



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

MONDAY, 23 JULY 2018

CONFIRMED - 13 AUGUST 2018

HUME CITY COUNCIL

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

held on Monday, 23 July 2018

at 7.02 PM

at the Council Chamber, Hume Global Learning Centre, Broadmeadows

Present:	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 Ann Potter Cr Karen Sherry Cr Jana Taylor	Mayor Deputy Mayor
	b: Officers	Mr Domenic Isola Mr Peter Waite Mr Daryl Whitfort Ms Lisa Letic Mr Michael Sharp Ms Jo McCray Mr Bruce Fordham Ms Caroline Rollis Mr Greg McLaren Mr David Fricke Mr Jason Summers Mr Joel Kimber Ms Michelle Bennett Mr Gavan O'Keefe Mr Brad Mathieson Mr Matthew Wilton	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Acting Director Community Services Director Planning and Development Acting Director Communications, Engagement and Advocacy Manager Leisure Centres and Sports Acting Manager Statutory Planning and Building Control Services Manager Urban and Open Space Planning Manager Assets Manager Parks Coordinator Grants and Projects Coordinator Sustainable Environment Manager Governance Senior Governance Officer 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."

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.

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 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.

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

4. CONDOLENCE MOTIONS

Nil

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

Report No.	Report	Page in Agenda
GE281	Building Control Services Delegations Report - 1 April 2018 - 30 June 2018	175

The Mayor advised that Attachment 1 to Item GE281 had been replaced and was circulated as follows:

Application Ref:	Approval Date:	Property Address:	Application Approval
BRC20170308	2/05/2018	4 GRANGE RISE CRAIGIEBURN VIC 3064	Regulation 415, to allow a combined length of walls adjacent the southern side boundary to be 27660mm in lieu of 19750mm.
eBRC20170055	29/06/2018	23 ASHLEIGH CRES MEADOW HEIGHTS VIC 3048	Regulation 310(1), Two (2) Sheds and timber steps constructed over an easement.
eBRC20170096	26/06/2018	10 ARGENTA ST MICKLEHAM VIC 3064	Regulation 310(1), Retaining Wall and earthworks constructed over an easement.

eBRC20170099	5/04/2018	2 MCCRACKEN AVE MICKLEHAM VIC 3064	Regulation 415, to allow a Garage adjacent the eastern allotment boundary to have a maximum average wall height of 3464mm in lieu of 3200mm and a maximum wall height of 4048mm in lieu of 3600mm.
BRC20180003	14/06/2018	43 GREENHAVEN DR GREENVALE VIC 3059	Regulation 415, to allow a Garage adjacent the eastern allotment boundary to have a maximum average wall height of 3340mm in lieu of 3200mm.
eBRC20180001	10/04/2018	23 LYNTON CT GREENVALE VIC 3059	Regulation 409, to allow a Dwelling to be setback 7200mm from the front street alignment boundary in lieu of 7850mm.
eBRC20180002	3/04/2018	23 LYNTON CT GREENVALE VIC 3059	Regulation 420, to allow a Study and Dining habitable room windows to face a Verandah that is not open for at least one third of its perimeter.
eBRC20180035	17/05/2018	11 JEDBURGH PL GREENVALE VIC 3059	Regulation 310(1), Fence constructed over an easement.
BRC20180024	31/05/2018	70 LAMBECK DR TULLAMARINE VIC 3043	Regulation 424, to allow a front fence to be constructed to a height of 2100mm in lieu of 2000mm.
BRC20180027	24/04/2018	52 GERBERT ST BROADMEADOWS VIC 3047	Regulation 310(1), Dwelling eaves constructed over an easement.
BRC20180029	24/04/2018	32 BELLINGER CCT CRAIGIEBURN VIC 3064	Regulation 411, to allow construction of a Dwelling and Garage where the total site coverage will be 61.2 percent of the allotment in lieu of 60 percent.
BRC20180030	13/04/2018	8 ASHWORTH ST CRAIGIEBURN VIC 3064	Regulation 417, to allow a Garage to be constructed adjacent the southern side allotment boundary in lieu of 1000mm, where on the adjoining allotment and within 3000mm of the common boundary, there is a north facing habitable room window facing the Garage.
BRC20180034	20/04/2018	50 PRECEDENCE DR CRAIGIEBURN VIC 3064	Regulation 414, to allow the proposed first floor wall to be constructed to a maximum height of 6285mm with a side setback of 1690mm in lieu of a side setback of 1805mm.
BRC20180055	17/05/2018	21 BLIBURG ST JACANA VIC 3047	Regulation 310(1), Garage constructed over an easement.

eBRC20180043	5/04/2018	3/15 BANKSIA GR TULLA MARINE VIC 3043	Regulation 411, to allow construction of a Verandah where the total site coverage will be 64.88 percent of the allotment in area in lieu of 60 percent.
eBRC20180046	1/05/2018	23 AMIRA RD GREENVALE VIC 3059	Regulation 417, to allow a Garage to be constructed adjacent the southern side allotment boundary where there is a north facing habitable room window on the adjoining land within 3m of the common boundary that is facing the <u>proposed Garage</u> .
eBRC20180048	20/04/2018	61 YELLOWBOX DR CRAIGIEBURN VIC 3064	Regulation 806(1), to allow building work for the construction of two Warehouses on land designated as being liable to flooding.
eBRC20180050	6/04/2018	43 RHYOLITE DR CRAIGIEBURN VIC 3064	Regulation 414, to allow a Dwelling and Garage to have maximum total site coverage of 64.4 percent of the allotment area in lieu of 60 percent.
BRC20180060	1/05/2018	4 ALEXANDER CT BROADMEADOWS VIC 3047	Regulation 310(1), Garage (U5) constructed over an easement.
BRC20180061	23/04/2018	3 ALEXANDER CT BROADMEADOWS VIC 3047	Regulation 310(1), Garage (U6) constructed over an easement.
BRC20180062	3/04/2018	35 SHAWLANDS DR TULLAMARINE VIC 3043	Regulation 416, to allow the width of a light court between a proposed Garage and habitable room windows on the adjoining allotment to be 717mm in lieu of 1000mm.
BRC20180063	10/04/2018	35 SHAWLANDS DR TULLAMARINE VIC 3043	Regulation 420, to allow a Living room habitable window to face a 722mm wide light court in lieu of 1000mm.
BRC20180065	18/05/2018	25 ST GEORGES BVD MICKLEHAM VIC 3064	Regulation 420, to allow Bedroom 2 and 3 habitable room windows to face a 600mm wide light court in lieu of 1000mm.
BRC20180066	11/05/2018	130 LANGTON ST JACANA VIC 3047	Regulation 310(1), Shed constructed over an easement.
BRC20180067	3/05/2018	47 KITCHENER ST BROADMEADOWS VIC 3047	Regulation 409, to allow a Dwelling to be setback 4055mm from the front street alignment boundary in lieu of 8775mm and a Porch which exceeds 3600mm in height to be setback 2910mm from the front street alignment boundary in lieu of 6275mm.
eBRC20180052	10/04/2018	15 BOMBALA CRES CRAIGIEBURN VIC 3064	Regulation 310(1), Dwelling foundation element filling over the easement.

eBRC20180053	24/04/2018	148 LANGTON ST JACANA VIC 3047	Regulation 310(1), Sheds constructed over an easement.
eBRC20180054	3/05/2018	11 BOLWARRA ST CRAIGIEBURN VIC 3064	Regulation 310(1), Dwelling foundation element cut and fill constructed over an easement.
BRC20180069	30/05/2018	51 BUSHFIELD CRES COOLAROO VIC 3048	Regulation 409, to allow a Dwelling to be setback 4974mm from the front street alignment boundary in lieu of 7600mm.

Moved Cr Jack Medcraft, **Seconded** Cr Leigh Johnson

THAT Council receives the report, noting the following decision made by the Municipal Building Surveyor under delegation for the period 1 April 2018 – 30 June 2018

CARRIED

Report No.	Report	Page in Agenda
SU315	74 Carnoustie Drive, Sunbury - The development of a double storey dwelling to the rear of the existing dwelling	5

Ms Colleen Luke and Ms Kathleen Leigh addressed Council regarding the Officer's recommendation.

Moved Cr Drew Jessop, **Seconded** Cr Naim Kurt

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 a double storey dwelling to the rear of the existing dwelling at 74 Carnoustie Drive, 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 received by Council on 19 March 2018 but modified to show:**
 - a) **Tree protection fencing for the street tree located on Carnoustie Drive in accordance with AS 4970-2009 Protection of Trees on Development Sites;**
 - b) **A minimum of 1.8 metre high fencing for the south-east and south-west title boundaries at the owner/developer's cost;**
 - c) **The location of mailboxes for the existing and proposed dwelling;**
 - d) **A notation to indicate that visibility corner splays extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, with no landscaping or objects exceeding 900mm in height within the visibility splays.**
 - e) **Landscaping pursuant to Condition 9 of the planning permit.**

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. The external materials, finishes and paint colours of the approved building must be to the satisfaction of the responsible authority.
5. Before the development is occupied, the areas set aside for the parking of vehicles together with the aisles and access lanes as shown on the endorsed plans must be:
 - constructed;
 - surfaced with a durable all-weather seal;
 - drained to the nominated point of discharged;
 - line-marked to indicate each car space and access lanes;
 - marked to show the direction of traffic along access lanes and driveways; and
 - 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.
6. 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.
7. Any equipment required for refrigeration, air-conditioning, heating and the like must be located appropriately on the land/building and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
8. New fencing and fence extensions must be provided solely by the developer of the land.
9. 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 survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - details of surface finishes of pathways and driveways;
 - 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;

- landscaping and planting within all open areas;
 - Two medium canopy trees (minimum 2 metres tall when planted) and understorey landscaping in the site frontage (Eastern Street) and two medium canopy trees located in the rear setbacks for each dwelling where practical;
 - an in-ground irrigation system to all landscaped areas;
 - a tree protection zone and structural root zone for each tree to be retained; and
 - the location and details of root control barriers;
10. 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.
 11. 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.
 12. The whole of the land, including any landscaped and paved areas, 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.
 13. Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
 14. 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.
 15. 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.
 16. A separate underground drainage system is to be designed to cater for Dwelling 2; the drainage must include draining all concrete driveways and connect to the legal point of discharge for the site.
 17. The internal stormwater drainage design must be approved by a Relevant Building Surveyor under the Building Regulation 2006, Reg. 610.
 18. Any cut or fill must not interfere with the natural overland stormwater flow.
 19. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
 20. 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:

1. 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.
2. 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.

CARRIED

Report No.	Report	Page in Agenda
SU319	24 Wattlelgen Street, Craigieburn - Development of three double storey dwellings	97

Mr Alex Papanis addressed Council regarding the Officer's recommendation.

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

That Council, having considered the application on its merits and the objection received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of three double storey dwellings at 24 Wattlelgen Street, Craigieburn, 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 advertised plans submitted by *Tom Motta Building Design* labelled "Revision A 26/09/2016, Drg.No: TP 2016-08015", but modified to show:

- a. Recess the first floor west facing walls of bedroom 2 and 3 of dwelling 1 by 500mm further to the east.
 - b. Recess the first floor east elevation of dwelling 2 300mm further to the east by reducing the width of bedroom 1 and 3.
 - c. Recess the first floor south facing walls of bedroom 1 and 3 of dwelling 2 300mm further north.
 - d. Screening of the west facing window of bedroom 1 of dwelling 2 in accordance with Clause 55.04-7 of the *Hume Planning Scheme* (Standard B23).
 - e. Deletion of the door which leads from the dwelling 2 staircase to the garage.
 - f. Provision of skylight windows atop the roof pitch adjacent to bedroom 1 and 2 of dwelling 1.
 - g. Provision of pedestrian visibility splays in accordance with Clause 52.06-9 of the *Hume Planning Scheme* (Design Standard 1). A notation must be included accordingly.
 - h. Notation which states the street tree adjacent the proposed double crossover must be removed and replaced to the satisfaction of the responsible authority and at the full cost of the owner/permit holder.
 - i. Notation for the removal of the existing crossover and reinstatement of the kerb, channel and nature strip at the full cost of the owner/permit holder and to the satisfaction of the responsible authority.
 - j. Amend the notation for the Natural Ground Level (NGL) on the south elevation.
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. The external materials, finishes and paint colours of the approved buildings must be to the satisfaction of the responsible authority.
 5. All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.
 6. 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.
 7. 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.
 8. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole subject land is submitted to and approved by the responsible

authority. Such plan must show the area(s) set aside for landscaping 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.

9. Before 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.
10. 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.
11. All street trees that are proposed to be removed as a part of the approved development must be replaced to the satisfaction of the responsible authority. The tree is to be removed and replaced at the cost of the permit holder / developer. Prior to the removal of the street tree, the owner/developer/permit holder must contact Council's Senior Arborist from Park Department in a timely manner to advise when the proposed tree removal will occur within the nature strip. Only Council staff or Council recommended contractors are permitted to remove the tree within nature strip.
12. The existing redundant vehicle crossing must be removed. The kerb and channel and nature strip must be reinstated to the satisfaction of the responsible authority and at the full cost of the owner/permit holder.
13. 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.
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. 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.

Permit Notes:

1. 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.
2. An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing must be submitted to Council. A copy of the Council endorsed plan showing all vehicle crossing details must be attached to the application. Any service relocations are subject to the approval of the Service Authority and at the owners cost.
3. An application for Legal Point of Stormwater discharge is required for the connection to the legal point of discharge.
4. Drainage investigation is required for this development (fees apply). Plans are 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.
5. Following the Drainage Investigation, internal drainage plans must be submitted to Council Civil Design section for approval.
6. 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.
7. Prior to commencement of any works within the road reserve or the alteration/connection to Council's drainage assets within the road reserve/easement, an 'Application for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council before carrying out any works.

CARRIED

Report No.	Report	Page in Agenda
SU320	1C, 2C, 3C, 5C and 6C of 1-13 The Gateway, Broadmeadows - Use of the existing offices for the purpose of an education centre	125

Mr Ifzal Syed and Mr Ali Mustafa addressed Council regarding the Officer's recommendation.

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

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 use of the existing offices for the purpose of an education centre at Units 1C, 2C, 3C, 5C and 6C of 1-13 The Gateway, Broadmeadows, subject to the following conditions:

1. Before the use 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 submitted on 23 February 2018 and 18 May 2018, but modified to show:
 - (a) Provision of three bicycle parking facilities within the common property area to the west of Unit 1C or 2C.
 - (b) Allocated car parking spaces are to be sign-posted for the use of the education centre.
 - (c) Provision of a 'waiting area' for students within the offices to avoid congregation within the common property areas.
2. The use of the land or of any buildings on the land must not be altered for some other use except as may be lawful or with the prior written consent of the responsible authority.
3. No more than 45 students may be accommodated on the premises at any one time.
4. Noise levels emanating from the land must not exceed the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
5. The use 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.
6. This permit will expire if one of the following circumstances applies:
 - The use has not commenced within three years of the date of this permit; or
 - The use is discontinued for a period of two years.The responsible authority may extend the periods referred to if a request is made in writing:
 - before or within six months after the permit expiry date, where the use allowed by the permit has not yet started.

Notes:

1. If a request for an extension of commencement/completion dates is made out of time allowed by condition 6, 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. **No advertising, direction or identification sign shall be erected on the land (including flags, windvanes, bunting streamers or other like devices) without the consent of the responsible authority, except where in compliance with Clause 52.05 of the *Hume Planning Scheme*.**

CARRIED

Report No.	Report	Page in Agenda
SU322	<p>Investigation to determine potential of fencing Jack Ginifer Reserve, Gladstone Park and Jacana Valley to prevent motorcycle hooning</p> <p>Moved Cr Naim Kurt, Seconded Cr Karen Sherry</p> <p>That Council:</p> <p>2.1 Arrange to install a post and pipe fence on the east side of Jack Ginifer Reserve, Gladstone Park at an estimated cost of \$22,000.</p> <p>2.2 Note the new fence will include pedestrian access points and lockable gates to permit authorised vehicle and pedestrian access while deterring unauthorised motorcycle access.</p>	155

Councillor Ann Potter left the meeting after the motion was moved on item SU322, the time being 7:45 pm.

Councillor Joseph Haweil left the meeting after the motion was moved on item SU322, the time being 7:45 pm.

Councillor Ann Potter returned to the meeting during discussion and prior to the vote on item SU322, the time being 7:47 pm.

Councillor Joseph Haweil returned to the meeting during discussion and prior to the vote on item SU322, the time being 7:47 pm.

Councillor Naim Kurt left the meeting after the motion was moved on item SU322, the time being 7:48 pm.

Councillor Naim Kurt returned to the meeting during discussion and prior to the vote on item SU322, the time being 7:49 pm.

CARRIED

Report No.	Report	Page in Agenda
SU323	<p>Meadowlink Linear Shared Path - Land Management Arrangements</p> <p>Moved Cr Karen Sherry, Seconded Cr Naim Kurt</p> <p>That Council:</p> <p>2.1 resolves to take on care and management of 72 Railway Crescent Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 069; 56 Blair Street Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 741; and 61 Blair Street Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 059 should the aforementioned land be transferred to the Crown and Council is appointed as Committee of Management in accordance with the <i>Crown Land Reserves Act 1978</i>.</p>	165

- 2.2 authorises the CEO to write to the Minister for Planning agreeing to take on responsibility for the management of the Meadowlink linear shared path.
- 2.3 notes that updates will be provided on the progress of construction of the linear shared path.

Councillor Leigh Johnson left the meeting after the motion was moved on item SU323, the time being 7:50 pm.

Councillor Leigh Johnson returned to the meeting during discussion and prior to the vote on item SU323, the time being 7:52 pm.

CARRIED

Report No.	Report	Page in Agenda
GE282	Correspondence received from or sent to Government Ministers or Members of Parliament - June 2018	181
	Moved Cr Jack Medcraft, Seconded Cr Jodi Jackson	
	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 Joseph Haweil, **Seconded** Cr Jana Taylor

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
SU316	31 Craigieburn Road and 2 Benston Street Craigieburn - Use and development of a medical centre, and alteration of an access to a Road Zone Category 1	31
SU317	15 Berger Street, Dallas - The development of a double storey dwelling to the rear of the existing dwelling	57
SU318	60 and 62 Jacana Avenue Broadmeadows - development of five double storey dwellings and one single storey dwelling	79
SU321	Statutory Planning Monthly Report July 2018	145
GE280	S173 Agreements - Building Over Easement - 1 April 2018 - 30 June 2018	171

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU316	31 Craigieburn Road and 2 Benston Street Craigieburn - Use and development of a medical centre, and alteration of an access to a Road Zone Category 1	31

Moved Cr Joseph Haweil, **Seconded** Cr Jana Taylor

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 use and development of a medical centre and alteration of an access to a Road Zone Category 1 at the land of 31 Craigieburn Road and 2 Benston Street Craigieburn, subject to the following conditions:

1. Before the use/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 plans 2, 3, 4 and 5, Revision C dated June 2017 but modified to show:
 - a. Details and location of all boundary fencing;
 - b. A 1.8 metre (from proposed ground level) high fence located along the eastern boundary, aside from a visibility splay, which tapers to a 0.9 metre (from existing ground level) high fence within two metres of the front boundary;
 - c. A 1.2 metre high vertical aluminium decorative fence along the front boundary and sliding security gates at the entrances of the car park;
 - d. Cut and fill, including proposed finished ground levels;
 - e. Location of medical and general waste storage;
 - f. Landscaping pursuant to Condition 10 of the planning permit;
 - g. Wheel stops or curbing within car spaces, to protect the landscaped areas;
 - h. Annotation stating "Permit parking signage on Craigieburn Road in front of the subject site to be altered to '2P', and relocated as required, to the satisfaction of the Council's Assets Department";
 - i. The relocation of the western accessible car space to an area which promotes easier access to the front entry;
 - j. The reconfiguration of the bicycle parking area, to ensure better safety to cyclists and parked bicycles;
 - k. Ground surface materials and colours schedule, which promotes use of permeable materials where possible;
 - l. Revised colours and materials schedule, which are generally in accordance with the concept plans submitted to Council 11 April 2018, Revision D.
 - m. Revised façade treatment and articulation, which is generally in accordance with the concept plans submitted to Council 11 April 2018, Revision D.
 - n. An annotation stating "Existing street tree/s to be removed and replaced at the cost of the developer.

Consultation with Council Parks is required".

2. The use and development as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the 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. The use must at all times be conducted in a manner ensuring the residential amenity of nearby residential properties is not detrimentally affected.
5. The use permitted by this permit may only operate between the following times:
 - a. Monday – Friday 8:30am – 8pm
 - b. Saturday 8:30am – 6pm
 - c. Sunday 10am – 2pm
6. At no time may any more than 13 practitioners operate or conduct consultations in the Medical Centre.
7. All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
8. Prior to the use and/or development starts, the owner must enter into an agreement with the responsible authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
 - a. Unless with the prior written consent of the responsible authority, waste collection for the medical centre on the site must occur only by private waste collection, as per the endorsed Waste Management Plan of Planning Permit P20777.
9. The use permitted by this permit must not be commenced until:
 - a. The parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the Responsible Authority;
 - b. The garden and landscape area(s) shown on the endorsed plan(s) have been planted to the requirements and satisfaction of the Responsible Authority;
10. 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 Councils 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. The landscape plan must include at least five canopy trees within the front landscaping and understorey planting in the street setbacks, screen planting where practical adjacent to site boundaries and low level planting around the carpark areas.

11. 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.
12. The whole of the subject land, including any landscaped and paved areas, must be graded and drained to the satisfaction of the responsible authority so as to prevent the discharge of stormwater from the subject land across any road or footpath or onto adjoining land.
13. The crossover and driveway (to Craigieburn Road) must be constructed to the satisfaction of the Roads Corporation and/or the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.
14. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:
 - a. Formed to such levels and drained so that they can be used in accordance with the plan.
 - b. Treated with an all-weather seal or some other durable surface.
15. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.
16. 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.
17. Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.
18. The redundant crossover and concrete pad on Craigieburn Road, and the redundant crossover on Benston Street, must be reinstated to curb and channel to the satisfaction of Council's Assets Department.
19. In areas set aside for parking, kerbs or barriers or other means of protection must be installed to the satisfaction of the responsible authority so as to prevent damage by vehicles to the fence and landscaping.
20. When the use hereby permitted is not in operation, the car park area must be closed and access restricted by means approved by the responsible authority.
21. No goods or packaging materials shall be stored outside the building.

22. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm.
23. The lighting of the car park area must be located and designed with suitable baffles so that no direct light is emitted outside the site.
24. Any equipment required for refrigeration, air condition, 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.
25. All parking bays must be line marked including disabled and associated shared area pavement marking.
26. Provision of litter control at stormwater inlet points within car park area, including side entry pit litter baskets. All stormwater pits to be channel grated or grated as per Council's standard drawing SD 210/215 or SD225 respectively.
27. Stormwater from all paved areas must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
28. Any cut or fill must not interfere with the natural overland stormwater flow.
29. No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
30. Only those street trees identified on the endorsed plans to be removed are permitted to be removed or impacted. The removal and replacement costs must be paid by the developer, prior to removal.
31. This permit will expire if one of the following circumstances applies:
 - a. The use and development is not commenced within three years of the date of this permit.
 - b. The development is not completed within six years of the date of commencement.
 - c. The use is discontinued for a period of two years.

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

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

Notes:

1. If a request for an extension of commencement/completion dates is made out of time allowed by Condition 31, 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 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.
3. An application for Legal Point of Stormwater discharge is required for the connection to the legal point of discharge.
4. The fence on the eastern boundary may be subject to Report and Consent, through Councils Building Department.
5. 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.
6. No signage is approved by way of this planning permit. Signage on the site must be in accordance with Clause 52.05 of the *Hume Planning Scheme*.

CARRIED

Report No.	Report	Page in Agenda
SU317	<p>15 Berger Street, Dallas - The development of a double storey dwelling to the rear of the existing dwelling</p> <p>Moved Cr Joseph Haweil, Seconded Cr Jana Taylor</p> <p>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 use and construction of a double storey dwelling to the rear of the existing dwelling at 15 Berger Street, Dallas for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposal does not fully satisfy the provisions of Clause 52.06 of the <i>Hume Planning Scheme</i> (Car Parking). 2. The proposal does not comply with the following objectives of Clause 55 of the <i>Hume Planning Scheme</i>: <ol style="list-style-type: none"> a. Clause 55.02-1: Neighbourhood character objective. b. Clause 55.03-5: Energy efficiency objective. c. Clause 55.04-2: Walls on boundary objective. d. Clause 55.05-4: Private open space objective. e. Clause 55.05-5: Solar access to open space objective. f. Clause 55.06-1: Design detail objective. 	57

CARRIED

Report No.	Report	Page in Agenda
SU318	<p>60 and 62 Jacana Avenue Broadmeadows - development of five double storey dwellings and one single storey dwelling</p> <p>Moved Cr Joseph Haweil, Seconded Cr Jana Taylor</p> <p>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 five double storey dwellings and one single storey dwelling at 60 and 62 Jacana Avenue, Broadmeadows subject to the following conditions:</p>	79

1. Before the 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 plans prepared by ZDA Design Revision A but modified to show:
 - a) Indented concrete parking bays in the nature strip to the front of the site consistent with Council standard drawing SD307 or SD307a and consistent with the Hume City Parking on Narrow Street Policy.
2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
3. 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.
4. 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
5. 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.
6. 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.
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 mailboxes must be located abutting the front property boundary and designed to relevant Australian Post Standards.
10. 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.
11. Stormwater from all paved area must be drained to underground stormwater system.

12. Any cut or fill must not interfere with the natural overland stormwater flow.
13. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
14. This permit will expire if one of the following circumstances applies:
 - b) the development is not commenced within three years of the date of this permit; or
 - c) 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.

If a request for an extension of commencement/completion dates 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:

- An application for Legal Point of Stormwater discharge is required 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 must 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 must be submitted to Council Civil Design section for approval.
- Prior to commencement of any works within the road reserve, an 'Application for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council before carrying out the works.

CARRIED

Report No.	Report	Page in Agenda
SU321	Statutory Planning Monthly Report July 2018	145
	Moved Cr Joseph Haweil, Seconded Cr Jana Taylor	
	That the report be noted.	

CARRIED

Report No.	Report	Page in Agenda
GE280	S173 Agreements - Building Over Easement - 1 April 2018 - 30 June 2018	171

Moved Cr Joseph Haweil, Seconded Cr Jana Taylor

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 2018 and 30 June 2018 (Attachment 1).

CARRIED

5. CONFIDENTIAL MATTERS

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

Moved Cr Carly Moore, Seconded Cr Jana Taylor

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
COHE034	State Rugby League Centre of Excellence - Funding Deed	(d) contractual matters
COSU098	Land-in-Kind Agreement with MAB, Merrifield West Development Contributions Plan Project C101	(d) contractual matters
COSU099	Works-in-Kind Agreements with PASK, Greenvale Central and Greenvale West Development Contribution Plan Projects IT01 and IT04	(d) contractual matters
COSU100	Land-in-Kind Agreement with PGG (Mickleham) Pty Ltd, Merrifield West Development Contributions Plan Project C103, C107 and Part OS04	(d) contractual matters
COSU101	Banksia Drainage Upgrade Project - Proposed Changes to Scope and Budget	(d) contractual matters

COGE198	Council's Electricity and Gas Contracts Awarded	(d) contractual matters
COGE199	Recognition of Former Councillors - Room Naming Proposals	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE200	Designation of Information provided at Strategy and Policy Briefings as confidential information - July 2018	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE201	Pick My Project	(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 8.00 PM.

The meeting was reopened to the public at 8.33 PM.

6. CLOSURE OF MEETING

The meeting closed at 8:33 PM.

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COUNCILLOR GEOFF PORTER
MAYOR