



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

MONDAY, 26 MARCH 2018

CONFIRMED - 16 APRIL 2018

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 26 March 2018
at 7.07 pm
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

To:	a: Council	Cr Geoff Porter Cr Carly Moore Cr Joseph Haweil Cr Jodi Jackson Cr Drew Jessop Cr Leigh Johnson Cr Naim Kurt Cr Jack Medcraft Cr Karen Sherry Cr Jana Taylor	Mayor Deputy Mayor
	b: Officers	Mr Domenic Isola Mr Peter Waite Mr Daryl Whitfort Mr Michael Sharp Ms Kylie Ezzy Ms Kirsty Miller Mr Bruce Fordham Mr Hector Gaston Ms Felicity Leahy Ms Lisa Letic Mr Gavan O'Keefe Mr Peter Faul	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Acting Director Planning and Development Director Communications, Engagement and Advocacy Manager Statutory Planning and Building Control Services Manager Leisure Centres and Sports Manager Health and Community Wellbeing Manager Community Development and Learning Manager Family, Youth & Child Services Manager Governance Coordinator Governance and Corporate Support

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."

Proceedings to be Recorded

The Mayor reminded Councillors and members of the Gallery that an audio recording of the Council meeting will be made and published to Council's website within 2 working days of the meeting.

The Mayor advised Councillors that he had received a request to make a video recording of the meeting. The Mayor asked Councillors if there were any objections to the granting of consent to the request to video 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

An apology was received from Cr Ann Potter.

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.

No Councillors indicated they had a conflict of interest to declare.

4. PRESENTATION OF AWARDS**4.1 Resident of the Month (March) – Nominated by Cr Carly Moore**

The Mayor advised the meeting that the March recipient of Council's Resident of the month award, nominated by Cr Moore, was unable to attend the first meeting in March, and would be presented with her award at this meeting.

Cr Moore read the following citation and presented Ms Fe Palmieri with a Certificate:

This certificate is presented in recognition of your contribution to the community through your tireless efforts and commitment as a volunteer with the Salvation Army in Craigieburn. Your generous help in the Mainly Music program has provided support to people in need, and because of your faithful service behind the scenes in the Emergency Relief Support Service, many people have unknowingly received the help that they have needed. You have been a great overall support to the work of The Salvation Army. Your self-effacing volunteering is the epitome of what it means to be an engaging contributor within the City of Hume. You are a valued member of the Hume community, and Council honours and congratulates you for your dedication.

4.2 Presentation to Departing Manager - Ms Felicity Leahy, Manager Community Development And Learning

The Mayor read the following citation and presented Ms Leahy with a certificate and gift:

Commencing in the role as Manager Social Development in September 2011 and subsequently took on the role of Community Development and Learning Manager. You have accumulated substantial experience as a Local Government Professional with 17 years of experience in Local Government in the areas of Social Planning, Community Development, Social Justice, Consultation and Engagement, Arts and Cultural Development, Libraries, Learning, Community Facilities and Emergency Recovery. During your time with Hume, you have led key projects including the review of the Social Justice Charter, and associated Action Plans, planning for new communities and facilities and most recently led the reform of the community facilities management. You have made a substantial contribution to improving the lives of Hume's citizens and strengthened collaboration within your Department and across the organisation. Felicity, Council thanks you for your contribution to Hume's community and services to Hume City Council, wishing you all the very best on your future endeavours.

SUSPENSION OF STANDING ORDERS

7:15 PM Moved Cr Drew Jessop, **Seconded** Cr Joseph Haweil
That standing orders be suspended.

CARRIED

Ms Felicity Leahy

Cr Drew Jessop thanked Felicity Leahy for her commitment while at Hume, and for the high quality of work that she contributed to Hume City Council and Hume's community.

UB21 Australian Local Government Association - National General Assembly - Public Transport Infrastructure Request

Moved Cr Jodi Jackson, **Seconded** Cr Leigh Johnson

That Council tables the following resolution to the National General Assembly of Local Government:

That the National General Assembly calls upon the Federal and State Governments to ensure adequate Public Transport infrastructure is provided to residents of growth areas, particularly on our metropolitan fringes to ensure an acceptable level of Public Transport connectivity.

CARRIED

UB22 Australian Local Government Association - National General Assembly - Road Infrastructure Request

Moved Cr Jodi Jackson, **Seconded** Cr Joseph Haweil

That Council tables the following resolution to the National General Assembly of Local Government:

That the National General Assembly calls upon the Federal and State Governments to ensure adequate road infrastructure is provided to growth areas, particularly on our metropolitan fringes, to support Local Councils in the delivery of the duplication of growth area roads to ensure safe and timely passage of vehicles.

CARRIED

UB23 Australian Local Government Association - National General Assembly - Australian Leisure and Hospitality Group and Woolworths Limited – ALH (Group) Gambling Question

Moved Cr Joseph Haweil, **Seconded** Cr Drew Jessop

That the Australian Local Government Association writes to the Australian Leisure and Hospitality Group (ALH Group) and Woolworths to determine:

- a) whether it has engaged in the unconscionable conduct alleged in the House of Representatives on 28 February 2018 by Mr Andrew Wilkie MP,
- b) whether it monitors and probes customers who use its Australian venues for personal information, and if so:
- c) whether it compiles, stores and/or distributes the private personal information of these customers to other venues; and,
- d) referring to regular gamblers, whether it directs staff at its Australian venues to “be there as much as possible...do whatever you have to do to keep them in the room”.

CARRIED

RESUMPTION OF STANDING ORDERS

7:25 PM **Moved** Cr Drew Jessop, **Seconded** Cr Carly Moore
 That standing orders be resumed.

CARRIED**5. CONDOLENCE MOTIONS****CNM5 MR JOHN JONES**

Councillor Jack Medcraft

Cr Medcraft asked that Council acknowledge the recent passing of Mr John Jones, who was a highly respected man in Sunbury. He was involved with a number of service groups including the Lions and the Sunbury Men's Shed, who all gave a guard of honour at his funeral. Mr Jones passed away suddenly at the Peter MacCallum Hospital after a battle with cancer. He was also heavily involved with race horses, and at the recent Inglis Sales in Oaklands Junction they held a minutes silence for Mr Jones as a mark of respect, which has never been done for any individual before, and everyone present was very moved by this. Vale John.

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

Report No.	Report	Page in Agenda
SU283	26 Fidge Court, Jacana - Development of two double storey dwellings to the rear of an existing dwelling	36

Moved Cr Drew Jessop, **Seconded** Cr Joseph Haweil

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 to the rear of the existing dwelling at 26 Fidge Court, Jacana subject to the following conditions:

- 1. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
- 2. Before the development starts, a schedule of external building materials and colours, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Once approved, the schedule will be endorsed and will then form part of the permit.**
- 3. All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.**
- 4. 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.**
- 5. Before the development is occupied, areas set aside for parking, protective kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent damage to fences or landscaped areas.**

6. 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.
7. Before the development is occupied, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
8. 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.
9. 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.
10. All mailboxes are to be located abutting the front property boundary and designed to relevant Australian Post Standards.
11. Approval is required from Council and other responsible authorities, for the sheds to be built over an easement.
12. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
13. Stormwater from all paved area must be drained to underground stormwater system.
14. Any cut or fill must not interfere with the natural overland stormwater flow.
15. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
16. Unless otherwise agreed in writing with the Head, Transport for Victoria, prior to the commencement of the development all works outlined on the endorsed plans for the relocated bus stop must be completed at the full cost to the permit holder, to the satisfaction of Public Transport Victoria, and compliant with the Disability Discrimination Act.

The permit holder must notify Public Transport Victoria (PTV) a minimum of 8 weeks prior to any bus stop relocation works approved under this permit. The permit holder must notify PTV by either calling 1800 800 007 or email customerservice@ptv.vic.gov.au.

The permit holder must provide GPS co-ordinates and high resolution photos (300dpi) capturing the arrival and departure side of the stop and include the pole, flag, timetable case and braille ID case to the satisfaction of Public Transport Victoria.

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

- a) the development is not commenced within three years of the date of this permit; or
- b) 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 the permit expires or within six months afterwards.

Notes:

- Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- Approval is required from Council and other responsible authorities, for the sheds to be built over an easement
- 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.
- Following the Drainage Investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
- Prior to commencement of any works within the road reserve, 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.
- 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.

LOST

Moved Cr Jack Medcraft, **Seconded** Cr Jana Taylor

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Refusal to Grant a Planning Permit for the development of two, double storey dwellings to the rear of the existing dwelling at 26 Fidge Court, Jacana on the following grounds:

1. The double-storey built form will be unacceptably dominant within the streetscape and inconsistent with the existing neighbourhood character.
2. The development represents excessive bulk and the roof forms and scale are inconsistent with the character of the area.
3. The proposal provides for limited open space which is inconsistent with the existing neighbourhood character and larger backyards.

CARRIED

Report No.	Report	Page in Agenda
SU284	87 Cuthbert Street, Broadmeadows - development of five double storey dwellings and a waiver of one visitor car space	53

Mr Kevin Azzopardi addressed Council regarding the Officer's recommendation.

Moved Cr Drew Jessop, **Seconded** Cr Jodi Jackson

That Council, having considered the application on its merits, resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) that Council has formed the view to support the application for the construction of five double storey dwellings and a waiver of one visitor car space at 87 Cuthbert Street, Broadmeadows, subject to the following conditions:

- 1. Before the development permitted by this permit commences, three copies of 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 this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:**
 - (a) the north facing window of bedroom 2 (dwelling 3) and the north facing bedroom 3 (dwelling 5) to be screened in accordance with Standard B22.**
 - (b) an increase in the distance between the two crossovers on Blair Street to a minimum 11 metres, this will provide two on-street parking spaces.**
 - (c) the first floor setback of dwelling 1 from the east title boundary to be increased from 1.83 metres to 2.73 metres by reducing the size of bedrooms 2 and 3.**
- 2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
- 3. All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.**
- 4. 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.**
- 5. Before the development is occupied, areas set aside for parking, protective kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent damage to fences or landscaped areas.**
- 6. 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.**

7. Before the development is occupied, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
8. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the responsible authority.
9. 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.
10. Any new fencing required as part of this development is to be constructed at the owner/developer's cost.
11. Owner/developer must pay replacement costs and removal costs for all trees affected by crossover construction. Contact Councils Senior Arborist in a timely manner to indicate when Owner/developer will require trees to be removed.
12. All mailboxes are to be located abutting the front property boundary and designed to relevant Australia Post Standards.
13. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
14. Stormwater from all paved area must be drained to the underground stormwater system, including pavement over the easement area.
15. Any cut or fill must not interfere with the natural overland stormwater flow.
16. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
17. Provision of litter control at stormwater inlet points within the car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD210/215 or SD225 respectively.
18. This permit will expire if one of the following circumstances applies:
 - (a) the development is not commenced within three years of the date of this permit; or
 - (b) 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 the permit expires or within six months afterwards.

Notes:

- 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.

- An application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- A drainage investigation is required for the 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.
- Following the Drainage Investigation, internal drainage plans to be submitted to Council's Civil Design section for approval.
- 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 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 owner/developer's cost.

LOST

Moved Cr Jack Medcraft, Seconded Cr Karen Sherry

That Council, having considered the application on its merits, resolves to advise the Victorian Civil and Administrative Tribunal (VCAT) that Council has formed the view to not support the application for the construction of five double storey dwellings and a waiver of one visitor car space at 87 Cuthbert Street, Broadmeadows, on the following grounds:

1. The proposal does not comply with Clause 52.06 of the Hume Planning Scheme:
 - a. The proposal fails to provide a suitable provision of on-site visitor car parking.
 - b. The proposal would adversely affect the amenity of the locality through the loss of on-street car parking as a result of the proposed access arrangement to Blair Street.
2. The proposal does not comply with the following objectives of Clause 55 of the Hume Planning Scheme:
 - a. Clause 55.04-5: Overshadowing open space objectives.
 - b. Clause 55.04-6: Overlooking objectives.
 - c. Clause 55.04-7: Internal views objectives.
3. There is no provision for indented parking on the site.

CARRIED

Report No.	Report	Page in Agenda
GE256	Correspondence received from or sent to Government Ministers or Members of Parliament - February 2018	81

Moved Cr Joseph Haweil, **Seconded** Cr Jack Medcraft

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

CARRIED

Reports Not Otherwise Dealt With

Moved Cr Karen Sherry, **Seconded** Cr Jana Taylor

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
HE072	Greenvale Recreation Reserve Master Plan	3
HE073	Sports Aid Grants - March 2018	30
SU285	Statutory Planning Monthly Report March 2018	70

be adopted.

CARRIED

Report No.	Report	Page in Agenda
HE072	Greenvale Recreation Reserve Master Plan	3

Moved Cr Karen Sherry, **Seconded** Cr Jana Taylor

That Council place the draft Master Plan for Greenvale Recreation Reserve on public exhibition for a period of four weeks (27 March 2018 to 24 April 2018), and that a subsequent report be presented to Council following this period of consultation.

CARRIED

Report No.	Report	Page in Agenda
HE073	Sports Aid Grants - March 2018	30

Moved Cr Karen Sherry, **Seconded** Cr Jana Taylor

That Council award the following individuals a Hume City Council Sports Aid Grant:

Name	Sport	Travel Category	Amount
Atay Ibrahim	Futsal	Interstate	\$400.00
Jagadaswara Rao Koduru	Cricket	Interstate	\$400.00
Hunter Kelly	Softball	Interstate	\$400.00

Orlando Lopez	Futsal	Interstate	\$400.00
Benjamin Merrigan	Softball	Interstate	\$400.00
Saxon Bailey	Softball	Interstate	\$400.00
Anastasia Ramel	Soccer	Local	\$150.00
Leann Serna	Tennis	Local	\$150.00
Giacomo Thomas	AFL Football	Local	\$150.00

CARRIED

Report No.	Report	Page in Agenda
SU285	Statutory Planning Monthly Report March 2018	70

Moved Cr Karen Sherry, **Seconded** Cr Jana Taylor
That the report be noted.

CARRIED

7. CONFIDENTIAL MATTERS

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

Moved Cr Carly Moore, **Seconded** Cr Leigh Johnson

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

Report No.	Title	Reason for Confidential
COGE182	Designation of Information provided at Strategy and Policy Briefings as confidential information - March 2018	(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 8:15 PM.

The meeting was reopened to the public at 8:17 PM.

8. CLOSURE OF MEETING

The meeting closed at 8:17 PM.

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COUNCILLOR GEOFF PORTER
MAYOR