



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

MONDAY, 27 AUGUST 2018

CONFIRMED - 10 SEPTEMBER 2018

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 27 August 2018
at 7.09 PM
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

Present:	a: Council	Cr Geoff Porter 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
	b: Officers	Mr Domenic Isola Mr Peter Waite Mr Daryl Whitfort Mr Hector Gaston Mr Michael Sharp Ms Kylie Ezzy Mr Greg McLaren Mr Sean Sciberras Ms Bernadette Thomas Mr Jason Summers Ms Kirsty Miller Mr Fadi Srour Mr Joel Farrell Mr Gavan O'Keefe Mr Brad Mathieson Mr Matthew Wilton	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy Manager Urban & Open Space Planning Manager Waste Manager Sustainable Environment Manager Parks Manager Statutory Planning and Building Control Services Manager Finance Manager Organisational Performance and Engagement 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**

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 Carly Moore.

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****SUSTAINABILITY AND ENVIRONMENT**

Report No.	Report	Page in Agenda
SU326	6-8 Bliburg Street Jacana - Development of 4 Double Storey Dwellings and 2 Single Storey Dwellings.	5

Mr Gary Loney, Ms Kim Lambert, Mr David Raleigh, Mr Paul Lambert and Mr Mark Waldon addressed Council regarding the officer's recommendation

Moved Cr Jack Medcraft, **Seconded** Cr Karen Sherry

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 six dwellings (four double storey and two single storey) at 6-8

Bliburg Street, Jacana 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 first floor roof form of Dwellings 1 and 6 to incorporate a gabled roof form with the gable ends oriented to the sides.
 - b) Obscure glazing of the upper storey bedroom windows of dwellings 1, 2, 5 and 6 along the internal common driveway elevation removed.
 - c) The first floor setback increased along the south elevation of Dwellings 1 and 6 from the ground floor to enable the inclusions of 450mm eaves.
 - d) The timber paling fencing enclosing the secluded open space of dwellings 1 and 6 replaced with feature fencing.
 - e) Visibility Splays in accordance with the requirements of Clause 52.06-9 of the *Hume Planning Scheme*.
 - f) A notation on the ground floor plan that *the splay area clear of visual obstructions may include adjacent structures (mailboxes) and landscaped areas, provided the structures and landscaping in those areas are less than 900mm in height.*
 - g) Location and elevation of letterboxes
 - h) Location of lighting along the length of the internal driveway for dwellings 2 to 5.
 - i) That the developer provides indented parking on Bliburg street to the satisfaction of the relevant authority, which is Council, as part of the development application.
2. The layout of the site and/or the size of the proposed or existing buildings and works and/or the internal layout and use of the buildings as shown on the endorsed plan/s shall not be altered or modified except with the written consent of the responsible authority.
3. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the Responsible authority. Such plan must show the area(s) set aside for landscaping which is to include the planting of one (1) canopy tree in both the front setbacks of dwellings 1 and 6 and the rear setbacks of all dwellings, a minimum of 1.8 metres in height when planted and in accordance with Council's guidelines

- and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
4. 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.
 5. All works on or facing the boundaries of adjoining properties must be finished and the surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the responsible authority.
 6. All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
 7. All air-conditioning equipment, external drying facilities and other plant equipment must be screened and must not be visible from outside the land to the satisfaction of the responsible authority.
 8. 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.
 9. The external lighting of the garages /dwelling entries area shown on the endorsed plans must be located and designed with suitable baffles so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
 10. The existing redundant vehicle crossing is to be removed. The kerb and channel and nature strip reinstated to the satisfaction of the responsible authority and the owner/developer's cost.
 11. Stormwater from all paved area must be retained within the property and drained to the sites 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. 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 an on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
15. The cost of any replacement street tree is borne by of the owner/developer.
16. This permit will expire if one of the following circumstances applies:
 - a) the development is not commenced within two years of the date of this permit; or
 - b) the development is not completed within four 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 by condition 16, 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 be submitted to Council prior to connection to the drainage system.
- Prior to commencement of any works within the road reserve or works which require alteration/connection to the Council's drainage assets in 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 structure built over an easement requires Council and relevant service authorities' approval.
- Consultation with Councils Garbage Service to agree on format and location of garbage collection will be required.
- 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.
- The proposed crossover must have a minimum clearance of 2.5m to any tree or consultation with parks department is required.

- Prior to the removal of any street tree consultation is required with Council's Park's Department.
- At the date of this permit the cost for the removal and reinstatement of street tree 72446 totals \$689.77 (ex GST).

CARRIED

Report No.	Report	Page in Agenda
SU327	34 Dianne Avenue, Craigieburn - Buildings and works in association with the change of use to a medical centre, erection of business identification signage and reduction of one car space	31

Ms Anna Hazewinkel addressed Council regarding the officer's recommendation

Moved Cr Drew Jessop, **Seconded** Cr Jack Medcraft

That Council, having considered the application on its merits and the objections received, issue a Notice of Decision to Grant a Planning Permit for building and works in association with the change of use to a medical centre, erection of business identification signage and reduction of one (1) car space subject to the following conditions.

1. **Before the use and 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 A01 dated 2 October 2018 but modified to show:**
 - a) **Provision of a three metre wide landscaping strip adjacent to front boundary and a minimum of one metre wide landscape strip along the east boundary, except for turning areas;**
 - b) **Reconfiguration of car parking layout to accommodate landscaped areas pursuant to condition 1(a), by providing two car spaces in the front setback and eight car spaces in the rear setback;**
 - c) **Boundary fencing to a minimum height of 1.8 metres on side and rear boundaries with 500mm trellis above at the owner/developers cost;**
 - d) **The location of the pylon sign removed from the front fence to within the landscaping strip within the front setback;**
 - e) **Tree Protection Zone for the adjoining property tree at No. 32 Dianne Avenue, at a radius of 7.56 metres from the base of the trunk to define a 'Tree Protection Zone';**
 - f) **A notation on plan to state "Permeable surfacing material to be provided in the Tree Protection Zone" pursuant to Condition 11;**
 - g) **Security lighting along the length of the driveway and carpark areas;**
 - h) **Location of waste storage;**

- i) **A schedule of external materials and colours including exterior upgrades to the building;**
 - j) **Vehicle stops included along the reversing area adjacent to east boundary;**
 - k) **Elevations to be labelled according to orientation;**
 - l) **Landscaping pursuant to Condition 10.**
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. **The use must at all times be conducted in a manner ensuring the residential amenity of nearby residential properties is not detrimentally affected.**
 4. **Except with the prior written consent of the Responsible Authority, the use permitted by this permit may only operate between the following times:**
 - o **Monday to Saturday – 8:30am to 6:30pm**
 - o **Sunday – Closed**
 5. **At no time may any more than three (3) practitioners operate or conduct consultations in the Medical Centre at any one time.**
 6. **Unless with the prior written consent of the responsible authority, consultations must be conducted on an appointment only basis.**
 7. **The location, size and details of the signs, including the wording and supporting structure, shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
 8. **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.**
 9. **All external materials, finishes and paint colours are to be to the 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 three (3) small canopy trees in the front setback and understorey planting and screen planting along the east boundary.**

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. Before the development starts, a Waste Management Plan to the satisfaction of the responsible authority must be submitted and approved by the responsible authority. When approved the plan will be endorsed and will then form part of the permit. Before the use starts/development is occupied, the approved Waste Management Plan must be implemented and thereafter complied with at all times to the satisfaction of the responsible authority. The Waste Management Plan must include:
 - (a) calculations showing that the medical practice will be sufficiently catered for with the proposed number of garbage and recycling bins;
 - (b) details of the size and location for the storage of general waste and recyclables and details of screening from view;
 - (c) a plan showing that the storage area is sufficient to cater for the number of bins, including the option for Council collection;
 - (d) details of the size and location for the storage of recyclables;
 - (e) details of ventilation if garbage bins are in enclosed areas;
 - (f) details of private contractor options, if applicable, detailing the methods of collection and road network constraints and the potential requirement to manoeuvre garbage trucks, including a collection plan approved by the proposed collection agencies that meets Council's Waste Management Plan;
 - (g) the hours and frequency of pick-up for general and recyclable waste having regard to potential noise impacts to the surrounding neighbourhood; and
 - (h) details providing maintenance of any public rubbish bins throughout the car parking areas.
13. The use and development permitted by this permit must not be occupied 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.

14. 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.
15. Any surfacing material within the Tree Protection Zone of Tree # 1 – ‘Narrow Leaved Black Peppermint’ as identified in the arborist assessment prepared by S. B. Lockie – Arboricultural Consulting on the adjoining property No. 32 Dianne Ave, must be of permeable material and approved by the responsible authority prior to commencement of works.
16. All surfacing within the Tree Protection Zone of Tree # 1 – ‘Narrow Leaved Black Peppermint’ must be at, or above, the current soil level and there to be no removal of top soil, machine digging or trenching within the Tree Protection Zone area.
17. Any excavation to move or alter water services or utilities currently within the Tree Protection Zone area should be done by hand to minimise the potential for root disturbance.
18. All services or utilities to be installed should be directed outside the Tree Protection Zone area to minimise the potential for root disturbance.
19. All development within the Tree Protection Zone area must be undertaken to the satisfaction of the responsible authority and supervised by a suitably qualified arborist.
20. All parts of the Tree Protection Zone on the subject site that are not to be surfaced should be mulched with an organic mulch to help protect the soil profile. Mulch should be maintained to a depth of 50-100mm using material that complies with AS 4454.
21. All pruning works must be carried out by a suitably qualified and experienced Arborist in compliance with AS 4373-2007 ‘Pruning of Amenity Trees’.
22. 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.
23. 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.

24. 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.
25. 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.
26. No goods or packaging materials shall be stored outside the building.
27. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm.
28. Any external lighting, including 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.
29. All vehicles are to enter and exit the site in a forward direction.
30. Disabled parking bay to be constructed as per AS2890.6 2009.
31. All parking bays must be line marked including disabled and associated shared are pavement marking.
32. Before the use starts/the development is occupied, a sign or signs must be provided to the satisfaction of the responsible authority to direct drivers to the on-site car parking area(s). Such sign(s) must be located in the frontage of the land and maintained to the satisfaction of the responsible authority.
33. The approved sign(s) must be located wholly within the boundaries of the land.
34. Flashing or intermittent lighting must not be used in the approved sign(s).
35. The approved sign(s) must not be floodlit or illuminated by external lights without the prior written consent of the responsible authority.
36. Provision of litter control at stormwater inlet points within the car park area is to be provided, 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.
37. 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.

38. Any cut or fill must not interfere with the natural overland stormwater flow.
39. No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
40. This permit will expire if one of the following circumstances applies:
 - a) the development and use are not started 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:

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

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 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.
- 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.
- Where low overhanging branches are to be pruned where they cause an issue under the canopy of the tree on the subject site (to allow for better access under the tree), neighbouring property owners should be notified of any proposed pruning works before they commence.

CARRIED

Report No.	Report	Page in Agenda
SU328	15 Railway Crescent Broadmeadows - Development of five double storey dwellings and waiver of a visitor car parking space	53

Mrs Sonja Rutherford and Ms Pattie Margiolis addressed Council regarding the officer's recommendation.

Councillor Karen Sherry left the meeting, the time being 7.44pm before the motion was moved on item SU328.

Councillor Karen Sherry returned to the meeting, the time being 7.46pm before the vote on item SU328.

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

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 five double storey dwellings at 15 Railway Crescent, Broadmeadows for the following reasons:

1. The proposal is inconsistent with Clause 55.02-1 of the *Hume Planning Scheme* –Neighbourhood Character Objectives.
2. The proposal is inconsistent with Clause 55.03-1 of the *Hume Planning Scheme* – street setback objective
3. The proposal is inconsistent with Clause 55.03-5 of the *Hume Planning Scheme* – energy efficiency objective
4. The proposal is inconsistent with Clause 55.03-8 of the *Hume Planning Scheme* – landscaping objective
5. The proposal is inconsistent with Clause 55.03-9 of the *Hume Planning Scheme* – access objective
6. The proposal is inconsistent with Clause 55.04-1 of the *Hume Planning Scheme*- side and rear setback objectives.
7. The proposal is inconsistent with Clause 55.04-2 of the *Hume Planning Scheme*- walls on boundary objectives.
8. The proposal is inconsistent with Clause 55.06-1 of the *Hume Planning Scheme* – design detail objective.
9. The proposal fails to provide accurate shadow diagrams.

CARRIED

Report No.	Report	Page in Agenda
SU330	2-26 King William Street, Broadmeadows - Development Plan	93

The Mayor acknowledged former Councillor and Mayor Adem Atmaca who entered the gallery.
Mr John Rutherford, Mrs Sonja Rutherford, Mr Zelko Zalac, Mr Nick Hooper, Ms Marina Grobisa and Ms Sheridan Tate addressed Council regarding the officer's recommendation

Moved Cr Karen Sherry **Seconded** Cr Drew Jessop

That Council approve the Development Plan for 2-26 King William Street, Broadmeadows

CARRIED

Report No.	Report	Page in Agenda
SU331	2-26 King William Street, Broadmeadows - Development of 51 Dwellings	147

Mrs Sonja Rutherford, Mr Nick Hooper and Ms Sheridan Tate addressed Council regarding the officer's recommendation

Councillor Joseph Haweil left the meeting after the motion was moved on item SU331, the time being 8.27pm.

Councillor Joseph Haweil returned to the meeting before the vote on item SU331, the time being 8.29pm.

Councillor Ann Potter left the meeting after the motion was moved on item SU331, the time being 8.37pm.

Councillor Ann Potter returned to the meeting before the vote on item SU331, the time being 8.38pm.

Moved Cr Jack Medcraft, **Seconded** Cr Karen Sherry

That Council, having considered the application on its merits, resolves to Grant a Planning Permit for the development of 51 dwellings at 2-26 King William Street, Broadmeadows, subject to the following conditions:

1. **The 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.**
2. **Once the development permitted by this permit has commenced, it must be continued, completed and maintained thereafter to the satisfaction of the Responsible Authority**

Land Contamination

3. **Prior to the development commencing, in respect of all or that part of the land as the case may be, the following must be provided to the responsible authority; either:**

- a. A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the Environment Protection Act 1970, or
- b. A statement by an environmental auditor appointed under the Environment Protection Act 1970, in accordance with Part 1XD of that Act that the environmental condition of the relevant land is suitable for a sensitive use (with or without conditions on the use of the site).

If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 before the construction of any building on the relevant land, which details:

- c. Implementation of an on-going compliance with all conditions in the Statement of Environmental Audit; and

The responsible authority's reasonable legal costs and expenses of drafting/reviewing and registering the agreement to be borne by the owner of the relevant land.

Section 173 Agreement

4. Prior to the commencement of any buildings and works, 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) The implementation of the endorsed Waste Management Plan prepared by Leigh Design dated 18th May 2018
 - b) Amendments to the Waste Management Plan, to be made only with the prior written consent of the responsible authority.

Prior to the commencement of any buildings and works, application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act.

The owner/operator under this permit must pay the reasonable costs of the preparation, (and) execution and registration of the section 173 agreement.

5. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
6. All external cladding and roofing of the buildings hereby permitted must be of a non-reflective nature and must be coloured or painted in colours satisfactory to the Responsible Authority.

7. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
8. Any equipment required for air-conditioning, heating and the like must be located on the subject land or premises so that they are not visible from the street and surrounding public open space reserves and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the Responsible Authority.

Landscaping

9. Prior to the commencement of any buildings and works, the owner or developer under this permit shall be required to submit to the Responsible Authority for approval 3 x A1 copies of detailed landscape plans for all landscape elements. When approved the plans will be endorsed and will then form part of the permit. The development of these areas, including fencing to all reserves, must be completed in accordance with the approved plans prior to the use of the development.
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. No existing street trees are to be removed or relocated as part of the development without prior written consent from Council's Parks Department. Any street trees approved to be removed/relocated are to be replaced/relocated by Council at the developer's expense.

Engineering

12. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
13. 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.
14. Any vehicle access to and from the subject 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). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority after first obtaining a road opening permit from Council.

15. Signs must be provided to direct drivers to the on-site visitor car parking areas.
16. The installation of bollards is required at the entry to the shared path leading onto Meadow Link, to prevent parking / vehicle entry to the satisfaction of the responsible authority.
17. All private 'Common Accessway' areas, as shown on plans, shall be designed to be visually distinct and clearly defined from that of Council 'Public Roadways', to the satisfaction of the responsible authority.

Construction Site Environmental Management Plan

18. Prior to commencement of works, a Construction Site Environmental Management Plan (CSEMP), must be submitted to and approved by the Responsible Authority to address the potential impacts of construction works. The CSEMP must be in generally in accordance with 'doing it right on subdivision EPA 2004' and address methods for noise, dust, erosion and sediment control, waste and chemical management, flora/fauna protection, weed control, and archeological/heritage impacts.
19. The approved CSEMP must be implemented to the satisfaction of the Responsible Authority
20. Prior to the occupation of the dwellings hereby approved, any existing redundant vehicle crossings are to be removed and the kerb and channel and nature strip to be reinstated at the applicant/owners expense to the satisfaction of the responsible authority.
21. Any services within the road reserve that require relocation must be approved by the relevant service authority and any such relocation must be made at the owner's or developer's cost.
22. Prior to the commencement of any buildings or works, engineering plans showing a properly prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed areas (including any approved WSUD standards) must be submitted to and approved by the Council's Civil Design Section.
23. 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. All stormwater storage tanks must have the overflow pipe connected to the legal point of discharge.
24. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain to a Council nominated point of discharge in a road or to an underground

pipe drain and the drainage system must be designed to the requirements and satisfaction of the relevant Building Surveyor.

25. Any cut or fill must not interfere with the natural overland stormwater flow.
26. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
27. 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.
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.

Expiry

29. 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.
 - 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:

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

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.

NOTE

1. An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing/s (including the modification of existing vehicle crossings) 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.

2. An application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.

3. Prior to any works carried out within Road Reserve (nature strip), an application for “Non Utility Minor Works within Municipal Road Reserve must be lodged with and approved by Council.

CARRIED

Report No.	Report	Page in Agenda
SU336	Waste and Amenity Service Plan	243

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

That Council:

- 2.1 Approves the attached Waste and Amenity Service Plan Summary and Service Plan that will be implemented over the next four years.

CARRIED

GOVERNANCE AND ENGAGEMENT

Report No.	Report	Page in Agenda
GE285	Council Plan 2017-2021 (2017/2018 Actions) Final Progress Report	355

Moved Cr Drew Jessop, **Seconded** Cr Leigh Johnson

That Council notes final progress on the actions and indicators of the Council Plan 2017-2021 (2017/2018 Actions) [refer Attachments One and Two].

CARRIED

Councillor Leigh Johnson left the meeting after the motion was moved on item GE287, the time being 8.53pm
 Councillor Leigh Johnson returned to the meeting prior to the vote on item GE287, the time being 8.59pm.

Report No.	Report	Page in Agenda
GE287	2017/18 Grant Announcements	495

Moved Cr Ann Potter, **Seconded** Cr Joseph Haweil

That Council notes the report

CARRIED

Reports Not Otherwise Dealt With

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

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
SU329	1 Reginald Court Broadmeadows - Development of 5 double storey dwellings and the waiver of a visitor car parking space.	73
SU332	11 Eastern Street Craigieburn - Development of two double storey dwellings	185
SU333	1/38 Zakwell Court, Coolaroo - Change of use to allow a place of assembly, education centre, associated business identification signage and the reduction in the car parking requirements	201
SU334	Statutory Planning Monthly Report August 2018	217
SU335	Conserving our Rural Environment Grant - 2018/19	229
SU337	Parks and Open Space Service Plan	289
GE286	Approved Contracts Reports - 1 April 2018 - 30 June 2018	491
GE288	Correspondence received from or sent to Government Ministers or Members of Parliament - July 2018	531

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU329	1 Reginald Court Broadmeadows - Development of 5 double storey dwellings and the waiver of a visitor car parking space.	73

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

That Council, having considered the application on its merits and the objection received, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the development of five double storey dwellings and a waiver of one visitor car parking space at 1 Reginald Court, Broadmeadows on the following grounds:

1. The proposal is an overdevelopment of the site.
2. The development fails to comply with the following objectives and standards of Clause 55 of the *Hume Planning Scheme*:
 - a) Clause 55.02-2 Residential Policy (Standard B2)
 - b) Clause 55.02-4 Infrastructure (Standard B4)
 - c) Clause 55.03-1 Street Setback (Standard B6)
 - d) Clause 55.03-5 Energy Efficiency (Standard B10)

- e) Clause 55.03-8 Landscaping (Standard B13)
 - f) Clause 55.03-9 Access (Standard B14)
 - g) Clause 55.05-4 Private Open Space (Standard B28)
 - h) Clause 55.05-5 Solar Access to Open Space (Standard B29)
 - i) Clause 55.06-1 Design Detail (Standard B31)
3. The development is inconsistent with the existing neighbourhood character.
 4. The development represents excessive bulk and mass.
 5. The proposal does not meet the number of visitor car parking spaces of Clause 52.06-5 of the Hume Planning Scheme.
 6. The proposal does not meet Design Standards 5: Urban Design and Standard 7: Landscaping of Clause 52.06-9 of the *Hume Planning Scheme*.

CARRIED

Report No.	Report	Page in Agenda
SU332	11 Eastern Street Craigieburn - Development of two double storey dwellings	185

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

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 11 Eastern Street, Craigieburn 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 first floor east facing windows of Bedroom 3 in Dwelling 1 and Dwelling 2 to be screened per Clause 55.04-5 Standard B21 to prevent oblique overlooking to adjoining properties.
 - b) The southern second level walls of Dwelling 1 to Bedroom 2 and the ensuite to the master bedroom of Dwelling 1 to be setback 2.1 metres from the southern boundary in accordance with Clause 55.04-4 Standard B20 North facing windows.
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. 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.
5. 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.
6. 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.
7. 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.
8. All mailboxes must be located abutting the front property boundary and designed to relevant Australian Post Standards.
9. 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.
10. Stormwater from all paved area must be drained to underground stormwater system.
11. Any cut or fill must not interfere with the natural overland stormwater flow.
12. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
13. This permit will expire if one of the following circumstances applies:
 - c) the development is not commenced within three years of the date of this permit; or
 - d) 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
- 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
SU333	1/38 Zakwell Court, Coolaroo - Change of use to allow a place of assembly, education centre, associated business identification signage and the reduction in the car parking requirements	201

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

That Council, having considered the application on its merits, resolves to issue a Refusal to Grant a Planning Permit for the change of use to allow a place of assembly, education centre, associated business identification signage and the reduction in the car parking requirements at 1/38 Zakwell Court, Coolaroo for the following reasons:

1. The application fails to provide an adequate level of car parking pursuant to Clause 52.06 – Car Parking of the *Hume Planning Scheme*.
2. The intensity of the use and resultant parking and traffic implications will result in land use conflict contrary to planning policies and objectives of the Commercial 2 Zone of the *Hume Planning Scheme*.

CARRIED

Report No.	Report	Page in Agenda
SU334	Statutory Planning Monthly Report August 2018	217

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

That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
SU335	Conserving our Rural Environment Grant - 2018/19	229
	Moved Cr Jodi Jackson, Seconded Cr Jack Medcraft	
	2.1 That Council approves the allocation of \$235,913.29 to 37 Project Grants in accordance with Attachment 1.	

CARRIED

Report No.	Report	Page in Agenda
SU337	Parks and Open Space Service Plan	289
	Moved Cr Jodi Jackson, Seconded Cr Jack Medcraft	
	That Council:	
	2.1 Approves the Parks & Open Space Service Plan to be implemented over the next four years.	
	2.2 Council will be consulted throughout the process about the implementation of the plan and the review of the Parks & Open Space Strategy.	

CARRIED

Report No.	Report	Page in Agenda
GE286	Approved Contracts Reports - 1 April 2018 - 30 June 2018	491
	Moved Cr Jodi Jackson, Seconded Cr Jack Medcraft	
	That the report be noted.	

CARRIED

Report No.	Report	Page in Agenda
GE288	Correspondence received from or sent to Government Ministers or Members of Parliament - July 2018	531
	Moved Cr Jodi Jackson, Seconded Cr Jack Medcraft	
	That Council notes this report on correspondence sent to and received from Government Ministers and Members of Parliament.	

CARRIED

5. CONFIDENTIAL MATTERS

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

Moved Cr Drew Jessop, **Seconded** Cr Jack Medcraft

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
COGE203	Capital Works Report 2017/18 - June 2018 Update	(d) contractual matters
COGE204	Rate Arrears as at 30 June 2018	(b) the personal hardship of any resident or ratepayer
COGE205	Designation of Information provided at Strategy and Policy Briefings as confidential information - August 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 9.01pm.

The meeting was reopened to the public at 9.14 pm.

6. CLOSURE OF MEETING

The meeting closed at 9.20pm.

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COUNCILLOR GEOFF PORTER
MAYOR