



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

MONDAY, 21 NOVEMBER 2016

CONFIRMED - 5 DECEMBER 2016

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 21 November 2016
at 7.02 PM
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

To: a: Council	Cr Drew Jessop	Mayor
	Cr Ann Potter	Deputy Mayor
	Cr Jodi Jackson	
	Cr Carly Moore	
	Cr Leigh Johnson	
	Cr Naim Kurt	
	Cr Geoff Porter	
	Cr Jana Taylor	
b: Officers	Mr Domenic Isola	Chief Executive Officer
	Mr Peter Waite	Director Sustainable Infrastructure and Services
	Mr Daryl Whitfort	Director Corporate Services
	Ms Margarita Caddick	Director Community Services
	Mr Kelvin Walsh	Director Planning and Development
	Ms Kylie Ezzy	Director Communications, Engagement and Advocacy
	Mr John Monaghan	Manager Capital Works And Building Maintenance
	Mr Fadi Srour	Manager Finance and Property Development
	Mr George Osborne	Manager Economic Development
	Mr Jason Summers	Manager Parks
	Mr David Fricke	Manager Assets
	Ms Bernadette Thomas	Manager Sustainable Environment
	Ms Felicity Leahy	Manager Community Development and Learning
	Mr Henry Budz	Coordinator Property and Resources
	Mr John Davis	Manager Subdivisional Development
	Ms Kirsty Miller	Manager Statutory Planning and Building Control Services
	Ms Sintiya Khananishoo	External Communications Advisor (media)
	Mr Gavan O'Keefe	Manager Governance
	Ms Kirsty Pearce	Senior Governance Officer

Request To Record Proceedings

The Mayor advised Councillors that he had received a request from the gallery to make a recording of the meeting. The Mayor asked Councillors if there were any objections to the granting of consent to the request to record proceedings. No Councillors declared any objection to the request. The approval was granted.

Gallery Behaviour

The Mayor reminded the gallery that Council's Code of Meeting Procedures requires the gallery to be silent at all times, and that members of the gallery must not interject or take part in the debate. Any person who is called to order, may be asked to leave the Chamber. The Mayor advised that notwithstanding this, he will invite members of the gallery to speak, for up to two minutes either in support of or against an officer's recommendation.

ORDER OF BUSINESS**1. PRAYER**

The Mayor read the prayer.

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Council. Direct and prosper its deliberations to the advancement of Thy glory and the true welfare of the people of the Hume City.

Amen

2. APOLOGIES

An apology was received from Cr Joseph Haweil, Cr Jack Medcraft and Cr Karen Sherry.

3. DISCLOSURE OF INTEREST

The Mayor drew Councillors' attention to the provisions of the Local Government Act 1989 in relation to the disclosure of conflicts of interests. Councillors are required to disclose any conflict of interest immediately before consideration or discussion of the relevant item. Councillors are then required to leave the Chamber during discussion and not vote on the relevant item.

4. INAUGURAL SPEECHES

The Mayor delivered his inaugural speech.

The Mayor invited Councillors to also deliver an inaugural speech at an upcoming Council meeting.

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

Report No.	Report	Page in Agenda
CC040	2017 Community Grants Program - Councillor Nominations	4
	Moved Cr Geoff Porter, Seconded Cr Naim Kurt	
	That Council:	
	2.1 nominates Councillors: Naim Kurt, Jack Medcraft , Jana Taylor and Joseph Haweil to the 2017 Community Grants Councillor Assessment Panel (CAP).	
	2.2 notes that every Councillor has been allocated a full 2017 Community Grant applicant list from which they are to declare any Conflict of Interest, prior to nomination for the Panel.	
	2.3 notes that the Panel will meet on the 21st and 22nd of November 2016 and attendance at all listed meetings is required.	

CARRIED

Report No.	Report	Page in Agenda
SU175	91 Dianne Avenue, Craigieburn - Development of one double storey dwelling and one single storey dwelling to the rear of the existing dwelling.	10

Mrs Crossy Taylor addressed Council regarding the officer's recommendation.

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

That Council, having considered the application on its merits and the concerns of the objectors, resolve to issue a Notice of Decision to Grant a Planning Permit for the development of one double storey dwelling and one single storey dwelling to the rear of the existing dwelling at 91 Dianne Avenue, Craigieburn, subject to the following conditions:

- 1. Before the development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application (dated 1 December 2016 Rev.A) but modified to show:**
 - a) The west facing window to bedroom 1 of dwelling 2 is to be redesigned in accordance with Clause 55.04-6 of the *Hume Planning Scheme*.**
- 2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
- 3. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.**
- 4. Before development allowed by this permit is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the responsible authority.**
- 5. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.**
- 6. Once the development has started it must be continued and completed to the satisfaction of the responsible authority.**
- 7. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that it is well presented to neighbouring properties in a manner to the satisfaction of the responsible authority.**

8. Outdoor lighting must be provided to the entrances of all dwellings and designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on neighbouring land.
9. All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
10. New fencing or fence extensions must be provided and paid for solely by the owner/developer of the subject site and constructed to the satisfaction of the responsible authority.
11. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land or premises and/or must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
12. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the responsible authority.
13. Car spaces, access lanes and driveways shown on the endorsed plan must be kept available for these purposes at all times to the satisfaction of the responsible authority.
14. Any service relocations must be to the approval of the service authority and at the owners cost.
15. Prior to occupying the development, provision of litter control at stormwater inlet points within the car park and paved areas is required. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD210/215 or SD225 respectively.
16. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
17. Any cut or fill must not interfere with the natural overland stormwater flow.
18. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
19. This permit will expire if one of the following circumstances applies:
 - the development is 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 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:

- a) If a request for an extension of commencement/completion dates is made out of time allowed by condition 19, 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.
- b) Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- c) 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 an on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
- d) Following the Drainage Investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
- e) Prior to 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 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.
- f) Any modifications to existing vehicle crossings require an application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application.

CARRIED

Report No.	Report	Page in Agenda
SU176	57-65 Paulson Road, Campbellfield - Use of land for the purpose of material recycling	27

Ms Alyana Eau, Mr Duvoid Isho and Fr Maher Gorges addressed Council regarding the officer's recommendation.

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

That Council, having considered the concerns of the objectors and the merits of the application, resolves to issue a Notice of Decision to Grant a Planning Permit for the use of land at 57-65 Paulson Road, Campbellfield, for the purpose of Material Recycling subject to the following conditions:

1. **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. **The use of the land or of any buildings on the land must not be altered for some other use except as may be lawful or with the prior written consent of the Responsible Authority.**
3. **Prior to the use commencing, a Site Environmental Management Plan must be submitted to and approved by Council. The plan must address issues relating to dust control, odour, stormwater drainage, litter, any stockpile management and details of how the waste is to be processed to the satisfaction of the Responsible Authority.**

4. The approved use may operate only between the following times:
8:30am to 5:30pm
5. The use /the occupation of the land must be managed so that the amenity of the area is not detrimentally affected, including through the:
 - (a) transportation of materials, goods or commodities to or from the subject land;
 - (b) appearance of any building, works or materials;
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - (d) presence of vermin; or
 - (e) in any other way.
6. Goods, equipment, materials or machinery must not be stored or left exposed outside a building so as to be visible from any public road or thoroughfare, except with the prior written consent of the responsible authority.
7. Car spaces, access lanes and driveways shown on the endorsed plan must be kept available for these purposes at all times to the satisfaction of the responsible authority.
8. Putrescible waste must not be accepted at the premises.
9. Vehicles and bins must not be washed on the subject site.

EPA Conditions:

10. Nuisance dust must not be discharged beyond the boundaries of the premises.
11. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policies (Control of Noise from Commerce, Industry and Trade) No. N-1.
12. Stormwater contaminated with waste must not be discharged beyond the boundary of the premises and be collected and disposed of off-site by an EPA approved contractor or sent to sewer under a Trade Waste Agreement.
13. The applicant may only accept bailed plastic waste.
14. Prescribed industrial waste, as defined by the Environment Protection (Industrial Waste Resource) Regulations 2009 or as amended, will be transported with the appropriate EPA transport certificates and disposed of or recycled at appropriately licensed premises.
15. The applicant must ensure that litter is not deposited beyond the boundary of the premises.

Expiry

16. This permit will expire if one of the following circumstances applies:
 - the use is not started within two years of the date of this permit; or
 - if the use is discontinued for a period of two years.

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.

CARRIED

Report No.	Report	Page in Agenda
GE157	Proceed with the proposed Land Exchange of Two Parcels at Norcal Court, Greenvale	77

Mr Carl De Vanny addressed Council regarding the officer's recommendation.

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

That Council:

- 2.1 having considered the submissions received resolves to:
 - 2.1.1 transfer property described as Lot A on proposed plan PS702987H, formally known as part 42-66 Barrymore Road, Greenvale (Parcel 1) and Lot B on proposed plan PS702987H, formally known as part 29-37 Hermitage Drive, Greenvale (Parcel 2) to Barrymore Road Pty Ltd (Developer).
 - 2.1.2 acquire the property described as R1 on proposed plan PS637207A formally known as part 27 Wallace Drive, Greenvale (New Road) also described as the land contained in Certificate of Title Volume 10998 Folio 520 from the Developer.
- 2.2 sign and seal the Transfer of Land documents.
- 2.3 authorise the Chief Executive Officer or an approved delegate to sign any other documents required in connection with the sale of the land.
- 2.4 require the Developer to consolidate the title to Parcel 1 and Parcel 2 with the title to the Developer's property immediately following the sale of the land at the expense of the Developer.
- 2.5 advise the two submitters that the proposed land exchange will proceed.
- 2.6 advise the Developer of the outcome.

CARRIED

Report No.	Report	Page in Agenda
GE160	Correspondence received from or sent to Government Ministers or Members of Parliament - October 2016	197

Moved Cr Geoff Porter, **Seconded** Cr Leigh Johnson

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

CARRIED

Reports Not Otherwise Dealt With

Moved Cr Naim Kurt, **Seconded** Cr Carly Moore

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
SU177	Statutory Planning Monthly Report November 2016	40
SU178	Racecourse Road Development - Sunbury Fields - Trust For Nature Conservation Covenant	55
SU179	Conserving our Rural Environment Grant 2016/17 Program Amendments	59
GE156	Proceed with the proposed sale of part 1-11 Eadie Street, Sunbury	66
GE158	Quarterly Financial Report - September 2016	99
GE159	Council Plan 2013-2017 (2016/2017 Actions) First Quarter Progress Report	108

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU177	Statutory Planning Monthly Report November 2016	40

Moved Cr Naim Kurt, **Seconded** Cr Carly Moore

That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
SU178	Racecourse Road Development - Sunbury Fields - Trust For Nature Conservation Covenant	55

Moved Cr Naim Kurt, **Seconded** Cr Carly Moore

That Council

2.1 signs and seals the Trust for Nature Deed Of Covenant for the Conservation of Land for Reserve 1 on Plan of Subdivision 735187G and VOL 11628 FOI 664, also known as the Grassy Woodland Offset Reserves within the Sunbury Fields development at 275 Racecourse Road, Sunbury.

CARRIED

Report No.	Report	Page in Agenda
SU179	Conserving our Rural Environment Grant 2016/17 Program Amendments	59

Moved Cr Naim Kurt, **Seconded** Cr Carly Moore

That Council approves amendments to the 2016/17 Conserving our Rural Environment Grant program including the withdrawal of three successful projects and the inclusion of one reviewed unsuccessful project as outlined in Attachments 1 and 2.

CARRIED

Report No.	Report	Page in Agenda
GE156	<p>Proceed with the proposed sale of part 1-11 Eadie Street, Sunbury</p> <p>Moved Cr Naim Kurt, Seconded Cr Carly Moore</p> <p>That Council:</p> <p>2.1 Resolves to sign and seal the Contract of Sale and the Transfer of Land relating to part of the Council land known as 1-11 Eadie Street, Sunbury (Council Land) and as shown on Attachment 1 and 2.</p> <p>2.2 Requires Goonawarra Investment Pty Ltd to consolidate the title to the Council Land with the title of its property known as 790 Sunbury Road, Sunbury immediately following the sale of the Council Land at their expense.</p> <p>2.3 Signs and seals a Section 173 Agreement under the <i>Planning and Environment Act 1987</i> which will be placed on the Council Land that will be transferred to Goonawarra Investment Pty Ltd title to limit its use to uses consistent with the current Farm Zone (FZ3).</p> <p>2.4 Authorises the Chief Executive Officer or an approved delegate to sign any other documents required in connection with the sale of the Council Land.</p>	66
		CARRIED

Report No.	Report	Page in Agenda
GE158	<p>Quarterly Financial Report - September 2016</p> <p>Moved Cr Naim Kurt, Seconded Cr Carly Moore</p> <p>That the Finance Report for the three months ended 30 September 2016 be received and noted.</p>	99
		CARRIED

Report No.	Report	Page in Agenda
GE159	<p>Council Plan 2013-2017 (2016/2017 Actions) First Quarter Progress Report</p> <p>Moved Cr Naim Kurt, Seconded Cr Carly Moore</p> <p>That Council notes the progress of actions and indicators of the Council Plan 2013-2017 (2016/2017 Actions) [refer Attachments One and Two].</p>	108
		CARRIED

6. CONFIDENTIAL MATTERS

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

Moved Cr Ann Potter, **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
COED08	Financial Matter	(e) proposed developments
COHE16	Contract Matter	(d) contractual matters
COCC13	Contract Matter	(d) contractual matters
COSU57	Contract Matter	(d) contractual matters
COSU58	Contract Matter	(d) contractual matters
COGE105	Organisational Matter	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE106	Organisational Matter	(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 7:45 PM.

The meeting was reopened to the public at 8:05 PM.

7. CLOSURE OF MEETING

The meeting closed at 8:05 PM.

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COUNCILLOR DREW JESSOP
MAYOR