and maintaining surrounding road surfaces
- A requirement that construction works must only be carried out during the following hours:
  - Monday to Friday (inclusive) - 7.00am to 6.00pm
  - Saturday - 9.00am to 5.00pm.

6. The layout of the use(s) and buildings and/or internal layout and use of the building as shown on the endorsed plans shall not be altered or modified except with the written consent of the responsible authority.
7. Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority.
8. New buildings or works must not be constructed or carried out except with the prior written consent of the responsible authority.
9. The use and development must be managed so that the amenity of the area is not detrimentally affected, including through the:
  - (a) transportation of materials, goods or commodities to or from the subject land;
  - (b) appearance of any building, works or materials;
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) presence of vermin; or
  - (e) in any other way.
10. 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, except with the prior written consent of the responsible authority.
11. External lighting must be designed, baffled and located to the satisfaction of the responsible authority so as to prevent any adverse effect on adjoining land.
12. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the land/building and must be suitably insulated for the purpose of reducing noise emissions to the satisfaction of the responsible authority.
13. Any alarm or security system installed on the land/building must:
  - (a) be silent in accordance with any relevant Australian Standard;
  - (b) be connected to a registered security firm,
  - (c) be to the satisfaction of the responsible authority.
14. The plant and equipment on the roof of the building must be screened in a way that complements the appearance of the building to the satisfaction of the responsible authority.
15. Before the use starts or the development is occupied (whichever occurs first), the areas set aside for the parking of vehicles together with the aisles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) surfaced with a durable all-weather seal;
  - (c) drained to the nominated point of discharge;
  - (d) line-marked to indicate each car space and access lanes (including disabled pavement marking);
  - (e) marked to show the direction of traffic along access lanes and driveways; and

- (f) provided with concrete kerbs or other barriers to prevent direct vehicle access to an adjoining road other than by a vehicle crossing to the satisfaction of the responsible authority.
16. Car spaces, access lanes and driveways shown on the endorsed plans must be kept available for these purposes at all times to the satisfaction of the responsible authority.
  17. The boundaries of all car spaces, access lanes and the direction in which vehicles should proceed along the lanes must be clearly line marked on the ground to the satisfaction of the responsible authority.
  18. Vehicles associated with the development that have a turning circle (between kerbs) greater than 16 metres are prohibited from turning left from Mickleham Road (northbound) into the Mickleham Road service road at the frontage of the development. This includes service vehicles and shuttle buses.
  19. Any security boom, barrier or similar device controlling vehicular access to the car spaces must be located a minimum of 6 metres inside the boundary to allow vehicles to stop clear of the road pavement and footpath.
  20. Bus zone signage and posts identifying shuttle bus loading areas are to be supplied, installed and maintained to the satisfaction of the responsible authority.
  21. A three point turn facility must be provided to allow forward direction vehicle entry and exit into the Mickleham Road service road via either the retention of the existing vehicle crossing within the service lane or otherwise to the satisfaction of the responsible authority.
  22. The mechanical vehicle stackers must be routinely serviced and maintained to the satisfaction of the responsible authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by adverse noise emission or otherwise.
  23. All loading and unloading of goods from vehicles associated with the approved use must at all times be carried out within the loading bay shown on the endorsed plans. The area set aside for the loading and unloading of goods must be kept free of obstruction and must not be used for any other purpose.
  24. Before the use and/or development are occupied, a sign or signs must be provided to the satisfaction of the responsible authority to direct drivers to the on-site car parking areas. Such sign(s) must be located in the frontage of the land and maintained to the satisfaction of the responsible authority.
  25. The surface of the internal car park areas will be coated with an appropriate seal to prevent the squealing of tyres when manoeuvring.
  26. Any existing redundant vehicle crossings are to be removed. The kerb and channel and nature strip to be reinstated at the applicant/owners expense.
  27. The whole of the land must be graded and drained to the satisfaction of the responsible authority so as to prevent the discharge of stormwater causing damage from the land across

- any road or footpath or onto adjoining land. All stormwater storage tanks must have the overflow pipe connected to the legal point of discharge to the satisfaction of the responsible authority.
28. Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
  29. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
  30. The internal stormwater drainage design must be approved by a Relevant Building Surveyor under the Building Regulation 2006, Reg. 610.
  31. Any cut or fill must not interfere with the natural overland stormwater flow.
  32. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
  33. Waste collection shall be undertaken in accordance with the Waste Management Plan prepared by Low Impact Development Consulting (dated 31/08/2016) to the satisfaction of the responsible authority.
  34. The operator shall ensure the bin stores are kept clean, bin lids are kept closed and bins are regularly washed to the satisfaction of the responsible authority.
  35. Garbage collection for the development may only occur weekly between the hours of 6pm to 8pm Monday to Friday.
  36. The location, size and details of the sign(s), including the wording, colours and supporting structure, shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
  37. The approved sign(s) must not be floodlit or illuminated by external lights without the prior written consent of the responsible authority.
  38. Flashing or intermittent lighting must not be used in the approved sign(s).
  39. The approved sign(s) must be located wholly within the boundaries of the land.
  40. Bunting, streamers, flags, wind vanes or similar material must not be displayed except with the prior written consent of the responsible authority.
  41. This permit will expire if one of the following circumstances applies:
    - the development and use are not started within three years of the date of this permit; or
    - the development is not completed within six years of the date of this permit.

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

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

**NOTES:**

- (1) If a request for an extension of commencement/completion dates is made out of time allowed by condition 37, 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.
- (2) 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.
- (3) Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- (4) 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.
- (5) Work site traffic management must be in accordance with "Road Management Act 2004-Worksite Safety Traffic management-Code of Practice" and AS 1742.3.
- (6) 2009 Part 3 Traffic control devices for works on roads. If traffic congestion becomes excessive at any time, the contractor must undertake measures to ease congestion.

**CARRIED**

Report No.	Report	Page in Agenda
SU232	Jack Culpin Reserve Car Park, Dallas	

Councillor Geoff Porter, having declared an indirect interest by the way of close association and conflicting duty in item SU232 – *Jack Culpin Reserve Car Park, Dallas*, left the Chamber prior to the motion being moved, the time being 7:28 pm, and did not take part in any discussion or debate on the item.

Councillor Joseph Haweil left the meeting prior to the motion being moved on item SU232 – *Jack Culpin Reserve Car Park, Dallas*, and did not vote on the item, the time being 7:30 pm.

**Moved** Cr Naim Kurt, **Seconded** Cr Jodi Jackson

**That Council:**

- 2.1 note an expansion of the existing car park at Jack Culpin Reserve is not considered warranted as the existing car park meets the parking demand generated by the Jack Culpin Reserve.

- 2.2 install 'hatch' line marking and 'No Stopping' signage in one of the existing parking bays within the Jack Culpin Reserve car park to allow for a turn-around area when the car park is full. The cost of the works would be \$1,500 (excluding GST) to be funded through Council's Responsive Road Safety Works Operating Budget.
- 2.3 install pedestrian footpaths adjacent to the northern and southern boundaries of the car park to provide pedestrians an alternative to crossing the car park to enter their vehicle. The cost of the works would be \$15,000 (excluding GST) to be funded through Council's 2018/2019 Footpath Program.
- 2.4 notify the first named signatory of the joint letter of Council's resolution.

CARRIED

Councillor Geoff Porter entered the Chamber, the time being 7:32pm.

Report No.	Report	Page in Agenda
SU233	Planning Scheme Amendment C218 - Rezoning of Commercial 2 Land	97

Councillor Joseph Haweil returned to the meeting prior to the motion being moved on item SU233 – *Planning Scheme Amendment C218 - Rezoning of Commercial 2 Land*, the time being 7:33 pm.

Mr Richard Umbers addressed Council regarding the Officer's recommendation. At the expiration of the allocated two minutes, Councillor Jodi Jackson requested that Mr Umbers be allowed an additional one minute. The request was approved by the Mayor.

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

**That Council, having considered all submissions:**

- 2.1 adopts the changes to the Amendment as discussed in Section 9.5 of this report and refers the Amendment with changes and all submissions to an Independent Planning Panel in accordance with Section 23(1)(b) and 23(3) of the *Planning and Environment Act 1987*;
- 2.2 requests the Minister for Planning to appoint a Panel for Planning Scheme Amendment C218 in accordance with Part 8 of the *Planning and Environment Act 1987*.

CARRIED

Report No.	Report	Page in Agenda
GE213	Audio Recording of Council Meetings	138

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

- 2.1 That Council makes audio recordings of its Council meetings publically available by publishing audio files of meetings on its website following each meeting.
- 2.2 That Council adopts the *Audio Recording of Council Meetings Policy* (Attachment 1).
- 2.3 That Council incorporates the *Audio Recording of Council Meetings Policy* into Council's Code of Meetings Procedure at the time when that code is next reviewed.

- 2.4 That Council approves that the requirement of asking members of the gallery prior to a Council meeting if they wish to request Council's consent to make a video or audio recording of the meeting be amended, so that the gallery is advised that an audio recording of the meeting will be made and published to Council's website, and members of the gallery are only asked if they wish to ask for Council's consent to make a video recording of the meeting.
- 2.5 That Council approves that the Manager Governance will approve the final version of a meeting audio recording that will be made available on Council's website.
- 2.6 That Council notes that any parts of a Council meeting that are closed to members of the public are regarded as confidential are not recorded.
- 2.7 That Council approves that the recording and publishing on Council's website of meetings of special committees of Council established under section 86 of the *Local Government Act 1989* Council is not required.

Councillor Ann Potter left the meeting after the motion was moved on item GE213 - *Audio Recording of Council Meetings*, the time being 7:42 pm.

Councillor Ann Potter returned to the meeting during discussion and prior to the vote on item GE213 - *Audio Recording of Council Meetings*, the time being 7:44 pm.

**CARRIED**

A division was requested: The result of the division was as follows:

<b>For</b>	<b>Against</b>
Cr Joseph Haweil	
Cr Jodi Jackson	
Cr Drew Jessop	
Cr Leigh Johnson	
Cr Naim Kurt	
Cr Jack Medcraft	
Cr Carly Moore	
Cr Geoff Porter	
Cr Ann Potter	
Cr Karen Sherry	
Cr Jana Taylor	

**CARRIED**

<b>Report No.</b>	<b>Report</b>	<b>Page in Agenda</b>
<b>GE215</b>	<b>Correspondence received from or sent to Government Ministers or Members of Parliament - June 2017</b>	<b>157</b>

**Moved** Cr Jack Medcraft, **Seconded** Cr Naim Kurt

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

**CARRIED**

Report No.	Report	Page in Agenda
HE061	<p><b>Fire at SKM Recycling Plant - Maffra Street, Coolaroo Update</b></p> <p>Moved Cr Cr Naim Kurt, <b>Seconded</b> Cr Geoff Porter</p> <p><b>That Council:</b></p> <p>2.1 Notes the works undertaken and the response provided to support the community as the result of the SKM Recycling plant fire that happened on 13 July 2017;</p> <p>2.2 Writes to the Emergency Services to thank them for their outstanding efforts in dealing with the fire at the SKM recycling plant in Coolaroo;</p> <p>2.3 Writes to the Hon Lily D'Ambrosio MP, Minister for Energy, Environment &amp; Climate Change seeking a meeting with the Minister, Environment Protection Authority (EPA) and Hume City Council to discuss ways to prevent incidents of this nature; and</p> <p>2.4 Thanks Hume staff who assisted with the emergency, relief and recovery efforts.</p>	LATE REPORT

CARRIED

**Reports Not Otherwise Dealt With**Moved Cr Jack Medcraft, **Seconded** Cr Ann Potter

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
ED019	Hume Early Years Framework and Action Plan: Highlights of implementation achievements in 2016	4
SU228	2 Parkers Court Attwood - 2 lot subdivision	15
SU231	Statutory Planning Monthly Report July 2017	82
GE209	S173 Agreements - Building Over Easement - 1 April 2017 - 30 June 2017	114
GE210	Building Control Services Delegations Report - 1 April 2017 - 30 June 2017	118
GE211	Proposal to Name a Pavilion at Langama Park, Sunbury	130
GE212	Discontinuance of Olivers Road Craigieburn - Craigieburn R2 DCP	132
GE214	Dealing with Difficult and Vexatious Customers Policy	147

be adopted.

CARRIED



Report No.	Report	Page in Agenda
ED019	Hume Early Years Framework and Action Plan: Highlights of implementation achievements in 2016	4

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

That Council:

- 2.1 notes the achievements of Council through the implementation of the third year of the Hume Early Years Action Plan in 2016.
- 2.2 notes the highlighted achievements of the Hume Early Years Partnership in the implementation of their Action Plan in 2016.
- 2.3 notes that review and development of a new Hume Early Years Framework and Action Plan will be undertaken in 2018/19.
- 2.4 will continue to advocate Federal and State Governments in their support for improved early years outcomes.

**CARRIED**

Report No.	Report	Page in Agenda
SU228	2 Parkers Court Attwood - 2 lot subdivision	15

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

That Council, having considered the application on its merits and the concerns of the objectors, resolves to issue a Notice of Decision to Grant a Planning Permit for the subdivision of the land into two lots at 2 Parkers Court, Attwood subject to the following conditions and notes:

1. The subdivision permitted by this permit must be carried out to the satisfaction of the responsible authority.
2. An endorsed copy of the plans to be certified under the Subdivision Act 1988 must form part of this permit.
3. The layout of the subdivision as shown on the endorsed plans must not be altered or modified except with the written consent of the responsible authority.
4. Prior to a Statement of Compliance being issued for the Plan of Subdivision under Section 21 of the Subdivision Act 1988, all conditions of Planning Permit P20200 must be complied with or otherwise to the satisfaction of the responsible authority.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
7. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

8. The owner of the land must enter into an agreement with:
  - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
9. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
10. Prior to the issue of a Statement of Compliance for the subdivision authorised by this permit and shown on the endorsed plans, reticulated water, sewerage, drainage and electricity must be provided to the satisfaction of all relevant authorities.
11. The issue of a Statement of Compliance under the Subdivision Act 1988 shall be subject to the satisfaction of Authority requirements with such satisfaction being verified by a written statement from each Authority.
12. Before the issue of a Statement of Compliance, the land must be drained to the satisfaction of the responsible authority in accordance with plans and specifications approved by the responsible authority under the Subdivision Act 1988.
13. Before the issue of a Statement of Compliance under the Subdivision Act 1988, vehicle access to serve each lot in the subdivision must be constructed and drained to the requirements and satisfaction of the responsible authority.  
Such road works must be designed and constructed at no cost to Council.
14. This permit will expire if one of the following circumstances applies:

- a) The subdivision is not commenced within two years of the date of this permit.
- b) The subdivision is not completed within five years of the date of commencement.

If a plan of subdivision is not certified within two years of the date of this permit, the responsible authority may extend the time for certification if a request is made in writing prior to expiry of the permit or within 6 months after the expiry date.

Note:

If a request for an extension of commencement is made out of time allowed by the permit 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.

CARRIED

Report No.	Report	Page in Agenda
SU231	Statutory Planning Monthly Report July 2017  Moved Cr Jack Medcraft, <b>Seconded</b> Cr Ann Potter That the report be noted.	82

CARRIED

Report No.	Report	Page in Agenda
GE209	S173 Agreements - Building Over Easement - 1 April 2017 - 30 June 2017  Moved Cr Jack Medcraft, <b>Seconded</b> Cr Ann Potter	114

That Council notes the listing of all Agreements under *Section 173 of the Planning and Environment Act 1987* dealt with under delegation between 1 April 2017 and 30 June 2017 (Attachment 1).

CARRIED

Report No.	Report	Page in Agenda
GE210	Building Control Services Delegations Report - 1 April 2017 - 30 June 2017  Moved Cr Jack Medcraft, <b>Seconded</b> Cr Ann Potter	118

2.1 That this report be received and noted.

CARRIED

Report No.	Report	Page in Agenda
GE211	Proposal to Name a Pavilion at Langama Park, Sunbury  Moved Cr Jack Medcraft, <b>Seconded</b> Cr Ann Potter	130

2.1 THAT Council does not name the unnamed pavilion located at Langama Park, Sunbury, after the late Mr Peter Bethune.

2.2 THAT Council explores other options to recognize the late Mr Peter Bethune's contribution to the Sunbury community.

CARRIED

Report No.	Report	Page in Agenda
GE212	<p><b>Discontinuance of Olivers Road Craigieburn - Craigieburn R2 DCP</b></p> <p><b>Moved Cr Jack Medcraft, Seconded Cr Ann Potter</b></p> <p><b>That Council:</b></p> <p><b>2.1 commence the statutory procedures to discontinue the part of Olivers Road, Craigieburn shown on the Road Closure Plan contained in Attachment 1 (Road);</b></p> <p><b>2.2 gives public notice in the Hume Leader, Sunbury Leader and on Council's website in accordance with the requirements under sections 207A and 223 of the <i>Local Government Act 1989 (Act)</i> of its intention to discontinue the Road;</b></p> <p><b>2.3 authorises Council's Chief Executive Officer to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter; and</b></p> <p><b>2.4 appoints a Committee of the Whole Council to consider any submission received pursuant to section 223 of the Act at a meeting to be held at a place, time and date to be advised within the public notice in item 2.2.</b></p> <p><b>Should there be no submissions received, Council further resolves that:</b></p> <p><b>2.5 once having followed all the required statutory procedures to section 207A and 223 of the Act pursuant to its power under schedule 10, clause 3 of the Act and being of the opinion that the Road is not reasonably required for public use, Council:</b></p> <p><b>2.6 the Road is discontinued;</b></p> <p><b>2.7 a notice pursuant to the provisions of Clause 3 (a) of Schedule 10 of the Act be published in the Victorian Government Gazette;</b></p> <p><b>2.8 any rights, powers or interests held by Council or any other public authority in the Road in connection with any sewers, drains, pipes, wires or cables under the control of the authority in or near the Road are saved pursuant to section 207C of the Act; and</b></p> <p><b>2.9 the Chief Executive Officer is authorised to sign any documents required to be signed in connection with the discontinuance of the Road.</b></p>	132

CARRIED

Report No.	Report	Page in Agenda
GE214	<p><b>Dealing with Difficult and Vexatious Customers Policy</b></p> <p><b>Moved Cr Jack Medcraft, Seconded Cr Ann Potter</b></p> <p><b>That Council adopt the attached Policy - Dealing with Difficult and Vexatious Customers.</b></p>	147

CARRIED

**5. CONFIDENTIAL MATTERS**

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

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

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

Report No.	Title	Reason for Confidential
COSU066	Contract for Supply and Delivery of Two Road Suction Sweepers	(d) contractual matters
COSU067	Contract for Supply and Delivery of Three Side Loading Garbage Trucks	(d) contractual matters
COSU068	Contract for Upgrading of Wildwood Road South Bridge and road approaches, Bulla	(d) contractual matters
COGE146	Property Acquisition Report	(e) proposed developments
COGE147	Designation of Information as Confidential	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

**CARRIED**

The meeting was closed to the public at 8:12 PM.

The meeting was reopened to the public at 8:15 PM.

**6 CLOSURE OF MEETING**

The meeting closed at 8:15 PM

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**COUNCILLOR DREW JESSOP**  
**MAYOR**