



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

MONDAY, 25 FEBRUARY 2019

CONFIRMED - 12 MARCH 2019

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 25 February 2019
at 7.06 PM
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

Present: a: Council

Cr Carly Moore	Mayor
Cr Naim Kurt	Deputy Mayor
Cr Joseph Haweil	
Cr Jodi Jackson	
Cr Drew Jessop, OAM	
Cr Leigh Johnson	
Cr Jack Medcraft	
Cr Geoff Porter	
Cr Ann Potter	
Cr Karen Sherry	
Cr Jana Taylor – Arrived at 7:15pm	

b: Officers

Mr Domenic Isola	Chief Executive Officer
Mr Peter Waite	Director Sustainable Infrastructure and Services
Mr Daryl Whitfort	Director Corporate Services
Mr Hector Gaston	Director Community Services
Mr Michael Sharp	Director Planning and Development
Ms Kylie Ezzy	Director Communications, Engagement and Advocacy
Ms Kirsty Miller	Manager Statutory Planning And Building Control Services
Mr Peter Faull	Coordinator Governance & Corporate Support
Mr Matthew Wilton	Acting Senior Governance 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.

Cr Drew Jessop declared an indirect interest in item CC084 - *Support for Local VICSES Units*, by way of close association with the Craigieburn Unit of the SES, who are one of the units subject to funding recommendation within this report.

4. CONDOLENCE MOTIONS

Nil.

5. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
SU371	25 Landscape Place, Sunbury - The development of four double storey dwellings.	59

Cr Jana Taylor arrived at the meeting prior to the motion being moved on item SU371 - *25 Landscape Place, Sunbury - The development of four double storey dwellings*, the time being 7.15 pm.

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

That Council, having considered the application on its merits resolves to advise VCAT that Council has formed the view not to support the application for development of four double storey dwellings at 25 Landscape Place, Sunbury on the following grounds:

1. **The proposed development is not generally in accordance with the Canterbury Hills Development Plan (June 2015).**
2. **The proposal development fails to satisfy policies 13.04-2S (Erosion & Landslip) 21.08-2 (Environmental Land Management) and 21.08-3 (Water Quality and Conservation) of the *Hume Planning Scheme*.**
3. **The applicant has not demonstrated that the proposal meets the requirements of the Section 173 Agreements (Instruments AM250297A & AH833863M) registered on title.**

4. The proposed medium density development is on a site that is set aside for conventional density given the physical constraints of the land and is therefore contrary to the orderly and proper planning of the site and surrounding area.
5. The proposal is an overdevelopment of the site.
6. The development fails to comply with the following design standards of Clause 52.06 of the *Hume Planning Scheme*:
 - a) Design Standard 1: Accessways
 - b) Design standard 3: Gradients
 - c) Design standard 6: Safety
 - d) Design standard 7: Landscaping
7. The development fails to comply with the following objectives and standards of Clause 55 of the *Hume Planning Scheme*:
 - a) Clause 55.02-1 Neighbourhood Character (Standard B1)
 - b) Clause 55.02-2 Residential Policy (Standard B2)
 - c) Clause 55.03-7 Safety (Standard B12)
 - d) Clause 55.03-8 Landscaping (Standard B13)
 - e) Clause 54.04-6 Overlooking (Standard B22)
 - f) Clause 55.05-3 Daylight to new windows (Standard B27)
 - g) Clause 55.06-4 Site Services (Standard B30)
 - h) Clause 55.05-6 Storage (Standard B34)
8. That Council delegates officers or appointed representatives to negotiate on the above points based on any additional and relevant information provided as part of the Victorian Civil and Administrative Tribunal compulsory conference and/or hearing scheduled for the application.

CARRIED

Report No.	Report	Page in Agenda
SU373	22 Shadforth Street Westmeadows - Development of two double storey dwellings and one single storey dwelling	101

Mr Ben Wardle and Ms Melissa Wings addressed Council regarding the Officer's recommendation.

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

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of three dwellings at 22 Shadforth Street, Westmeadows, 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) Maximum building heights annotated on all elevations.
 - b) Wall heights annotated on all elevations.
 - c) The materials schedule amended to annotate the garage doors as panel lift/tilt.
 - d) Boundary fencing replaced or extended in height to a minimum of 1.8 metres above finished floor level.
 - e) The height of the letterbox for dwellings 1-3 must be less than 900mm in height if located within the visibility splay.
 - f) The mailboxes for dwellings 1-3 orientated parallel to the street, in accordance with Australia Post Standards.
 - g) The provision of lighting along the length of the internal access way; to ensure visibility and surveillance during hours of darkness.
 - h) All dwellings are to be provided with a minimum of 6m³ of accessible external storage space in accordance with Standard B30 of Clause 55 of the *Hume Planning Scheme*.
 - i) A shading device introduced along the north elevation dining window/sliding door of dwelling 1.
 - j) The timber paling fence to enclose the secluded open space of dwelling 1 replaced with feature fencing.
 - k) The finished floor to ceiling height of the first floor of dwelling 2 reduced to a maximum of 2.43m.
 - l) Reduce the pitch of the hipped roof of dwelling 2 to a maximum of 18 degrees.
 - m) The materials schedule amended to annotate the garage doors as panel lift/tilt.
 - n) Removal of the existing 1.8 metre high fencing along the frontage of the site.
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. The landscape plan is to support the vegetation located within the environs of the Moonee Ponds Creek. Such plan must show the area(s) set aside for landscaping which is to include the planting of a minimum of two (2) canopy trees in the front setback of dwelling 1 and a minimum of one (1) canopy tree in the rear setbacks of all three 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). Details on how the trees on adjoining properties adjacent to the shared boundary are protected during construction and when approved an endorsed copy must form part of this permit.

4. The landscaping strip along the northern boundary of the site is to be maintained at 0.5m wide particularly opposite the garage of Dwellings 1 and 2 to improve turning movements and access to the parking spaces.
5. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.
6. 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.
7. All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
8. 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.
9. 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.
10. No vehicles are to park behind the garages of Dwellings 1 and 2. These areas are turning areas and no parking is permitted. If parking occurs vehicles would not be able to drive out in a forward motion.
11. The external lighting along internal accessway 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.
12. Drainage investigation is required for this development (fees apply). Plans to be submitted to Council's Civil Design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
13. Following the Drainage Investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
14. Any cut or fill must not interfere with the natural overland storm water flow.
15. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system.
16. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
17. This permit will expire if one of the following circumstances applies:

- the development is not commenced 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 the permit expires or within six months afterwards.

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

NOTES:

- If a request for an extension of commencement/completion dates is made out of time allowed by the 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.
- An “Application for Legal Point of Stormwater Discharge” is required to be submitted to Council prior to connection to the drainage system.
- The internal stormwater drainage design must be approved by the relevant Building Surveyor as per the Building Regulation 2006, Reg. 610.
- Prior to commencement of any works within the road reserve or works that require alteration/connection to 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.
- According to Council plans, there is a 2.44m wide easement, which runs along the eastern rear boundary. Any structure built over an easement requires Council and relevant service authorities’ approval.

CARRIED

Report No.	Report	Page in Agenda
SU374	15 Eastgate Road, Craigieburn - Variation of Restrictive Covenant F999017 in Vol 10651 Fol 667 to Remove Reference to the Construction of a Single Dwelling	125

Mr Ashley Thompson addressed Council regarding the Officer’s recommendation.

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

That this item be deferred.

CARRIED

Report No.	Report	Page in Agenda
SU375	133-141 Western Avenue, Westmeadows - Use and development of the land for a residential hotel	157

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

That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for the use and development of the land for a residential hotel at 133-141 Western Ave, Westmeadows on the following grounds:

1. There is no strategic support for the proposed hotel even at the reduced scale and it is isolated from relevant infrastructure.
2. The proposed use and development of a residential hotel conflicts with the strategic intent of the land to provide for commercial and industrial development as identified in Clause 21.01-3 and 21.02-2 of the *Hume Planning Scheme*.
3. The scale, form and height of the proposed residential hotel are contrary to the predominantly lower height and scale of the immediate area. The proposal will result in a visually prominent building in the landscape.

Cr Ann Potter left the meeting after the motion was moved on item SU375 - 133-141 Western Avenue, Westmeadows - Use and development of the land for a residential hotel, the time being 7:28 pm, and returned to the meeting during discussion and prior to the vote on the item, the time being 7:30 pm.

CARRIED

Report No.	Report	Page in Agenda
SU377	1/15 Motto Drive Coolaroo - Amendment to an existing permit, for the use and development of a restricted place of assembly and a reduction in car parking	195

Mr Andrew Clarke addressed Council regarding the Officer's recommendation.

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

That Council, having considered the application on its merits and the objection received, resolves to advise the Victorian Civil and Administrative Tribunal that Council do not support the amendment of planning permit P16092 and endorsed plans at 1/15 Motto Drive Coolaroo, on the following grounds:

1. The proposed car parking reduction related to patron numbers of 500 patrons between 1pm and 3pm, and 280 patrons at any other time is excessive and is not generally in accordance with Clause 52.06 of the *Hume Planning Scheme*.
2. The application contained insufficient information relating to how the change in patron numbers from 280 patrons to 500 patrons, and back, would be managed.
3. The application does not propose sufficient mitigation measures to protect the car parking of other businesses.
4. The application does not propose sufficient mitigation measures to manage the high traffic volume times associated with the 500 patrons, before 1pm and after 3pm.

5. The deletion of Conditions 1a, 3 and 4, allowing for the Fire Exit Door to be utilised for regular access may result in a shift of internal operations from the ancillary function to separate uses.
6. The increase to seating associated with the food and drinks component from 50 patrons to 250 patrons would result in its shifting from an ancillary component to its own entity (such as a restaurant or function centre).
7. The proposed changes generally do not accord with Clause 65.01 (Approval of an application or plan), due to the potential amenity impacts to the area, the impact to traffic flow and the requirement to promote fair and orderly planning.
8. The Council delegates officers or appointed representatives to negotiate on the above points based on any additional and relevant information provided as part of the Victorian Civil and Administrative Tribunal compulsory conference and/or hearing scheduled for the application.

CARRIED

Report No.	Report	Page in Agenda
SU378	Use of an existing building for the purpose of an indoor recreation facility (yoga studio).	209

Ms Christine Alger addressed Council regarding the Officer's recommendation.

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

That Council, having considered the application on its merits, resolves to issue a Notice of Decision to Grant a Planning Permit for the use of an existing building for the purpose of an indoor recreation facility (yoga studio) on land known as 106 Riddell Road, 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 plans A01 – A10 dated 20 16 February 2017 but modified to show:**
 - a) **Extend the concrete hardstand area an additional 1.5 metres directly opposite car space 4 (area currently a garden bed and footpath).**
 - b) **Appropriate location of waste storage and method of waste disposal.**
2. **The use 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. **New buildings or works must not be constructed or carried out and existing buildings must not be enlarged, rebuilt or extended except with the prior written consent of the responsible authority.**
4. **The use permitted by this permit must not 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;**

5. 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.
6. 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.
7. All parking bays must be line marked including disabled and associated shared area pavement marking
8. In areas set aside for parking, kerbs or barriers or other means of protection must be installed to the satisfaction of the responsible authority to prevent damage by vehicles to the fence.
9. 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.
10. Vehicles associated with the approved use must not be parked on nearby streets or roads or the road reserve off Riddell Road.
11. All staff vehicles including vehicles associated with the approved use must be parked within the site and must not be parked on the street.
12. The use must at all times be conducted in a manner ensuring the residential amenity of nearby residential properties is not detrimentally affected.
13. Except with the prior written consent of the responsible authority, the yoga studio permitted by this permit may only operate between the following times:
 - Monday and Wednesday – 4:30pm – 8:00pm;
 - Thursday - 4:30pm – 7:30pm;
 - Saturday – 8:15am – 9:15am;
 - Sunday - 4pm – 5pm.
14. The yoga studio must only operate outside the operating times of the medical centre / allied health services.
15. No more than ten (10) participants and one (1) instructor may be engaged in yoga practice on the site at any one time.
16. No goods or packaging materials shall be stored outside the building.
17. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm.
18. Any lighting of the car park area must be located and designed with suitable baffles so that no direct light is emitted outside the site.
19. Noise levels emanating from the land must not exceed the requirements of State Environment Protection Policy (Control of Music Noise from Public Premises), No N-2.

20. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the land/building and must be suitably insulated to reduce noise emissions, to the satisfaction of the responsible authority.
21. Except for public waste bins, receptacles for any form of rubbish or refuse must not be visible from any public road or thoroughfare. Odour must not emit from any receptacles to cause unreasonable offence to any persons outside the land.
22. No public address or sound system may be used resulting in noise being audible outside the building on the land, except with the prior written consent of the responsible authority.
23. This permit will expire if one of the following circumstances applies:
 - the development and use are not started within three years of the date of this permit; or
 - the development is not completed within six years of the date of this permit.

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

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

Notes:

1. If a request for an extension of commencement/completion dates is made out of time allowed, 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. The applicant is advised that all aspects of the business which fall within the definition of a 'beauty salon' including facials, massage, dermal therapy, waxing and the like must cease to operate from the site as a 'beauty salon' is a prohibited use under the General Residential Zone (GRZ1).
3. The applicant is advised that the existing 'medical centre' must have no more than 1 practitioner conducting consultations at the site at any one time. In the event more than 1 practitioner is consulting from the site at any one time, a planning permit application will be required.
4. 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.
5. Any service relocations are to the approval of the service authority and at the owners cost.

Cr Joseph Haweil left the meeting after the motion was moved on item SU378 - *Use of an existing building for the purpose of an indoor recreation facility (yoga studio)*, the time being 7:59 pm, and returned to the meeting during discussion and prior to the vote on the item, the time being 8:01 pm

CARRIED

Report No.	Report	Page in Agenda
GE325	Carmel Edmends Reserve Naming Proposal	301

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

- 2.1 THAT Council notes the results of the community consultation process on the proposal to name an officially unnamed reserve located at 14 Stewarts Lane Sunbury the 'Carmel Edmends Reserve'.
- 2.2 THAT Council endorses the proposal to name this officially unnamed reserve the 'Carmel Edmends Reserve' and submits the name to the Office of Geographic Names for their consideration.

Cr Jodi Jackson left the meeting after the motion was moved and prior to the vote on item GE235 - *Carmel Edmends Reserve Naming Proposal*, the time being 8:08 pm, and did not return to vote on the item.

Cr Jack Medcraft left the meeting after the motion was moved and prior to the vote on item GE235 - *Carmel Edmends Reserve Naming Proposal*, the time being 8:08 pm, and did not return to vote on the item.

CARRIED

Reports Not Otherwise Dealt With

Cr Drew Jessop, having declared an indirect interest in item CC084 - *Support for Local VICSES Units*, by way of close association with the Craigieburn Unit of the SES, who are one of the units subject to funding recommendation within this report, left the meeting room at 8:12 pm, and did not take part in any discussion on the item, and did not vote on the item.

Cr Jodi Jackson returned to the meeting prior to the motion being moved on Reports Not Otherwise Dealt With, the time being 8:12 pm.

Cr Jack Medcraft returned to the meeting prior to the motion being moved on Reports Not Otherwise Dealt With, the time being 8:12 pm.

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

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
HE089	Sports Aid Grants - February 2019	5
CC084	Support for Local VICSES Units	9
SU368	76-78 Kyabram Street, Coolaroo - Transfer Station (Building Waste Material)	13
SU369	72-74 Kyabram Street, Coolaroo - Transfer Station (Mixed Waste)	29
SU370	102 Gallantry Avenue, Craigieburn - Development of Two Dwellings	41
SU372	1-2/29 The Gateway Broadmeadows - use of the land for the purpose of a restaurant and reduction in the statutory car parking requirement	89
SU376	92-96 Railway Crescent, Broadmeadows - Use and development of the land as a primary school	181

SU379	1550 Pascoe Vale Road Coolaroo - Kaufland Stores in Victoria Advisory Committee	231
SU380	Statutory Planning Monthly Report January 2019	255
SU381	Hume City Public Lighting Policy	273
GE322	Building Control Services Delegations Report - 1 October 2018 to 31 December 2018	283
GE323	S173 Agreements - Building Over Easement - 1 October 2018 - 31 December 2018	293
GE324	Council Meeting Schedule (July 2019 to June 2020)	297
GE326	Quarterly Financial Report - December 2018	313
GE327	Correspondence received from or sent to Government Ministers or Members of Parliament - December 2018 / January 2019	323

be adopted.

CARRIED

Report No.	Report	Page in Agenda
HE089	Sports Aid Grants - February 2019	5

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

That Council award one individual a Hume City Council Sports Aid Grant:

Name	Sport	Travel Category	Amount
Hunter Kelly	Softball	Local	\$150.00

CARRIED

Report No.	Report	Page in Agenda
CC084	Support for Local VICSES Units	9

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

That Council:

2.1 Endorse the continued support of Sunbury and Craigieburn VICSES units with an annual payment of \$30,691 each (from 2019/2020) increasing by CPI each year following, and the provision of a maximum 10 year Lease Agreement for the occupancy of the Council facilities.

2.2 Notes that a similar agreement will be negotiated and brought to Council for consideration for the Broadmeadows VICSES unit prior to the end of the Licence Agreement concluding on 30 June 2019.

CARRIED

Report No.	Report	Page in Agenda
SU368	76-78 Kyabram Street, Coolaroo - Transfer Station (Building Waste Material)	13

Moved Cr Jana Taylor, Seconded Cr Karen Sherry

That Council, having considered the application on its merits, including referral responses and the objections received, resolves to issue a Notice of Refusal to Grant a Planning Permit for the use and development of a transfer station (waste building material) at 74-76 Kyabram Street, Coolaroo subject to the following grounds:

1. The proposal fails to satisfy policies at:
 - Clause 13.05-1S (Noise abatement),
 - Clause 13.06-1S (Air quality management),
 - Clause 13.07-1S (Land use compatibility),
 - Clause 15.01-1R (Urban Design – Metropolitan Melbourne),
 - Clause 17.03-2S (Industrial development siting),
 - Clause 19.03-5S (Waste and resource recovery),
 - Clause 21.03 (Liveable neighbourhoods & housing),
 - Clause 21.04-1 (Urban Design),
 - Clause 22.01 (Industrial Local Policy) and
 - Clause 22.19 (Industrial Stormwater Management Plan) of the *Hume Planning Scheme*.
2. The applicant has failed to provide sufficient information for a full and comprehensive assessment of the proposal.
3. The proposal will have a detrimental impact on the amenity of the surrounding residential properties.
4. The proposal fails to meet the purpose and decision guidelines of the Industrial 3 Zone (Clause 33.03) of the *Hume Planning Scheme*.
5. The proposal fails to provide sufficient car parking on site in accordance with the requirements of Clause 52.06 (Car parking) of the *Hume Planning Scheme*.
6. The proposal fails to meet the purpose and threshold distance of Clause 53.10 (Uses with adverse potential) of the *Hume Planning Scheme*.
7. The proposal fails to meet the purpose and decision guidelines of Clause 53.14 (Resource recovery) of the *Hume Planning Scheme*.
8. The Environmental Protection Authority (EPA) as a Determining Authority under the provisions of Clause 66.03 of the *Hume Planning Scheme* and Section 55 of the *Planning & Environment Act 1987* has objected to the application.
The following reasons for refusal (9-14) are provided by the EPA
9. The proposal poses an unacceptable risk to off-site amenity impacts given its physical proximity to established sensitive uses.

- a. The proposal does not meet the recommended separation distance of 250m for a transfer station, as listed in EPA Publication 1518 Recommended Separation Distances for Industrial Residual Air Emissions, March 2013 (EPA Publication 1518). The first reiteration of this publication is a policy guideline under Clause 13.04-1 Air Quality of the Hume Planning Scheme.
 - b. The Applicant's justification supporting a reduction in the recommended separation distance is insufficient to demonstrate any potential offsite impacts can be managed to an acceptable degree. Further, the justification given is not consistent with the principles for varying a recommended separation distance, outlined in section 9 of EPA Publication 1518.
 - c. The 100 metre threshold distance in Clause 53.10 has not been met, measured from the land parcel where the industry is proposed to the nearest residential zone. This distance does not act as a statutory buffer, rather triggers further assessment the need to obtain a planning permit. Notwithstanding, this 100m threshold distance provides an indication of the risk profile posed by the transfer station.
 - d. The proposal does not represent best practice for controlling the environmental risks associated with a transfer station, particularly management of surface waters by failing to include surface treatment that minimises water absorption.
10. The proposal is inconsistent with the purpose of Clause 33.03 - Industrial 3 Zone, which is to ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.
 11. The proposal is inconsistent with the objectives and strategies in Clause 13.07-1S - Land Use Compatibility which aims to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects by directing land uses to appropriate locations and using land use separation measures. Both the 100 metre threshold distance in Clause 53.10 measured from the land parcel where the industry is proposed to the nearest residential zone and the 250 metre recommended separation distance in EPA Publication 1518 have not been met.
 12. This objection is consistent with the decision guideline established in Clause 33.03-2 Use of Land;
 13. The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

CARRIED

Report No.	Report	Page in Agenda
SU369	72-74 Kyabram Street, Coolaroo - Transfer Station (Mixed Waste)	29

Moved Cr Jana Taylor, Seconded Cr Karen Sherry

That Council, having considered the application on its merits, including the objection received from a determining referral authority, resolves to issue a Notice of Refusal to Grant a Planning Permit for the use and development of a transfer station at 72-74 Kyabram Street, Coolaroo subject to the following grounds:

1. The application must be refused pursuant to Section 61(2) of the *Planning & Environment Act 1987* as a determining referral authority (Environment Protection Authority) has objected to the grant of the permit. EPA has objected on the following grounds:
 - a. *The proposal does not meet the recommended separation distance of 250 metres for a transfer station, as listed in EPA's Publication 1518 'Recommended Separation Distances for Industrial Residual Air Emission', March 2013 (EPA Publication 1518).*
 - b. *The proposal does not meet the minimum threshold in Clause 53.10 (Uses with Adverse Amenity Potential) of Hume Planning Scheme of 100 metres for a planning permit assessment trigger.*
 - c. *The proposal is inconsistent with the purpose of Clause 33.3 Industrial 3 Zone, which is to ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.*
 - d. *The proposal does not comply with Clause 33.3-2 (Use of the land – Application requirements). The application requirements for the use of the land are not address sufficiently for assessment and approval.*
 - e. *The proposal does not address the following decision guideline of Industrial 3 Zone at Clause 33.03-2:*
 - f. *The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.*
 - g. *The proposal does not address the decision guideline at Clause 65.01 (Approval of an Application or Plan), as it is contrary to the orderly planning of the area. The propose will result in a land use interface conflict between and industrial use impacting the amenity of the adjacent residential uses.*
 - h. *The proposal does not meet the objectives and strategies of Clause 13.05 (noise and Air) of the Hume Planning Scheme.*

2. The proposal fails to satisfy policies at Clause 13.05-1S (Noise abatement), Clause 13.06-1S (Air quality management), Clause 13.07-1S (Land use compatibility), Clause 15.01-1R (Urban Design – Metropolitan Melbourne), Clause 17.03-2S (Industrial development siting), Clause 19.03-5S (Waste and resource recovery), Clause 21.03 (Liveable neighbourhoods & housing), Clause 21.04-1 (Urban Design), Clause 22.01 (Industrial Local Policy) and Clause 22.19 (Industrial Stormwater Management Plan) of the *Hume Planning Scheme*.
3. The proposal will create an unreasonable amenity impact to the surrounding residential properties.
4. The proposal fails to meet the purpose and decision guidelines of Clause 33.03 of the *Hume Planning Scheme*.
5. The proposal fails to provide sufficient accessible car parking on site in accordance with the requirements of Clause 52.06 of the *Hume Planning Scheme*.
6. The proposal fails to meet the purpose and threshold distance of Clause 53.10 of the *Hume Planning Scheme*.
7. The proposal fails to meet the purpose of Clause 53.14 of the *Hume Planning Scheme*.

CARRIED

Report No.	Report	Page in Agenda
SU370	102 Gallantry Avenue, Craigieburn - Development of Two Dwellings	41

Moved Cr Jana Taylor, Seconded Cr Karen Sherry

That Council having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for the construction of two double-storey dwellings at 102 Gallantry Avenue Craigieburn for the following reasons:

1. The proposal does not comply with the following provisions of Clause 55 of the Hume Planning Scheme:
 - a) Clause 55.02-2 Residential Policy Objectives
 - b) Clause 55.03-1 Street Setback Objective and Standard B6
 - c) Clause 55.03-5 Energy Efficiency Objectives
 - d) Clause 55.03-8 Landscaping Objectives
 - e) Clause 55.04-1 Side and Rear Setbacks Objective and Standard B17
 - f) Clause 44.05-5 Solar Access to Open Space Objective and Standard B29; and
 - g) Clause 55.05-6 Storage Objective and Standard B30

CARRIED

Report No.	Report	Page in Agenda
SU372	1-2/29 The Gateway Broadmeadows - use of the land for the purpose of a restaurant and reduction in the statutory car parking requirement	89

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

That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for use of the land as a restaurant and reduction of the statutory car parking requirement at 1-2/29 The Gateway, Broadmeadows on the following grounds:

1. The proposed use of the land as a restaurant is an inappropriate use of the land in the location and is not consistent with the purpose of the Commercial 2 Zone applying to the land.
2. The proposed reduction of 10 car parking spaces related to the use of the land as a restaurant will unreasonably impact on car parking provision in the surrounding streets.

CARRIED

Report No.	Report	Page in Agenda
SU376	92-96 Railway Crescent, Broadmeadows - Use and development of the land as a primary school	181

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

That Council, having considered the application for use and development of the land for a primary school at 92-96 Railway Crescent, Broadmeadows on its merits, resolves to advise the Victorian Civil and Administrative Tribunal that Council does not support the proposed use and development on the following grounds:

1. The proposal is for a sensitive use and investigation about or confirmation of the potential contamination on the land has not been undertaken contrary to Clause 13.04-1S (Contaminated and potentially contaminated land) in the *Hume Planning Scheme*.
2. The proposed primary school use will unreasonably impact on existing industrial uses in the area and reduce buffers expected under Clause 53.10 (Uses with Adverse Amenity Potential) of the *Hume Planning Scheme*.
3. The proposed use will create unreasonable parking and traffic impacts on adjoining roads contrary to Clause 34.02-7 of the Commercial 2 Zone.
4. The applicant has failed to provide sufficient information for a full and comprehensive assessment of the proposal against the *Hume Planning Scheme*.
5. The Council delegates officers or appointed representatives to negotiate on the above points based on any additional and relevant information provided as part of the Victorian Civil and Administrative Tribunal compulsory conference and/or hearing scheduled for the application.

CARRIED

Report No.	Report	Page in Agenda
SU379	1550 Pascoe Vale Road Coolaroo - Kaufland Stores in Victoria Advisory Committee Moved Cr Jana Taylor, Seconded Cr Karen Sherry That Council endorse the attached submission to the Kaufland Stores in Victoria Advisory Committee dated 31 January 2019.	231
		CARRIED
SU380	Statutory Planning Monthly Report January 2019 Moved Cr Jana Taylor, Seconded Cr Karen Sherry That the report be noted.	255
		CARRIED
SU381	Hume City Public Lighting Policy Moved Cr Jana Taylor, Seconded Cr Karen Sherry That Council: 2.1 notes that community consultation of the draft <i>Hume Public Lighting Policy</i> (Policy) was undertaken for a four-week period during September and October 2018 and one submission was received. 2.2 adopts the Policy as detailed in Attachment 1. 2.3 reviews the Policy after five years of operation.	273
		CARRIED
GE322	Building Control Services Delegations Report - 1 October 2018 to 31 December 2018 Moved Cr Jana Taylor, Seconded Cr Karen Sherry That this report be received and noted.	283
		CARRIED
GE323	S173 Agreements - Building Over Easement - 1 October 2018 - 31 December 2018 Moved Cr Jana Taylor, Seconded Cr Karen Sherry That Council notes the listing of all Agreements under Section 173 of the Planning and Environment Act 1987 dealt with under delegation between 1 October 2018 and 31 December 2018 (Attachment 1).	293
		CARRIED

Report No.	Report	Page in Agenda
GE324	Council Meeting Schedule (July 2019 to June 2020)	297

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

2.1 THAT the Hume City Council Meeting schedule for July 2019 to June 2020, as follows, be adopted:

DATE	MEETING TYPE	VENUE
Monday 8 July 2019	Ordinary	Broadmeadows Council Chamber
Monday 22 July 2019	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday 12 August 2019	Ordinary	Craigieburn Global Learning Centre
Monday 26 August 2019	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday 9 September 2019	Ordinary	Sunbury Council Chamber
Monday 23 September 2019	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday 14 October 2019	Ordinary	Broadmeadows Council Chamber
Monday 28 October 2019	Ordinary (Town Planning)	Broadmeadows Council Chamber
Wednesday 30 October 2019	Statutory Meeting	Town Hall Broadmeadows
Monday 11 November 2019	Ordinary	Craigieburn Global Learning Centre
Monday 25 November 2019	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday 9 December 2019	Ordinary	Sunbury Global Learning Centre
Monday 16 December 2019	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday 10 February 2020	Ordinary	Broadmeadows Council Chamber
Monday 24 February 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
<i>Tuesday 10 March 2020</i>	Ordinary	Craigieburn Global Learning Centre
Monday 23 March 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
<i>Tuesday 14 April 2020</i>	Ordinary	Sunbury Global Learning Centre
Monday 27 April 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber

Monday 11 May 2020	Ordinary	Broadmeadows Council Chamber
Monday 25 May 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
Tuesday 9 June 2020	Ordinary	Craigieburn Global Learning Centre
Monday 22 June 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber

2.2 THAT all meetings start at 7pm.

2.3 THAT the Council meeting dates and starting time of 7pm be advertised in the Northern and Sunbury Leader newspapers and be placed on Council's website.

CARRIED

Report No.	Report	Page in Agenda
GE326	Quarterly Financial Report - December 2018	313

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

That the Finance Report for the six months ended 31 December 2018 be received and noted.

CARRIED

Report No.	Report	Page in Agenda
GE327	Correspondence received from or sent to Government Ministers or Members of Parliament - December 2018 / January 2019	323

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

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

CARRIED

Cr Drew Jessop returned to the meeting after the vote on Reports Not Otherwise Dealt With, the time being 8:13 pm.

6. CONFIDENTIAL MATTERS

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

Moved Cr Leigh Johnson, **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
COCC027	2019 Broadmeadows Street Festival Community Grants Allocation	(a) personnel matters
COCC028	Contract - Principal Architect for the Design, Documentation and Contract Administration of Merrifield West Northern Community Hub Project and Lockerbie Southern Community Hub	(d) contractual matters
COSU124	Contract - Provision of Land Management Services	(d) contractual matters
COGE228	Capital Works Report 2018/19 - December 2018 Update	(d) contractual matters
COGE230	Designation of Information Provided at a Strategy and Policy Briefing as Confidential Information - February 2019	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE231	Rates Arrears as at 31 December 2018	(b) the personal hardship of any resident or ratepayer

CARRIED

The meeting was closed to the public at 8:13 PM.

The meeting was reopened to the public at 8:34 PM.

7. CLOSURE OF MEETING

The meeting closed at 8:34 PM.

.....
COUNCILLOR CARLY MOORE
MAYOR