



**COUNCIL MEETING OF
THE HUME CITY COUNCIL**

MONDAY, 24 JUNE 2024

7.00PM

TOWN HALL BROADMEADOWS

CONFIRMED 8 JULY 2024

HUME CITY COUNCIL

Minutes of the
COUNCIL MEETING OF THE HUME CITY COUNCIL
held on Monday, 24 June 2024
at 7.00pm
at the Town Hall Broadmeadows

Attendees:	a: Council	Cr Naim Kurt Cr Karen Sherry Cr Jarrod Bell Cr Trevor Dance Cr Joseph Haweil Cr Chris Hollow Cr Jodi Jackson Cr Jack Medcraft Cr Sam Misho Cr Carly Moore Cr Jim Overend	Mayor Deputy Mayor
	b: Officers	Ms Sheena Frost Ms Rachel Dapiran Ms Kristen Cherry Mr Adam McSwain Mr Hector Gaston Ms Fiona Shanks Mr Fadi Srour Mr Joel Kimber Ms Jane Mikaele	Chief Executive Officer Director City Planning and Places Act. Director City Services & Living Director Infrastructure and Assets Director Customer & Strategy Chief People Officer Chief Financial Officer Act. Manager Governance Governance Officer

Proceedings to be Recorded

The Mayor reminded Councillors and members of the Gallery that an audio and video 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 advised that they 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 TRADITIONAL OWNERS

The Mayor read the following:

Hume City Council would like to acknowledge that we are meeting on Country for which the members and Elders of the Wurundjeri Woi-wurrung people and their forebears have been custodians for many thousands of years. The Wurundjeri Woi-wurrung, which includes the Gunung-Willam-Balluk clan, are the Traditional Custodians of this land. Hume City Council would also like to pay its respects to their Elders, past and present, and to all Aboriginal and Torres Strait Islander peoples who may be here today.

2. PRAYER

Hume City's religious diversity strengthens and enriches community life and supports the well-being of the citizens of Hume City. Hume City Council acknowledges the importance of spiritual life and the leadership offered by the Hume Interfaith Network (HIN). In recognition of the religious diversity of residents in Hume City Council has invited the HIN to take responsibility for the opening prayer at Council meetings. This evening's prayer will be led by Madhuri Maskey, of the Hindu Religion, on behalf of the HIN.

3. APOLOGIES

Nil

4. DISCLOSURE OF INTEREST

The Mayor read the following:

Councillors' attention is drawn to the provisions of the *Local Government Act 2020* and Council's Governance Rules 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.

Nil

5. CONGRATULATIONS AND CONDOLENCES

CNM392 CONDOLENCE MOTION - GARY WARNER

Moved Cr Jack Medcraft, **Seconded** Cr Jarrod Bell

That Council acknowledges the passing of Gary Warner.

CARRIED

CGM62 CONGRATULATIONS MOTION - SUNBURY BMX CLUB AND VOLUNTEERS

Moved Cr Jarrod Bell, **Seconded** Cr Jack Medcraft

That Council extend its congratulations to the Sunbury BMX Club and its volunteers on a successful hosting of round 7 of the Victorian State Series as part of Victoria's State Series Championship.

CARRIED

CGM63 CONGRATULATIONS MOTION - BEC BREMNER

Moved Cr Jarrod Bell, **Seconded** Cr Jack Medcraft

That Council congratulates Bec Bremner of the Ottimo Bakery based in Sunbury on her fantastic results at the 2024 National Artisan Baking Competition.

CARRIED

6. CONFIRMATION OF COUNCIL MINUTES

Minutes of the Council Meeting held 11 June 2024, including Confidential Minutes.

Moved Cr Karen Sherry, **Seconded** Cr Chris Hollow

THAT the Minutes of the Council Meeting held 11 June 2024, including Confidential Minutes, be confirmed.

CARRIED

7. PUBLIC QUESTION TIME**PQ1177 PUBLIC QUESTION – GIUSEPPE SCROCCA**

Why is the property being subdivided when covenant states single dwelling only?

RESPONSE: DIRECTOR CITY PLANNING AND PLACES

The proposal before Council for determination tonight seeks permission to vary the covenant and development of the land for multiple dwellings. No subdivision is proposed at this point in time.

PQ1178 PUBLIC QUESTION – GIUSEPPE SCROCCA

What is the point of covenant when the council members don't implement its rules?

RESPONSE: DIRECTOR CITY PLANNING AND PLACES

The planning system in Victoria provides mechanisms for the variation of covenants which includes for the ability to vary via planning permit. Council must consider any planning permit application it receives on its merits. The Hume planning scheme allows for application to be made to vary covenants as is proposed and provides guidance on how such applications should be considered.

In this case, officers have assessed the proposal on its merits and made a recommendation to approve the proposal having considered all matters.

8. OFFICERS' REPORTS

Report No.	Report	Page in Agenda
8.1	9 Lynton Court Greenvale - Development of multiple dwellings and variation of a restrictive covenant	5

Moved Cr Joseph Haweil, **Seconded** Cr Sam Misho

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 multiple dwellings and variation of a restrictive covenant at 9 Lynton Court Greenvale on the following grounds:

1. The variation of Covenant under Instrument AJ711138F will result in material detriment and loss arising from the change to the character of the neighbourhood contrary to the tests at Section 60 (2) of the Planning and Environment Act 1987.
2. The proposed dwellings will result in buildings forms that are inconsistent with the character of the area in terms of siting, scale and level of cut and fill required.
3. The proposal is contrary to the proper and orderly planning of the area.

A division was requested: The result of the division was as follows:

For	Against
Cr Jarrod Bell	Cr Jack Medcraft
Cr Trevor Dance	Cr Karen Sherry
Cr Joseph Haweil	
Cr Chris Hollow	
Cr Jodi Jackson	
Cr Naim Kurt	
Cr Sam Misho	
Cr Carly Moore	
Cr Jim Overend	

CARRIED

Report No.	Report	Page in Agenda
8.2	2024/25 Budget Adoption and Declaration of Rates Fees and Charges and Council Plan 2021-2025 (2024/25 update)	51

Moved Cr Sam Misho, **Seconded** Cr Karen Sherry

Councillor Joseph Haweil left the meeting during item 8.2 2024/25 Budget Adoption and Declaration of Rates Fees and Charges and Council Plan 2021-2025 (2024/25 update), the time being 7:34pm.

Councillor Joseph Haweil returned to the meeting during item 8.2 2024/25 Budget Adoption and Declaration of Rates Fees and Charges and Council Plan 2021-2025 (2024/25 update), the time being 7:37pm.

- 2.1 That having considered submissions received and the details of the 2024/25 Budget (the Budget) and the Council Plan 2021-2025 (2024/25 Update) (revised Council Plan), as contained within attachments 1 and 2, Council adopts the Budget and revised Council Plan. The details of the 2024/25 recurrent and capital budgets appended to this report includes:
 - 2.1.1 Section 1 – Link to the Integrated Planning and Reporting Framework
 - 2.1.2 Section 2 – Services and service performance indicators
 - 2.1.3 Section 3 – Financial statements

- 2.1.4 Section 4 – Notes to the financial statements including detailed information relating to general rates and charges
- 2.1.5 Section 5 – Financial performance indicators
- 2.1.6 Section 6 – Schedule of fees and charges
- 2.1.7 That the recurrent and capital Budget for 2024/25 be the Budget 2024/25 (Budget) prepared for the purposes of Section 94 of the Act.
- 2.2 That, in relation to the capital works program, the expenditure provided for in each line item is the forecast or projected amount that Council will expend. On occasions the actual amount expended could be greater or less than the expenditure provided for. As each line item is part of a class of expenditure being forecast or projected, Council intends that the expenditure authorised through the adoption of the Budget will be the totality of expenditure by class (regardless of whether, in respect of any particular project, the actual amount expended exceeds or is less than the expenditure that is shown).
- 2.3 That Council declares the general rates and charges as per section 2.4 to 2.17 below.
- 2.4 That in accordance with Section 158 of the 1989 Act, Council declares a General Rate of 0.23285 cents in the dollar of the Capital Improved Value within the municipal district for all rateable land for the rating period commencing 1 July 2024 and ending 30 June 2025.
- 2.5 That Council declares that all general rates for rateable land be determined by multiplying the Capital Improved Value of the rateable land by the relevant General Rate indicated at 2.4 above.
- 2.6 That for the 2024/25 financial year, the Primary Producer Rate Rebate will continue to be offered to landholders outside the urban growth zone which will be calculated at 30% of the General Rate. The eligibility criteria for the Primary Producer Rate Rebate are similar to that under the Agricultural Land Use Rebate however there is a requirement on landholders to prove to Council that they are trying to operate an agricultural business from their agricultural activity.
- 2.7 That Council grants an additional pensioner rate rebate of \$40.00 per rateable property to those applicants who qualify for a rate rebate within the meaning of the *State Concessions Act 2004* over and above that provided by the State Government. This rebate is to be granted on the same terms and conditions that provides for the State Government funded rebate without separate application in accordance with Section 171 of the 1989 Act.
- 2.8 That for the rating period commencing 1 July 2024 and ending 30 June 2025 and in accordance with Section 162 of the 1989 Act Council also declares:
- 2.8.1 A Public Waste service rate of 0.0336790 cents in the dollar which will apply to commercial and industrial properties, excluding non-rateable properties.
- (a) The amount payable will be determined by multiplying the Capital improved Value (CIV) by the

Service Rate of 0.0336790 cents in the dollar as indicated at 2.8.1 above.

- 2.8.2 A Public Waste service charge of \$222.99 for residential properties. For the purpose of the waste charge, residential properties include properties classified as rural.
 - 2.8.3 A Public Waste service charge of \$172.99 for pensioners owner occupied residential properties which reflects a fee that is \$50 less than the standard residential Public Waste service charge.
 - 2.8.4 The classification of residential properties will be based on the zoning and current use in accordance with State Government Valuation Best Practice Specification Guidelines which contain the Australian Valuation Property Classification Codes (AVPCC) established by the Valuer General. Therefore, non-residential will be all other properties not defined as residential.
 - 2.8.5 A Kerbside Waste service charge of \$401.63 to residential and non-residential properties, where Council is able to provide a Kerbside Waste service. This includes the cost of the new food and garden organics (FOGO) service commencing 1 July 2024. Properties on a land size of up to 400 square metres will receive a 140 litre FOGO bin and properties on a land size above 400 square metres will receive a 240 litre bin. Residents who receive a 140 litre FOGO bin are able to request a 240 litre bin at no additional cost. Additional charges will apply for additional bins.
 - 2.8.6 Non-rateable properties who elect to receive a Kerbside Waste service will continue to pay for the service in accordance with the fees outlined in Council's Budget.
- 2.9 New Food and Garden Waste Service (FOGO)
- 2.9.1 That Council notes that every household in Hume will be provided with a food and garden organics (FOGO) bin from 1 July 2024. This new service is in line with the State Government's Recycling Victoria Policy which requires all Victorian households to have a food and garden service by 2030.
 - 2.9.2 That Council notes, from 1 July 2024, the food and garden organics (FOGO) bin will be included in Council's standard Kerbside Waste service, along with garbage and recycling bins.
- 2.10 That Council notes, the Victorian Government Minister's Good Practice Guidelines for Service Rates and Charges (the Guidelines) issued on 22 December 2023 (effective 1 March 2024), have not been complied with in the 2024/25 Budget as they are not mandatory. However, Council may consider a pathway for compliance in future budgets.
- 2.11 That in accordance with Section 167 (1) of the 1989 Act, the general rates and service charges be payable by four instalments. The gazetted instalment dates as fixed by the Minister are as

follows: 30 September 2024, 30 November 2024, 28 February 2025 and 31 May 2025.

2.12 That in accordance with Section 167 (2A) of the 1989 Act, Council will not be offering the lump sum payment option.

2.13 That the setting of the maximum interest rate for unpaid rates and charges will be in accordance with the Local Government Legislation Amendment (Rating and Other Matters) Act 2022. The Minister for Local Government must fix a maximum rate of interest that councils may charge on unpaid rates and charges. The legislation takes effect from 20 June 2023. Until a new interest rate is set by the Minister for Local Government, the current interest rate as set by the Attorney-General via the Penalty Interest Rate Act 1983 continues to apply under s.172(2) of the 1989 Act. The current interest rate is set at 10 per cent and will apply for the 2024/25 financial year, unless it is changed by the Minister.

2.14 That in accordance with Section 159 of the 1989 Act, Council declares that a municipal charge will not be levied against any rateable land on which a municipal charge may be levied for the rating period commencing on 1 July 2024 and ending on 30 June 2025.

2.15 That in accordance with Section 162 of the 1989 Act, Council declares annual service rates and charges for waste, recycling, or resource recovery services for rateable properties for the period commencing 1 July 2024 and ending 30 June 2025; where each occupied serviced rateable property is entitled to one 140L garbage service and one 240L recycle service. Additional charges will apply as follows, including for non rateable properties:

WASTE SERVICE OPTION	Per Service
Garbage Charges	
Garbage (upgrade from 140L to 240L)	\$124.30
Garbage (additional service 240L)	\$287.10
Garbage (additional service 140L)	\$165.80
Garbage (additional 80L)	\$95.50
Garbage discount (80L first service)	\$22.10 discount
Recycling Charges	
Recycle (additional 140L or 240L)	\$75.50
Recycle (upgrade from 140L to 360L)	\$36.80
Recycle (additional 360L)	\$113.10
Organics Charges	
Organics 140L additional service	\$92.00
Organics 240L additional service	\$117.10
Kerbside Waste service charge	
Charge for all rateable properties	\$401.63
Public Waste service rates and charges	
Residential – charge	\$222.99
Residential – pension concession charge (\$50 discount)	\$172.99

Non-residential rate (cents/\$CIV)	0.0336790
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2.16 That an amount of \$240.63m be declared as the amount Council intends to raise from the general rates and charges (excluding rates in lieu) for the period from 1 July 2024 to 30 June 2025 as follows:

2.16.1	\$000
General rates	\$ 175,997
Less primary producer rate rebate	(\$ 149)
Less Council pension rebate	(\$ 554)
Total general rates	\$ 175,294
2.16.2 Service charge – recycling and garbage	\$ 490
Special rates and charges	\$ 5
Kerbside Waste service charge	\$ 35,949
Service charge – organics	\$ 35
Public Waste service rates and charges	\$ 25,455
Projected supplementary rate income	\$ 3,000
Rates interest	\$ 400
Total rates and service charges	\$ 240,628
Rates in lieu - Commonwealth properties	\$ 17,474
	<u>\$ 258,102</u>

2.17 That Council notes that in accordance with Section 158 of the 1989 Act and Regulation 8 of the Regulations, detailed information concerning General Rates and Charges is appended to this report.

Cr Naim Kurt vacated the chair the time being 8:11pm
Cr Karen Sherry took over the chair at 8:11pm

Cr Karen Sherry vacated the chair the time being 8:13pm
Cr Naim Kurt resumed in the chair the time being 8:13pm

A division was requested: The result of the division was as follows:

For	Against
Cr Jarrod Bell	Cr Trevor Dance
Cr Joseph Haweil	Cr Jodi Jackson
Cr Chris Hollow	Cr Jim Overend
Cr Naim Kurt	
Cr Jack Medcraft	
Cr Sam Misho	
Cr Carly Moore	
Cr Karen Sherry	

CARRIED

Report No.	Report	Page in Agenda
8.3	Submission to State Government on Cost Shifting and Financial Sustainability	227

Moved Cr Sam Misho, **Seconded** Cr Karen Sherry

That Council provide a submission to the Legislative Council Economy and Infrastructure Committee on the Inquiry into Local Government funding and services expressing concern about the extent of cost shifting from the State Government to Local Government, especially in the context of rate capping limiting Council's ability to meet the future operational and infrastructure needs of its community. The submission is included in Attachment 1 and the appendix to the submission is included in Attachment 2.

CARRIED

Report No.	Report	Page in Agenda
8.4	Minutes of the Audit and Risk Committee Meetings of the Hume City Council held on 1 March 2024	253

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

THAT Council confirms the Minutes of the Audit and Risk Committee Meeting of the Hume City Council held on 1 March 2023.

CARRIED

Report No.	Report	Page in Agenda
8.5	Review of Instrument of Delegation to Members of Council Staff	269

Moved Cr Jarrod Bell, **Seconded** Cr Karen Sherry

- 2.1 **THAT** Council's existing *Instrument of Delegation to Members of Council Staff*, which was adopted on 15 April 2024, be revoked.
- 2.2 **THAT** Council approves the signing and sealing of the attached *Instrument of Delegation to Members of Council Staff* (Attachment 1).

CARRIED

Report No.	Report	Page in Agenda
8.6	Complaints Policy	375

Moved Cr Karen Sherry, **Seconded** Cr Carly Moore

That Council adopts the revised Draft Complaints Policy (Attachment 1).

CARRIED

Report No.	Report	Page in Agenda
8.7	Youth Opportunity Scholarship 2024	419

Moved Cr Joseph Haweil, **Seconded** Cr Jarrod Bell

That Council awards a \$1,000 Youth Opportunity Scholarship to each of the twenty-eight Year 10 students shown in Attachment 1, who demonstrate continued effort and progression toward achieving their goals in 2024.

CARRIED

Report No.	Report	Page in Agenda
8.8	Sunbury Community Arts and Cultural Precinct - Endorsement of final Concept Plan and the Next Stages	423

Moved Cr Jarrod Bell, **Seconded** Cr Jack Medcraft

2.1 That Council:

- 2.1.1 Endorses the concept design for building 22, building 24 and surrounding open space of the Sunbury Community, Arts and Cultural Precinct shown in Attachment 1 and approves proceeding to design development (detailed design) and construction documentation phases.**
- 2.1.2 Notes the feedback received on the concept design from the community during consultation held between 1 May and 15 May 2024 as detailed in section 8 of this report and Attachment 2.**
- 2.1.3 Notes that following the design development (detailed design) and construction documentation phases, a construction tender will be released, and a report will be prepared for consideration at a future Council meeting for the award of the tender.**
- 2.1.4 Requests that the Minister for Planning prepare adopt and approve a 20-part 4 planning scheme amendment for Lot C Jacksons Hill to be rezoned from Comprehensive Development Zone 1 (CDZ1) to Public Use Zone 6 – Local Government (PUZ6) and acknowledges Hume City Council then**

becomes the Responsible Authority for the site other than the purposes of Section 171 of the *Planning and Environment Act 1987* (P&E Act).

- 2.1.5 Provides in principle support for the operation and management of Sunbury Community Arts and Culture Precinct to be Council led in its initial stages with the intention of transitioning to a community led incorporated association model within 12 – 18 months of opening.
- 2.1.6 Review the Community Advisory Group, seeking to develop it into an Advisory body that can support the transition of site operations and management from Council run to community run as recommended in 2.1.5.
- 2.1.7 Requests a report come back to Council within 12 months of opening, documenting a review of the operations of Stage 1 of Sunbury Community Arts and Cultural Precinct (Operational Model) and steps towards community transition.

Councillor Joseph Haweil left the meeting during item 8.8 Sunbury Community Arts and Cultural Precinct - Endorsement of final Concept Plan and the Next Stages, the time being 8:40pm.

Councillor Joseph Haweil returned to the meeting during item 8.8 Sunbury Community Arts and Cultural Precinct - Endorsement of final Concept Plan and the Next Stages, the time being 8:42pm.

CARRIED

Report No.	Report	Page in Agenda
8.9	Monthly Capital Works Update	467
	Moved Cr Karen Sherry, Seconded Cr Chris Hollow	
	2.1 That Council receive and note the report.	

CARRIED

Report No.	Report	Page in Agenda
8.10	Correspondence received from or sent to Government Ministers or Members of Parliament - May 2024	469
	Moved Cr Karen Sherry, Seconded Cr Jack Medcraft	
	That Council notes this report on correspondence received from or sent to Government Ministers or Members of Parliament.	

Councillor Jim Overend left the meeting during item 8.10 Correspondence received from or sent to Government Ministers or Members of Parliament - May 2024, the time being 8:50pm.

Councillor Jim Overend returned to the meeting during item 8.10 Correspondence received from or sent to Government Ministers or Members of Parliament - May 2024, the time being 8:53pm.

CARRIED

Report No.	Report	Page in Agenda
8.11	National Urban Policy Submission	491

Moved Cr Karen Sherry, **Seconded** Cr Jarrod Bell

2.1 That Council approves the response (Attachment 2) to the draft National Urban Policy for consideration by the Federal Department of Infrastructure.

Councillor Sam Misho left the meeting during item 8.11 National Urban Policy Submission, the time being 9:05 pm.

Councillor Carly Moore left the meeting during item 8.11 National Urban Policy Submission,, the time being 9:06pm.

Councillor Sam Misho returned to the meeting during item 8.11 National Urban Policy Submission, the time being 9:07pm.

Councillor Carly Moore returned to the meeting during item 8.11 National Urban Policy Submission and did not vote, the time being 9:11pm.

CARRIED

9. NOTICES OF MOTION

Report No.	Report	Page in Agenda
9.1	NOM24/29 - Cr Jarrod Bell	

Moved Cr Jarrod Bell, **Seconded** Cr Jack Medcraft

BACKGROUND INFORMATION:

Following advocacy from the Diggers Rest DREAM Group (emails forwarded to the CEO) and my own experience as a Road Rescue technician I am concerned about the road safety situation along this corridor.

Further I am concerned that given the split nature of the corridor (between Melton and Hume CCs and between Northern and Western groups of councils) and the periphery nature of both Sunbury and Diggers Rest this issue has not been able to rise to the level of individual or coordinated advocacy.

RECOMMENDATION:

That COUNCIL

2.1 Expresses its concern over the ongoing road safety situation along the vineyard road corridor. Noting that

during the period June 2018 to June 2023 there were 54 crashes with 71 people sustaining an injury during the period, 22 of these injuries being of a serious nature requiring acute hospitalisation.

- 2.2 Notes the piecemeal approach to the delivery of road improvements along the corridor, which has added to safety issues.
- 2.3 Notes the failure of numerous agencies and developers to adequately undertake work along the corridor to deliver or prioritise commitments outlined in the relevant Precinct Structure Plans for Diggers Rest and Sunbury South.
- 2.4 Notes that these issues directly impact the lives of residents of Sunbury and the City of Hume. Acknowledges that Diggers Rest is part of the Sunbury Urban Growth Corridor and that it is expected that Diggers Rest residents rely on Sunbury for goods and services and vice versa. This requires safe access for residents on both sides of the Calder Freeway.
- 2.5 Acknowledges that any real solution to the issues noted above will require advocacy and collaboration from both the City of Hume and the City of Melton. Particularly to advocate for issues outside of the boundaries of the respective municipalities.
- 2.6 Write to the Mayor and CEO of the City of Melton asking for their support in drafting and sending a joint letter to the Minister for Planning and the Minister for Roads safety and relevant State MP's urging the delivery of key road safety improvements as noted in the relevant PSP's. The letter should also include strong advocacy for the following:
 - (a) Duplication of the Vineyard Road Calder Freeway overpass bridge
 - (b) Upgrade of the on ramp and associated intersection on the Sunbury side.
 - (c) Alignment of Hero Street and Eucalyptus Road, Diggers Rest.
 - (d) Full duplication of Vineyard road through Diggers rest as detailed in the PSP.
- 2.7 Explore and consult with the City of Melton on any further opportunities for joint advocacy on this issue and report back to council.
- 2.8 Should the City of Melton not wish to undertake a joint letter, Council will via the Mayor draft and send a letter under its own letterhead.

CARRIED

MINUTES

10. ITEMS TO BE TABLED

Nil

11. URGENT BUSINESS

Nil

12. DELEGATES REPORTS

Cr Sam Misho reported on his attendance at the 2024 National Congress of the National Growth Areas Alliance in Sydney.

13. CONFIDENTIAL ITEMS

The Mayor noted that there are two attachments to reports that have been considered tonight but as there is no consideration of these items in accordance with section 66(2) there is no need to close the meeting to the public to consider confidential items.

14. CLOSURE OF MEETING

The meeting closed at 9:26pm.