



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

**MONDAY, 22 JULY 2019**

**UNCONFIRMED MINUTES**

**It should be noted that these minutes are not in their final form until Council has formally resolved to confirm them.**

**These minutes will be presented to Council for confirmation on Monday, 12 August 2019.**



# HUME CITY COUNCIL

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**Minutes** of the  
**ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**  
held on Monday, 22 July 2019  
**at 7:03 PM**  
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

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To: a: Council	Cr Carly Moore Cr Naim Kurt 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	Mayor Deputy Mayor
b: Officers	Mr Daryl Whitfort Ms Sue Haviland  Mr Hector Gaston Mr Michael Sharp Mr Peter Waite Mr Fadi Srour Ms Kirsty Miller  Ms Bernadette Thomas  Ms Kristen Cherry Mr Gavan O'Keefe Mr Matthew Wilton	Acting Chief Executive Officer Acting Director Communications, Engagement and Advocacy Director Community Services Director Planning and Development Director Sustainable Infrastructure and Services Acting Director Corporate Services Manager Statutory Planning and Building Control Services Acting Manager Sustainable Environment and Waste Manager Community Strengthening Manager Governance Governance Support Officer

## **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, members of the gallery will be invited 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 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

**3. APOLOGIES**

Nil.

**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 indicated they had a conflict of interest to declare.

**5. CONDOLENCE MOTIONS****CNM018 CONDOLENCE MOTION – GARY JUNGWIRTH**

Councillor Drew Jessop

**Moved** Cr Drew Jessop, **Seconded** Cr Ann Potter

**That council records with great sadness the passing of former councillor and Mayor, Gary Jungwirth, and expresses its sincere condolences to Anne Jungwirth, sons Edwin and Thomas, and all of Gary's extended family and friends.**

**CARRIED**

**CNM019 CONDOLENCE MOTION - VINCE MIGGIANI**

Councillor Geoff Porter

**Moved** Cr Geoff Porter, **Seconded** Cr Jana Taylor

**The Council Notes with sadness and acknowledges the passing of former Hume staff member Vince Miggiani.**

**CARRIED**

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

Report No.	Report	Page in Agenda
CC098	Arts and Culture Strategy Discussion Paper	13

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

**That Council endorse the Arts and Culture Strategy Discussion Paper (Attachment 1) for stakeholder and community feedback from 23 July 2019 until 2 September 2019.**

**CARRIED**

Report No.	Report	Page in Agenda
CC099	Community Grants –Year Round Categories Progress Report	31

**Moved** Cr Naim Kurt, **Seconded** Cr Jana Taylor

**That Council:**

- 2.1 notes that \$5,250 of funds has been awarded in the Year-Round categories since 15 April 2019.
- 2.2 acknowledges the successful applicants as identified in Table 1.

**CARRIED**

Report No.	Report	Page in Agenda
CC100	Hume 0-24 Framework 2019-2029	33

Councillor Ann Potter left the meeting before the motion was moved on item CC099 - *Hume 0-24 Framework 2019-2029*, the time being 7:29 pm.

**Moved** Cr Joseph Haweil, **Seconded** Cr Leigh Johnson

**That Council adopts the *Hume 0-24 Framework 2019-2029: a vision for children and young people in Hume. A ten-year strategy.***

Councillor Ann Potter returned to the meeting during discussion and prior to the vote on item CC099 - *Hume 0-24 Framework 2019-2029*, the time being 7:30 pm.

**CARRIED**

Report No.	Report	Page in Agenda
SU417	2 Hartland Court, Craigieburn. Development of three double storey dwellings	83

Mr Zoran Sajinovic and Mr Brodie Saverzi addressed Council regarding the Officer's recommendation.

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

**That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of three double storey dwellings at 2 Hartland Court, Craigieburn, subject to the following conditions:**

- 2.1 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.
- 2.2 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.

- 2.3 The development permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.
- 2.4 The cost of all new fencing construction is to be borne by the owner/developer.
- 2.5 All works on or facing the boundaries of adjoining properties must be finished and the surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the responsible authority.
- 2.6 All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
- 2.7 All air-conditioning equipment other plant equipment must be screened and must be appropriately located away from habitable room windows of adjacent dwellings to the satisfaction of the responsible authority.
- 2.8 Approval is required from Council and other responsible authorities, for the garage to build over easement.
- 2.9 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.
- 2.10 Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system.
- 2.11 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.12 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.13 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 a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing or any modifications to existing vehicle crossings is to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application.
- Any service relocations are to the approval of the Service Authority and at the owners cost.
- An "Application for Legal Point of Stormwater Discharge" is required to be submitted to Council prior to connection to the drainage system.
- Any Structure built over an easement requires Council and relevant service authorities approval.

**CARRIED**

Report No.	Report	Page in Agenda
SU418	45-165 Old Sydney Road, Mickleham - Buildings and Works Associated with the Construction of an Access Track off Kinnear Road, Mickleham (Lot 4 PS703031). (Planning permit P17115 preamble described as - The Use and Buildings and Works Associated with the Development of a Restaurant, Place of Assembly, (including Reception Centre, Function Centre and Chapel), Accommodation (Residential Hotel), Shop (Providore), Farmers Market, Food and Drink Premises (Cafe), Use of Rural Outbuildings as an Art and Craft Centre with Eco-Tourism Related Activities, Licenced Premises (Late Night General Licence), Removal of Native Vegetation, Demolition (partial) and Access to a Road in a Road Zone Category 1 in Accordance with the Endorsed Plans.	105

Ms Deborah Ide and Mr Gerald Ackroyd addressed Council regarding the Officer's recommendation.

**Moved** Cr Drew Jessop, **Seconded** Cr Geoff Porter

**That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant Approval for the amendment to planning permit P17115 under Section 72 of the *Planning and Environment Act* for buildings and works associated with the construction of an access track off Kinnear Road, Mickleham subject to the following conditions being added to the existing permit:**

- 2.1 Delete condition 1(a) on planning permit P17115.11.

- 2.2 Within three months from the approval of this amendment (P17115.09), 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 show:
- (a) Kinnear Road (between Mickleham Road and the proposed Estate access), upgraded to accommodate proposed staff and service vehicles (maximum size - 9.2 metre garbage truck) associated with the development. Kinnear Road is to be widened to meet minimum Austroads requirements of 6.2-metre-wide sealed road with 1.5m wide unsealed shoulders either side to the satisfaction of the responsible authority.
  - (b) The landscape plan is to be amended to include the lighting along the access track – including elevation and design details.
- 2.3 Within three months from the approval of this amendment (P17115.09), detailed design plans and documents relating to the upgrade works to Kinnear Road are to be submitted to Council for approval. The information submitted to Council will need to include detailed pavement design, signage e.g. road bend and advisory speed warning signage, line marking, RRPM's etc. in accordance with Austroads requirements.
- 2.4 The upgrade works to Kinnear Road must commence within 3 months from receiving approval from the responsible authority unless otherwise agreed in writing with the responsible authority.
- 2.5 A Traffic Management Plan, to be used for the duration of the works, is to be prepared and forwarded for approval to Councils Traffic Department prior to the commencement of works to Kinnear Road.
- 2.6 The vehicle crossing into the Estate is required to be sealed to the satisfaction of the responsible authority between Kinnear Road and the Marnong Estate security gate.
- 2.7 The owner/applicant is to install 'Stop' line marking at the Estate access in thermoplastic paint to accompany the existing 'stop' sign to the satisfaction of the responsible authority.
- 2.8. Unless with the prior written consent of the responsible authority, the Estate access off Kinnear Road is limited to use by staff, farm and service vehicles only - up to a maximum of 9.2 meters (garbage truck). The general public and larger vehicles are prohibited from accessing the site from Kinnear Road and are to be advised to use the Mickleham Road entrances.
- 2.9 External lighting must be designed, baffled and located to the satisfaction of the responsible authority so as to prevent any adverse effect on adjoining land.



**2.10** In the event that increased traffic on Kinnear Road is causing a safety concern or an unreasonable impact on the Kinnear Road/Mickleham Road intersection, the responsible authority will request the owner to submit a revised Traffic Impact Assessment (TIA). This must be done to the satisfaction of the responsible authority and VicRoads and submitted within three months of the request being made in writing. The TIA is to include an intersection analysis of the Mickleham Road/Kinnear Road intersection to determine if left and right turn treatments from Mickleham Road onto Kinnear Road are required to be undertaken by the owner of Marnong Estate (as outlined in Austroads Guide to Road Design – Part 4).

**2.11** The subsequent re-numbering of the remaining conditions.

**CARRIED**

<b>Report No.</b>	<b>Report</b>	<b>Page in Agenda</b>
<b>SU419</b>	<b>1540 Mickleham Road, Mickleham - The use and development of the land as a place of worship, associated earthworks, creation and alteration of access to a road in a road zone category 1 and the reduction in the car parking requirements.</b>	<b>127</b>

Mr Peter Remington, Mr Dylan Porter and Mr Darren McCarthy addressed Council regarding the Officer's recommendation.

**Moved** Cr Drew Jessop, **Seconded** Cr Ann Potter

**That a Notice of Decision to Grant a Permit be granted for the use and development of the land as a place of worship, associated earthworks, creation and alteration of access to a road in a road zone category 1 and the reduction in the car parking requirements at 1540 Mickleham Road, Mickleham, subject to the following conditions:**

- 2.1** Before the use/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.** Arrows to the access and egress lanes and the direction in which vehicles should proceed along the access clearly indicated.
  - b.** Outdoor lighting to the carparking areas located such that no direct light is emitted outside the boundaries of the subject land.
  - c.** A plan to show the location and extent of cut and fill across the site to be consistent with the tree zones plan prepared by PAA Architects, dated 10 May 2019. The plan must be consistent with retained tree protection area, to ensure retained trees will not be impacted by proposed earthworks. The plan must detail the quantities/volumes and type of fill to the satisfaction of the responsible authority.

- 2.2 The use and/or development as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the written consent of the Responsible Authority.
- 2.3 Except with the prior written consent of the Responsible Authority, the use permitted by this permit may only operate between the following times:
  - a. Sunday to Thursday  
6.00am – 10.00pm.
  - b. Friday to Saturday  
6.00am – 12 Midnight.
- 2.4 Except with the prior written consent of the Responsible Authority, the maximum number of attendees present on-site at any one time must not exceed 460 patrons on any week day/ weekend.
- 2.5 Except with the prior written consent of the Responsible Authority, the maximum number of attendees for the annual Stake conference events must not exceed 1000 patrons.
- 2.6 Except with the prior written consent of the Responsible Authority, Stake conference events must not exceed two (2) events per year calendar.
- 2.7 The use and/or development permitted by this permit must not be commenced or occupied until:
  - a. the parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the Responsible Authority;
  - b. the garden and landscape area(s) shown on the endorsed plan(s) have been planted to the requirements and satisfaction of the Responsible Authority;
  - c. the onsite wastewater system is decommissioned and replaced with an upgraded secondary treatment system to the requirements and satisfaction of the Responsible Authority having regard to the recommendations of the Land Capability Assessment report for on-site wastewater management prepared by Ground Science dated 13/09/2018;
- 2.8 The development, permitted by this permit must not be commenced until a satisfactory detailed landscaping plan for the whole of the subject land, including a maintenance schedule, is submitted to and approved by the Responsible Authority. Such plan must be prepared by a person suitably qualified or experienced in landscape design and when approved an endorsed copy must form part of this permit. The plan must be in accordance with the landscape plan prepared by Form, Job number 180518 and dated October 2018. The plan must show the following:
  - a) Additional four (4) feature shade trees for additional screening along the front boundary.
- 2.9 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.

- 2.10** Before the development starts, a Waste Management Plan prepared by a suitably qualified person to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved the plan will be endorsed and will then form part of the permit. Before the use starts/development is occupied, the approved Waste Management Plan must be implemented and thereafter complied with at all times to the satisfaction of the responsible authority. The Waste Management Plan must include:
- (a)** details showing that all events will be sufficiently catered for with the proposed number of garbage and recycling bins;
  - (b)** details of the size and location for the storage of general waste and recyclables and details of screening from view;
  - (c)** a plan showing that the storage area is sufficient to cater for the number of bins;
  - (d)** details of ventilation if garbage bins are in enclosed areas;
  - (e)** If applicable, details of private contractor options, detailing the methods of collection and road network constraints and the potential requirement to manoeuvre garbage trucks, including a collection plan approved by the proposed collection agencies that meets Council's Waste Management Plan;
  - (f)** the hours and frequency of pick-up for general and recyclable waste having regard to the EPA Noise Control Guidelines and the potential noise impacts to the surrounding neighbourhood; and
  - (g)** details providing maintenance of public rubbish bins throughout the car parking areas.
- 2.11** The use hereby permitted shall at all times be conducted in a manner which ensures that the residential amenity of nearby residential properties is not detrimentally affected.
- 2.12** The subject land must be maintained in an orderly and neat manner at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
- 2.13** Except with the further consent of the Responsible Authority no form of public address system shall be used on the premises so as to be audible outside the building.
- 2.14** Prior to felling, trees identified for removal must be examined by a qualified zoologist for the presence of fauna, including those using external nests (e.g. Common Ringtail Possums, bird nests) and tree hollows. If native fauna species are located, they are to be salvaged and relocated in accordance with all relevant legislation and approvals, further to consultation with the Department of Environment, Land, Water and Planning.
- 2.15** Prior to commencement of works, a tree retention plan that shows all trees for retention including tree protection zones and covering any issues of retention into the future, must be submitted and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit.

- 2.16 All vegetation approved for removal in accordance with the endorsed plan must be clearly marked with flagging tape, or other method as appropriate, and must be removed within the prescribed works area in such a manner to avoid damaging vegetation to be retained.
- 2.17 The tree protection guidelines in Appendix 1 of the Arboricultural Construction Impact Assessment prepared by Greenwood Consulting Pty. Ltd. (Ref: 4869 181016 CIR AECOM Mickleham Craigieburn 1540 Rd, dated 14 February 2019) must be implemented for all retained trees to the satisfaction of the Responsible Authority.
- 2.18 The recommendations for the protection of Trees 2 and 3 outlined in Arboricultural Construction Impact Assessment prepared by Greenwood Consulting Pty. Ltd. (Ref: 4869 181016 CIR AECOM Mickleham Craigieburn 1540 Rd, dated 14 February 2019) must be implemented to the satisfaction of the Responsible Authority.
- 2.19 Works must be restricted to the area of development shown on the endorsed plans. Creek areas must be adequately protected during construction works. No polluted or sediment laden water may enter any waterway.
- 2.20 Environmental Weeds as referred to in Department of Sustainability and Environment Advisory list of Environmental Weeds of the Inland Plains bioregions of Victoria, May 2009 must not be used in any of the landscaping works.
- 2.21 Fill resulting from the development is not to be stored on the site and must be removed from the property at the completion of the development works.
- 2.22 Any fill removed from site must be taken to a legal disposal site.
- 2.23 Any fill brought into the property must be classified as 'Fill material' as per EPA Soil Hazard Categorisation and Management (IWRG), Publication IRWG621. All fill must be free of weed propagules and pathogens.
- 2.24 Noxious weeds must be controlled. Any weed infestations resulting from soil disturbance and/or the importation of sand, gravel and other material used in the construction process must be controlled.
- 2.25 Best practice erosion and sedimentation control must be installed during construction where a hazard is identified. No polluted or sediment laden water may enter any waterway.
- 2.26 The applicant is required to submit to Council's Public Health Department an 'application to install' an appropriate and Environment Protection Authority approved waste water disposal system on the property.
- 2.27 The place of worship must not cause any detrimental effect to the surrounding area and/or public; such as noise emissions, light pollution from external lighting, dust from unsealed roads.
- 2.28 Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No N-2.

- 2.29 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 of concrete or asphalt. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
- 2.30 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.
- 2.31 All parking is to be provided on-site.
- 2.32 All parking bays to be linemarked including disabled and associated shared area pavement marking.
- 2.33 Vehicles under the control of the operator under this permit must not be parked on nearby streets or roads. The operator must ensure that vehicles are not parked in nearby streets or roads.
- 2.34 All vehicles are to enter and exit the site in a forward motion.
- 2.35 All pedestrian paths indicated as paved on the endorsed plan(s) must be constructed and maintained to the satisfaction of the Responsible Authority.
- 2.36 The lighting of the car park area must be designed with suitable baffles so that no direct light is emitted outside the site.
- 2.37 Any service relocation associated with the works are to be approved by the Service Authorities and at the owners cost.
- 2.38 All loading and unloading to occur on-site.
- 2.39 The installation of a bicycle parking facility rail is required for at least four bicycles in accordance with the requirements of clause 52.34 of the Hume Planning Scheme.
- 2.40 Prior to the commencement of the development, final Drainage plans are to be submitted to Council's Civil Design Department for approval.
- 2.41 The internal stormwater drainage design must be approved by the relevant Building Surveyor as per the Building Regulation 2006, Reg. 610.
- 2.42 Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
- 2.43 Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system.
- 2.44 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.45 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.

The following conditions are required by VicRoads:

- 2.46 All disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the buildings or works hereby approved.

- 2.47 The crossover and driveway are to be constructed at no cost to the Roads Corporation (VicRoads) and to the satisfaction of the Responsible Authority.
- 2.48 The shoulder must be widened along both sides of the road must be widened to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.
- 2.49 All line markings are to be made to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.
- 2.50 A deceleration and acceleration lane is to be constructed at each entry and exit point to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.
- 2.51 Before the use and/or development starts, amended plans must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans dated 08/10/18 and annotated as but modified to show:
- i. Deceleration and accelerations lanes at each entry and exit.
- The following conditions are required by Melbourne Water:
- 2.52 Prior to the issue of a Certificate of Occupancy, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
- 2.53 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- 2.54 Stormwater runoff from the development must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'. Non-compliance with best practice objectives will require the payment of the stormwater quality component of the drainage contributions.
- 2.55 Prior to the commencement of works, it is necessary to control the discharge from the subdivision to the existing capacity of the downstream drainage system.
- 2.56 Prior to the commencement of works, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
- 2.57 All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council's satisfaction.
- 2.58 Make provision for overland flows from the upstream catchment utilising roads and/or reserves.
- 2.59 Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.

- 2.60** Prior to commencement of works, a free draining outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s). Written acceptance from downstream landowners and Council is to be forwarded to Melbourne Water for our records.
- 2.61** Temporary Outfall works shall be in accordance with Melbourne Water guidelines and to be maintained by the developer until the ultimate works are complete. Water Surveillance Officers may request additional measures during the operation of the temporary outfalls where issues have been identified
- 2.62** 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.

**Permit Notes:**

- If a request for an extension of the commencement date is made out of time allowed by the expiry 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.
- Prior to commencement of any works within the road reserve or require alteration/connection to the Council's drainage assets in the road reserve, an 'Application form for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council to obtain a permit to carry out the works.
- The definition of fill for the purposes of this condition includes any soil, rock, substrate, clay, sand or other natural material generated through the excavation of the site.
- With regards to VicRoads Condition 46, the proposed development requires reinstatement of disused crossovers to the satisfaction of VicRoads and/or the Responsible Authority. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.
- With regards to Condition 47, the proposed development requires construction of a crossover to the satisfaction of VicRoads and/or the Responsible Authority. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

- With regards to Condition 48, the proposed development requires the widening of the road into the shoulder to allow for additional space for a right hand turning lane. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.
- With regards to Condition 49, the proposed development requires line marking works associated with the painted chevron and right hand turning lanes. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.
- The site is located within the northern package of the Suburban Roads Upgrade (SRU). Mickleham Road is planned to be duplicated between 2021 and 2031 which will likely include the development of a median as part of a future road duplication resulting in left in-left out movement to and from the site.
- On 5 September 2013 and 11 September 2014, approvals under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) were granted. The approvals apply to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013).
- The Commonwealth approvals have effect until 31 December 2060. The approvals are subject to conditions specified at Annexure 1 of the approvals. Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required.

Councillor Joseph Haweil left the meeting after the motion was moved on item SU419 - 1540 Mickleham Road, Mickleham - *The use and development of the land as a place of worship, associated earthworks, creation and alteration of access to a road in a road zone category 1 and the reduction in the car parking requirements*, the time being 8:17 pm.

Councillor Joseph Haweil returned to the meeting during discussion and prior to the vote on item SU419 - 1540 Mickleham Road, Mickleham - *The use and development of the land as a place of worship, associated earthworks, creation and alteration of access to a road in a road zone category 1 and the reduction in the car parking requirements*, the time being 8:19 pm.

**CARRIED**



Report No.	Report	Page in Agenda
SU420	Unit 2 / 6-10 Nathan Drive, Campbellfield- Use of the land for a place of assembly/worship and a reduction in the car parking requirements.	161

Ms Robyn Smith addressed Council regarding the Officer's recommendation.

Councillor Leigh Johnson left the meeting before the motion was moved on item SU420 - *Unit 2 / 6-10 Nathan Drive, Campbellfield- Use of the land for a place of assembly/worship and a reduction in the car parking requirements*, the time being 8:24 pm.

Councillor Leigh Johnson returned to the meeting during discussion and prior to the motion being moved on item SU420 - *Unit 2 / 6-10 Nathan Drive, Campbellfield- Use of the land for a place of assembly/worship and a reduction in the car parking requirements*, the time being 8:25 pm.

**Moved** Cr Joseph Haweil, **Seconded** Cr Jack Medcraft

**That Council, having considered the application on its merits, resolves to issue a Notice of Decision to Grant a Planning Permit for a place of assembly/worship with the reduction in the car parking requirements on land known as unit 2 / 6-10 Nathan Drive, Campbellfield subject to the following conditions:**

- 2.1 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) All parking bays to be 4.9m long and 2.6m wide with a 6.4m aisle width. All parking bays to be line marked including disabled and associated shared area pavement marking.
  - b) The parallel parking bay line marking must be 6.7m long and 2.3m wide.
  - c) The disabled bay to be 2.4m wide with a shared area 2.4m wide and 5.4m long into the aisle.
  - d) Lighting of the accessways and car parking areas.
  - e) Removal of parking bays 10-17 as being allocated to unit 2.
- 2.2 The layout of the use(s) shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 2.3 The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the Responsible authority. Such plan must show the area(s) set aside for landscaping which is to include the planting of canopy trees, a minimum of 1.8 metres in height when planted and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
- 2.4 The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.

- 2.5 Except with the prior written consent of the Responsible Authority, a maximum of 70 parishioners are allowed on site at any one time.
- 2.6 Except with the prior written consent of the Responsible Authority, the use permitted by this permit may only operate between the following times:

Use	Hours of Operation
Prayer	Thursday – Saturday 6.00pm – 9.00pm
Setup/Music Practice	Saturday 2.00pm-6.00pm
Prayer Service	Sunday (2 Services) 9.30am - 11.30am 11.30- 1.30pm
End of Month Meetings	Last Saturday of the Month 6.00pm-8.00pm
Social Meetings * When social meetings are being held there are no other uses concurrently occurring on the land.	Saturday 2.00pm-8.00pm

- 2.7 The use is to occur within the building at all times with the exception of the one off events. During the one off events car parking is to be kept available at all times and the event must occur on the site at all times.
- 2.8 All amplified music is to occur within the building only.
- 2.9 Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.
- 2.10 No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the subject land.
- 2.11 The use or development permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.
- 2.12 Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the responsible authority.

- 2.13 The boundaries of all car spaces, access and egress lanes and the direction in which vehicles should proceed along the access lanes must at all times be clearly indicated on the ground to the satisfaction of the Responsible Authority.
- 2.14 In areas set aside for parking, kerbs or barriers or other means of protection must be installed to the satisfaction of the Responsible Authority so as to prevent damage by vehicles to the fence.
- 2.15 Car spaces, access lanes and driveways shown on the endorsed plans must be kept available for these purposes at all times to the satisfaction of the Responsible Authority.
- 2.16 All loading and unloading of goods from vehicles and the delivery of goods must at all times be carried out within the loading bay shown on the endorsed plan. Such loading bay must be made available for such use and shall not be used for any other purpose.
- 2.17 The external lighting along the accessways and car parking areas 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.
- 2.18 This permit will expire if one of the following circumstances applies:
- The use is not commenced within three years of the date of this permit.
  - The use is discontinued for a period of two years.

The Responsible Authority may extend these times if a request is made in writing before the permit expires or within six months afterwards.

#### NOTES:

If a request for an extension of commencement/completion dates is made out of time allowed by 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.

**CARRIED**

Report No.	Report	Page in Agenda
SU421	90 Providence Road, Greenvale - Multi lot subdivision and removal of native vegetation	183

Mr Jose Virguez addressed Council regarding the Officer's recommendation.

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

- a. 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.

- b. That Council, having considered the application on its merits resolves to advise the Victorian Civil and Administrative Tribunal that Council has formed the view to support the application for the multi lot subdivision and removal of native vegetation at 90 Providence Road, Greenvale, subject to the following conditions:
1. Before certification of the plan of subdivision, 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 drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plan by human Habitats, drawing no. 11284/01, Version 3, dated 4 June 2019, but modified to show:
    - a) Provision of a shared path along the northern portion of Providence Road of a width of 2.5m other than adjacent to power poles where the path width may be reduced to the satisfaction of the Responsible Authority.
    - b) Note on the plans stating no vehicular access to be provided to Section Road.
    - c) Note on the plans stating prior to the issue of Statement of Compliance for the proposed subdivision, PSP road infrastructure items LR12, LR13 and LR14 must be completed at no cost to and to the satisfaction of the Responsible Authority.
  2. The layout of the subdivision as s shown on the endorsed plans must not be altered or modified except with the written consent of the Responsible Authority.
  3. Prior to certification of the plan of subdivision, a Functional Layout Plan for Providence Road must be prepared and submitted to the satisfaction of the Responsible Authority demonstrating that the proposed southern boundary of the subdivision provides sufficient width within the road reserve to accommodate the road generally in accordance with the cross-section shown in the Greenvale Central PSP.
  4. subdivision permitted by this permit must be carried out to the satisfaction of the Responsible Authority.
  5. Prior to the issue of a Statement of Compliance for the subdivision, the following road infrastructure items must be constructed in accordance with the Greenvale Central PSP and to the satisfaction of the Responsible Authority.
    - b. The sections of LR14 along the frontage of the development site.
    - c. Plus, LR12 and LR13.
  6. Prior to the issue of a Statement of Compliance, the owner must enter into an agreement under section 17 of the *Planning and Environment Act 1987* which provides:
    - a) No vehicular access is to be provided to Section Road.
  7. Prior to a Statement of Compliance being issued for the Plan of Subdivision under Section 21 of the Subdivision Act 1988, all conditions must be complied with to the satisfaction of the Responsible Authority.

**Wildfire Management Plan**

8. The holder of this permit is required to submit a Wildfire Management Plan to Council's Municipal Fire Prevention Officer prior to October each year, for the duration of the subdivision construction.

**Development contributions and levies**

9. Not more than 21 days prior to the issue of the Statement of Compliance the amount of both the Development Infrastructure Levy and Community Infrastructure Levy calculated in accordance with the provisions of the Greenvale Central Development Contributions Plan (the Plan) must be paid to Hume City Council to the satisfaction of the responsible authority.
10. Before the Statement of Compliance is issued under the *Subdivision Act 1988* for any stage of the development, the Public Open Space contribution must be satisfied by the permit holder to Hume City Council in accordance with the schedule to Clause 52.01 of the Hume Planning Scheme and the Greenvale Central Precinct Structure Plan November 2013. Unless provided in a Public Infrastructure Plan, a schedule of public open space must also be submitted to Council showing the amount provided together with any cumulative totals of any credit/balance in the amounts provided to the satisfaction of the responsible authority.

**Section 173 Agreement**

11. Prior to the issue of a Statement of Compliance, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provides for:
  - a) Nomination of any infrastructure and/or land identified in the Greenvale Central Development Contributions Plan, November 2013 to be provided in lieu of the payment of the levies/development contributions that would otherwise be required under condition 6 of this permit.
  - b) The timing for the delivery of the 'in lieu' infrastructure and/or land and any crediting arrangements.

With respect to points a) and b) of this permit, if an agreement under Section 173 of the Planning and Environment Act 1987 is not entered into or ends, Condition 7 of this permit applies.

The permit holder must pay the reasonable costs of the preparation, execution and registration of this section 173 Agreement.

**Building Envelopes**

12. Prior to the issue of the Statement of Compliance, a building envelope plan must be submitted to and approved by the responsible authority. The building envelope plan must show a building envelope for each lot greater than 300sqm to the satisfaction of the responsible authority. The building envelopes, created as a result of this permit, are approved building envelopes for the purposes of applying part 4 of the building regulations.

13. The plan of subdivision certified under the Subdivision Act 1988 must include a restriction that buildings on lots greater than 300sqm conform to the building envelopes shown on the approved building envelope plan. The restriction must provide for:
- a) buildings to be constructed only in conformity with the approved building envelope plan;
  - b) a building envelope plan to be amended to the satisfaction of Council and any criteria or matters that must be considered by Council in deciding on an amendment to a building envelope;
  - c) a building envelope plan to cease to have effect on the lot containing the envelope ten years after an occupancy permit under the Building Act 1993 is issued for the whole of the dwelling on the lot containing the building envelope;
  - d) the endorsement by the developer of all building plans as a prerequisite to a building permit for a lot specified as requiring such endorsement in the building envelope plan; and
  - e) the requirement for endorsement of building plans by the developer to cease to have effect on a lot one year after an occupancy permit under the Building Act 1993 is issued for the whole of the dwelling on that lot.

#### Land vested in Council or other Authorities

14. Land required for community facilities, public open space, reserves or public roads must be shown on a plan of subdivision as a reserve in favour of Hume City Council or another relevant person or body.
15. Within four weeks of the registration of the plan of subdivision at the Land Titles Office the following must be provided to the Responsible Authority:
  - d. A Certificate of Title for all land vested in the Hume City Council on the plan of subdivision; and
  - e. A clear A3 sized photocopy of the Plan of Subdivision approved by the Land Title Office.

#### Engineering

16. Prior to the approval of construction plans required under condition 18 of this permit, a detailed Drainage Strategy Plan must be prepared to the satisfaction of the Responsible Authority and the relevant drainage authority.

#### The Drainage Strategy Plan must:

- f. detail all drainage discharge points, channel drains, treatment ponds and swales;
- g. detail all temporary swales required to discharge stormwater from the subdivision;
- h. detail all bunds/ cut off drains required to protect the subdivision from external overland flow; and
- i. address the interim responsibility for maintenance of the bunds & temporary swales until the ultimate drainage infrastructure is built; all to the satisfaction of Hume City Council and Melbourne Water.

17. **Outfall drainage must be constructed in accordance with the Attwood Creek Drainage Scheme and Melbourne Water requirements to the satisfaction of Council and Melbourne Water.**
18. **All works identified on the Drainage Strategy Plan including bunds and temporary swales must be covered by easements in favour of the relevant authority**
19. **Prior to the commencement of any road and/or drainage works associated with the subdivision, detailed design plans in accordance with the approved drainage strategy must be submitted to and approved by the Responsible Authority for construction under the provisions of Part 3 of the Subdivisions Act 1988**
20. **When approved the construction plans will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be submitted for stamping approval. The plans must include:**
  - a. **Engineering plans, standard drawings and specifications in accordance with the VPA Engineering Design and Construction Manual (April 2011), for the proposed works that are to become public assets such as roads, intersections, drains, conduits, bridges, public lighting and the like.**
  - b. **Typical cross-sections for each street type, dimensioning individual elements such as service offsets, concrete footpath, shared pathways, kerb & channel, public lighting, cut off drains, lots and any other spatial requirements identified in the Greenvale Central Precinct Structure Plan applying to the land.**
  - c. **A table of offsets for all utility services and street trees.**
  - d. **The provision of conduits to service premises fronting on to the roads, created for the more efficient or easy laying, repairing or replacing of water services and gas services.**
  - e. **Details of any water, gas, electricity and/or telecommunication conduits as required by the relevant service provider and/or the Responsible Authority.**
  - f. **Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls.**
  - g. **Fully sealed pavements with kerb and channel to dimensions generally in accordance with the relevant road cross sections in the Greenvale Central Precinct Structure Plan applying to the land, including traffic management devices where appropriate.**
  - h. **The minimum road reserve for all internal streets must be as per approved PSP.**
  - i. **Provision of footpaths on both sides of every road with the exception of any access lane and any other circumstances as agreed with the Responsible Authority and in accordance with the MPA Engineering Design and Construction Manual.**
  - j. **Details of road infrastructure items LR12, LR13, LR14 and DCP in accordance with the Greenvale Central PSP and to the satisfaction of the Responsible Authority.**

- k. **Bus stop infrastructure if required under this permit shall be provided along the future bus routes to the approval of Council and Public Transport Victoria.**
- l. **Traffic calming devices must be provided as per MPA guidelines to the satisfaction of the Responsible Authority.**
- m. **Overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination in accordance with the Drainage Strategy Plan. Unless otherwise approved, no overland flows will be permitted to be discharged through private property.**
- n. **Drainage outfall system in accordance with the approved drainage scheme (both interim and ultimate) indicating legal point of discharge and any access requirements for construction and maintenance.**
- o. **Underground drainage network (both major and minor) incorporating, as appropriate:**
  - i. **Easement drainage and inlets for all allotments which slope to the rear.**
  - ii. **Road drainage with inlets for all allotments that slope towards the road.**
  - iii. **Land required for maintenance access to drainage facilities.**
  - iv. **Watercourses, lakes, wetlands, silt ponds.**
- p. **Cut-off drains & bunds to intercept stormwater run-off from adjoining properties. Where cut-off drains are placed on adjoining properties in different ownership than the subdivision developer written approval to construct the cut-off drain along with the creation of an easement over the drain is to be provided by the adjoining land owner. The cut off drains/ bunds must be capable of discharging Q100 flows safely from the external catchments to the destination in accordance with the Drainage Strategy Plan.**
- q. **Temporary turn-around areas within the site for waste collection vehicles (single unit truck) at the temporary dead end of any road.**
- r. **Court heads designed to allow for sufficient road reserve width to accommodate a three point turn for a single unit truck.**
- s. **Lane-way 'dead-ends' designed to allow for sufficient road reserve width to accommodate a three point turn for a standard vehicle.**
- t. **Provision of street trees within the road reserve.**
- u. **Location and design of street lighting in accordance with the requirements of AS/NZS 1158.1.1:2005, vehicular traffic (category V) lighting, Pedestrian Area (Category P) lighting, Essential Services Commission Public Lighting Code 2005 and AGLE Public Lighting Technical standard. Nonstandard street lighting will be permitted in accordance with Council's Public Place Lighting Policy.**



- v. Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid (MGA Zone 55 GDA94).
- w. Details of any cut and fill.
- x. On street car parking to be provided in accordance with MPA guidelines.
- y. Details of any traffic control.
- z. Details of any fire hydrants as required under clause 56.09-3 of the Hume Planning Scheme.
- aa. Details of any Tree Protection Zones and Conservation Zones, indicating designated no go construction zones to occur in these areas.
- bb. Provision of a vehicular crossing to each lot and municipal reserve created by the subdivision as follows.
- cc. Vehicle crossover layout and specifications which must be designed in accordance with the Standard Drawings.
- dd. Vehicle crossovers which must be located a minimum 1m from any service facilities.
- ee. Vehicle crossovers which must be offset a minimum of 10m from intersecting kerb line at intersections.
- ff. Unless an alternative treatment is approved by the Responsible Authority, crossovers on lots with frontages of 10 metres or less must abut a crossover on an abutting lot to create a combined crossover of no more than 3 metres in width (excluding splays) at the kerb.
- gg. Minimum clearance between adjoining vehicle crossing must be 7m at kerb.
- hh. Intersection treatments from an existing carriageway designed and constructed in accordance with AustRoads Guide to Traffic Engineering Practice, Intersections at Grade.
- ii. The drawings in AutoCAD format are required to meet the following:

Drawings shall be in AutoCAD format, from a version no more than 3 years older than the current version. Drawings shall be prepared in GDA94 mapping coordinates. Additional attribute data for subdivision assets must be clearly tabulated on digital drawings. Where available all identifiable areas such as pavement surfaces, footpaths and nature strips to be polygonised and displayed in different drawing layers. PDF plans are to comply with the following:

- Pipe offsets for drainage services are to be shown from nearest boundary
- To be created in archive format. (PDF/A)
- Are not to have any security modes set.
- Are to be multi-page single file.

21. Unless agreed to in writing by Council under section 21(1)(b)(ii) of the Subdivision Act 1988, all works shown on the endorsed construction plans must be constructed and are to be completed to the satisfaction of the Responsible Authority prior to the issue of a Statement of Compliance pursuant to Section 21 of the Subdivisions Act 1988.

#### Drainage Construction

22. All temporary and ultimate drainage works must be designed and constructed generally in accordance with the approved Drainage Strategy Plan to the satisfaction of Melbourne Water and the responsible authority.
23. The temporary drainage works must be constructed and installed before the issue of a Statement of Compliance for the relevant stage and the ultimate drainage works must be constructed and installed in accordance with the timing requirements contained in the approved Drainage Strategy Plan or as agreed to by Melbourne Water and the Responsible Authority.
24. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a water course or easement drain except in accordance with the approved Drainage Strategy Plan to the satisfaction of the Responsible Authority.

#### Landscape

25. Prior to commencement all trees to be retained are to be fenced with 1.8m temporary fencing 1m beyond the Tree Protection Zone.

The Authority for approval 3 copies of landscape development plans for all open space, streetscape developments and landscape elements. When approved the plans will be endorsed and will then form part of the permit. The development of these areas, including fencing of all reserves must be completed in accordance with the approved plans prior to the issue of a Statement of Compliance.

26. Following approval of the landscape development plans, the owner or developer under this permit will be required to forward to Council's Subdivision Landscape Officer a copy of the specification and an estimate of costs for all works.
- a. In accordance with the Subdivision Act 1988, payment will be required for works within the road reserves at the following rates:
- plan checking fee: 0.75% of the value of the works;
  - supervision fee: 2.5% of the value of the works.
27. Prior to Statement of Compliance, Council requires payment of
- a set plan checking and supervision fee of \$18,000 per hectare (indexed to annual All Groups CPI increases from the date of this permit) for all reserves.
  - 5% Maintenance Bond to the satisfaction of Council.

28. Prior to Statement of Compliance, Council requires that all naturestrips and disturbed areas are stabilised with hydromulch in accordance with standard note required on all approved civil plans. These works are unable to be bonded.
29. The contractors undertaking the associated landscape development works must arrange a pre-construction meeting with Council's Subdivision Landscape Officer prior to commencement of any works.
30. The Responsible Authority must be notified of the completion of the public open space/landscape areas, and an inspection undertaken before the maintenance period is to commence. The reserves/landscape must be maintained for a minimum period of two (2) years after completion.
31. At the end of the specified maintenance period, the developer should request an end of maintenance inspection. This inspection will ensure that the asset has been maintained to the prescribed standard and can be handed over to Council.
32. Landscape development plans for playgrounds must show in colour all fall zones for all play equipment in accordance with Australian Standards for playgrounds, and must be accompanied by a completed Playspace Design Checklist.
33. No street trees are to be removed as part of this development without the prior written approval of the Responsible Authority. Any street or reserve trees approved to be removed and/or replaced are to be removed and/or replaced by Council at the owner's or developer's expense.

#### Biodiversity

34. Prior to commencement of works, a Construction Site Environmental Management Plan (CSEMP), must be submitted to and approved by the Responsible Authority to address the potential impacts of construction works. The CSEMP must be generally in accordance with 'doing it right on subdivision EPA 2004' and address methods for noise, dust, erosion and sediment control, waste and chemical management, flora/fauna protection, weed control, and archaeological/heritage impacts.
35. Prior to commencement of works, contractors must be inducted into the CSEMP and all flora and fauna conservation requirements.
36. The approved CSEMP must be implemented to the satisfaction of the Responsible Authority.
37. Prior to the commencement of works, a soil and fill recovery plan must be submitted to the satisfaction of the responsible authority. This plan must detail the quantity of soil and/or fill to be generated during construction, the reuse options for any excess soil and/or fill generated within the site and the quantity of soil and/or fill to be removed offsite. The contractor is to nominate in writing at the pre-commencement meeting the legal/approved location where the soil and fill will be disposed. Evidence of legal/approved disposal will be required to be submitted to the satisfaction of the responsible authority.

38. Prior to the commencement of works, all trees to be retained must be temporarily fenced off with secure and obvious fencing in accordance with Australian Standard (AS4970-2009). Fencing must be signposted as 'tree protection zone'. The tree protection fence must remain in place until the works are completed. Fill, machinery and building materials must not be placed, even for a short time within the tree protection zone
39. A Tree Management Plan for all trees shown to be retained on the endorsed plans must be prepared by a suitably qualified and experienced arborist and submitted to and approved by the responsible authority. The Tree Management Plan must identify Your location methods and procedures to protect and maintain trees in a healthy and safe condition e.g. above ground pruning requirements. Once approved this plan will form part of the permit.
40. Prior to statement of compliance the methods and procedures detailed in the approved Tree Management Plan must be implemented by a suitably qualified and experienced arborist to the satisfaction of the responsible authority.

#### Greenvale Central PSP

41. Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Hume Planning Scheme.
42. The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.
43. Before the certification of the plan of subdivision, a Kangaroo Management Plan must be submitted to and approved by the Secretary to the Department of Environment Land Water and Planning. Once approved, the plan will be endorsed by the responsible authority and form part of the permit.
44. The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.
45. The salvage Translocation Protocol for Melbourne's Growth Corridors (Melbourne Strategic Assessment) (Department of Environment and Primary Industries 2013) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment Land Water and Planning, unless with the written consent of the Secretary to the Department of Environment Land Water and Planning.
46. Before the construction of a building or the construction or carrying out of works on land starts:
  - a. Offsets for the loss or deemed loss of threatened species habitat and native vegetation on land must be secured, offsets must be secured by making a request for offsets to the Secretary to the Department of Environment Land Water and Planning in accordance with the Biodiversity Conservation Strategy (Department of Environment and Primary Industries 2013); and

- b. any fee payable for securing the offsets through the Secretary to the Department of Environment Land Water and Planning under the Conservation Forests and Land Act 1987 must be paid; and
- c. the Secretary to the Department of Environment Land Water and Planning must have certified in writing that the relevant fee for the development has been paid and such certification must be submitted to the responsible authority.

The above requirements do not apply if, before the start of construction of a building or the construction or carrying out of works, the owner has entered into an agreement with the responsible authority and the Secretary to Department of Environment Land Water and Planning under section 173 of the Planning and Environment Act 1987, which provides for the payment of the fee required under section 28 of the Conservation Forests and Land Act to secure offsets through the Secretary to the Department of Environment Land Water and Planning by:

- d. the payment of the fee in instalments; or
  - e. the transfer of vesting of land within a Conservation Area identified in the Precinct Structure Plan for Nature Conservation to or in the Secretary to the Department of Environment Land Water and Planning in lieu of payment of the fee for the land; or
  - f. the carrying out of works within a Growling Grass Frog corridor identified in a Precinct Structure Plan in lieu of payment of the fee for the land
  - g. the retention in perpetuity of native vegetation on land that is a scattered tree, in lieu of payment of the fee for the land; or
  - h. a combination of any of the above;
    - to the satisfaction of the Secretary to the Department of Environment Land Water and Planning and/or the Commonwealth.
    - Before the start of the construction of a building or construction or carrying out of works on the land, an 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.
47. The owner must pay the reasonable costs of the responsible authority and Secretary to the Department of Environment Land Water and Planning in the preparation, execution and registration of the agreement.
48. Land required for public open space as a local park, as set out in the Greenvale Central Precinct Structure Plan, must be transferred to or vested in Council at no cost to Council.
49. Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in VicRoads at no cost to the acquiring agency unless funded by the Greenvale Central Development Contributions Plan.

50. Land within the subject property required for road widening to accommodate Transitional Connector Streets (Figure 3) as part of Local Road Network Implementation (Plan 10, Tables 3 and 4) must be transferred to or vested in Council at no cost to Council.
51. Unless otherwise agreed by Public Transport Victoria (PTV), prior to the issue of the Statement of Compliance, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed in accordance with the Public Transport Guidelines for Land Use and Development; and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002, at locations approved by PTV, at no cost to PTV, and to the satisfaction of PTV.

#### Telecommunications

52. The owner of the land must enter in to an agreement with:
  - a. A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time;
  - b. A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an areas where the National Broadband Network will not be provided by optical fibre.
53. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - a. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b. A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

#### These are the conditions required by Melbourne Water

54. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.

55. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
56. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.
57. Prior to Certification of any Plan of Subdivision associated with the application, a stormwater management strategy must be submitted and approved by Melbourne Water and Hume City Council. The strategy must demonstrate the following:
  - a. The proposed alignment for any 1 in 5 year drainage infrastructure and any associated overland flow paths directions for the 1 in 100 year ARI flood event;
  - b. That the lot layout adequately accommodates the overland flows and the current layout and/or number of lots may need to change;
  - c. The details of the outfall/s for the development and calculate the appropriate flow volumes and flood levels for the 100-year ARI storm event within the property;
  - d. Stormwater runoff from the subdivision will achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater;
58. Prior to the issue of a Statement of Compliance for the subdivision, engineering plans of the subdivision (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.
59. All new lots are to be filled to a minimum of 300mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
60. Prior to the issue of a Statement of Compliance for the subdivision, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
61. Prior to the issue of a Statement of Compliance for the subdivision, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
62. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
63. The subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
64. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.

65. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.
66. The developer is to negotiate with the downstream landowners to obtain a free draining outfall through their property. Approval is to be forwarded to Melbourne Water for our records prior to construction commencing.
67. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).
68. Prior to Certification, a free draining outfall and any temporary assets are to be arranged to the satisfaction of Council, Melbourne Water and the affected downstream property owner(s). Written acceptance from downstream landowners and Council is to be forwarded to Melbourne Water for our records.

**The following conditions are required by Yarra Valley Water**

69. The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water supply services
70. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.

**The following conditions are required by Jemena**

71. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Jemena Electricity Networks (Vic) Ltd in accordance with Section 8 of that Act.
72. The applicant shall enter into an agreement for the extension, upgrading or re-arrangement of the electricity supply to lots on the plan of subdivision as required by Jemena Electricity Networks (Vic) Ltd. (A payment to cover the cost of such work will be required and easements internal and external to the subdivision and provision of sites for substations may also be required).
73. Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Supply and Installation rules issued by the Local Government electricity Supply Association (Vic) and Distribution Authorities to the extent determined by Jemena Electricity Networks (Vic) Ltd.

**The following conditions are required by Downer Utilities**

74. The plan of subdivision submitted for certification must be referred to AusNet Services (Gas) in accordance with Section 8 of the Subdivision Act 1988.

**Bushfire Management Plan required**

75. Before the certification is issued under the Subdivision Act 1988, an amended bushfire management plan must be submitted to and endorsed by the Responsible Authority. When endorsed the plan must be included as an annexure to the section 173 agreement prepared to give effect to Clause 44.06-5 of the Hume Planning Scheme. The Bushfire Landscape Concept Plan, Attachment 4 of the Bushfire Management Statement, prepared by Ecolink Consulting, dated December 2018, must be amended to revise the Defendable Space and BAL Construction Standards requirements as follows:



**Defendable Space**

- a. Add the following vegetation management requirement:
- The canopy of additional trees must be separated by at least 2 metres. If required, this can be achieved through regular pruning of branches.

**Construction Standard**

- b. Amend the deception on the plan of BAL-12.5 Defendable Space (33m) to state the following requirements:
- A dwelling constructed on those lots having frontage to Providence Road must be designed and constructed to comply with a minimum Bushfire Attack Level of BAL – 19 in accordance with AS 3959-2009.
  - A dwelling constructed on all other lots must be designed and constructed to comply with a minimum Bush Attack Level of BAL – 12.5 in accordance with AS 3959-2009.
76. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must
- a. State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Hume Planning Scheme.
  - b. Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
  - c. State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

77. Before the Statement of Compliance is issued under the Subdivision Act 1988, defendable space on every lot in the subdivision must be implemented and maintained as specified on the endorsed Bushfire Management Plan, unless otherwise agreed in writing by the CFA and the Responsible Authority.

**Expiry**

78. This permit will expire if:
- a) The subdivision is not commenced within two years of the date of this permit.
  - b) The subdivision is not completed within five years of the date of commencement.

If a plan of subdivision is not certified within two years of the date of this permit, the responsible authority may extend the time for certification if a request is made in writing prior to expiry of the permit or within 6 months after the expiry date.

**CARRIED**

Report No.	Report	Page in Agenda
SU425	Environmental Scholarships - Ongoing Implementation	277

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

**That Council:**

- 2.1 continues the Environmental Scholarships program, and
- 2.2 notes updates to the Environmental Scholarship guidelines.

**CARRIED**

### Reports Not Otherwise Dealt With

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

**THAT** the recommendations relating to:

Report No.	Report	Page in Agenda
HE096	Sports Aid Grants - July 2019	5
SU416	43 Linlithgow Way, Greenvale - The development of two triple storey dwellings and basement garages on a lot and the removal of a restrictive covenant	57
SU422	67 Arncliffe Boulevard, Greenvale - The development of four double storey dwellings	237
SU423	Statutory Planning Monthly Report July 2019	259
SU424	Environmental Scholarships - Acknowledging Recipients	275
GE354	S173 Agreements - Building Over Easement - 1 April 2019 - 30 June 2019	287
GE355	Building Control Services Delegations Report - 1 April 2019 - 30 June 2019	291
GE356	Local Government Bill 2019 Reform Proposal - Council Submission to the Proposals	303
GE357	Correspondence received from or sent to Government Ministers or Members of Parliament - June 2019	333

be adopted.

**CARRIED**

Report No.	Report	Page in Agenda
HE096	Sports Aid Grants - July 2019	5

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

**That Council** award six individuals a Hume City Council Sports Aid Grant:

Name	Sport	Travel Category	Amount
Sharell Anjanette CS Komala	Taekwondo	Interstate	\$400.00
Sualauvi Faalogo	Rugby League	Interstate	\$400.00
Matilda Grant	Calisthenics	Interstate	\$400.00
Carlos Egan	Australian Football League	Interstate	\$400.00
Hope Vili	Athletics	Interstate	\$400.00
Divine Vili	Athletics	Interstate	\$400.00

CARRIED

Report No.	Report	Page in Agenda
SU416	43 Linlithgow Way, Greenvale - The development of two triple storey dwellings and basement garages on a lot and the removal of a restrictive covenant	57

Moved Cr Ann Potter, Seconded Cr Geoff Porter

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of two triple storey dwellings with basement garages and the removal of a restrictive Covenant at 43 Linlithgow Way, Greenvale, subject to the following conditions:

- 2.1 Before the development starts, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans submitted by Planning and Design but modified to show:-
- (a) The location of the letterboxes parallel with Linlithgow Way.
  - (b) Visibility splays for both crossovers and a note which reads "no vegetation or obstacle more than 900mm in height in accordance with *Clause 52.06-9* of the *Hume Planning Scheme*".
  - (c) The following windows to have a minimum sill height of 1.7 metres or be fixed obscured to a height of 1.7 metres from the fixed floor level:
    - Dwelling one - level two, bedroom 5 window.
    - Dwelling two - level one, retreat window and level two retreat window
  - (d) Batten panels to a height of 1.7 metres from the finished floor level and with a maximum 20 percent visibility:
    - Dwelling one – level two, southern balcony along the western elevation.

- Dwelling two – level one, northern balcony along the western elevation. Level two southern balcony along the western and eastern elevation.

(e) Lighting along the internal accessway.

- 2.2 Prior to the commencement of the development hereby approved, Covenant (AG109939D) contained on Certificate of Title Volume 11089 Folio 512 on Lot 39 of Plan of Subdivision 602801J must be removed in its entirety from the title.
- 2.3 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.
- 2.4 The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the Responsible Authority. Such plan must show the area(s) set aside for landscaping which is to include the planting of a minimum of three (3) canopy trees across the development. One in the front setback of dwelling one and one each in the rear private open spaces of each dwelling, the trees must be a minimum of 2.0 metres in height when planted and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
- 2.5 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.
- 2.6 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.
- 2.7 All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
- 2.8 Any cut or fill must not interfere with the natural overland storm water flow.
- 2.9 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.10 The internal stormwater drainage design must be approved by the relevant Building Surveyor as per the Building Regulation 2006, Reg. 610.
- 2.11 Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.

- 2.12 Storm water from all paved areas must be retained within the property and drained to the sites underground storm water system.
- 2.13 Approval is required from Council and other responsible authorities, for the cut and retaining wall to occur over the easement.
- 2.14 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 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 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.
- Any structure built over an easement requires Council and relevant service authorities approval
- An Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- Prior to the commencement of any works within the road reserve or require alteration/connection to the Council's drainage assets in the road reserve/easement, an 'Application form for the 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.
- An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application. Any service relocations are to the approval of the Service Authority and at the owners cost.
- It appears that the proposed vehicle crossing is located in front of a sign on Linlithgow Way. If the sign falls within the crossing, relocate the sign or consultation with Hume City Council's Traffic Department is required.

**CARRIED**

Report No.	Report	Page in Agenda
SU422	67 Arncliffe Boulevard, Greenvale - The development of four double storey dwellings	237

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

**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 four double storey dwellings at 67 Arncliffe Boulevard Greenvale, subject to the following conditions:**

- 2.1 Before the development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans dated 7 January 2019, prepared by Archidraft, but modified to show:**
- a. Improvements to internal access arrangements by:
 
    - i. Reduction of landscaping area between the access and the internal fence associated with Dwelling 1 Secluded Private Open Space, by 1 metre.**
    - ii. Shift the eastern fence of Dwelling 4 Secluded Private Open Space 0.5 metres to the west.**
    - iii. Remove the retaining wall outcrop between garages of Dwellings 3 and 4.****
  - b. Shift the western fence of Dwelling 4 Secluded Private Open Space 0.5 metres to the west, so as to maintain a minimum of 25m<sup>2</sup> SPOS.**
  - c. Shift the eastern ground floor wall of Dwelling 2 to the west by 0.5 metre, for the full length of the wall, so as to maintain a minimum 35% garden area.**
  - d. The materials, height and colours of the proposed fence associated with the private open space of Dwelling 4, as it faces Arncliffe Boulevard. This fence must be considered a 'feature fence', such as a vertical slat fence with 25% transparency; or an acceptable alternative.**
  - e. The provision of bollard or wall mounted lighting, along the shared driveway and within the shared access area.**
  - f. Mailboxes to be orientated to face Arncliffe Boulevard, and provided to the satisfaction of Australia Post.**
  - g. The provision of 6m<sup>3</sup> of externally accessible storage for each dwelling. These must not be located within the easement at the rear of the property.**
  - h. The location of any mechanical plant or services, in accordance with Condition 6.**
  - i. Landscaping pursuant to Condition 6 of the planning permit.**
- 2.2 The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**

- 2.3 Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with the prior consent of the responsible authority.
- 2.4 The external materials, finishes and paint colours of the approved building must be to be to the satisfaction of the responsible authority.
- 2.5 Any equipment required for refrigeration, air-conditioning, heating and the like must be located appropriately on the land/building and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
- 2.6 The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping which is to include the planting of a minimum of one large canopy tree in the front setback of dwellings 1 and 4 and a small-medium canopy tree within the secluded private open space areas of all dwellings; and low scale planting and screening wherever practicable, and in accordance with Council's guidelines and to include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), irrigation and when approved an endorsed copy must form part of this permit.
- 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 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.
- 2.9 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.10 The whole of the subject land, including any landscaped and paved areas, must be graded and drained to the satisfaction of the Responsible Authority so as to prevent the discharge of stormwater causing damage/nuisance from the subject land across any road or footpath or onto adjoining land. All stormwater tanks must have the overflow pipe connected to the legal point of discharge.
- 2.11 Stormwater must not be discharged from the subject land other than by means of an underground pipe drain to a Council nominated point of discharge in a road or to an underground pipe drain and the drainage system must be designed to the requirements and satisfaction of the relevant Building Surveyor.
- 2.12 No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development.

- 2.13 Vehicle access to and from the subject land from any roadway or service lane must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will use the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority after first obtaining a road opening permit from Council.
- 2.14 This permit will expire if one of the following circumstances applies:
- a. the development is not started within three years of the date of this permit; or
  - b. the development is not completed within six years of the date of this permit.

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

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

**Permit Notes:**

- If a request for an extension of commencement/completion dates is made out of time allowed, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.
- Drainage investigation is required for the development (fees apply) and must be submitted to Council's Assets (Civil) Department for approval. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
- Following the Drainage Investigation, internal drainage plans must be submitted to Council's Assets (Civil) Department for approval.
- 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.
- An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application.
- Any service relocations are to the approval of the Service Authority and at the owners cost.

**CARRIED**



Report No.	Report	Page in Agenda
SU423	Statutory Planning Monthly Report July 2019	259

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter  
That the report be noted.

**CARRIED**

Report No.	Report	Page in Agenda
SU424	Environmental Scholarships - Acknowledging Recipients	275

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

2.1 That Council present the following individuals with a certificate recognising their receipt of a Hume City Council Environmental Scholarship:

Name	Course Title	Organisation	Amount
Michelle Newton	Community Based Social Marketing	Eco centric	\$1,400
Navjeet Kaur	Complete Urban Farmer Course	CERES	\$636
Christine McIntosh	Permaculture Design Course	CERES	\$1,500
Thanisa Naripthapan	Permaculture Design Course	Very Edible Gardens	\$1,500
Monyq San Tropez	10th International Conference on Sustainable Niche Tourism	Sustainable Niche tourism International	\$382
Urmila Banavali	Habitat Conservation Management Course	Greening Australia	\$1,200

**CARRIED**

Report No.	Report	Page in Agenda
GE354	S173 Agreements - Building Over Easement - 1 April 2019 - 30 June 2019	287

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

That Council notes the listing of all Agreements under *Section 173 of the Planning and Environment Act 1987* dealt with under delegation between 1 April 2019 and 30 June 2019 (Attachment 1).

**CARRIED**

Report No.	Report	Page in Agenda
GE355	Building Control Services Delegations Report - 1 April 2019 - 30 June 2019	291

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

**That this report be received and noted.**

**CARRIED**

Report No.	Report	Page in Agenda
GE356	Local Government Bill 2019 Reform Proposal - Council Submission to the Proposals	303

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

**2.1 That Council adopts attachment 1 as Council's Submission to the Local Government Bill 2019 – A reform proposal.**

**2.2 That the Chief Executive Officer submits Council's submission to the Local Government Bill 2019 – A reform proposal to the Local Government Act Review Secretariat.**

**CARRIED**

Report No.	Report	Page in Agenda
GE357	Correspondence received from or sent to Government Ministers or Members of Parliament - June 2019	333

**Moved** Cr Ann Potter, **Seconded** Cr Geoff Porter

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

**CARRIED**

## **6. CONFIDENTIAL MATTERS**

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

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

**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
COGE248	Designation of Information Provided at a Strategy and Policy Briefing as Confidential Information - July 2019	(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 8:50 pm.

The meeting was reopened to the public at 8:52 pm.

## **7. CLOSURE OF MEETING**

The meeting closed at 8:52 pm.

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