



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

**MONDAY, 23 MARCH 2020**

**CONFIRMED - 14 APRIL 2020**



# HUME CITY COUNCIL

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**Minutes** of the  
**ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**  
held on Monday, 23 March 2020  
**at 7:05 PM**  
at the Town Hall Broadmeadows

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Present:	a: Council	Cr Carly Moore Cr Jack Medcraft Cr Karen Sherry Cr Joseph Haweil Cr Jodi Jackson Cr Drew Jessop, OAM Cr Leigh Johnson Cr Naim Kurt Cr Geoff Porter Cr Jana Taylor	Mayor Deputy Mayor Deputy Mayor
	b: Officers	Mr Domenic Isola Mr Hector Gaston Mr Michael Sharp Ms Roslyn Wai  Mr Peter Waite  Mr Fadi Srour Mr Blake Hogarth-Angus  Mr Brad Mathieson Ms Joanne Grindrod	Chief Executive Officer Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy Director Sustainable Infrastructure and Services Acting Director Corporate Services Acting Manager Statutory Planning and Building Control Services Senior Governance Officer Governance Support Officer

The Mayor acknowledged Mrs Maureen Reed who was seated in the gallery and thanked Mrs Reed for her attendance at Council meetings over the years, as it would be the last Council meeting Mrs Reed would be able to attend.

## **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, she will invite members of the gallery to speak, for up to three minutes either in support of or against an officer's recommendation.

**ORDER OF BUSINESS****1. 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."*

**2. PRAYER**

The Mayor read the following:

*"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

**3. APOLOGIES**

An apology was received from Cr Ann Potter.

**4. 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 disclosed any Conflicts of Interest.

**5. CONDOLENCE MOTIONS**

Nil.

**6 URGENT BUSINESS**

The Mayor advised members of the gallery that she has been advised by the Chief Executive Officer that there is two urgent items of business which he wishes Council to consider in response to the COVID19 Pandemic.

**Moved** Cr Geoff Porter, **Seconded** Cr Naim Kurt

**That Reports:**

**UB35 - Temporary Variation to Chief Executive Officer's Delegation – COVID19; and  
UB36 – Waiver of Fees and Charges – COVID19**

**be dealt with as Urgent Business in accordance with Clause 14.9 of Council's Code of Meeting Procedures.**

**CARRIED**

The Mayor advised that Items *UB35 - Temporary Variation to Chief Executive Officer's Delegation – COVID19* and *UB36 – Waiver of Fees and Charges – COVID19* would be dealt within the Officer's Reports section of the Agenda.

## 7. OFFICER'S REPORTS

### Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
ED037	<b>Hume Small Business Grants</b>	<b>3</b>
	<b>Moved</b> Cr Naim Kurt, <b>Seconded</b> Cr Joseph Haweil	
	<b>That Council supports the introduction of a Hume Small Business Grants Program (HSBGP) and refers the funding of the program to the 2020/2021 budget process.</b>	
		<b>CARRIED</b>

Report No.	Report	Page in Agenda
SU472	<b>Urban Forest Principles</b>	<b>11</b>
	<b>Moved</b> Cr Drew Jessop, <b>Seconded</b> Cr Jodi Jackson	
	<b>2.1 That Council adopts the following:</b>	
	<b>2.1.1 the definition of Hume's urban forest.</b>	
	<b>2.1.2 the scope for Hume's urban forest approach.</b>	
	<b>2.1.3 the Urban Forest Principles.</b>	
	<b>2.1.4 interim canopy cover targets.</b>	
	<b>2.2 That Council notes the next steps to develop the Urban Forest Priority Plan.</b>	

Cr Joseph Haweil left the meeting after the motion was moved on item SU472 - *Urban Forest Principles*, the time being 7:18pm.

Cr Joseph Haweil returned to the meeting during discussion and prior to the vote on item SU472 - *Urban Forest Principles*, the time being 7:20pm.

**CARRIED**

Report No.	Report	Page in Agenda
SU473	<b>1 Baker Court Meadow Heights - The use and development of a childcare centre</b>	<b>27</b>

Ms Dianne Colbeck addressed Council regarding the Officer's recommendation.

The Mayor then read statements from Hume Residents Airport Action Group members Ms Helen Franks and Mr Frank Rivoli, Mr Mitchell Belden and Ms Melissa Herron.

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

**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 use and development of a childcare centre, at 1 Baker Court in Meadow Heights, subject to the following conditions:**

- 2.1 Before the development is commenced, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plans submitted with the application and dated 7 July 2019, but modified to show:**
- a. The replacement of one of the car spaces in the north-west corner of the basement car park, to become a turning area;**
  - b. The replacement of the blue render on the eastern elevation facing the dwellings at 15 Baker Court, to a muted grey tone or acceptable alternative;**
  - c. The reduction of the awning over the Baker Court entry; so as to be in line with the southern wall of the ramp;**
  - d. The introduction of a landscaping strip and soft ground surface treatment along the eastern boundary; adjacent to the raised garden bed area. This strip must be at least one metre in width, aside from areas designated as footpaths.**
  - e. The inclusion of a partial 1.8-metre-high internal fence between the active ground level play area, and the outdoor vegetable garden area.**
  - f. Landscaping in accordance with Condition 5.**
- 2.2 Before the development starts, a Waste Management Plan must be submitted and approved to the satisfaction of 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. The design of the waste receptacle storage areas.**
  - b. The location of the waste receptacle storage areas.**
  - c. The access and manoeuvring of the private waste collection vehicle/s.**
  - d. The time and frequency of waste collection.**
- 2.3 The layout of the uses(s) and buildings and works shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
- 2.4 Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with prior consent of the responsible authority.**
- 2.5 The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.**

- 2.6 Before use and development allowed by this permit is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the responsible authority.
- 2.7 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.
- 2.8 Except with the prior written consent of the responsible authority, the approved use of a childcare may operate only between the following times:
  - a. Monday to Friday: 7am until 6pm
- 2.9 Except with the prior written consent of the responsible authority, the number of child care places must not exceed 121 at any one time.
- 2.10 Prior to the use and development starting, the owner must enter into an agreement with the responsible authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
  - a. Unless with the prior written consent of the Responsible Authority, waste collection for childcare centre on the site must occur only by private waste collection, as per the endorsed Waste Management Plan of Planning Permit P21967.

Before the development commences, 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 all reasonable costs of the preparation, (and) execution and registration of the section 173 agreement.
- 2.11 Receptacles for any form of rubbish or refuse must not be visible from any public road, thoroughfare or common access. Odour must not emit from any receptacles so as to cause unreasonable offence to any persons outside the land.
- 2.12 Any alarm or security system installed on the land associated with the childcare centre must:
  - a. Be silent in accordance with any relevant Australian Standard; and
  - b. Be connected to a registered security firm.
- 2.13 No external sound amplification equipment or loud speakers may be used for the purpose of announcements, broadcasts, playing of music or the like, except with the prior written consent of the responsible authority.
- 2.14 Noise levels emanating from the land must not exceed the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
- 2.15 Except with the prior written consent of the responsible authority, no service equipment or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings.

- 2.16 Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land or premises and/or must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
- 2.17 Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.
- 2.18 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.
- 2.19 The boundaries of all car spaces, access lanes and the direction in which vehicles should proceed along the lanes must be clearly indicated on the ground to the satisfaction of the responsible authority.
- 2.20 All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
- 2.21 The development permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.
- 2.22 The use of the childcare centre must be conducted in accordance with the Education and Care National Regulations, as relevant.
- 2.23 Storm water from all paved area must be retained within the property and drained to the site's underground storm water system, including pavement over the easement area.
- 2.24 Any cut or fill must not interfere with the natural overland storm water flow.
- 2.25 No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
- 2.26 The permitted building must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.
- 2.27 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; or
  - c. The use ceases for two or more years.

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

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



- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

**PERMIT NOTES:**

1. If a request for an extension of commencement/completion dates is made out of time allowed by condition 27, 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. A 'Legal Point of Storm water Discharge' permit is must be obtained from Council prior to the commencement of buildings and works.
3. The internal stormwater drainage design must be approved by the relevant Building Surveyor as per the Building Regulation 2006, Reg. 610.
4. Prior to commencement of any works within the road reserve, including alteration/connection to Council's drainage assets, an 'Application form for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council to obtain a permit to carry out the works.
5. Provision of litter control at stormwater inlet points within carpark and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
6. There is no signage permitted by this permit. Any signage placed on site may only be done so be in accordance with Clause 52.05 of the *Hume Planning Scheme*.

**CARRIED**

Report No.	Report	Page in Agenda
SU475	Integrated Water Management Plan 2020-2025	89

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

That Council:

- 2.1 adopts the Integrated Water Management (IWM) Plan 2020-2025
- 2.2 refers to future budget processes for 2020/21 through to 2024/25: Capital Works budget of \$3,042,000

**CARRIED**

Report No.	Report	Page in Agenda
GE417	Correspondence received from or sent to Government Ministers or Members of Parliament - February 2020	169

Moved Cr Geoff Porter, **Seconded** Cr Joseph Haweil

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

**CARRIED**

UB35

**TEMPORARY VARIATION TO CHIEF EXECUTIVE OFFICERS'  
DELEGATION - COVID19****Moved** Cr Jana Taylor, **Seconded** Cr Karen Sherry

- 2.1 That Council's delegation to the Chief Executive Officer as adopted by Council on 16 December 2016, be varied so that the Chief Executive Officer may make any decision of Council, subject to:**
- 2.1.1 Council being unable to meet or obtain a quorum within a reasonable time to make a decision.**
  - 2.1.2 That decision being a decision that legislation permits Council to delegate.**
  - 2.1.3 Any approval of contracts above the \$500,000 limit within the Chief Executive Officer's Delegation be limited to projects listed within the Council approved capital works program or operational requirements.**
- 2.2 Decisions made by the Chief Executive Officer using the varied delegation in 2.1 above, being those decisions currently not delegated to the Chief Executive Officer, will be required to be reported to Councillors within 7 days of the decision being made.**

**CARRIED**

UB36

**WAIVER OF FEES AND CHARGES - COVID19****Moved** Cr Naim Kurt, **Seconded** Cr Geoff Porter

- 2.1 That Council:**
- 2.1.1 Waive ground use lease fees from 1 March 2020 to 30 June 2020, as appropriate, for sporting clubs who have been impacted by COVID-19 and are unable to operate their sporting grounds and facilities due to the restrictions placed on them by their relevant sporting code.**
  - 2.1.2 Waive ground use charges from 1 March 2020 to 30 June 2020, as appropriate, for sporting clubs who have been impacted by COVID-19 and are unable to use their grounds due to the restrictions placed on them by their relevant sporting code.**
  - 2.1.3 Refund community groups booking fees and deposits paid for the use of Council facilities where these groups are unable to use such facilities due to COVID-19.**
  - 2.1.4 Not charge interest on the unpaid last instalment of rates due at 31 May 2020 for residential properties, as appropriate, and any business, commercial owners who can demonstrate financial hardship as a result of COVID-19 issues.**
  - 2.1.5 Considers continuing this position past 30 June 2020 should the current issues continue and remain unresolved.**

**CARRIED**

**Reports Not Otherwise Dealt With****Moved** Cr Karen Sherry, **Seconded** Cr Leigh Johnson

Report No.	Report	Page in Agenda
SU474	Statutory Planning Monthly Report March 2020	77
GE416	Review of Council Policy Register	159

be adopted.

**CARRIED**

Report No.	Report	Page in Agenda
SU474	Statutory Planning Monthly Report March 2020	77

**Moved** Cr Karen Sherry, **Seconded** Cr Leigh Johnson  
That the report be noted.**CARRIED**

Report No.	Report	Page in Agenda
GE416	Review of Council Policy Register	159

**Moved** Cr Karen Sherry, **Seconded** Cr Leigh Johnson**2.1 THAT Council notes:**

- 2.1.1 those policies listed in Table 1 of this report which are current;
- 2.1.2 those policies listed in Table 2 of this report which are current with review dates between March and June 2020;
- 2.1.3 those policies listed in Table 3 of this report which are past their review dates and which are currently under active review.

**2.2 THAT the review date for the Election Caretaker Period Policy is changed to July 2023.****CARRIED****8. CONFIDENTIAL MATTERS**

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

**Moved** Cr Karen Sherry, **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
COGE273	Bridging Arrangements for Electricity Contracts Prior to PPA Contracts	(d) contractual matter
COGE274	Designation of Information Provided at a Strategy and Policy Briefing as Confidential Information - March 2020	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

**CARRIED**

The meeting was closed to the public at 8:22 pm.

The meeting was reopened to the public at 8:26 pm.

#### **9. CLOSURE OF MEETING**

The meeting closed at 8:26 pm.

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**COUNCILLOR CARLY MOORE**  
**MAYOR**