



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

MONDAY, 28 AUGUST 2017

7.00 PM

**COUNCIL CHAMBER, HUME GLOBAL LEARNING CENTRE,
BROADMEADOWS**

OUR VISION:

Hume City Council will be recognised as a leader in achieving social, environmental and economic outcomes with a common goal of connecting our proud community and celebrating the diversity of Hume.

HUME CITY COUNCIL

**Notice of an
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**
to be held on Monday, 28 August 2017
at 7.00 pm
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

To:	a: Council	Cr Drew Jessop Cr Ann Potter Cr Joseph Haweil Cr Jodi Jackson Cr Carly Moore Cr Leigh Johnson Cr Jack Medcraft Cr Naim Kurt Cr Geoff Porter Cr Karen Sherry Cr Jana Taylor	Mayor Deputy Mayor
	b: Officers	Mr Domenic Isola Mr Peter Waite Mr Daryl Whitfort Mr Hector Gaston Mr Kelvin Walsh Ms Kylie Ezzy	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Acting Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy

ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND

"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."

ORDER OF BUSINESS

1. 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

3. DISCLOSURE OF INTEREST

Councillors' attention is drawn 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. OFFICER'S REPORTS

The Mayor will ask the Councillors and gallery at the commencement of this section, which reports they wish to speak to. These reports will then be discussed in the order they appear on the notice paper. Reports not called will be dealt with in a block resolution at the end.

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5. CONFIDENTIAL MATTERS

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

RECOMMENDATION:

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
COSU072	Construction and Redevelopment Works to the Broadmeadows Town Hall	(d) contractual matters
COCC020	Road Reconstruction of Garner Parade, Dallas	(d) contractual matters
COGE151	Capital Works Program Update	(d) contractual matters
COGE152	Rates Report	(b) the personal hardship of any resident or ratepayer
COGE153	Precinct Development Contribution Plan – Property Report	(e) proposed developments
COGE154	Designation of Information provided at Strategy and Policy Briefings as confidential information	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

6 CLOSURE OF MEETING

**DOMENIC ISOLA
CHIEF EXECUTIVE OFFICER**

24/08/2017

REPORT NO:	CC056
REPORT TITLE:	Sports Aid Grants - August 2017
SOURCE:	Bruce Fordham, Manager Leisure Centres and Sports
DIVISION:	Corporate Services
FILE NO:	HCC07/110
POLICY:	-
STRATEGIC OBJECTIVE:	2.1 Foster a community which is active and healthy.
ATTACHMENTS:	1. <i>Application Guidelines - Attachment 1</i> 2. <i>2017/18 Recommended Applicants - Attachment 2</i>

1. SUMMARY OF REPORT:

It is proposed that Council award four individual Hume City Council Sports Aid Grants to the recipients listed in this report. It is proposed that a presentation of the Sports Aid Grants will be made at the Council meeting to be held on 11 September 2017.

2. RECOMMENDATION:

That Council award the following individuals a Hume City Council Sports Aid Grant:

Name	Sport	Travel Category	Amount
Markis Atoa	Rugby League	State Representation with Interstate Travel	\$400.00
Tuilepogai Ieremia	Rugby League	State Representation with Interstate Travel	\$400.00
Alexander Mercier	Lacrosse	State Representation with Interstate Travel	\$400.00
Dean Ieremia	Rugby League	State Representation with Interstate Travel	\$400.00

3. LEGISLATIVE POWERS:

Not applicable to this report.

4. FINANCIAL IMPLICATIONS:

4.1 The funding of \$1,600.00 for the Sports Aid Grants – August is allocated from the 2017/18 Leisure Centres and Sport Department recurrent operating budget.

4.2 A total of \$20,500 has been allocated to the 2017/18 Sports Aid Grants program. The proposed grants fall within the budget allocated for this program.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

There are no considerations that impact on the environmental sustainability as a result of this report.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

There are no considerations that impact on climate change adaption as a result of this report.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

There are no considerations that impact on Human Rights as a result of this report.

8. COMMUNITY CONSULTATION:

The Sports Aid Grants are advertised on Council's Website and also through information provided to sports clubs across the City. An information brochure advertising the program was sent to all sporting clubs and schools in Hume.

REPORT NO: CC056 (cont.)

9. DISCUSSION:

9.1 All applicants approved for a Sports Aid Grants met eligibility criteria as detailed in the Sports Aid Grant Program Application Guidelines (Attachment 1).

9.2 Ineligible Application:

9.2.1 One application was deemed ineligible for a Sports Aid Grant:

Name	Sport	Travel Category	Event
Brandon Pritchard	Rugby League	National Representation with International Travel	CAS Championships U/18

9.2.2 The applicant applied for a 'National Representation with International Travel' Sports Aid Grant but is ineligible for this category as the event is being held interstate.

9.2.3 As the applicant received a 2016 Sports Aid Grant in the 'State Representation with Interstate Travel' category he is ineligible for further funding in this category under section 4 of the application guidelines '*Athletes will be funded by Council only once in each category*'.

10. CONCLUSION:

It is proposed that the Sports Aid Grants will be presented to recipients at the beginning of the Council Meeting scheduled for Monday 11 September 2017.



APPLICATION GUIDELINES AND INFORMATION

The Sports Aid Grant Program is designed to encourage high achievement and excellence in sport by financially supporting young Hume athletes with the expenses associated with attending representative level sporting events.

1. Objectives:

- 1.1. To provide individuals with support and encouragement that will help them to develop to their full potential within their chosen sport.
- 1.2. To provide financial assistance to individuals to assist with the costs associated with attending representative level sporting events.
- 1.3. To encourage greater participation in sport by promoting positive role models to the community.

2. What will be funded:

- 2.1. Competition and tournament entry fees.
- 2.2. Travel and accommodation costs associated with event participation.
- 2.3. Other costs associated with participation in the competition/tournament may be considered.

3. What will not be funded:

- 3.1. Tours and competitions that are friendship/exposure competitions. Including international and interstate tours organised by schools and private tour groups.
- 3.2. Participation in tournaments that are not recognised by the relevant National or State Sporting organisation as a part of their athlete development pathway.
- 3.3. Any tournaments or competitions where the participants are not selected based on merit with a fair and transparent selection process available to all residents.
- 3.4. Expenses associated with the travel costs of accompanying family members.

4. Eligibility Criteria:

- 4.1. Applicants must be permanent residents of the City of Hume (evidence of residential address is required at the time of application).
- 4.2. Applicants must be under 21 years of age at the time of application.
- 4.3. Applications must be received seven days prior to the event taking place. Late applications will not be considered.
- 4.4. Applicants must be competing in a sporting event that is competitive in nature and has a set of rules and a code of conduct.
- 4.5. Applicants must be competing in a sport that has a recognised National Sporting Organisation as assessed by the Australian Sports Commission. This includes Disability Sports Organisations.
- 4.6. Applicants must provide a letter of support verifying their selection from the relevant accredited National or State sporting association. Applications at a regional level may provide a letter from their local club. School Sport Australia and School Sport Victoria events are eligible for funding.
- 4.7. Applicants can apply for one category of funding per application.
- 4.8. Athletes will be funded by Council only once in each category.
- 4.9. Applicants agree to supply evidence as requested by Council within 30 days following the event/competition. Evidence can be provided in the form of photos, media articles, printed results, receipts or a letter from the relevant Governing Body. Applicants should also provide a signed Hume City Council Photo Release Form to allow promotion of the program and results in Hume City Council publications, media releases and other resources.

1 of 2



5. Funding Available:

National Representation with International Travel - Maximum grant \$750

Example: An athlete representing Australia, a State Association, or Club at an endorsed international event that is a part of a recognised development pathway.

State Representation with Interstate Travel - Maximum grant \$400

Example: A member of the Victorian State under 16 Soccer Team competing at the national championships in Brisbane.

Regional Representation - Maximum grant \$150

Example: Member of the Broadmeadows Broncos representative basketball team competing at a State level competition within Victoria.

In cases where several Hume residents have applied for funding for the same sport, Hume City Council reserves the right to cap total funding for that sport at \$2000 for the financial year.

6. Celebration Evening

A Celebration Evening will be arranged once per year to celebrate the achievements of Sports Aid Grant recipients. Attendance at this event is COMPULSORY for all successful applicants.

7. Closing Dates:

Applications are open throughout the year until allocated funding is exhausted.

Applications must be submitted seven days prior to the event taking place.

Once allocated funding is exhausted the program will be closed until the next financial year.

8. Application Procedure:

The Sports Aid Grants are administered by Hume City Council as follows:

- 8.1. Applicants must read the Guidelines thoroughly;
- 8.2. Applicants must complete and return the Grant Application form and required documents at least seven days prior to the event taking place.
- 8.3. Applications will be assessed by Council Officers. The selection panel will, where necessary, consult with the applicants club, coach or sporting association.
- 8.4. All applicants will receive notification of the outcome in writing within 28 days of receipt of their application.
- 8.5. Applicants that receive a Sports Aid Grant and do not attend their event must return the grant in full.

FURTHER INFORMATION

Hume City Council
Sport Development & Inclusion Officer
Ph: 9205 2510 Email: leisure@hume.vic.gov.au

FIRST NAME	SURNAME	POSTCODE	FUNDING SOUGHT FOR	GRANT CATEGORY	AMOUNT RECOMMENDED
Markis	Atoa	3048	U14's CRL Championships	Interstate	\$400.00
Tuilepogai	Ieremia	3429	U15's National Championships	Interstate	\$400.00
Alexander	Mercier	3047	JLA Games Japan	Interstate	\$400.00
Dean	Ieremia	3429	NRL Victoria U16's Tour	Interstate	\$400.00

REPORT NO:	SU235
REPORT TITLE:	10 Ballymena Street, Greenvale - The development of three double storey dwellings
SOURCE:	Jonathan Siotas, Town Planner
DIVISION:	Planning and Development
FILE NO:	P20231
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	<ol style="list-style-type: none">1. <i>Locality Map</i>2. <i>Aerial Map</i>3. <i>Proposed Ground Floor, First Floor, and Elevation Plans, Shadow Diagrams and Streetscape Elevation Plan.</i>

Application No:	P20231
Proposal:	The development of three double storey dwellings
Location:	10 Ballymena Street, Greenvale
Zoning:	General Residential Zone 1
Applicant:	ARG Planning
Date Received:	6th January 2017

1. SUMMARY OF REPORT:

Planning approval is sought for the development of three double storey dwellings at 10 Ballymena Street, Greenvale. The application was advertised and seven objections have been received. The application has been assessed against the objectives and standards of Clause 55 of the *Hume Planning Scheme* including consideration of the issues raised in the objections. On balance, the proposal is considered to be acceptable and it is recommended that a Notice of Decision to grant a planning permit be issued subject to conditions.

2. RECOMMENDATION:

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 10 Ballymena Street, Greenvale 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 dated 31 March 2017 (Rev E) but modified to show:
 - a) Deletion of sitting area on the first floor of dwelling 2.
 - b) Increase the southern setback of the bathroom of dwelling 2 to 1.6 metres and position the said dwellings bedroom 2 entry door further north.
 - c) Bedroom 1 of dwelling 3 to be recessed along its west elevation a minimum of 500mm without reducing any other setback.
 - d) The provision of an indented concrete parking bay consistent with Council standard drawing SD207 or SD207a with the cost to be paid by the land owner/developer of 10 Ballymena Crescent, Greenvale.

REPORT NO: SU235 (cont.)

2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
3. The external materials, finishes and paint colours of the approved building must be to the satisfaction of the responsible authority.
4. Except with the prior written consent of the responsible authority, no service equipment or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings.
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. Before the use starts or the development is occupied (whichever occurs first), the areas set aside for the parking of vehicles together with the aisles and access lanes as shown on the endorsed plans must be:
 - (a) constructed;
 - (b) surfaced with a durable all-weather seal;
 - (c) drained to the nominated point of discharge;
 - (d) line-marked to indicate each car space and access lanes;
 - (e) marked to show the direction of traffic along access lanes and driveways; and
 - (f) provided with concrete kerbs or other barriers to prevent direct vehicle access to an adjoining road other than by a vehicle crossing, all to the satisfaction of the responsible authority.

The areas must be maintained in a useable condition to the satisfaction 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. Before the development is occupied, vehicle access to and from the 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). After obtaining a road opening permit from Council, the location, design and construction of the vehicle crossing(s) must be approved by the responsible authority.
9. Any services within the road reserve requiring relocation must be approved by the relevant service authority and carried out and completed to the satisfaction of the responsible authority.
10. No vehicles are to park behind the garages of dwellings 1, 2 and 3. These areas are turning areas therefore no parking is permitted.
11. The maximum gradient of a domestic driveway shall be 1 in 4 (25%) for a maximum length of 20 metres or less and 1 in 5 (20%) for a length greater than 20 meters as per AS2890.1:2004 cl2.6
12. Before the development is occupied or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
13. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:

REPORT NO: SU235 (cont.)

- a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - c. details of surface finishes of pathways and driveways;
 - d. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - e. landscaping and planting within all open areas;
 - f. One large canopy tree (minimum two metres tall when planted) and understorey landscaping in the site frontage.
 - g. a tree protection zone and structural root zone for each tree to be retained; and
 - h. the location and details of root control barriers;
14. Stormwater from all paved area must be drained to underground stormwater system.
15. Any cut or fill must not interfere with the natural overland stormwater flow.
16. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
17. This permit will expire if one of the following circumstances applies:
- the development is not 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.

NOTE:

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.

Permit Notes:

- 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.
- A 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 for the owners/developers.
- Following the drainage investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
- An application for a 'Consent to Dig in the Road Reserve' permit for intended parking is to be submitted to the Council for approval.
- Where the difference in grade is between two section of ramp or floor is greater than 1:8 (12.5%) for a summit grade change, or greater than 1:6.7 (15%) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

REPORT NO: SU235 (cont.)

- An application for Legal Point of Stormwater discharge is required to be obtained approval for the connection to the legal point of discharge.
- Prior to the commencement of any works within the road reserve or, an application for 'Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council.

3. PROPOSAL:

The proposal is for the development of three double storey dwellings as follows:

- Dwelling 1 will front Ballymena Street with a front setback of 5.5 metres. Dwellings 2 and 3 will be located behind dwelling 1. The front entrance for dwelling 1 will be orientated towards Ballymena Street and accessed by a footpath. The entrances for dwellings 2 and 3 will be orientated towards the driveway.
- Dwelling 1 will contain three bedrooms (master with ensuite and walk in robes), open plan living area with a ground floor footprint of 91.2sqm and first floor footprint of 59.4sqm.
- Dwelling 2 will contain 2 bedrooms, first floor sitting area, open plan living with a ground floor footprint of 75.5sqm and first floor footprint of 47sqm.
- Dwelling 3 will contain 2 bedrooms (both with walk in robes), open plan living area with a ground floor footprint of 80.7sqm and first floor footprint of 40.3sqm.
- Vehicular access to all three dwellings will be from the new driveway which is accessed from the existing crossover in the north-west corner of the frontage.
- The secluded private open space areas for dwellings 1 and 2 will be located on the east side of the dwellings and will be 32.2sqm and 40.2sqm in size respectively. The secluded private open space for dwelling 3 will be located on the east side of the dwelling wrapping around to the rear of the dwelling and will be 104.4sqm in area.
- The proposed would possess a modern contemporary design response consistent with the streetscape of Ballymena Street. A mixture of materials will be used with the ground floor constructed from face brickwork and the first floor finished in render.
- Due to the slope of the land, the areas around the eastern and southern boundaries will be stepped up with a 1.15 metre high retaining wall.
- The requirements of Clause 32.08-4 of the *Hume Planning Scheme* do not apply to this application as amendment VC110 came into effect after this application was lodged.
- The following table provides a summary of the proposed development

Site Area	702sqm
Dwelling Density	1:234sqm
Site Coverage	36.4%
Permeability	41.7%
Garden Area	42.4%

4. SITE AND SURROUNDS:

- 4.1 The subject site is located on the southern side of Ballymena Street, Greenvale. The site is located within a predominate residential area of Greenvale with Yuroke Creek Reserve located approximately 90 metres to the west and Meadow Heights located 300 metres to the east.
- 4.2 The site has a street frontage of 21.77 metres, rear boundary of 20.5 metres, east boundary of 30.56 metres and west boundary of 37.88 metres. The site has a total area of 702sqm and slopes from the east to the west.

REPORT NO: SU235 (cont.)

- 4.3 The allotments within the locality are generous in size and vary in shape.
- 4.4 The subject site is vacant and has an existing vehicle crossover at north-west corner of the street frontage.
- 4.5 The surrounding area is an established residential neighbourhood predominantly characterized by a mixture of single and double storey dwellings. There is a small number of multi-unit developments within the broader locality. Due to the size of the lots, dwellings generally have relatively large building footprints with gardens located at the rear.
- 4.6 The dwelling to the east of the site at number 12 Ballymena Street is a double storey rendered dwelling with extensive site coverage. The dwelling to the west at number 8 Ballymena Street is a single storey dwelling. It has a conventional layout with its private open space located to the rear.

Restrictions on Title

- 4.7 No restrictive covenants are recorded on the title.

Planning History

- 4.8 Planning application P18238 for the development of three double storey dwellings was refused by Council and the refusal was subsequently upheld by VCAT. The main concerns raised by the tribunal is as follows:
 - a) Three single fronted dwellings with a substantial amount of the frontage taken up by crossovers, driveways and footpaths was not consistent with the streetscape character.
 - b) Due to the large amount of hard stand areas, there is little opportunity for landscaping.
 - c) The orientation of the dwellings and location of habitable room windows in relation to solar and daylight access was unreasonable.
 - d) Due to the slope of the land, the decks on the ground floor would result in overlooking to adjoining dwellings.
- 4.9 It is considered that the current proposal has sufficiently addressed the above concerns that formed the basis of VCAT refusing to grant planning permission and is materially different from the previous proposal. The improvements are as follows:
 - a) The proposal is no longer three single fronted dwellings all with street frontages to Ballymena Street. The revised proposal will now only have one dwelling fronting the street with the remaining two located to its rear. There is no longer any garages fronting the street.
 - b) The existing driveway will provide vehicular access via a shared driveway to all three dwellings and all garages are located behind dwelling 1.
 - c) Significant reduction to hard stand areas within the frontage and side areas which has increased the amount of landscaping opportunities over the whole site. This is due to the generous front, side and rear setbacks of the proposal from the boundaries.
 - d) Layout of dwellings 2 and 3 are such that their living areas face out to generous north facing private open space areas.
 - e) There will be no balconies or raised platforms to the rear of each dwelling to cause overlooking to adjoining properties.

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* ("the Scheme") are relevant in the consideration of the application:

REPORT NO: SU235 (cont.)

State Policies: Clause 15.01-1: Urban Design
Clause 15.01-2: Urban Design Principles
Clause 15.01-5: Cultural Identity and Neighbourhood Character
Clause 15-02-1: Energy and Resource Efficiency
Clause 16.01-1: Integrated Housing
Clause 16.01-2: Location of Residential Development
Clause 16.01-4: Housing Diversity
Clause 16.01-5: Housing Affordability

Municipal Strategies: Clause 21.02-1: Housing
Clause 21.02-2: Health and Safety
Clause 21.06-8: Local Areas (Sunbury)
Clause 21.08: Particular Uses and Development

Local Policies: None Relevant

Zones: Clause 32.08: General Residential Zone (Schedule 1)

Overlays: Nil

Particular Clause 52.06: Car Parking

Provisions: Clause 55: Two or more dwellings on a lot

General Provisions: Clause 65.01: Approval of an Application or Plan

- 5.2 It is State policy to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity, and to achieve urban design outcomes that contribute positively to the local urban character.
- 5.3 It is also policy that new housing is designed to respond to the community needs by providing affordable higher density housing developments which are strategically located close to transport corridors and activity centres.
- 5.4 In relation to Housing, Clause 21.02-1 seeks:
- *“To provide access to a range and quality of housing opportunities that meet the varied needs of existing and future residents”*; and
 - *“To deliver urban growth that is cost effective, orderly and achieves the greatest social benefits to the community, without diminishing the unique character and identity of the City”*.
- 5.5 The Local Areas policy at Clause 21.06-5 shows that the site forms part of the Greenvale, Attwood and Westmeadows Neighbourhood. Strategies for the location of new development include *“contain new urban residential development to existing and future urban residential designated areas shown on the Greenvale, Attwood and Westmeadows Structure Plan”* and.. *“ensure that new urban residential development maintains and enhances the character of the area”*.
- 5.6 As the subject site is outside the prescribed neighbourhood character found within Clause 22.14 of the Hume Planning Scheme, there are no identified existing or preferred character requirements for this area (and associated design criteria) identified in the *Hume Planning Scheme*.

Aboriginal Cultural Heritage

- 5.7 The site is located within an area of cultural heritage sensitivity as described in the *Aboriginal Heritage Regulations 2007*. Pursuant to section 8A(b) the construction of three or more dwellings is an exempt activity if the site is less than 0.11 hectares. The site is less than 0.11 hectares therefore the proposal is an exempt activity.

REPORT NO: SU235 (cont.)

Major Electricity Transmission Line

5.8 The site is not located within 60 metres of a major electricity transmission line.

Planning Permit Trigger/s

5.9 The permit trigger in this instance is Clause 32.08-6 of the *Hume Planning Scheme* which relates to buildings and works associated with the construction of two or more dwellings on land located within a General Residential Zone

6. REFERRALS:

6.1 The application was not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987* ("the Act").

6.2 The application was referred for comment to the Council's Assets Department and no objections were raised subject to conditions and notes being placed on any planning permit granted.

7. ADVERTISING:

7.1 The application was advertised under *Section 52 of the Planning and Environment Act* by way of letters to adjoining land owners and occupiers and one notice board was erected on the site for a period of 14 days. A total of seven objections were received in response. The grounds of objection can be summarised as follows:

- Out of character;
- Impact on car parking;
- Increase in noise;
- Loss of property value;
- Future occupiers of dwellings likely younger residents;
- No active frontage, dominated by garage doors;
- Minimal sized back gardens;
- Minimal landscaping provided;
- Impact on the amenity of the area;
- Loss of daylight and fresh air;
- Failure to comply with standard B1, B5, B6, B13, B19 and B29 of Clause 55 of the *Hume Planning Scheme*.

8. OBJECTIONS:

A response to the objections is provided below:

8.1 Out of Character:

The existing character of the area is a mixture of single storey and double storey dwellings with many properties having large dwellings with high site coverage. It is considered that the proposed two storey scale with adequate boundary setbacks for landscaping, particularly within the street setback, will ensure the development will sit comfortably within the residential context of Ballymena Street. Neighbourhood character is discussed in more detail in Section 9 below.

8.2 Impact on Car Parking

Pursuant to Clause 52.06 of the *Hume Planning Scheme*, each two bedroom dwelling requires one car space and each three bedroom dwelling requires two car spaces. The application proposes four on site car spaces which is consistent with the requirements of the *Hume Planning Scheme*. No visitor parking is required for the proposed development.

8.3 Increase in Noise

It is considered that any additional noise caused by the new dwellings will be domestic in scale and will not result in unreasonable amenity outcomes to the neighbouring properties.

REPORT NO: SU235 (cont.)

8.4 Loss of Property Value

This is not a material planning consideration and is therefore not considered relevant to this assessment.

8.5 Future occupants of dwellings likely to be younger residents

This is not a material planning consideration and is therefore not considered relevant to this assessment.

8.6 No active frontage, is dominated by garage doors

Dwelling 1 which is the only dwelling with a street frontage, has its garage set to its rear so there would be no garages directly visible from Ballymena Street.

8.7 Minimal sized back gardens.

All private open space areas of each dwelling meet the minimum requirements of private open space outlined in Clause 55 of the *Hume Planning Scheme*.

8.8 Minimal landscaping provided

The front setback of dwelling 1 would have two canopy trees and the separation between the east elevation of the buildings and the eastern boundary allow for adequate landscaping opportunities.

8.9 Impact on the areas amenity

The setbacks provided between the proposal and neighbouring private open space and habitable room windows are considered to be generous ensuring there will not be any unreasonable impact to neighbouring properties.

8.10 Loss of daylight and fresh air

The generous setbacks provided between the proposal and neighbouring habitable room windows and open space areas will not result in an adverse impact to neighbouring properties.

8.11 Failure to comply with standard B1, B5, B6, B13, B19 and B29 of Clause 55 of the Hume Planning Scheme

The proposal is considered to comply with the above standards and will be discussed in detail within section 9 below.

9. ASSESSMENT:

9.1 A detailed discussion of the proposal against the particular requirements of Clause 52.06 and 55 is provided below. In short, the proposal achieves compliance with the relevant objectives of these clauses of the *Hume Planning Scheme*.

9.2 It is noted that the application was lodged prior to 27 March 2017, after the gazettal date of Amendment VC110 and it is therefore exempt from the new Garden Area and related design requirements. That being said, the proposal is consistent with the requirements of the above Planning Scheme amendment by restricting the height of the dwellings to be no greater than 11 metres and storey in height along with providing a minimum of 35% of the site area as Garden Space.

Clause 52.06 – Car Parking

9.3 Dwelling 1 will have three bedrooms and is provided with two car spaces. Dwellings 2 and 3 are two bedrooms and are each provided with a single car garage. The number of car spaces and their design response meets the requirements of the Clause 52.06 of the *Hume Planning Scheme*.

REPORT NO: SU235 (cont.)

- 9.4 In terms of access, Council's Assets Department have raised no concerns with regard to the new crossovers. The design standards of Clause 52.06 relating to vehicle access, gradients, urban design, safety and landscaping are generally met.

Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)

- 9.5 The immediate area is characterised by a mixture of single-storey dwellings and double storey dwellings. Within Ballymena Street there are no other medium density developments, however, in the wider locality there are a small number of medium density development. The predominated existing setting is of a low-scale residential density of single dwellings on lots.
- 9.6 The proposed two-storey height is of a form and scale that is consistent with the residential setting and an outcome that is contemplated under the General Residential Zone, which has the stated purpose to.... *"provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport"*.
- 9.7 As the site is outside the residential neighbourhood character precincts described in Clause 22.14 of the *Hume Planning Scheme* greater flexibility is afforded to the site in terms of the development outcome that can be achieved. Whilst the area could be described as being 'low scale', it does not imply that future development must single storey. The location of the site within the current urban residential area Greenvale, and its proximity to services, as well as its corner location, suggests that it is entirely suitable for redevelopment. The provision of two double storey dwellings is entirely acceptable in this context.
- 9.8 Turning to the more specific design details, the first floor of all three dwellings are recessed from the ground floor providing a clear break in the bulk and mass making the upper floor more subservient. The mixture of materials between the ground and first floor along with the recessed elevations provide a suitable design outcome.
- 9.9 All three dwellings are attached at the ground floor and clear separation is provided first floor between each dwelling along with hipped roofs.
- 9.10 The overall outcome is a moderated built form in terms of its scale, height and form. The use brick and render will also assist to integrate the development within the local streetscape.
- 9.11 Further softening of the development is achieved through the provision of canopy tree planting within the front setback.
- 9.12 Council generally resists two storey developments at the rear of properties so to protect the open character which is generally found within established residential areas. Notwithstanding this, due to the larger footprints of dwellings in this locality; especially at number 12 Ballymena Street where the two storey dwelling is set approximately 1.1 metres from the rear boundary, it is not considered sustainable to withhold permission for dwelling 3 being two storey. The design response of dwelling 3 allows for generous setbacks from the side and rear boundaries with 4 metres at the ground floor and 5.4 metres at the first floor from the east boundary and 4 metres at the ground floor and 5 metres at the first floor from the rear boundary. These distances from the boundaries and recession of the first floor from the ground floor ensure that the additional bulk and mass introduced at the first floor would be acceptably subservient and would not appear unreasonably incongruous within this setting. Furthermore the two storey form of dwelling 3 aligns with the two storey form at 12 Ballymena Street.
- 9.13 However, to further reduce the bulk and form of dwellings 2 and 3 at the first floor conditions will be placed on any permit granted reducing the first floor footprints of those dwellings and to also increase the separation between the two at the first floor.
- 9.14 It is considered that the proposed development is suitable within the context of the site, as well as the built form character of the area subject to the inclusion of the abovementioned amendments.

REPORT NO: SU235 (cont.)

- 9.15 Dwelling 1 would have an active interface with Ballymena Street. Dwellings 2 and 3 would be active through the provision of front entry porches and windows oriented into the common area providing passive surveillance to that area.

Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15)

- 9.16 Dwelling 1 would be setback 5.5 metres from Ballymena Street. The required setback is 5.4 metres therefore the proposal complies with Standard B6.
- 9.17 The new dwellings would have a maximum building height of approximately 7.9 metres, which is under the maximum height requirement of 9 metres pursuant to Standard B7.
- 9.18 Proposed site coverage and permeability satisfy Standards B8 and B9, with 36.4% and 41.7% respectively.
- 9.19 Due to the orientation of the land some windows in the development achieve north orientation while others achieve an east-west orientation which is considered satisfactory. It is also noted that a number of first floor bedrooms achieve northern orientation.
- 9.20 Dwelling 1 would be provided with an identifiable entry and front porch which is accessed directly from Ballymena Street. Dwellings 2 and 3 each also have clearly definable entry and porch directly accessible from the shared driveway. Windows are orientated to have an outlook over the street or common property areas. The layout therefore provides for the safety and security of residents in accordance with the requirements of Standard B12.
- 9.21 There is adequate opportunity for planting within each of the areas set aside for private recreation. Similarly, the front setback of dwelling 1 will ensure that suitable landscaping opportunities are available within the site.
- 9.22 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14. Access and parking has largely been discussed in relation to Clause 52.06 – Car Parking above.
- 9.23 Vehicle parking for the dwellings is appropriately located, and convenient.

Clause 55.04 – Amenity Impacts (Standards B17 to B24)

- 9.24 All walls are set back in accordance with Standard B17.
- 9.25 No walls in this development would be built on or within 150mm of any boundary.
- 9.26 The proposal allows for adequate separation of the proposed built form in relation to all existing windows on neighbouring properties, with the required light courts provided.
- 9.27 There are no existing north facing habitable room windows within 3 metres of a boundary. The north facing windows of the dwelling at 5 Port Patrick Court are set over 3 metres away from the shared rear boundary.
- 9.28 The submitted shadow diagrams demonstrate that there will be no significant overshadowing to adjoining areas of secluded private open space.
- 9.29 The side and rear boundary fencing is notated as 'steel panel' 1.8 metres in height which protects the privacy of adjoining residential properties. Although the land slopes and there are stepped areas these fences would prevent a loss of privacy to adjoining properties.
- 9.30 All first floor windows that are within a 9 metre radius of neighbouring properties would have fixed obscure glazing to 1.7 metres to ensure that there will not be overlooking caused to neighbouring residential properties.
- 9.31 There will be no internal views into secluded private open space within the development and Standard B23 is met.
- 9.32 The proposal is unlikely to give rise to additional noise beyond what would normally be expected from residential properties.

REPORT NO: SU235 (cont.)

Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30)

- 9.33 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be accommodated in future should the need arise.
- 9.34 All dwellings have clearly definable entries and front porches which are accessed with dwelling 1 accessed from Ballymena Street and dwellings 2 and 3 accessed from the shared internal driveway.
- 9.35 All proposed habitable rooms are provided with windows that have the requisite dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.
- 9.36 The areas of secluded and private open space meet the minimum size and dimension requirements, and will be directly accessible from the internal living spaces.
- 9.37 The areas of secluded private open of dwelling 1 has access to northern light and will receive reasonable solar access throughout the day. The distance between the northern wall and southern boundary of the secluded private open space for dwellings 2 and 3 complies with the requirements of this standard to ensure suitable solar access.
- 9.38 External storage has been provided in the form of a shed within the secluded private open space of each dwelling which complies with the storage requirements of Standard B30.

Clause 55.06 – Detailed Design (Standards B31 to B34)

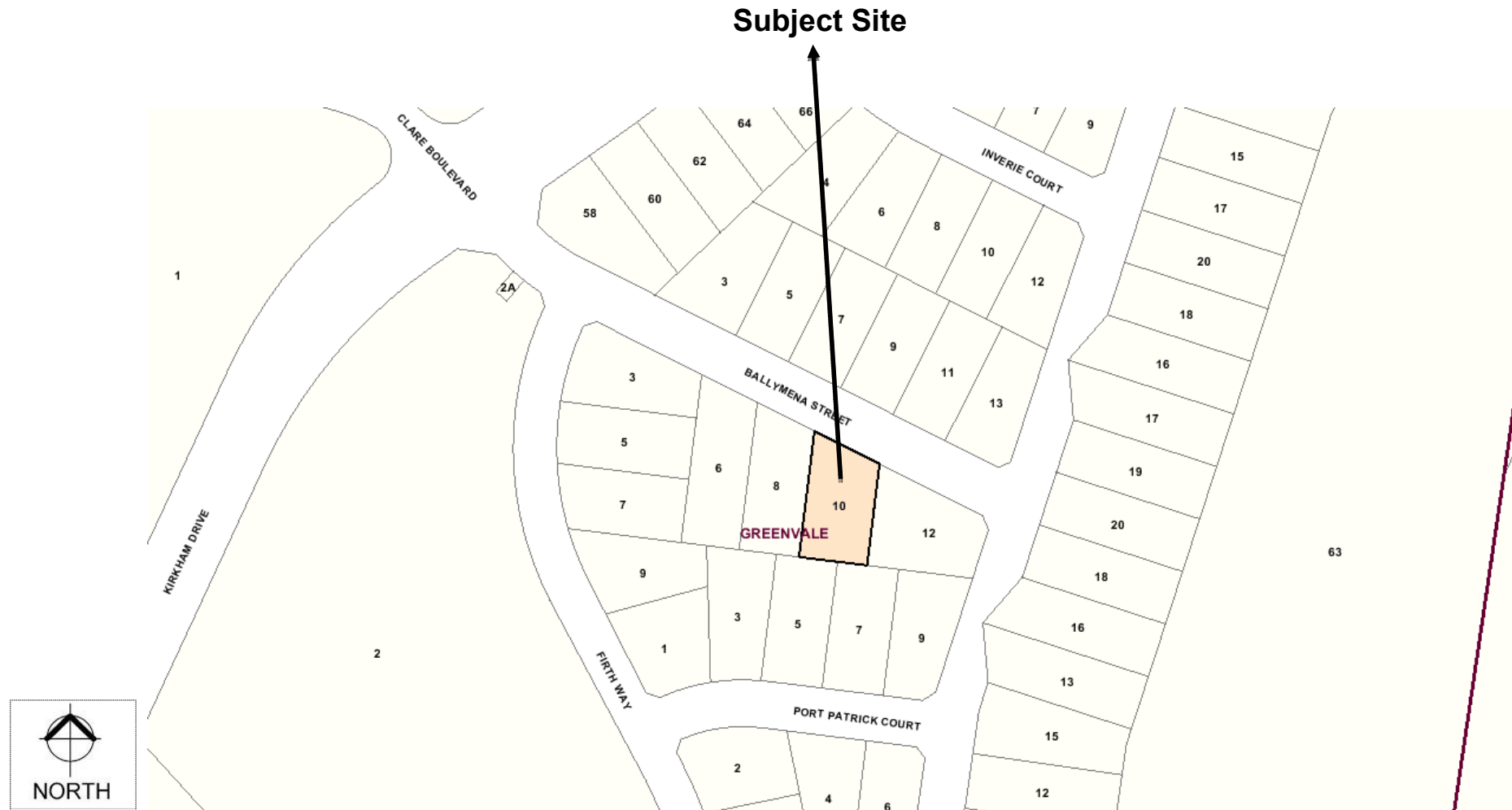
- 9.39 The proposed design of the dwellings, including the proposed hipped roof profiles and the use of brick and render is considered suitable in the context of the existing and emerging character of the area.
- 9.40 The first floors of all three dwellings would be recessed from the ground floors so there is a clear break in the built form and massing ensuring that no sheer walls are created. This also ensures that the first floors are suitably subservient to the ground floors. To further reduce first floor bulk and increase the distance between dwellings 2 and 3 conditions will be placed on any planning permit reducing the first floor footprints of those dwellings.
- 9.41 No front fences are proposed as part of the application.
- 9.42 The proposed layout is unlikely to give rise to any future management problems should the land be subdivided in the future.
- 9.43 The plans suitably demonstrate the location of bin storage and other ancillary facilities.

10. CONCLUSION

- 10.1 The development is considered to be a measured and site responsive design which is generally consistent with the existing streetscape character Ballymena Street.
- 10.2 The design is generally well resolved with respect to the requirements of Clause 55 (ResCode) of the *Hume Planning Scheme* and, subject to the conditions outlined in the officer's recommendation, will provide a development outcome that will not adversely diminish the existing or ongoing amenity of the area.
- 10.3 It is recommended that this application be approved.

Permit Application: P20231

Site Address: 10 Ballymena Street, Greenvale



Permit Application: P20231

Site Address: 10 Ballymena Street, Greenvale

Subject Site



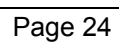
ORDINARY COUNCIL (TOWN PLANNING)

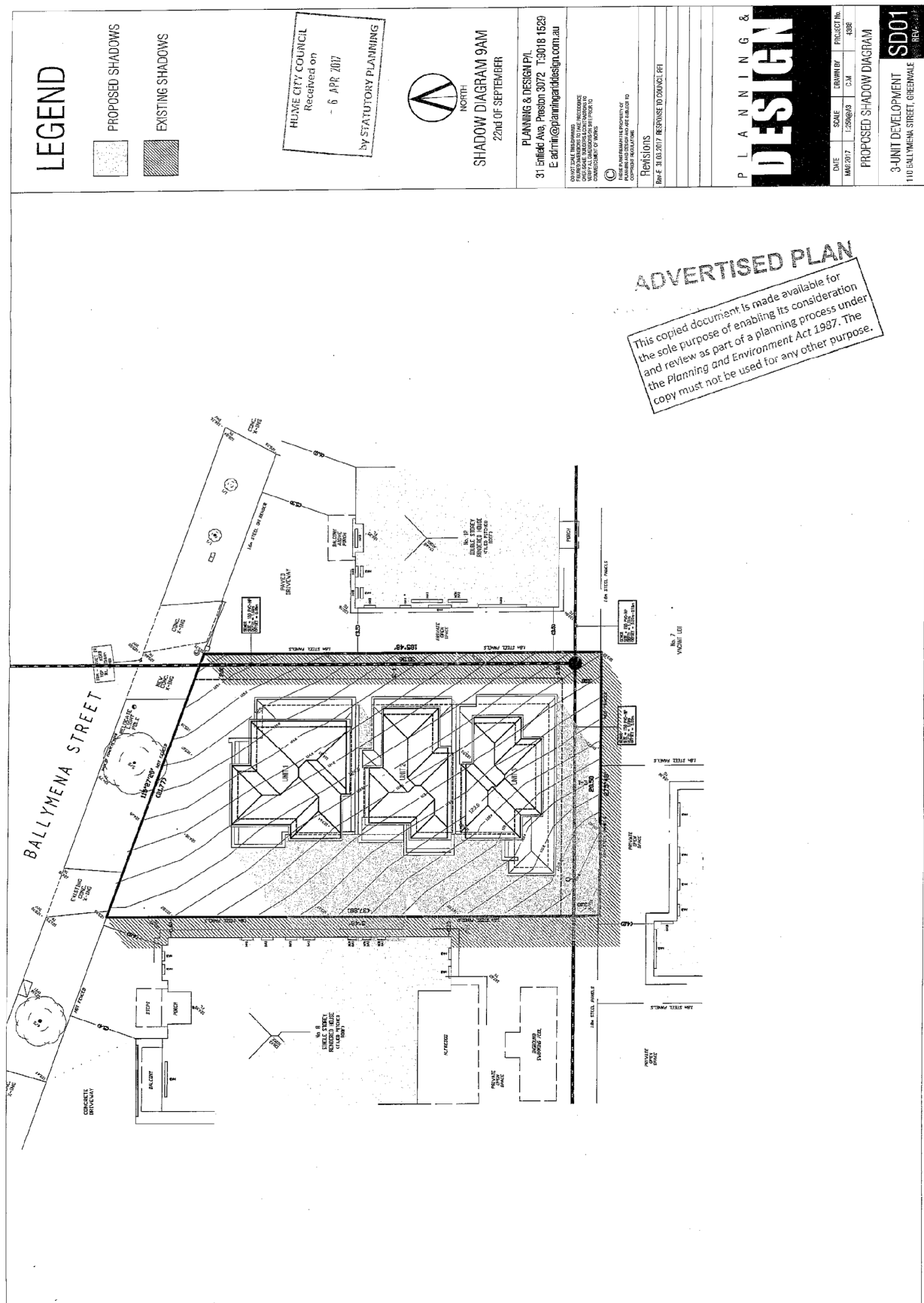
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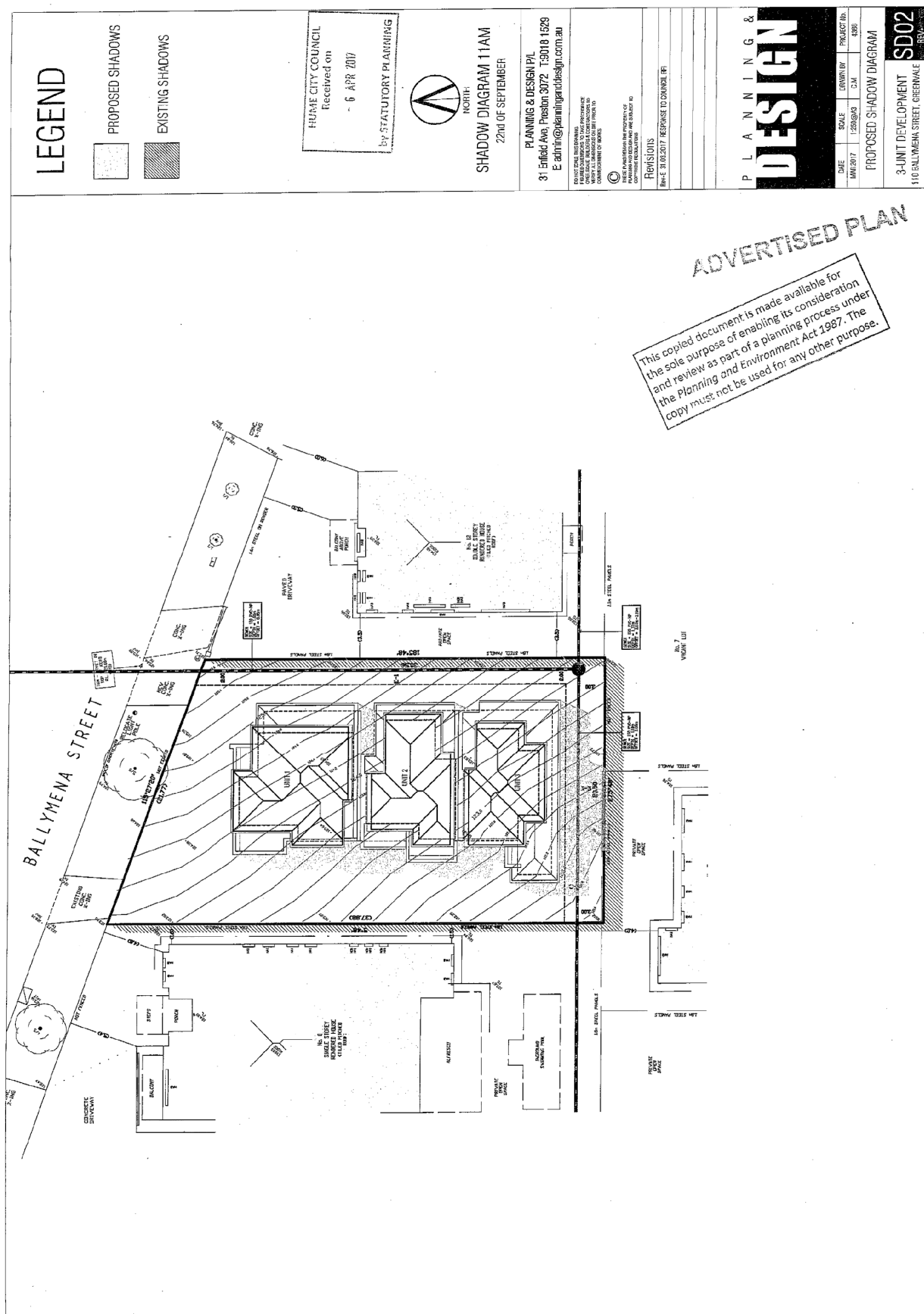
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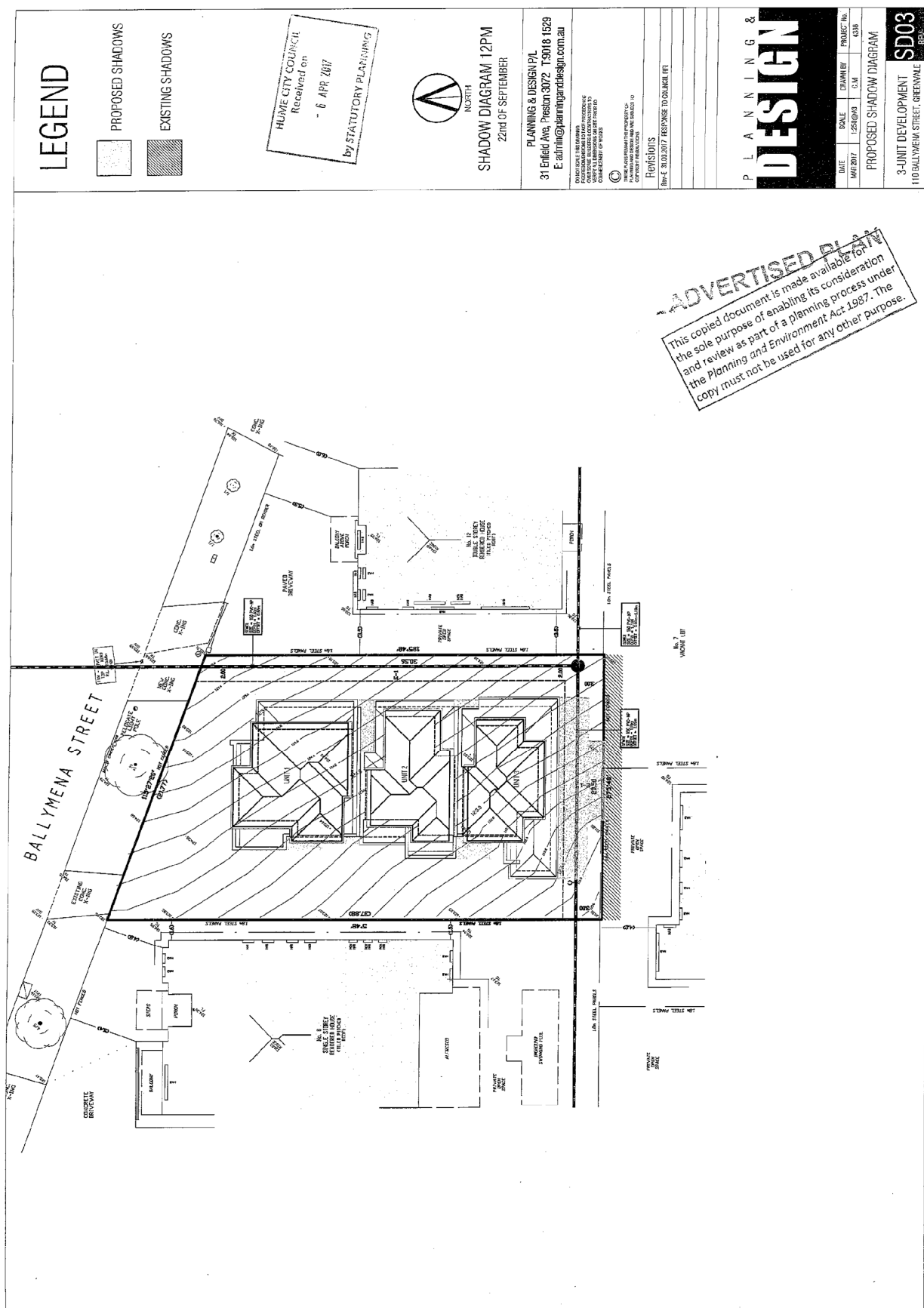
Hume City Council

Attachment 3 - Proposed Ground Floor, First Floor, and Elevation Plans, Shadow Diagrams and Streetscape Elevation Plan.





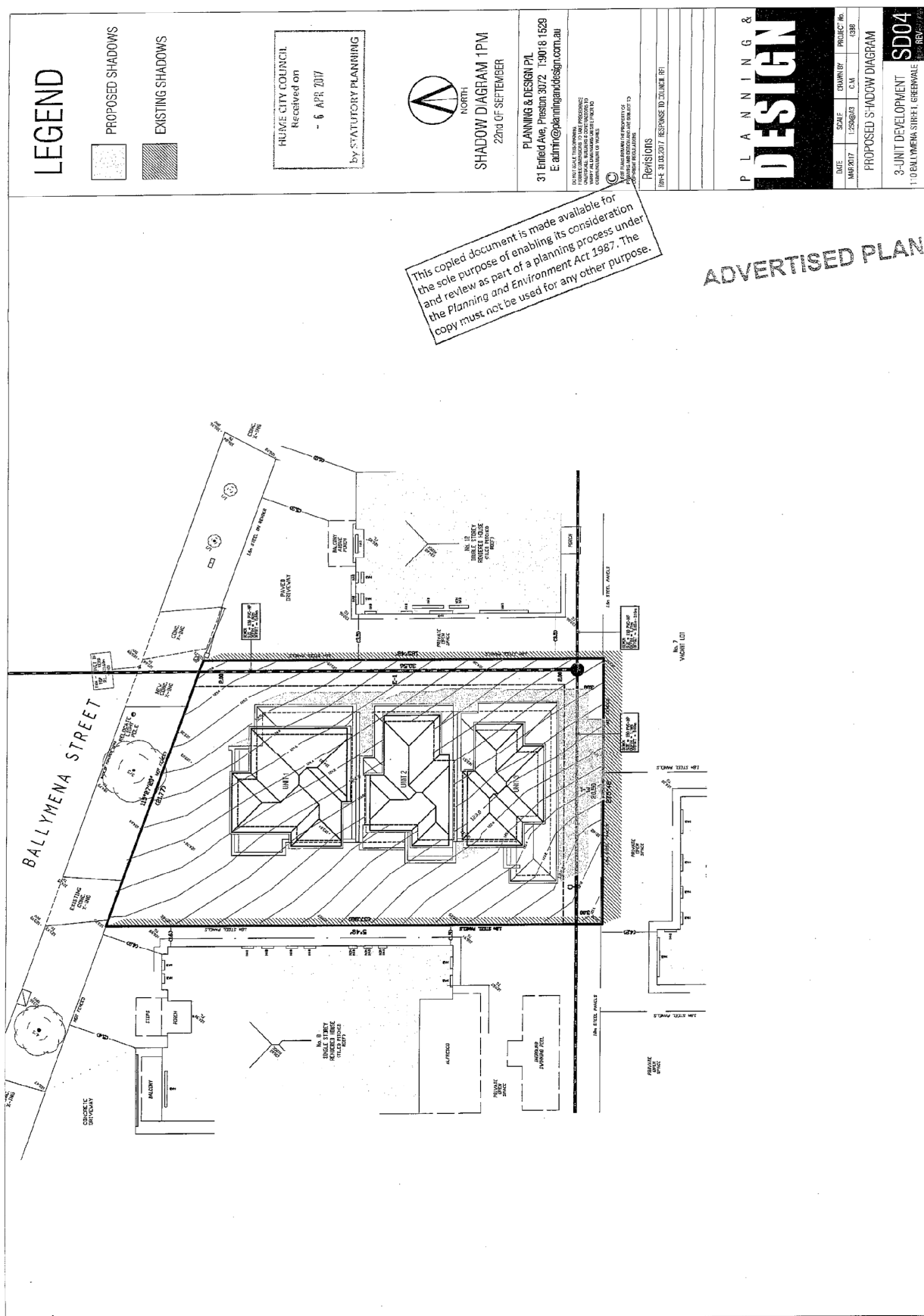


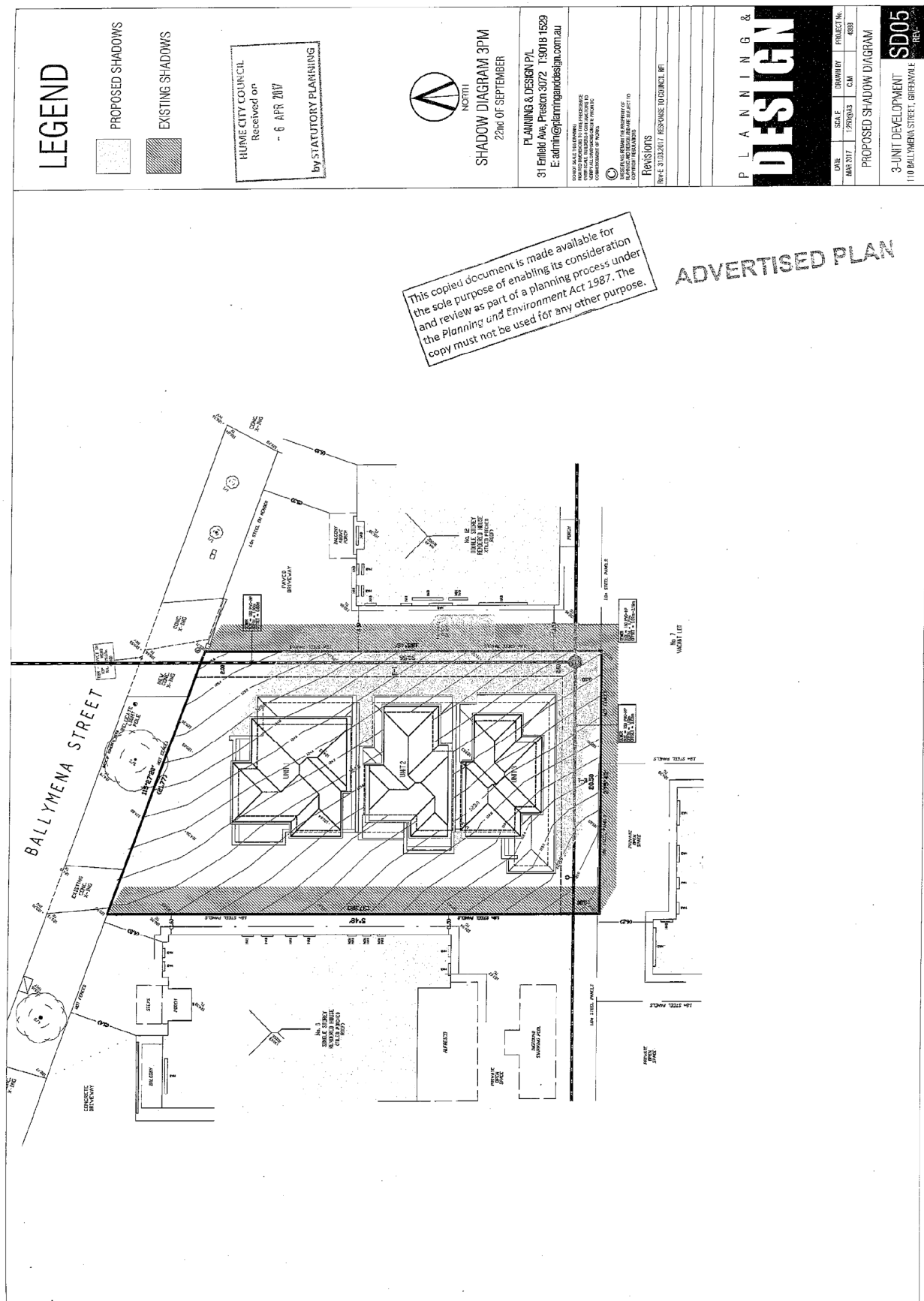


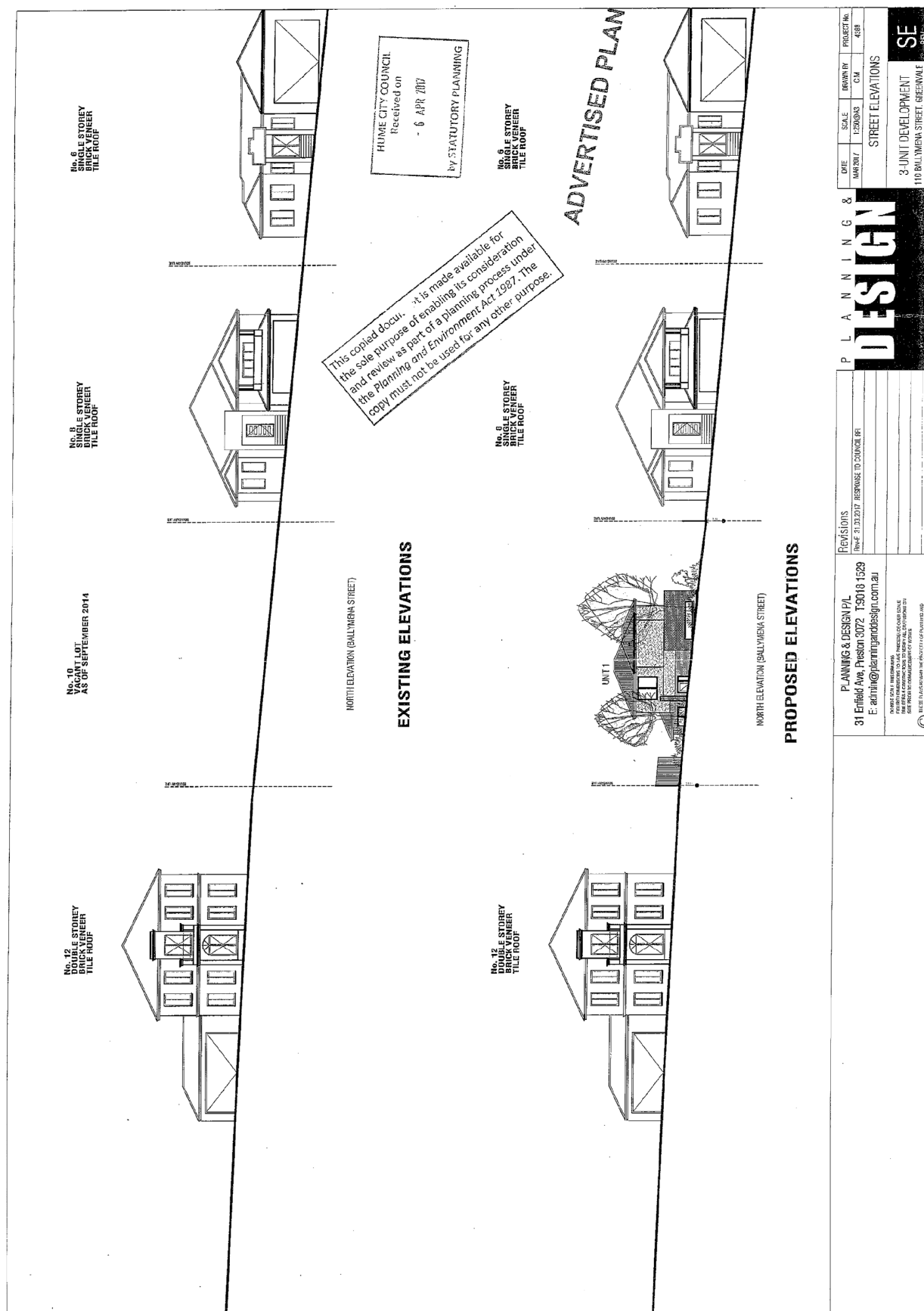
28 AUGUST 2017

ORDINARY COUNCIL (TOWN PLANNING)

Attachment 3 - Proposed Ground Floor, First Floor, and Elevation Plans, Shadow Diagrams and Streetscape Elevation Plan.







REPORT NO:	SU236
REPORT TITLE:	1 Greenacre Grove, Gladstone Park- Development of three double storey dwellings.
SOURCE:	Jonathan Siotas, Town Planner
DIVISION:	Planning and Development
FILE NO:	P20051
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Map</i> 2. <i>Site Context, Ground Floor, First Floor and Elevation Plans, Shadow Diagram and Colour Schedule</i>

Application No:	P20051
Proposal:	Development of three double storey dwellings.
Location:	1 Greenacre Grove, Gladstone Park
Zoning:	General Residential Zone 1
Applicant:	Architectural Plans and Permits
Date Received:	21 st October 2016

1. SUMMARY OF REPORT:

Planning approval is sought for the development of three double storey dwellings at 1 Greenacre Grove, Gladstone Park. The application was advertised and seven (7) objections have been received. The application has been assessed against the objectives and standards of Clause 55 of the *Hume Planning Scheme* including consideration of the issues raised in the objections. On balance, the proposal is considered acceptable and it is recommended that a Notice of Decision to issue a permit be issued subject to conditions.

2. RECOMMENDATION:

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 1 Greenacre Grove, Gladstone Park 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 dated 17/3/17 TP1 to TP3 and TP7 but modified to show:
 - a) The garage and study of dwelling 1 moved back an additional 1 metre from the street to increase the street setback on Greenacre Grove.
 - b) The existing crossover removed with the kerb, channel and nature strip re-instated.
 - c) The side entry pit along Aylesbury Crescent street frontage where the crossover of dwelling 3 would be located is to be modified to be a heavy duty channel grated pit.
 - d) Removal of the footpath from within the front setbacks of dwellings 2 and 3 so that the front porches are accessed from the driveway in order to

REPORT NO: SU236 (cont.)

- maximise permeable surfaces.
- e) All first floor windows on the west elevation of dwellings 1, 2 and 3 to be obscure glazed and non-openable to 1.7 metres from the internal finished floor area in accordance with Standard B22 of Clause 55 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 external materials, finishes and paint colours of the approved building must be to the satisfaction of the responsible authority.
 4. All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.
 5. Except with the prior written consent of the responsible authority, no service equipment or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings.
 6. 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.
 7. 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.

The areas must be maintained in a useable condition to the satisfaction of the responsible authority.
 8. 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.
 9. Before the development is occupied, vehicle access to and from the 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). After obtaining a road opening permit from Council, the location, design and construction of the vehicle crossing(s) must be approved by the responsible authority.
 10. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
 - a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - c. details of surface finishes of pathways and driveways;
 - d. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - e. landscaping and planting within all open areas;
 - f. One large canopy tree (minimum two metres tall when planted) and

REPORT NO: SU236 (cont.)

- understorey landscaping in the site frontage.
 - g. a tree protection zone and structural root zone for each tree to be retained; and
 - h. the location and details of root control barriers;
11. Stormwater from all paved area must be drained to underground stormwater system.
 12. Any cut or fill must not interfere with the natural overland stormwater flow.
 13. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
 14. Prior to the removal of any street trees, consent is required from Council's Parks Department. All associated fees for the removal and replacement of trees must be paid by the owner/developer to Council. Street trees must only be removed by Council's Parks Department after the associated fees have been paid.
 15. 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.

NOTE:

If a request for an extension of commencement/completion dates is made out of the time allowed by condition 15, 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.

Permit Notes:

- An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing must be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details must be attached to the application. Any service relocations must be carried out to the approval of the Service Authority and at the owners cost.
- A drainage investigation is required for this development (fees apply). Stormwater plans must 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 for the site.
- Following the drainage investigation, internal drainage plans must be submitted to Council's Civil Design Department for approval.
- An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing must be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details must be attached to the application form.
- An application for a Legal Point of Stormwater Discharge is required to be obtained from Council.
- Approval is required from Council and other responsible authorities for the construction of the garage to be built on the easement.
- Prior to the commencement of any works within the road reserve an application to work within a Hume City Council's road reserve' is required to be submitted to Council for approval.

REPORT NO: SU236 (cont.)

- Any services within the road reserve requiring relocation must be approved by the relevant service authority and carried out and completed to the satisfaction of the responsible authority.

3. PROPOSAL:

It is proposed to develop three double storey dwellings as follows:

- Dwelling 1 will front Greenacre Grove and be setback approximately 5.5 metres at the closest point and Aylesbury Crescent and increasing to a maximum setback of 8 metres. Dwellings 2 and 3 will front the side street (Aylesbury Crescent) and setback at least 3 metres.
- Dwelling 1 will contain 3 bedrooms, study and open plan living with a ground level footprint of 83.8sqm and first floor foot print of 71.12sqm.
- Dwelling 2 will contain 2 bedrooms, open plan living area with a ground level footprint of 63.19sqm and first floor footprint of 48.26sqm.
- Dwelling 3 will contain 2 bedrooms, open plan living area with a ground level footprint of 68.67sqm and first floor footprint of 52.54sqm.
- Access to dwelling 1 is from a new 3 metre wide crossover on Greenacre Grove. Vehicle access to dwellings 2 and 3 will be achieved through two new 3 metre wide crossovers off Aylesbury Crescent.
- The proposed dwellings provide a modern and contemporary design response consistent with emerging multi-unit sites within the broader neighbourhood. Each of the dwellings would be constructed from face brickwork and a mixture of woodgrain cladding and smooth render finishes.
- The requirements of Clause 32.08-4 of the *Hume Planning Scheme* (Garden Area Requirement) do not apply to this application as amendment VC110 came into effect after this application was lodged. However it should be noted that if this requirement did apply then as shown in the below table it would comply with the minimum garden area requirement of 30%.
- The following table provides a summary of the proposed development.

Site Area	613.03sqm
Dwelling Density	1:204.3sqm
Site Coverage	50.09%
Permeability	37.06%
Garden Area	31.05%

4. SITE AND SURROUNDS:

- 4.1 The subject site is located on the southern junction of Greenacre Grove and Aylesbury Crescent. The site is located within a residential area generally bound by the Tullamarine Freeway to the south-west and South Circular Road to the north. The site is approximately 130 metres west of the School of the Good Sheperd and approximately 125 metres north of the Gladstone Park Tennis Club. The Gladstone Park Shopping Centre is approximately 430 metres north-west of the application site.
- 4.2 The site has a frontage along Greenacre Grove of approxaimtely 5.7 metres before it curves into the junction and then has a frontage along Aylesbury Crescent of 21.03 metres. The south-west boundary (abutting 3 Greenacre Grove) has a length of 35.57 metres and the south east boundary (abutting 9 Aylesbury Crescent) has a length of 23.21 metres.

REPORT NO: SU236 (cont.)

- 4.3 The site is irregular in shape and is relatively level while containing a 1.83 metre wide easement along the south-east boundary.
- 4.4 The site is currently occupied by a single storey brick dwelling with a hipped roof. Vehicle access is via a single width concrete crossover located on the Aylesbury Crescent frontage.
- 4.5 There is one street tree on Aylesbury Crescent that will be required to be removed as a result of the new crossover for Dwelling 2.
- 4.6 The surrounding area is an established residential neighbourhood predominantly characterised by single storey brick dwellings. There are a number of examples of multi-unit developments in proximity to the site. Dwellings typically have open landscaped front gardens with low front fencing, creating a moderately open streetscape character.
- 4.7 The dwelling to the south-west of the subject site at 3 Greenacre Grove contains a single storey detached rendered dwelling with a hipped roof. To the south-east, at number 9 Aylesbury Crescent, is a single storey detached brick dwelling.

Restrictions on Title

- 4.8 No restrictive covenants are registered on the title.

Planning History

- 4.9 A review of Council records did not produce any previous planning permits pertaining to the subject land.

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

State Policies: Clause 15.01-1: Urban Design
Clause 15.01-2: Urban Design Principles
Clause 15.01-5: Cultural Identity and Neighbourhood Character
Clause 15.02-1: Energy and Resource Efficiency
Clause 16.01-1: Integrated Housing
Clause 16.01-2: Location of Residential Development
Clause 16.01-4: Housing Diversity
Clause 16.01-5: Housing Affordability

Municipal Strategies: Clause 21.02-1: Housing
Clause 21.02-2: Health and Safety
Clause 21.06-8: Local Areas (Sunbury)
Clause 21.08: Particular Uses and Development

Local Policies: None Relevant

Zones: Clause 32.08: General Residential Zone (Schedule 1)

Overlays: Nil

Particular Provisions: Clause 52.06: Car Parking
Clause 55: Two or more dwellings on a lot

General Provisions: Clause 65.01: Approval of an Application or Plan

- 5.2 It is State policy to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity, and to achieve urban design outcomes that contribute positively to the local urban character.

REPORT NO: SU236 (cont.)

- 5.3 It is also policy that new housing is designed to respond to the community needs by providing affordable higher density housing developments which are strategically located close to transport corridors and activity centres.
- 5.4 In relation to Housing, Clause 21.02-1 of the *Hume Planning Scheme* seeks:
- “To provide access to a range and quality of housing opportunities that meet the varied needs of existing and future residents”; and
 - “To deliver urban growth that is cost effective, orderly and achieves the greatest social benefits to the community, without diminishing the unique character and identity of the City”.
- 5.5 As the subject site is outside the prescribed neighbourhood character found within Clause 22.14 of the *Hume Planning Scheme*, there are no identified existing or preferred character requirements for this area (and associated design criteria) identified in the *Hume Planning Scheme*.

Aboriginal Cultural Heritage

- 5.6 The subject site is not located within an area of cultural heritage sensitivity as described in the *Aboriginal Heritage Regulations 2007*.

Major Electricity Transmission Line

- 5.7 The subject site is not located within 60 metres of a major electricity transmission line.

Planning Permit Trigger/s

- 5.8 The permit trigger in this instance is Clause 32.08-6 of the *Hume Planning Scheme* which relates to buildings and works associated with the construction of two or more dwellings on land located within a General Residential Zone.

6. REFERRALS:

- 6.1 The application was not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987* (“the Act”).
- 6.2 Internal referrals were made to Council’s Assets and Parks Departments (due to the removal of the street tree), all of whom raised no objections subject to the inclusion of standard conditions.

7. ADVERTISING:

- 7.1 The application was advertised under Section 52 of the Planning and Environment Act by way of letters to adjoining land owners and occupiers and two (2) notice boards erected on the site for a period of 14 days. A total of seven (7) objections were received in response. The grounds of objection can be summarised as follows:
- Out of character;
 - Overdevelopment;
 - Secluded Private Open Space (SPOS) area will not receive adequate light;
 - Traffic congestion and impact on car parking;
 - Overlooking;

8. OBJECTIONS:

A response to the objections is provided below.

8.1 Overdevelopment

The site coverage is 50.09% and therefore complies with Standard B8 of Clause 55 of the *Hume Planning Scheme* which allows building site coverage of up to 60%. The permeable surface area stands at 37.06% which is also well in excess of the acceptable 20% (Standard B9). To compliment the development footprint all dwellings are provided with areas of private open space which exceed the requirements of Standard B28 of Clause 55 of the *Hume Planning Scheme*. The specifics noted above clearly demonstrate that the proposal is not an overdevelopment of the site and has made a considered effort in its compliance with relevant policies and its interpretation of the built form.

REPORT NO: SU236 (cont.)

8.2 SPOS will not receive adequate light

Standard B29 of the *Hume Planning Scheme* prescribes the setback requirements of all new development in relation to south facing secluded private open space specifically the northern wall from the southern boundary. Pursuant to Standard B29 the required setback is 4.88 metres and due to the orientation of the site this requirement is easily achieved.

8.3 Traffic congestion and impact on car parking

Council's Assets Department did not raise concerns with regard to the potential traffic the proposal would create. *Clause 52.06 of the Hume Planning Scheme* requires each 3 bedroom dwelling to be provided with 2 car spaces and each 2 bedroom dwelling to be provided with 1 car space. Dwelling 1 would be provided with a double car garage and space for a tandem car space within its accessway. Dwellings 2 and 3 would be provided with a single car garage with tandem car space within their respective accessways. The car parking provided goes above the requirements of Clause 52.06 of the Hume Planning Scheme.

8.4 Overlooking

With regard to overlooking, particularly from first floor windows, the issue will be addressed via permit conditions to ensure that appropriate measures are taken to ensure there is no overlooking caused pursuant to Standard B22.

8.5 Out of character

The existing character of the area is predominantly single storey dwellings of brick construction set within fairly open, moderately landscaped gardens interspersed with two storey dwellings. It is considered that the proposed two storey scale with adequate boundary setbacks for landscaping, particularly within the street setbacks, will ensure the development would sit comfortably within the local residential context. Neighbourhood character is discussed in more detail in Section 9 below.

9. ASSESSMENT:

9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 is provided below. In short, the proposal achieves compliance with the relevant objectives of the *Hume Planning Scheme*.

9.2 It is noted that the application was lodged prior to 27 March 2017 being the gazettal date of Amendment VC110 and it is therefore exempt from the new Garden Area and related design requirements. That being said, the proposal is consistent with the requirements of the above *Hume Planning Scheme* amendment by restricting the height of the dwellings to be no greater than 11 metres and storey in height along with providing a minimum of 30% of the site area as Garden Space.

Clause 52.06 – Car Parking

9.3 Dwelling 1 will have 3 bedrooms and has been provided with 3 car spaces. Dwellings 2 and 3 are two bedrooms and are each provided with a single car garage and tandem car space. The number of car spaces and their design response exceeds the requirements of Clause 52.06 of the Hume Planning Scheme.

9.4 In terms of access, Council's Assets Department have raised no concerns with regard to the new crossovers. The design standards of Clause 52.06 relating to vehicle access, gradients, urban design, safety and landscaping are generally met.

Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)

9.5 The immediate area is characterised by a predominance of single-storey dwellings, interspersed with two storey dwellings, generally with open style front gardens with low

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front fencing. There are a number of examples of recent medium density developments within the neighbourhood.

- 9.6 Whilst the existing streetscape setting generally remains single-storey, the proposed two-storey height is of a form and scale that is consistent with the residential setting and an outcome that is contemplated under the General Residential Zone, which has the stated purpose to.... *“provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport”*.
- 9.7 As the site is outside the residential neighbourhood character precincts described in Clause 22.14 of the Hume Planning Scheme greater flexibility is afforded to the site in terms of the development outcome that can be achieved. Whilst the area could be described as being ‘low scale’, it does imply that future development must single storey. The location of the site within the current urban residential area of Gladstone Park, and its proximity to services, as well as its corner location, suggests that it is entirely suitable for redevelopment. The provision of three double storey dwellings is entirely acceptable in this context.
- 9.8 Turning to the more specific design details, the first floor of all three dwellings are well recessed from the ground floor providing a clear break in the bulk and mass making the upper floor more subservient. The mixture of materials between the ground and first floor along with the recessed elevations provide a suitable transition between the existing single storey dwellings within the streetscape and proposal in question.
- 9.9 Dwellings 2 and 3 are joined at the ground and first floor however each have separate roof forms and clear separation and sense of personal address on the ground floor to make each dwelling clearly distinguishable from the other.
- 9.10 The overall outcome is a moderated built form in terms of its scale, height and form. The use of woodgrain cladding, brick and render will also assist to integrate the development within the local streetscape.
- 9.11 Further softening of the development is achieved through the provision of canopy tree planting. All three dwellings will have a large canopy tree located in their respective frontages.
- 9.12 It is considered that the proposed development is suitable within the context of the site, as well as the built form character of the area.
- 9.13 The proposed dwellings are appropriately located in the context of an established urban environment and infrastructure, with the ability to be connected to all relevant services and utilities.
- 9.14 All dwellings share an interface with the street. The frontage of each dwelling would be active through the provision of front entry porches and windows providing passive surveillance of the street.

Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15)

- 9.15 Dwelling 1 is proposed to be set back approximately 5.5 metres from the junction of Greenacre Grove and Aylesbury Crescent and increasing to 8 metres. Standard B6 requires the same setback as the adjacent dwelling facing the same street for the front setback. In the case of the proposal, the setback requirement is 7.53 metres being the setback of No. 6 Flinders Street. The garage and study of dwelling 1 should be setback a further 1 metre from the street which will reduce the courtyard, laundry a toilet and will be placed as a condition on any planning permission. This along with the provision of a canopy tree reducing prominence in the streetscape will make the front setback acceptable.
- 9.16 The side setback of dwelling 1 from the side street is 3 metres which is consistent with the requirements of Standard B6.

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- 9.17 Dwellings 2 and 3 will be oriented towards the side street (Aylesbury Crescent) with a main wall setback of at least 3 metres. Given that Aylesbury Crescent is a side street a minimum street setback of 3 metres is required, compliance is achieved.
- 9.18 The new dwellings will have a maximum building height of approximately 7.3 metres, which is under the maximum height requirement of 9 metres pursuant to Standard B7.
- 9.19 Proposed site coverage and permeability satisfy Standards B8 and B9, with 50.09% and 37.06% respectively.
- 9.20 Due to the orientation of the land some windows in the development achieve north orientation while others achieve an east-west orientation which is considered satisfactory. It is also noted that a number of first floor bedrooms achieve northern orientation.
- 9.21 Dwelling 1 would be provided with an identifiable entry and front porch which is accessed directly from Greenacre Grove. Dwellings 2 and 3 each also have clearly definable entry and porch directly accessible from Aylesbury Crescent. Windows are orientated to have an outlook over the street or internally to secluded open space areas. The layout therefore provides for the safety and security of residents in accordance with the requirements of Standard B12.
- 9.22 There is adequate opportunity for planting within each of the areas set aside for private recreation. Similarly, the front setback of dwelling 1 will ensure that suitable landscaping opportunities are available in the front setback of the site including the addition of canopy trees.
- 9.23 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14. Access and parking has largely been discussed in relation to Clause 52.06 – Car Parking above.
- 9.24 Vehicle parking for the dwellings is appropriately located, and convenient.

Clause 55.04 – Amenity Impacts (Standards B17 to B24)

- 9.25 All walls have been set back in accordance with Standard B17.
- 9.26 The proposed south-west garage wall of dwelling 1 will abut the common boundary for a length of 6.5 metres and will have an average height not greater than 3.2 metres. Similarly, the proposed south-east garage wall of dwelling 2 will abut common boundary for a length of 6.5 metres, with an average height not greater than 3.2 metres. Overall, the length and height of the walls constructed on common boundaries would not exceed the specified length and height requirements of Standard B18.
- 9.27 The proposal allows for adequate separation of the proposed built form in relation to all existing windows on neighbouring properties, with the required light courts provided.
- 9.28 There are no existing north facing habitable room windows within 3 metres of a boundary.
- 9.29 The submitted shadow diagrams demonstrate that there will not be significant overshadowing of the secluded private open space of adjoining properties.
- 9.30 The side and rear boundary fencing is notated as 'timber palings' 1.8 metres in height which protects the privacy of adjoining residential properties. A condition will be placed on any permit issued for all first floor windows to be treated in accordance with the requirements of Standard 22.
- 9.31 There will be no internal views into secluded private open space within the development and Standard B23 is met.
- 9.32 The proposal is unlikely to give rise to additional noise beyond what would normally be expected from residential properties.

Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30)

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- 9.33 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be accommodated in future should the need arise.
- 9.34 All dwellings have clearly definable entries and front porches which are accessed directly from Greenacre Grove and Aylesbury Crescent.
- 9.35 All proposed habitable rooms are provided with windows that have the requisite dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.
- 9.36 The areas of secluded and private open space meet the minimum size and dimensional requirements of Standard B28 while direct access from a living room.
- 9.37 The areas of secluded private open space of dwelling 1 has access to northern light and will receive reasonable solar access throughout the day. The distance between the northern wall and southern boundary of the secluded private open space for dwellings 2 and 3 complies with the requirements of this standard to ensure suitable solar access.
- 9.38 External storage has been provided in the form of a shed within the secluded private open space of each dwelling which complies with the storage requirements of Standard B30.

Clause 55.06 – Detailed Design (Standards B31 to B34)

- 9.39 The proposed design of the dwellings, including the proposed hipped roof profiles and the use of brick, render and woodgrain cladding, is considered suitable in the context of the existing and emerging character of the area.
- 9.40 No front fences are proposed as part of the development.
- 9.41 The proposed layout is unlikely to give rise to any management problems should the land be subdivided in the future, noting that each dwelling has an individual access and common property is unlikely to be needed.
- 9.42 The plans suitably demonstrate the location of bin storage and other ancillary facilities, although some may require relocation to improve screen planting opportunities.

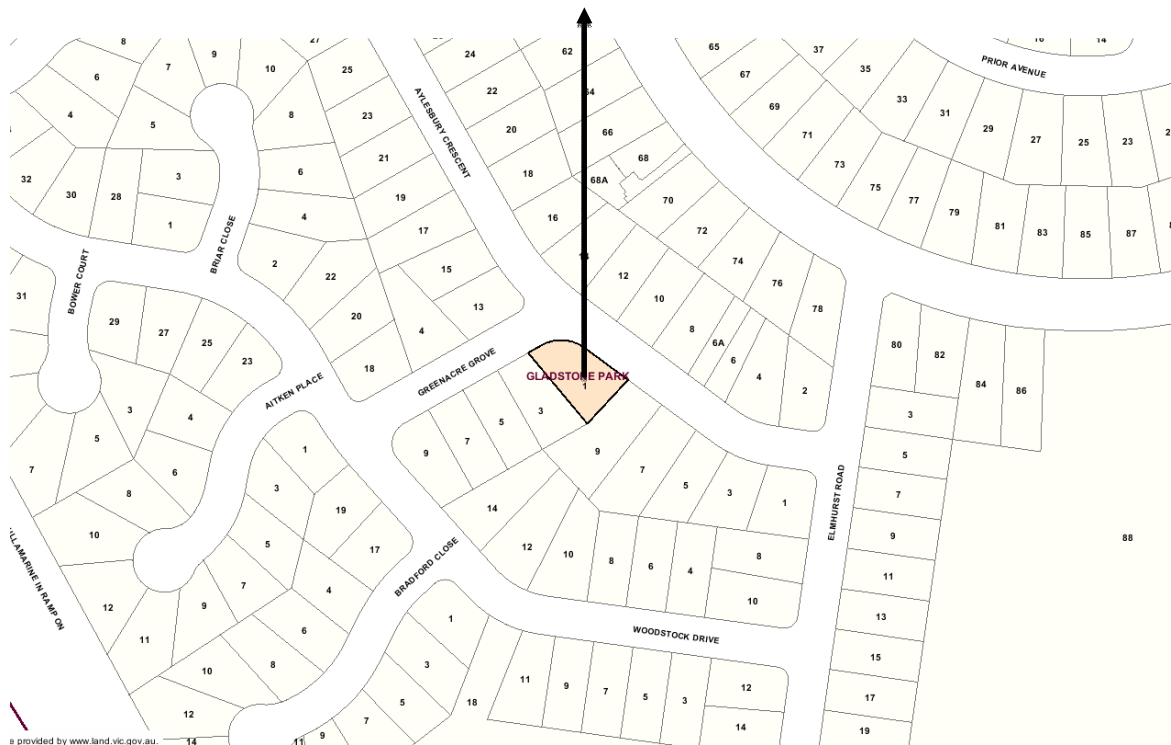
10. CONCLUSION

- 10.1 The development is considered to be a measured and site responsive design which is consistent with the residential streetscape character of Greenacre Grove and Aylesbury Crescent.
- 10.2 The design is generally well resolved with respect to the requirements of Clause 55 (ResCode) of the *Hume Planning Scheme* and, subject to the conditions outlined in the officer's recommendation, will provide a development outcome that will not adversely diminish the existing or ongoing amenity of the area.
- 10.3 For these reasons, it is recommended that this application be approved.

Permit Application: P20051

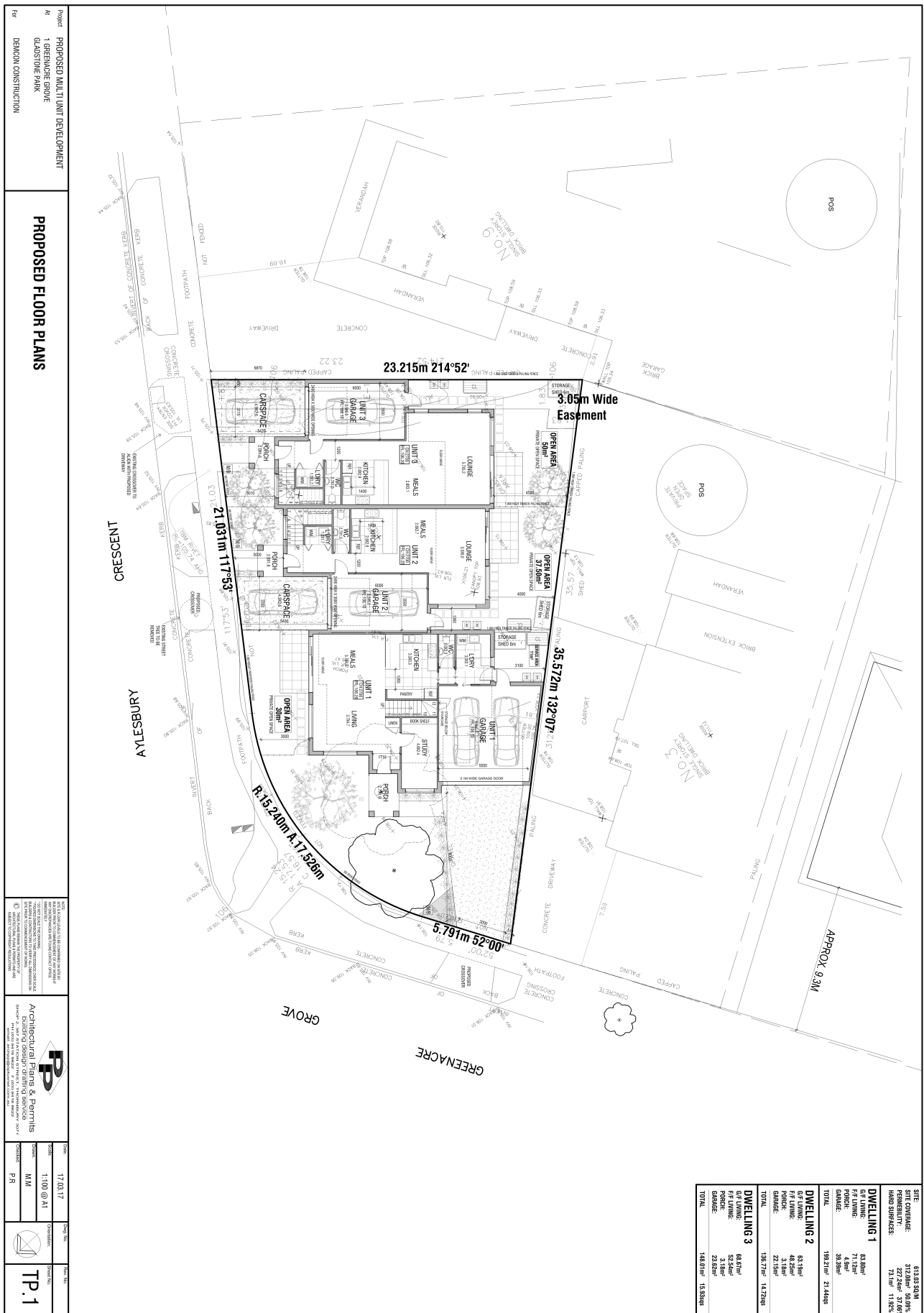
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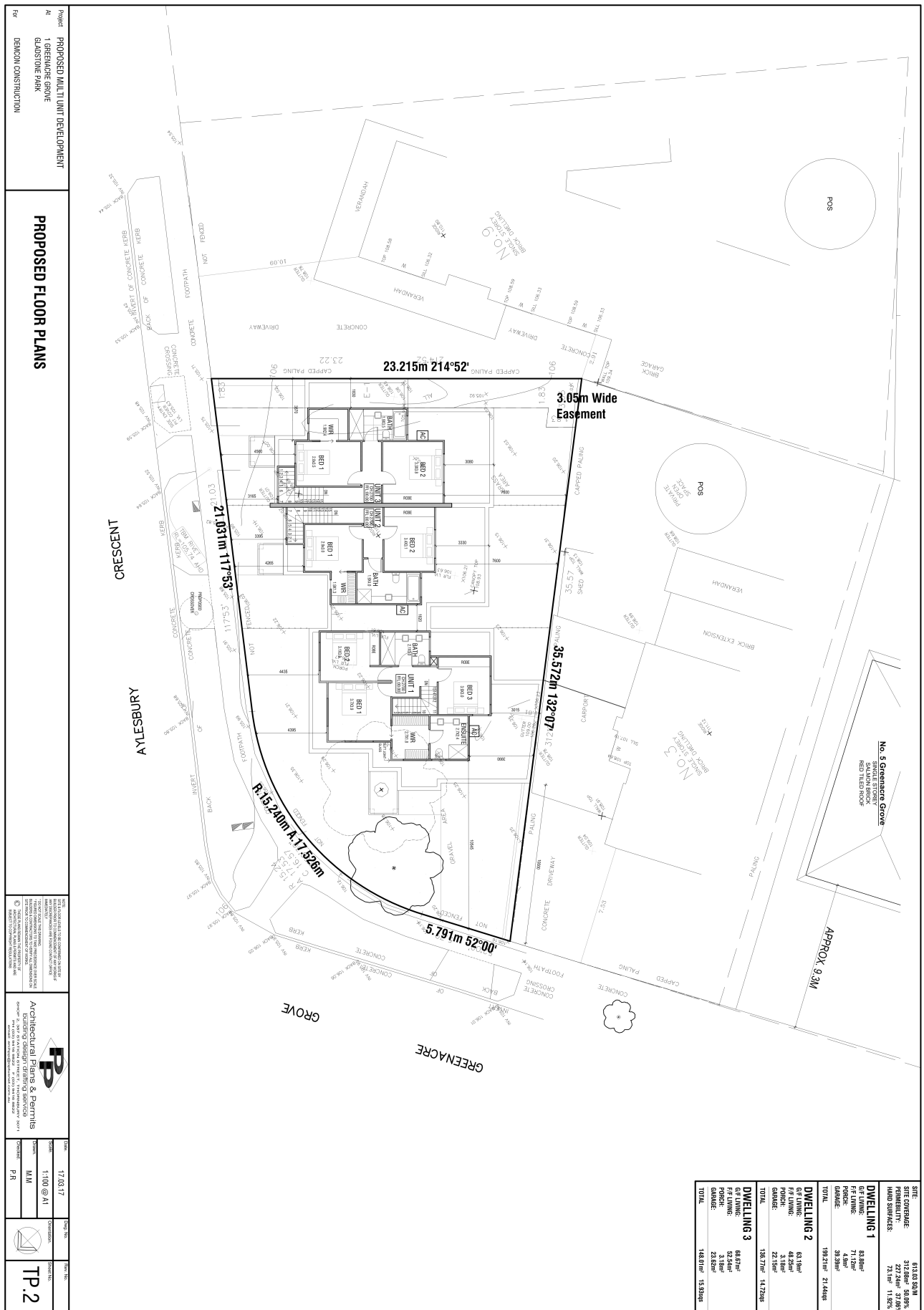
Subject Site



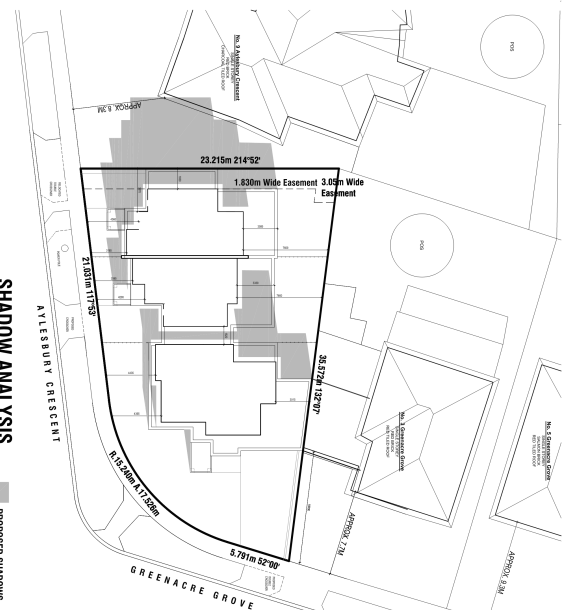
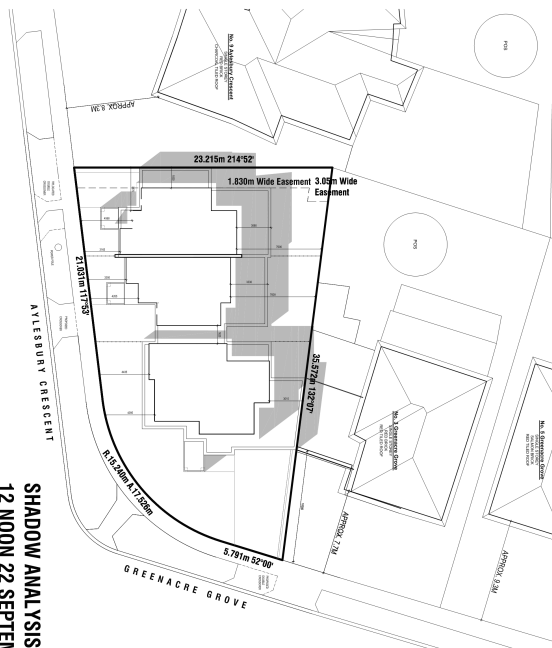
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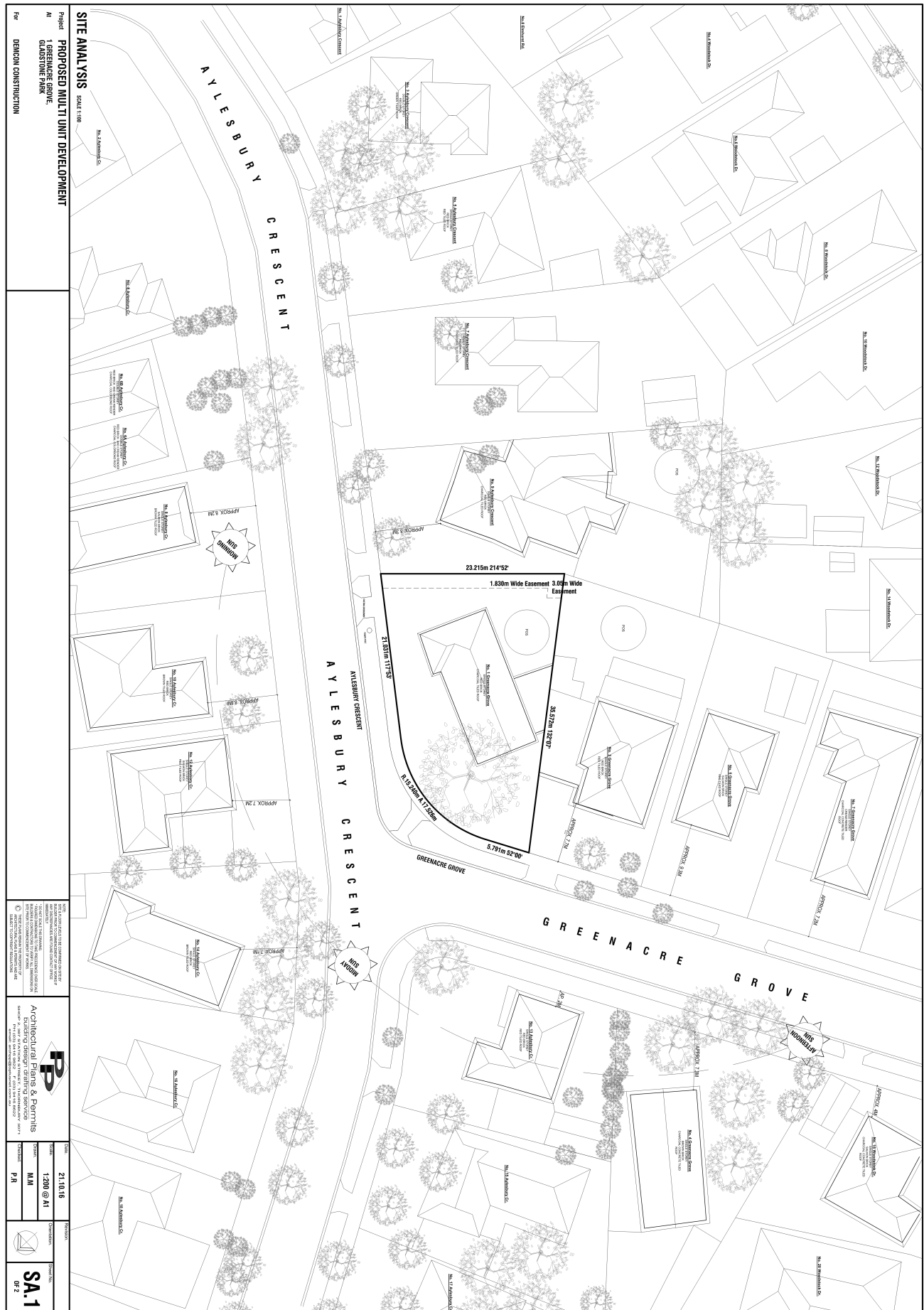


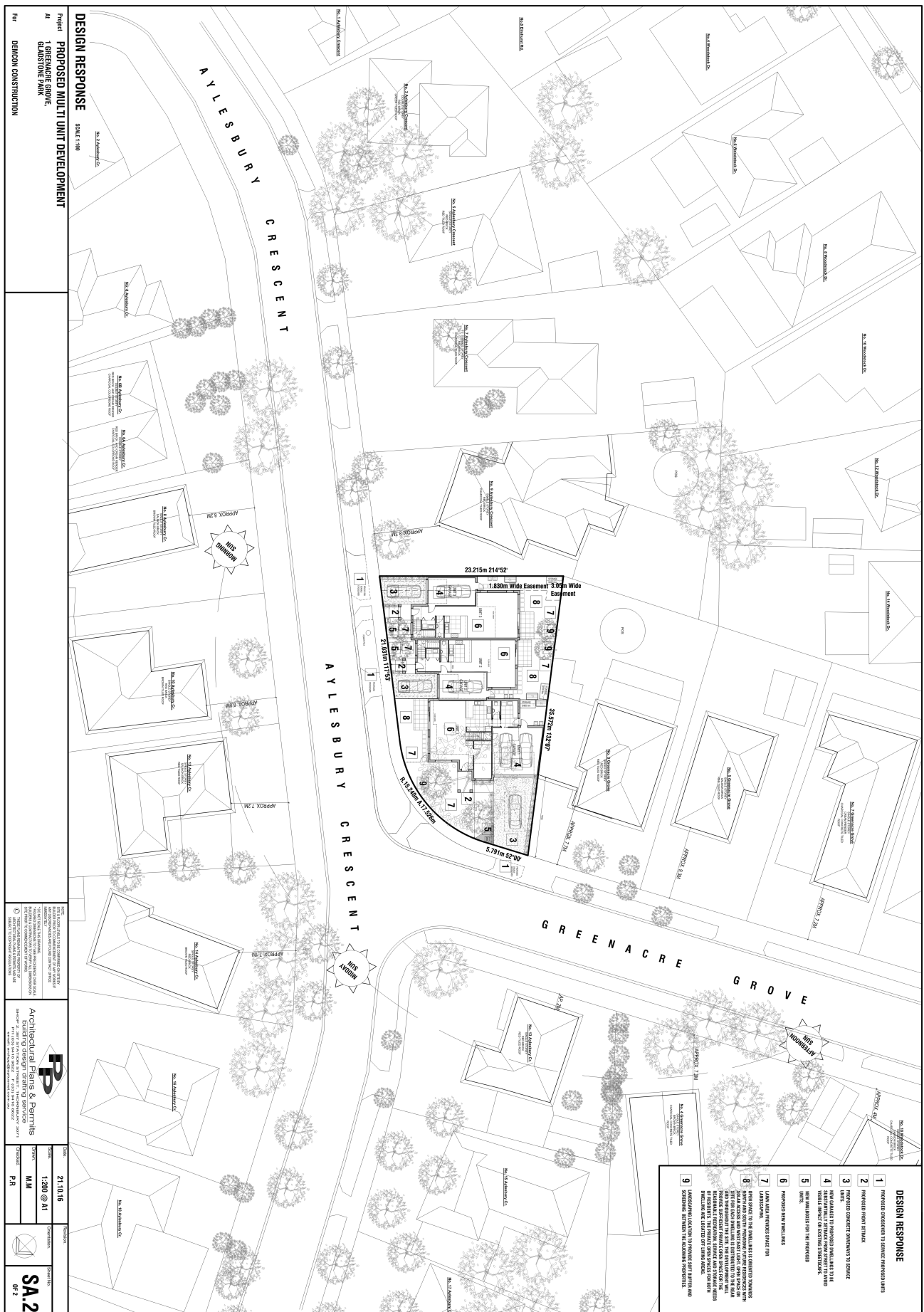




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REPORT NO:	SU237
REPORT TITLE:	2-4 Emma Court, Sunbury- Use and Development of land for the purposes of a Childcare Centre, Variation to Restrictive covenant AG9048834K to allow a building other than a dwelling and fencing to the front boundary and the ending of a Section 173 Agreement
SOURCE:	Blake Hogarth-Angus, Town Planner (Growth Areas)
DIVISION:	Planning and Development
FILE NO:	P19420
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Map</i> 2. <i>Proposed Development Plans</i>

Application No:	P19420
Proposal:	Use and development of land for the purposes of a Childcare Centre, Variation to Restrictive Covenant AG9048834K and the ending of a Section 173 Agreement
Location:	2-4 Emma Court, Sunbury
Zoning:	General Residential Zone
Applicant:	Urban Design Management
Date Received:	11 th March 2016

1. SUMMARY OF REPORT:

Planning approval is sought for the use and development of the land for the purposes of a child care centre, variation to a restrictive covenant AG9048834K and the ending of a section 173 agreement on a parcel of land known as 2-4 Emma Court, Sunbury. The application was advertised and four objections were received. The application has been assessed against the objectives and standards of Clause 55 of the Hume Planning Scheme and the issues raised in the objections have been considered. On balance the proposal is considered acceptable and it is recommended that a Notice of Decision to issue a permit be issued subject to conditions.

2. RECOMMENDATION:

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the Use and development of land for the purposes of a Childcare Centre, Variation to Restrictive Covenant AG9048834K and the ending of a Section 173 Agreement at 2-4 Emma Court, Sunbury subject to the following conditions:

1. Before the development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans dated November 2016 but modified to show:
 - a) A turning area provided at the northern end of the accessway to allow vehicles to enter and exit the site in a forward manner
 - b) An acoustic fence to a minimum height of 1.7 metres installed along the northern and eastern boundaries, including all details of the proposed fence

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- c) An enclosure for the bin store area
 - d) Tree Protection Zones (TPZ) recommendation for the trees to be retained in accordance with the approved Arborist Report required under condition 9 of this permit.
 - e) A printed sample of all external colours and materials including details of the copper mural on the corner of Emma Court and Phillip Drive
 - f) The setback from Phillip Drive shown as 7.8m instead of 3.9m.
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.
3. The layout of the site and/or the size of the proposed buildings and works and the internal layout and use of the buildings as shown on the endorsed plans shall not be altered or modified except with the written consent of the Responsible Authority.
4. Once the development permitted by this permit has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
5. Except with the prior written consent of the responsible authority the approved child care centre may operate only between the following times:
 - Monday to Friday 6:30am to 6:30pm
6. Except with the written consent of the responsible authority the approved outdoor play area must only be used between the following times:
 - Monday to Friday 8:30am to 11am and 2pm to 5pm
7. Except with the prior written consent of the responsible authority the number of child care places must not exceed 97 at any one time.
8. The proposed access from Phillip Drive must be restricted to left in/left out movements only.
9. Prior to the endorsement of the Condition 1 plans, an Arborist Report prepared by a suitably qualified arborist must be provided which details the following information for the trees in the north eastern corner of the site and any trees along the shared boundary with No.6 Emma Court:
 - An accurate tree location within a labelled plan showing the trees.
 - Species accurately identified by botanical and common names.
 - DBH (diameter at breast height i.e. 1.4m above ground level).
 - Tree protection zone calculated in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites.
 - Where encroachment is proposed to be more than 10 % of the tree protection zone of a tree to be retained, information is to be provided to demonstrate how the tree will survive the encroachment in accordance with AS 4970-2009.
 - A description of the recommended protection measures to be put in place to ensure the protection of trees to be retained, and a description of any proposed method of tree removal
 - Conclusions and recommendations based on the recorded observations, site and species characteristics for the two eucalyptus trees to be retained in the north eastern corner of the site detailing their health and structure and any remedial works required to be undertaken to increase their longevity.
10. The building hereby permitted must be designed and constructed in accordance with Australian Standard 1428-1993 "Design Rules for Access by the Disabled".
11. 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.

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12. Provision shall be made on site for the storage of trade waste disposal bins. The bins provided shall not occupy or obstruct access to any car parking area indicated on the endorsed plan
13. The proposed parking bays to be line marking including disabled parking bay symbol and bollard to be installed adjacent to the disabled parking bay as shown on the plan and as per Australian Standards.
14. 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.
15. No street trees are to be removed or relocated as part of this development without the prior written approval of the Responsible Authority. Any street 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. Existing street trees are to be protected during the construction period.
16. 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.
17. The land must be maintained in an orderly and neat manner at all times to the satisfaction of responsible authority and its appearance including any building on the land must not adversely affect the amenity of the area.
18. Outdoor lighting must be designed, baffled and located to the satisfaction of the responsible authority so as to prevent any adverse effect on adjoining land.
19. Noise levels emanating from the land must not exceed the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
20. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the land/building and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
21. With the exception of public waste bins, receptacles for any form of rubbish or refuse must not be visible from any public road or thoroughfare. Odour must not emit from any receptacles so as to cause unreasonable offence to any persons outside the land.
22. Deliveries to and from the land (including waste collection) may only occur between:
 - Monday to Friday 7:00am to 6:00pm
23. No external sound amplification equipment or loud speakers may be used for the purpose of announcements, broadcasts, playing of music or the like, except with the prior written consent of the responsible authority.
24. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm. 19. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.

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25. All external cladding and roofing of the buildings hereby permitted must be of a non-reflective nature and must be coloured in muted shades to the Responsible Authority.
26. All air-conditioning equipment and other plant equipment must be screened and must not be visible from outside the land to the satisfaction of the responsible authority.
27. The landscape areas shown on the endorsed plans 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.
28. Before the use allowed by this permit starts or the development is occupied, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority.
29. Existing trees on the subject land and identified for retention on the enclosed plan(s) must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the Responsible Authority. Such trees must be satisfactorily protected during building and construction works.
30. 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.
31. 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.
32. The boundaries of all car spaces, access lanes and the direction in which vehicles should proceed along the lanes must be clearly indicated on the ground to the satisfaction of the responsible authority.
33. The loading and unloading of goods from vehicles and the delivery of goods must at all times be carried out within the boundaries of the subject land
34. 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.
35. Any existing unused vehicle crossing(s) not required as part of the development hereby permitted must be removed and replaced with kerb and channel, footpath and nature strip to the satisfaction of the Responsible Authority.
36. Any services within the road reserve that require relocation must be approved by the relevant service authority and any such relocation must be made at the owner's or developer's cost.
37. Provision must be made in the parking area on the subject land to the satisfaction of the Responsible Authority for one car parking spaces clearly marked for the disabled.
38. 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.

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39. Unless the Responsible Authority otherwise allows, in writing, upon the termination of the use permitted by this permit, the area(s) set aside for the temporary parking of vehicles together with the associated access lanes must be reinstated to the satisfaction of the Responsible Authority by stripping of the hard standing surface and replacing it with not less than 100mm of top soil to the approximate original level of the subject land, closing up and making good vehicles crossings no longer required and restoring kerb and channel, footpath and nature strip along the road carriageway
40. The building hereby permitted must be designed and constructed in accordance with Australian Standard 1428-1993 "Design Rules for Access by the Disabled".
41. The lighting of the car park area 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.
42. 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 storage tanks must have the overflow pipe connected to the legal point of discharge.
43. 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.
44. Effluent or polluted drainage must not be allowed to discharge beyond the boundaries of the subject land onto other land or any street or road or directly or indirectly into any watercourse.
45. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
46. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system.
47. Any cut or fill must not interfere with the natural overland stormwater flow.
48. The covenant created in instrument AG9048834K on PS539783H Certificate of Title Volume 11119 Vol 696 must only be varied to allow the childcare use to operate and to allow this site to be developed as shown on the Plans endorsed under this permit.
49. The restrictive covenant must be revised, certified and lodged with the Land Registry before the use and development hereby approved can commence.
50. 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 use is not started within two years after the completion of the development
 - 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 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.

Notes:

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- If a request for an extension of commencement/completion dates is made out of time allowed by condition 43, 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.
- For the variation of restriction permitted by this permit to have force and effect, a certified copy of the variation of restriction must be lodged with and approved by the Lands Title Office.
- An application for a 'Legal Point of Stormwater Discharge' permit is required to be obtained from Council for approval to connect to the legal point of discharge.
- Prior to any works carried out within Road Reserve (nature strip), an Application/permit 'Non-Utility Minor Works within Municipal Road Reserve' permit must be obtained from Council.
- 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 relocation associated with the works are to be approved by the Service Authorities and at the owners cost.
- The applicant needs to meet all the requirements of the *Education and Care National Regulations*.

3. PROPOSAL:

3.1 Details of the proposal can be summarised as follows:

- Use and develop the site as a 97 place childcare centre. The facility will consist of six main rooms, 12 baby cots, staff/laundry/toilet facilities, an administrative space and foyer.
- The centre will be a single storey contemporary building constructed with facebrick and sycon panel cladding, extensive glazing and a skillion roof. A floating canopy will be utilised over the entrance, and a copper mural will wrap around the corner of Phillip Drive and Emma Court.
- A 758sqm outdoor play area is proposed to the north of the building
- An existing crossover on the southern boundary will be modified to provide access to the parking area.
- The car parking area will accommodate 21 parking spaces to the north east of the site.
- The existing retaining wall will be replaced with new retaining walls along the front, side and rear of the property
- The hours of operation will be Monday-Friday 6:30am-6:30pm. The outdoor play area will be restricted to only be used between 8:30am-11:00am and 2:00pm-5:00pm. No evening, weekend or public holiday times are proposed.
- Variation to Restrictive Covenant AG904834K to allow for a building other than a dwelling (i.e. Child care facility) to be constructed. The variation will also allow for a range of design outcomes for the child care facility including setbacks, materials and roof form; all of which will be discussed in detail in the main body of the report.
- It is also proposed to end the Section 173 agreement AG043569A on title.

4. SITE AND SURROUNDS:

4.1 The site is located on the corner of Emma Court and Phillip Drive in Sunbury.

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- 4.2 The allotment is 2478sqm with an approximate frontage of 56m to Phillip Drive and approximately 48m frontage to Emma Court.
- 4.3 The site falls approximately 6.2m from the north west corner to the south east corner. A retaining wall exists along Phillip Drive and along the partial frontage of Emma Court.
- 4.4 The site is currently vacant.
- 4.5 Two significant trees are present in the north eastern corner of the lot, which are proposed to be retained as part of the development.
- 4.6 The subject site is located with an established residential area, approximately 190m north of Reservoir Road and 3kms north west of Sunbury town centre. Mount Holden Reserve sits to the rear of Emma Court. Killara Primary School is located around 1 kilometre to the north east. The future Sunbury West Precinct Structure Plan (PSP) land is located 200m to the south west.
- 4.7 The immediate area comprises single dwelling development on generous blocks; ranging from 696sqm to 1176sqm within Emma Court. Beyond Emma Court however, there are smaller conventional allotments approximately 400sqm in size.

Restrictions on Title

- 4.8 There is a Restrictive Covenant and two Section 173 Agreements on title:

AG904834K= This covenant prohibits any building other than a dwelling from being constructed on site. It also prescribes that any dwelling must have a minimum floor area of 160sqm; must provide covered parking for at least one vehicle; must be setback from the side boundary by a minimum of 1m; must have at least 50% of the external walls constructed from brick, brick veneer or masonry; must be setback a minimum of 7m from the front boundary (where fronting Phillip Drive); must have a pitched roof form with 450mm eaves; and must have fencing only to the side and rear boundaries. It is proposed to vary this covenant as outlined in the main body of the report below.

AG043568C= This agreement relates to the original subdivision of the estate and the obligations surrounding the preparation and implementation of a Conservation Management Plan (CMP) for the site, transfer of the Conservation Reserve at the end of this period and provision of a buffer to the Reservoir Road aboriginal earth ring to minimise the impacts of development. This agreement does not have any implications on the proposal.

AG043569A= This agreement stipulates that only one dwelling can be erected per lot. Further, the construction of any dwelling must meet the Brookhaven Development Guidelines. It is proposed to end this agreement as part of the proposal and as outlined in the main body of the report below.

Planning History

- 4.9 Only one planning application has been received on the site to date- P18306, submitted on 8th December 2014. The application sought to develop the site for the purposes of five townhouses and a variation to restrictive covenant. The application was not supported by Council and was withdrawn by the applicant.

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

State Policies: Clause 15.01-1: Urban Design
 Clause 15.01-2: Urban Design Principles
 Clause 15.01-5: Cultural Identity and Neighbourhood Character
 Clause 15.02-1: Energy and Resource Efficiency

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Clause 17.01-1 Business
Clause 19.02-4 Distribution of social and cultural infrastructure

Municipal Strategies: Clause 21.06-8: Local Areas (Sunbury)
Clause 21.08: Particular Uses and Development

Local Policies: Nil

Zones: Clause 32.08: General Residential Zone (Schedule 1)

Overlays: Development Plan Overlay (Schedule 13)

Particular Provisions: Clause 52.06: Car Parking

General Provisions: *Clause 65.01: Decision Guidelines for Approval of an application or plan*

- 5.2 It is State policy to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity, and to achieve urban design outcomes that contribute positively to the local urban character.
- 5.3 State policy also encourages development which meets the communities needs for commercial services that provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.
- 5.4 The Local Areas policy at Clause 21.06-8 shows that the site forms part of the Sunbury Neighbourhood. Strategies for residential development include to *“accommodate the long term and ongoing growth of Sunbury through the consolidation and intensification of land within designated urban areas”*.
- 5.5 One of the purposes of the General Residential Zone is “To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations”.
- 5.6 Clause 52.06 (Car Parking) of the scheme seeks to ensure that car parking does not adversely affect the amenity of the locality.
- 5.7 Clause 52.02 (Easements, Restrictions and Reserves) seeks to enable the removal or variation of a restriction to allow use or development that complies with the planning scheme after the interests of affected people are considered.

Reservoir Road Development Plan

- 5.8 The land is affected by a Development Plan Overlay (DPO13). A permit must not be granted to use or develop the land until a development plan has been prepared to the satisfaction of the responsible authority. The Reservoir Road Development Plan was approved by Council on 6th November 2005. Clause 43.04-1 of the scheme states that any permit granted must be generally in accordance with the development plan.
- 5.9 The development plan shows a subdivision of 63 lots, the road layout and a 1.182 hectare conservation reserve; designed to protect the aboriginal earth ring. The reserve allows for an appropriate landscaped setting for the aboriginal earth ring and provides for a buffer between the earth ring and residential development. There are no sites shown for shops or commercial facilities. It has been a long established principle at VCAT that a child care centre in a residential area is considered generally in accordance with the with the development plan provided there are no specific locations otherwise shown for these facilities.

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- 5.10 Therefore, the proposal is considered to be generally in accordance with the approved development plan. A child care centre is the type of non-residential use that can reasonably be expected in a residential area; as reflected in the purpose of the General Residential Zone (GRZ) which states:

“To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.”

Aboriginal Cultural Heritage

- 5.11 The subject site itself is not within an area of Aboriginal cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007. A cultural heritage management plan is therefore not required to be submitted with this application. Aboriginal cultural heritage considerations were incorporated into the Reservoir Road Development Plan, resulting in a reserve being set aside for the aboriginal earth ring. The site subject of this application is not affected by cultural heritage and therefore no further action is required.

Major Electricity Transmission Line

- 5.12 The land is not located within 60 metres of a major electricity transmission line.

Planning Permit Triggers

- 5.13 Pursuant to clause 32.08-1 of the Hume Planning Scheme, a planning permit is required to use land for the purposes of a childcare centre. Buildings and works associated with a child care centre trigger a permit under clause 32.08-6 of the scheme.
- 5.14 Under clause 52.02 of the Hume Planning Scheme, a planning permit is required to vary or remove a restrictive covenant.
- 5.15 A planning permit is not required to end a section 173 agreement. Although this is a separate process under s178(1) of the Act, as the ending of the agreement is related to both the proposed use and development and the variation of the covenant, it is being considered and advertised concurrently with the planning permit application.

6. REFERRALS:

- 6.1 The application was not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987*.
- 6.2 The application was referred internally to Council's Engineering, Social Planning and Environmental Departments. No objections were received, subject to conditions being imposed on permit.

7. ADVERTISING:

- 7.1 Where an application is generally in accordance with an approved development plan, it is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.
- 7.2 Despite this, as the application also seeks to vary a restrictive covenant and end a s173 agreement, notice must be given in accordance with section 52(1)(cb) of the Act. The application was advertised under Section 52 of the Planning and Environment Act by way of letters to adjoining land owners and occupiers, a notice board being placed on site and an advertisement being placed in the Sunbury Leader for two consecutive issues. A total of five (5) objections were received in response. The grounds of objection can be summarised as follows:
- Parking and Traffic
 - Building bulk and out of character development
 - Contrary to the restrictions on title

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8. OBJECTIONS:

8.1 The matter relating to the restriction on title will be addressed in the overall assessment of the application. A response to the other objections is provided below:

8.2 Parking and Traffic

The child care centre will accommodate 97 children, triggering a parking requirement of 21 car spaces to be provided (0.22 spaces per child). Therefore, the parking requirements of clause 52.06 of the scheme have been satisfied.

The facility has been designed for vehicles to enter and exit the site from Phillip Drive only. Additionally, pedestrian access to the site also fronts Phillip Drive directly from the car parking area. This will lessen the likelihood of any visitors parking and attempting to access the centre from within Emma Court.

Overflow parking will be available along Phillip Drive, which has ample on street parking areas and is a 24m connector road capable of absorbing the increased traffic volumes. A Car Parking Assessment has been prepared by Traffic Solutions dated 10th July 2017 which outlines how the proposal complies with the parking requirements of the scheme and would not impose a significant burden on the existing road network.

8.3 Building bulk and out of character development

The footprint of the facility is approximately 715sqm; accounting for around 28% of the site area. The relatively small footprint of the building allows considerable room for the open space play area area and extensive landscaping throughout the site. The integration of the development with the surrounds can be enhanced through retention of the two eucalyptus trees in the north eastern corner of the site. The building itself has been designed to present a contemporary appearance, utilising a palette of materials including facebrick cladding, colorbond and timber panels which are in keeping with the established built form character.

The height of the facility will be 3m (wall height) with a flat/part skillon roof measuring 4.8m at the highest point. This would reflect the wall and roof heights of the surrounding dwellings.

9. ASSESSMENT:

Residential Amenity

9.1 The subject site is well located to provide for a non-residential use such as a child care centre as it is a large allotment on the corner of a connector road. Child care facilities are becoming more common within established residential areas as a function of the use and the local communities they serve. This community need is similar to the demand for schools and as such are considered an integral part of a residential area, provided that the location is deemed appropriate having regard to its merits and other policy considerations and how the proposal integrates with the existing residential surrounds.

9.2 The building itself has been designed as a contemporary structure, utilising a varied palette of materials including face brickwork veneer, vertically grooved panels (scyon panels), window glazing and a floating canopy entrance feature with timber slat screen. This will be complimented with landscape embellishments incorporating extensive plantings and rock retaining walls. A copper mural is proposed to wrap around the corner as a design feature.

9.3 The outdoor play area will be situated north of the building and will be enclosed with a 1.8m high paling fence. The privacy along this interface will also be enhanced with an acoustic fence required along this boundary as a condition on permit.

9.4 The building will be setback 7.8m from Phillip Drive and 6m from Emma Court. The building is setback 11.5m from the northern boundary with No.6 Emma Court and 18.1m from the eastern boundary with No.166 Phillip Drive. The wall height of the facility is 3m with a roof height at its highest point is 4.8m; consistent with prevailing residential development.

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- 9.5 The siting and scale of the building has been designed in a manner which is not incongruous with the established pattern of development and will integrate with its surrounds. Further, the low scale built form, generous setbacks, landscaped areas and fencing will help mitigate any adverse impacts of the use on the adjoining properties.

Traffic and Car parking

- 9.6 All access to the site is via Phillip Drive, where the existing crossover will be augmented to provide the entry and exit point to the car park area. The car park area currently has 21 parking bays (including one disabled bay) which meet the statutory parking requirements of the Hume Planning Scheme. Phillip Drive also has a number of on street parking spaces available for overflow parking if required.
- 9.7 Traffic Solutions have prepared a report dated 10th July 2017 in support of the parking and access arrangements. The report uses case study data suggesting that the number of arriving and departing motorists is approximately equal in proportion (i.e. they offset each other) and the traffic generation corresponds to an average of one arriving or departing parent every two minutes. These movements pertain to the morning drop off period (7am-9am) and the afternoon pick up period (4pm-6pm). The report concludes that provision of 21 parking bays in accordance with the scheme requirement of 0.22 bays per child would be sufficient to cater for the demand.
- 9.8 Staff members typically arrive on site prior to the peak morning period and depart after the peak afternoon period and therefore not impact on the traffic during peak times. Staff bays will be linemarked accordingly.
- 9.9 Council's Engineering department have not objected to the access and parking arrangements proposed. A condition will be placed on permit ensuring that a turning area will be accommodated at the rear of the car park and to ensure that the maximum gradients for the driveway are in accordance with the AS2890.1:2004.
- 9.10 A condition will also be included on the permit which will seek to formally retain the two existing trees within a Tree Protection Zone (TPZ). This could lead to the loss of an additional parking bay. Engineering are satisfied if this outcome eventuates, which will result in a total of 20 bays provided on site.
- 9.11 The car parking area will be appropriately landscaped and fenced to provide a suitable interface to the residential properties surrounding the site.
- 9.12 Waste storage is proposed to the rear of the car parking area and collection will occur via a private contractor outside of peak operating times. Bins will be located in an enclosure setback from the common boundary to the north as a condition on permit. Conditions to manage the timing of waste collection have also been included in the recommendation.

Variation of Restrictive Covenant

- 9.13 The application also seeks to vary Restrictive Covenant AG904834K on title. The current wording of the covenant can be summarised as:
- Must not build any building other than a dwelling
 - Dwellings must have a minimum floor area of 160sqm (excluding garage or portico)
 - Each dwelling must provide at least one covered car space with a panel lift door, not protruding more than 1m forward of the dwelling
 - If the lot has a frontage of 18m or more it must have a side setback of at least 1m
 - At least 50% of the external walls are to be brick, masonry or the like
 - Lots fronting Phillip Drive must have a minimum front setback of 7m and a maximum of 8m
 - Dwellings must have a pitched roof with 450mm eaves
 - Fencing is only permitted to the side and rear boundaries

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The wording of the covenant will be varied to allow for the child care centre and the specific development proposed. Clause 1 of the covenant will read:

“...shall not at any time thereafter:

- (1) build, construct or erect or cause to be built, constructed or erected on the said lot hereby transferred any building other than a dwelling or child care facility and then only if...”*

The covenant will then separate development requirements for a dwelling under the first heading (points a-g) with a new “Child care facility” heading introduced, along with these added points:

“h) The child care facility has external walls of 50% of which at least is constructed of brick, brick veneer, masonry or other texture coated materials and a roof pitch of at least 450mm if the dwelling has a pitched roof incorporating eaves

i) The child care facility has the following setbacks:

i) in the case of an allotment which has a frontage to Phillip Drive and Emma Court and contains an area of more than 450 square metres, a minimum of 7 metres and a maximum of 8 metres from Phillip Drive and a minimum of 6 metres to Emma Court

ii) in the case of an allotment which has a frontage to Phillip Drive and which contains an area of more than 450 square meters, a minimum of 7 metres and a maximum of 8 metres from the front boundary

iii) if the allotment does not have a frontage to Phillip Drive and contains an area of more than 450 square meters, a minimum of 5 metres and a maximum of 7 metres from the front boundary

iv) if the allotment contain an area of 450 square metres, a minimum of 4 metres and a maximum of 6 metres from the front boundary

v) in all cases the setback is measured to the closest wall of the child care facility and verandahs, porches and porticos which are less than 3.6 metres in height may encroach up to 1 metre into the set back.

j) A pitched or skillon roof with eaves at least 450mm wide

k) shared boundaries are fenced with timber paling fences 1.8 metres in height and have timber capped posts exposed on both sides and stained with cedar/cypress Dulux intergrain natural stain or similar product

l) fencing to street frontages is semi permeable

m) If located on a corner both street frontages are to be addressed

n) A sculptural feature to the street frontage or corner”.

- 9.14 The responsible authority must not issue a permit to vary a covenant unless satisfied that the owner of the land or any beneficiary will be unlikely to suffer:

- Financial loss; or
- Loss of amenity; or
- Loss arising from change to the character of the neighbourhood; or
- Any other material detriment

As a consequence of the covenant being varied.

- 9.15 It is concluded that the development would not change the character of the neighbourhood as the site is large enough to accommodate the child care facility whilst still allowing for a low scale built form, generous setbacks and extensive landscaping. As a result of these stringent design measures and the rewording of the covenant to relate directly to the proposal, the application ensures that any development of the land

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will be in keeping with the established pattern of development and will not cause beneficiaries to suffer any financial loss, loss of amenity or any other material detriment

Ending of Section 173 agreement

9.16 It is also proposed to end s173 agreement AG043569A on title. The agreement essentially reiterates the intent of the covenant in stating that only dwelling can be erected per lot. However rather than specifying setbacks, the agreement requires development to comply with the Brookhaven Design Guidelines.

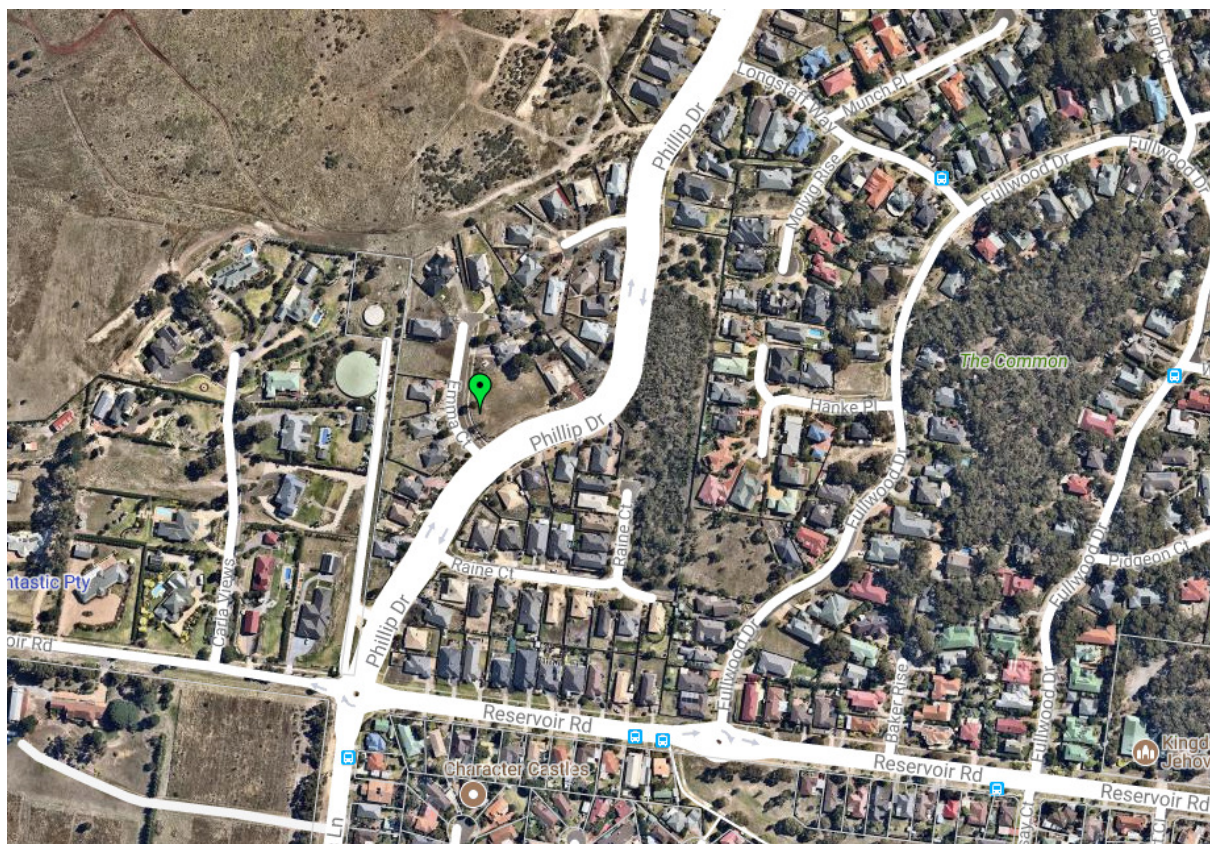
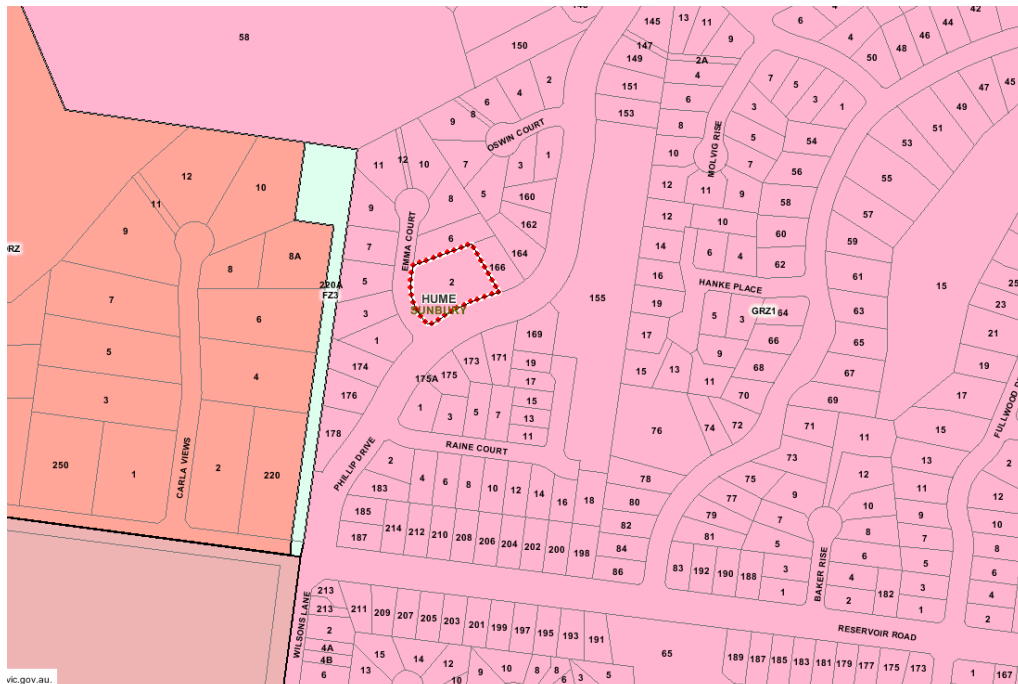
9.17 Council is satisfied that the agreement is superfluous given that the variation to the covenant captures the design outcomes for the site. Therefore the agreement is to end and be removed from title.

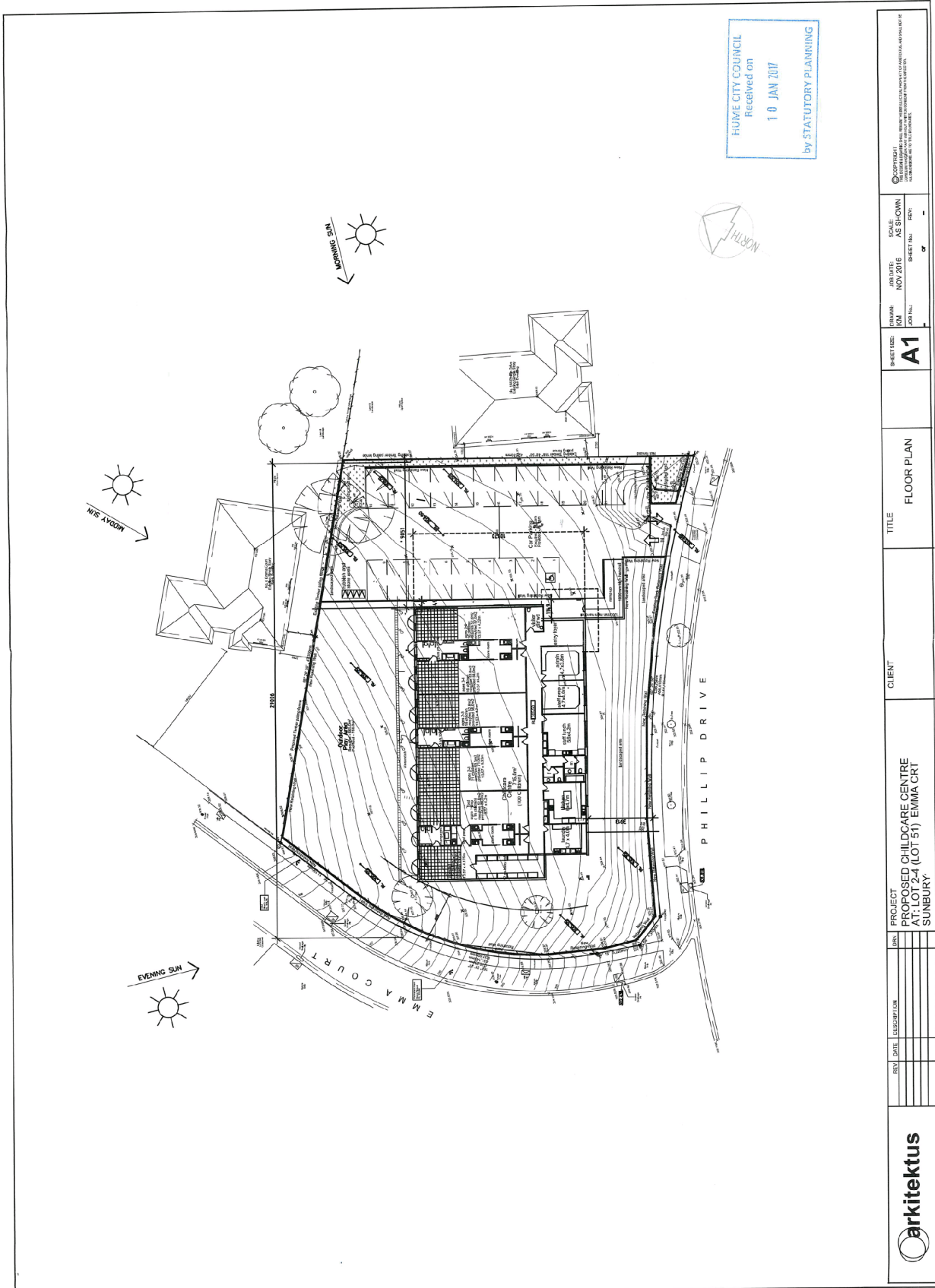
10. CONCLUSION

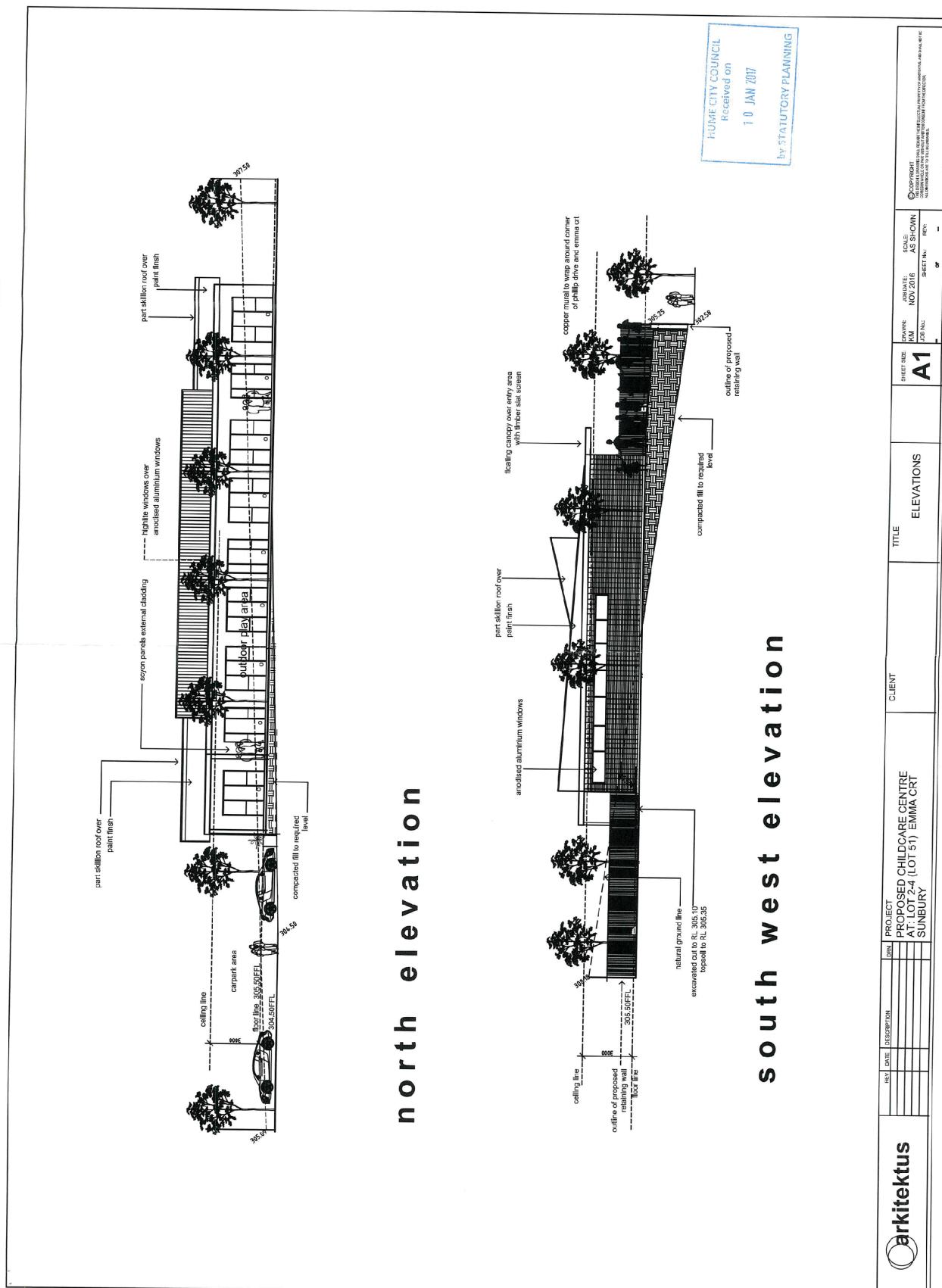
10.1 The proposal is considered appropriate for the site and surrounding area and will comply with the relevant requirements of the Hume Planning Scheme. The application will provide access to child care services for the local community through a development which will respect the residential setting and will be of a scale and form to integrate with the locality. The proposal will be serviced by the appropriate amount of car parking and overall is considered a reasonable outcome for the subject land.

LOCALITY MAP

2-4 Emma Court, Sunbury







REPORT NO:	SU238
REPORT TITLE:	320 Bulla-Diggers Rest Road, Diggers Rest - Buildings and works associated with the construction of a Telecommunications Facility.
SOURCE:	Eliana Demetriou, Senior Town Planner
DIVISION:	Planning and Development
FILE NO:	P20097
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Plan</i> 2. <i>Development Plans</i>

Application No:	P20097
Proposal:	Buildings and works associated with the construction of a Telecommunications Facility.
Location:	320 Bulla-Diggers Rest Road, Diggers Rest.
Zoning:	Green Wedge A Zone Part Melbourne Airport Environs Overlay – Schedule 2
Applicant:	Ericsson Pty Ltd (on behalf of NBN Co.)
Date Received:	15 November 2016

1. SUMMARY OF REPORT:

- 1.1 Planning approval is sought for buildings and works associated with the construction of a telecommunications facility on the land at 320 Bulla-Diggers Rest Road, Diggers Rest. The proposal has been assessed against the relevant provisions of the *Hume Planning Scheme* and *A Code of Practice for Telecommunications Facilities in Victoria* having regard to the site and surrounding context, as well as relevant planning decisions by VCAT which provide guidance in relation to a number of issues raised.
- 1.2 The application was advertised and 12 objections were received with one of the objections containing 14 signatures. Concerns generally relate to visual amenity, character, health, amenity and noise related matters. A response to these concerns is provided in the report below.
- 1.3 On balance, it is considered that the application is worthy of support subject to a number of modifications as detailed in the report below. Accordingly, it is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

2. RECOMMENDATION:

That Council, having considered the application on its merits, resolves to issue a Notice of Decision to Grant a Planning Permit for buildings and works associated with the construction of a telecommunications facility at 320 Bulla-Diggers Rest Road, Diggers Rest subject to the following conditions:

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 generally in accordance with the plans dated 23 September 2016 received by Council on 1 February 2017 but modified to show:**

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- a) A minimum setback of 10 metres from the Crinnion Road, (west title boundary) to the fenced enclosure and the provision of an appropriate landscape buffer including large canopy trees and a depth of understorey planting within this setback;
 - b) Provision of a 3 metre landscape buffer adjacent to the fenced enclosure on the north, east and south side of the fenced enclosure (except for the area containing the gates).
 - c) Landscaping pursuant to Condition 3 of the planning permit.
 - d) The location of the rabbit and grazing animal proof fence referred to in Condition 5.
2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
3. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
 - (a) Screen tree planting around the fenced enclosure on the northern, eastern and southern side for the whole distance of the fenced enclosure at a depth of 3 metres.
 - (b) Screen tree planting around the fenced enclosure on the western side for the whole distance (10 metres) between the fenced enclosure and the title boundary on Crinnion Road.
 - (c) Unless otherwise agreed in writing by the Responsible Authority, all trees and shrubs must be species of local provenance and trees must be capable of achieving a minimum height of 10 metres at maturity.
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.
5. The vegetation is to be enclosed by a rabbit and grazing animal proof fence until such time as the vegetation reaches a size where it is no longer at risk from rabbits and grazing animals.
6. The headwalls must be constructed as driveable endwalls as per VicRoads standards.
7. Any structure or building activity (including construction cranes) on the subject land, either permanent or temporary, must not penetrate “prescribed airspace” surfaces without the approval of the Department of Infrastructure and Regional Development in accordance with the *Airports (Protection of Airspace) Regulations 1996*.
8. Safe airport operations require the minimisation of the risk of glare experienced by pilots. Accordingly, any roofed areas of the proposed buildings must be coloured in non-reflective muted tones or constructed of suitable materials that absorb light rather than creating unnecessary glare.
9. External lighting must be installed or baffled such that it does not cause light spillage above the horizontal plane or beyond the subject site in order to prevent potential visual distraction to pilots.
10. 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;

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- or
- the development is not completed within six years of the date of this permit.
- 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 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.

NOTE:

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.

Any service relocations are to the approval of the service authority and at the owners cost.

3. PROPOSAL:

- 3.1 Planning approval is sought for buildings and works associated with the construction of a telecommunications facility comprising a 40 metre high monopole and ancillary components including two outdoor units contained within a secure compound measuring 80 square metres.
- 3.2 The facility will be located in the north-western corner of the site, adjacent to Crinnion Road. The security fence around the compound will be situated 3 metres from Crinnion Road and 3 metres from the northern site boundary. It will be over 165 metres from the western boundary and over 450 metres from the southern boundary (Bulla-Diggers Rest Road).
- 3.3 The specific components of the proposed installations can be summarised as follows:
 - Installation of a 40 metre high monopole with a circular headframe;
 - Installation of one 600mm parabolic dish at 37 metres for transmission purposes above the monopole;
 - Installation of four panel antennas (dimensions 3 X 0.75 metres high x 0.3 metres wide x 0.25 metres deep and 1 x 0.957 metres high x 0.32 metres wide and 0.1 metres deep) attached to the headframe at an elevation of 40 metres;
 - Installation of a 2.4 metre high chain link security compound fence (compound area 10 metres x 8 metres) with 3.6 metre wide access gate;
 - Installation of two outdoor equipment units (dimensions: 1.5 metres high x 0.65 metres wide x 0.65 metres deep) at ground level, adjacent to the proposed monopole. The outdoor units will be installed on a concrete slab and will be metallic grey in colour;
 - Installation of associated feeder cables that run underground from the equipment cabinets and then internally within the monopole to the antennas.
- 3.4 The facility is designed to provide fixed wireless internet services to over 400 premises in the Diggers Rest area.
- 3.5 Access to the compound will be via a new access track and crossover off Crinnion Road.
- 3.6 Once constructed, the facility will function independently without staffing with maintenance works expected three times a year.

REPORT NO: SU238 (cont.)

- 3.7 No significant vegetation is proposed to be removed to facilitate the proposal.
- 3.8 No significant earthworks are required.

4. SITE AND SURROUNDS:

- 4.1 The subject site is located at the junction of Bulla-Diggers Rest Road and Crinnion Road and is a large semi-rural property of approximately 8.37 hectares. The NBN has leased a rectangular parcel of the land measuring 10 metres x 8 metres at its north-western corner.
- 4.2 The land contains a number of sheds but no dwelling and is currently utilised for low-scale agriculture. The land predominantly contains grass cover with sections of the east and south boundaries containing linear tree plantings.
- 4.3 Access is off Bulla-Diggers Rest Road.
- 4.4 The topography of the land is a gentle rise from the south-eastern corner (Bulla-Diggers Rest Road) to the north-western corner (Crinnion Road) of approximately seven metres.
- 4.5 There is an easement adjacent to the southern site boundary.
- 4.6 Surrounding land comprises similar rural-residential allotments containing single detached dwellings with ancillary sheds/outbuildings. The closest dwellings to the proposed facility range from approximately 201 metres to 338 metres.

Restrictions on Title

- 4.7 There are no registered restrictive covenants recorded on title.

Planning History

- 4.8 A review of available Council records did not produce any previous planning permits pertaining to the subject land.

Aboriginal Cultural Heritage

- 4.9 The site is not within an area of Aboriginal Cultural Heritage Sensitivity.

Major Electricity Transmission Lines

- 4.10 The site is not within 60 metres of a major electricity transmission line (220kilovolts or more).

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* are relevant in the consideration of the application:

<i>State Policies:</i>	Clause 11.06-7: Green Wedges Clause 19.03-4: Telecommunications
<i>Municipal Strategies:</i>	Clause 21.04-1: Infrastructure Provision Clause 21.05-4: Landscape Clause 21.06-6: Local Areas (Rural Areas)
<i>Local Policies:</i>	None Relevant
<i>Zones:</i>	Clause 35.05: Green Wedge A Zone (GWAZ)
<i>Overlays:</i>	Clause 45.05: Melbourne Airport Environs Overlay (Schedule 2)
<i>Particular Provisions:</i>	Clause 52.06: Car Parking Clause 52.19: Telecommunications Facility Clause 57: Metropolitan Green Wedge Land
<i>General Provisions:</i>	Clause 65.01: Approval of an Application or Plan

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- 5.2 The stated objective of Clause 19.03-4 Telecommunications is *‘to facilitate the orderly development extension and maintenance of telecommunication infrastructure.’*
- 5.3 Strategies include:
- *Facilitate the upgrading and maintenance of telecommunications facilities.*
 - *Ensure that modern telecommunications facilities are widely accessible to business, industry and the community;*
 - *Ensure the communications technology needs of business, domestic, entertainment and community services are met.*
 - *Do not prohibit the use of land for a telecommunications facility in any zone.*
 - *Encourage the continued deployment of broadband telecommunications services that are easily accessible by:*
 - *Increasing and improving access for all sector of the community to the broadband telecommunications trunk network.*
 - *Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.*
 - *In considering proposals for telecommunications services, seek a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.*
 - *Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.*
 - *Planning must consider as relevant: A Code of Practice for Telecommunication Facilities in Victoria (Department of Sustainability and Environment 2004).*
- 5.4 In relation to development in rural areas within the municipality, Clause 21.06-6 seeks:
- *To recognise the demand for rural residential and rural living developments and to provide for this development where it is closely integrated with an existing township or urban areas.*
 - *Ensure that new development is located and designed to have a minimal visual impact on the rural character of the area.*
- 5.5 The subject site is located within the Green Wedge A Zone. The purposes of the zone are:
- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - *To provide for the use of land for agriculture.*
 - *To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.*
 - *To ensure that use and development promotes sustainable land management practices and infrastructure provision.*
 - *To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.*
 - *To recognise and protect the amenity of existing rural living areas.*
- 5.6 Pursuant to Clause 35.05-1 of the *Hume Planning Scheme*, a permit is required to use land for a telecommunications facility. Pursuant to Clause 35.05-5, a permit is required for any buildings and works associated with a section 2 use.

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- 5.7 Part of the land is affected by the Melbourne Airport Environs Overlay. However, the overlay only applies to the south side of the site and the proposed facility is approximately 300 metres north of the affected area of land. Melbourne Airport have been notified of the application and have not objected subject to conditions.

Planning Permit Trigger/s

- 5.8 Clause 62.01 provides that the use of land for a Telecommunications facility does not require a permit if the associated buildings and works meet the requirements of Clause 52.19 (Telecommunications Facility).
- 5.9 Clause 52.19 – Telecommunications Facility stipulates that a permit is required to construct a building or construct or carry out works for a telecommunications facility. The various exemptions listed under this clause do not apply in this instance, noting that the proposal is not a low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997.
- 5.10 As the proposal relates to a telecommunications tower, the exemptions from notice and review set out at Clause 52.19-4 do not apply and the proposal is subject to the usual notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.
- 5.11 Decision guidelines are detailed at Clause 52.19-6 of the clause and require consideration of the Code of Practice, effects on adjacent land and provisions of any applicable overlay.

6. REFERRALS:

External referrals

- 6.1 The application was not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987* ("the Act"). However, part of the subject site is located within a Melbourne Airport Environs Overlay No. 2. Melbourne Airport have been notified of the application and have not objected subject to conditions being included on the permit relating to glare and external lighting.

Internal referrals

- 6.2 The application was referred internally to Council's Assets Department. Council's Assets Department have no objection. The department have requested that a condition be included requiring that the headwalls be constructed as driveable endwalls as per VicRoads standards.

7. ADVERTISING:

- 7.1 The application was advertised under Section 52 of the Act by way of letters to adjoining land owners and occupiers and two notices placed on site. A total of 12 objections were received, with one of the objections containing 14 signatures.

8. OBJECTIONS:

- 8.1 The objections can be summarised as follows:
- Visually dominant structure unsuitable and out of place in the hobby farm area;
 - Location inappropriate directly opposite a resident's front gate – there are other locations within Diggers Rest better suited for the development;
 - Location inappropriate within the Green Wedge A Zone;
 - Location inappropriate as the land is zoned for future residential development as part of the Sunbury South Precinct which will result in approximately 10,000 vehicle movements on Crinnion Road in the next 5 – 10 years;
 - Proximity to rural residential lifestyle dwellings on Crinnion Road unacceptable – amenity related concerns;

REPORT NO: SU238 (cont.)

- Traffic related concerns
- Health and safety related concerns including exposure to radiation (humans and livestock) and impact of electromagnetic emissions on nearby resident with epilepsy;
- Noise – particularly from the three air conditioning units;
- Lack of landscaping to screen tower;
- NBN infrastructure should be provided underground as in other areas;
- Site location of facility is unclear;
- Proposed tower will reduce the likelihood of future development opportunities including subdivision and development
- No benefit of the tower – existing internet services adequately meet requirements;
- Owner of the site does not reside at this address and will not be impacted by the proposal whilst nearby residents will bear the consequences; and
- Devaluation of property values.

8.2 The objections are further discussed below:

Visual dominance

- 8.3 The site has been selected as the topography of the land is relatively flat and there are few dwellings in the nearby vicinity (as opposed to a typical residential area). The closest dwelling is approximately 200 metres south-west of the proposed facility at 15 Crinnion Road. The base of the telecommunication tower and the outdoor cabinets are proposed to be set back 5.2 metres from the western boundary (Crinnion Road).
- 8.4 There are various tree plantings (approx. 15 metres in height) on the site boundaries which will provide screening to dwellings on rural residential lots to the north, north-west and south.
- 8.5 Having viewed the site and the proposed location, there is some vegetation on the Crinnion Road boundary further north (as shown on the Site Plan), however no vegetation currently exists to the immediate east, south or west of the proposed location. Of particular importance is the western setback (Crinnion Road) which retains a rural street setting with typical post and wire fencing, some lineal tree plantings and farm style gates. An increased setback from Crinnion Road (10 metres minimum) and provision of a depth of landscaping in the setback, as well as smaller landscape setbacks to the north, east and south of the compound (outside the fencing) would assist to minimise the visual impact of the compound and lower section of the tower. This will be managed by conditions and is discussed in detail in the assessment section of the report.
- 8.6 Whilst it is acknowledged that the monopole will not be screened (it would be impractical to require it to be), the setback and vegetation screening will go some way to limit the visual impact of the ground level structures and fencing and assist to retain the rural setting of the area. Subject to this alteration, it is considered that the proposed visual impact is acceptable having regard to the distance to nearby residences, flat terrain of the land which does not obviate the tower, absence of areas of cultural or heritage significance or any other environmental constraint, and lack of any significant public view line.
- 8.7 It is noted that the 40 metre height of the facility is typical of these facilities and the height is required to provide optimal coverage and network connections to the surrounding fixed wireless network.
- 8.8 Visual impact is discussed in more detail in the assessment section below.

Inappropriate location – other locations in Diggers Rest more suitable

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- 8.9 The applicant has provided sufficient evidence that other locations in the area have been carefully considered and for various reasons deemed unsuitable (i.e. inadequate radio coverage / transmission, proximity to residences, proximity to other sensitive land uses, adverse impact to sightlines and inappropriate access etc).

Location inappropriate within the Green Wedge Zone

- 8.10 The Green Wedge A Zone is classified as a rural zone and a telecommunications facility is not a prohibited use. It is acceptable for Council to consider the application on its merits having regard to the decision guidelines of the zone, specifically rural, general and environmental related considerations, which set the parameters for what is appropriate in the area. The Green Wedge A Zone is not reserved specifically for agriculture (i.e. Farming Zone) and is more flexible in terms of allowing semi-rural development and alternate land uses which may be difficult to locate elsewhere for various reasons subject to compliance with the key considerations stated above.

Location inappropriate as the land is zoned for future residential development as part of the Sunbury South Precinct which will result in approximately 10,000 vehicle movements on Crinnion Road in the next 5 – 10 years

- 8.11 The site is not located within the Sunbury South Precinct. The subject site is located outside the Urban Growth Boundary and within the Green Wedge A Zone.

Proximity to rural residential lifestyle dwellings on Crinnion Road unacceptable – amenity related concerns

- 8.12 As detailed above, the closest dwelling is over 200 metres away. The increased setbacks of the facility and requirement for planting will assist to reduce any perceived adverse amenity impact. A specific response to health and noise related concerns is provided below.

Health related concerns (humans and livestock)

- 8.13 The Victorian Civil and Administrative Tribunal (VCAT) has determined that the health impact of telecommunications towers is not a relevant planning consideration as the Telecommunication Code requires compliance with ARPANSA Standards and the Tribunal is not the appropriate body to assess the suitability of the applicable standards (i.e. *Heland Pty Ltd v Kingston City Council* (2005) VCAT 2927). In *Telstra Ltd v Bass Coast SC* (2004) VCAT 1324, the Tribunal determined “that it is obliged to adopt the applicable regulatory standard as they apply to emissions from the type of facility, and that it is not the Tribunals role to assess whether or not the standards are adequate”.

- 8.14 ARPANSA is the Federal Government agency responsible for protecting the health and safety of people and the environment from all sources of RF EME (Electromagnetic energy). The applicant has confirmed in writing that the proposal will be designed and installed to satisfy the relevant requirement of the ARPANSA standards. Indeed, it is advised that the facility at Diggers Rest will operate substantially below the ARPANSA maximum public exposure limit (maximum predicted output of 0.14 percent of the allowable limit).

- 8.15 Given the prior findings of the Tribunal, any health related concerns, be it to humans or livestock, are outside the parameters of the planning assessment and could not be substantiated if challenged at VCAT.

Noise related concerns

- 8.16 The applicant has advised that there will likely be some low level noise from the air-conditioning/cooling systems however this will only occur in hot weather conditions and the noise level is expected to be comparable to a domestic device and within the background noise levels prescribed by the EPA guidelines.

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Traffic related concerns

- 8.17 A new vehicle access is proposed for Crinnion Road. This will provide a point of access for the construction vehicles, as well as for ongoing maintenance. Once construction is complete (approx.10 weeks), it is advised that the facility will not require any staff on a regular basis and the access will likely only be utilised approximately 3 times a year for maintenance purposes. The construction period is short-term only and given the limited vehicle movements generated from the ongoing use of the facility, there is unlikely to be any traffic related issues, noting that Crinnion Road is a typical rural road with minimal traffic.

Lack of landscaping to screen tower

- 8.18 Landscaping will be required by condition to provide appropriate screening of the base element of the structure (outdoor units), lower part of the tower and security fence. Given the 40 metre overall height of the transmission tower it is not feasible to screen the entire structure, or practical as it may hinder coverage. It is noted that the applicant has indicated that they would be willing to provide vegetation screening around the base and would accept this as a condition of permit.

NBN infrastructure should be provided underground as a fixed line rather than a wireless service as in other areas

- 8.19 The applicant advises that in lower density areas, such as Diggers Rest, the NBN is providing a wireless service as it is cost-prohibitive to run fixed line to the numerous lower density areas in all of Australia. The fixed line is generally reserved for higher density, residential areas.

Site location of facility is unclear

- 8.20 The application material includes an Overall Site Plan, Site Setback Plan and photographs of the area which clearly demonstrate the location of the facility.

Proposed tower will reduce the likelihood of future development opportunities including subdivision and development

- 8.21 This concern is speculative. Any future proposal to subdivide or develop surrounding land will be assessed on merit at that time against the usual provisions. Currently there is no planning policy that would prevent approval of an application to subdivide or develop land due to the proximity of a telecommunications facility.

No benefit of the tower – existing internet services adequately meet requirements

- 8.22 The facility is designed to provide fixed wireless internet services to over 400 premises in the Diggers Rest area which will improve residents' access to faster and more reliable internet and landline phone services. It may be the case that existing services are adequate to meet the needs of some residents, however the facility will serve the wider public interest, including businesses, and will assist to ensure technology in the area is commensurate with the rest of Australia. The proposal is in line with State planning policy which seeks to ensure that modern telecommunications facilities are widely accessible to business, industry and the community.

Owner of the site does not reside at this address and will not be impacted by the proposal whilst nearby residents will bear the consequences

- 8.23 The fact that the owner does not reside at the address is not a planning issue and not a matter for consideration under the *Planning and Environment Act 1987*.

Devaluation of property values.

- 8.24 Loss of property value is not a relevant Town Planning consideration and this has been reinforced in cases before VCAT.

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9. ASSESSMENT:

- 9.1 A detailed discussion of the proposal against the specific requirements of Clauses 35.05 and 52.19 is provided below. In short, the proposal achieves compliance with the relevant provisions, in particular, the requirements of the Code of Practice for Telecommunications Facilities in Victoria subject to the inclusion of permit conditions and modifications to the plans.

Clause 35.05 – Green Wedge A Zone

- 9.2 The proposal addresses the relevant decision guidelines in Clause 35.05-6 of the Green Wedge A Zone as follows:

The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

- 9.3 The proposal is consistent with relevant State and Local planning policies.

How the use or development relates to agricultural land use, rural diversification and natural resource management.

- 9.4 Telecommunications facilities are often found in rural areas where adjoining land uses are less sensitive and where land is not constrained for other environmental, topographical, heritage related reasons. Given the small footprint of the facility (80 square metres) there is little impact to the current semi-agricultural use of the land or agricultural potential of the land.

Whether the site is suitable for the use or development and whether the proposal will have an adverse impact on surrounding land uses.

- 9.5 A telecommunications facility is not a prohibited use under the provisions of the Green Wedge A Zone.

- 9.6 The use will not compromise nearby rural residential land use as, once constructed, there will be no required staffing and nominal traffic generation.

The need to protect the amenity of existing residents.

- 9.7 The proposal is unlikely to adversely impact the amenity of existing residents. Noise levels are anticipated to be equivalent to a domestic air conditioning unit and the closest dwelling is approximately 200 metres from the compound. Noise levels will be required to comply with the *Environment Protection (Residential Noise) Regulations 2008*.

- 9.8 There will be no process at the site and no significant traffic volume.

The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty or importance.

- 9.9 The site and immediate area is not one of recognised architectural, scientific or cultural heritage significance, or of natural scenic beauty or importance. However, it has a typical rural character, the retention of which is important.

- 9.10 The visual impact of the proposal is discussed in detail in the report below. The proposal is considered satisfactory subject to increased setback and provision of landscaping which will assist to screen the ground level compound and security fence and retain a sense of the rural character on Crinnion Road.

- 9.11 The visual impact of the proposal is discussed in detail in the report below. The proposal is considered satisfactory subject to increased setback and provision of landscaping which will assist to screen the ground level compound and security fence and retain a sense of the rural character on Crinnion Road.

The maintenance of agricultural production and the impact on the local rural economy.

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- 9.12 The proposal will have a nominal impact on agricultural production and the local rural economy as the land is not currently utilised for any substantial agricultural use and the footprint of the compound at 80 square metres is minimal in relation to the size of the lot (over 8 hectares).

The need to prepare an integrated land management plan.

- 9.13 An integrated land management plan is not required as the application relates to a very small part of the overall lot which has no environmental constraints such as erosion, significant vegetation, waterways etc.

The impact on the existing and proposed rural infrastructure.

- 9.14 The proposal will upgrade existing telecommunications infrastructure.

- 9.15 The proposal does not require waste disposal or stormwater infrastructure.

The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

- 9.16 It is understood that these structures are stand-alone facilities required to be located within certain distances of each other to provide connecting signals. The proposed built form is not expected to expand beyond what is currently being proposed. The recommended approval does not allow for the expansion of the facility without further approval of the responsible authority.

Protection and retention of land for future sustainable agricultural activities.

- 9.17 As detailed, the proposal has a small development footprint of 80 square metres with the remainder of the lot (which currently contains a number of sheds), will remain available for agriculture. There is no anticipated conflict between the ongoing low-scale agricultural use of the balance lot and the proposed telecommunications tower.

The impact of the use or development on the flora and fauna on the site and its surrounds.

- 9.18 No significant vegetation is proposed to be removed to facilitate the proposal.

An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.

- 9.19 The site is not recognised as having any particular environmental characteristics that would impact the proposal such as erosion, vegetation, flood, noting that there are no overlays that currently pertain to the land. The construction of the facility will require minimal earthworks and the use will have no emissions in the form of effluent, dust, odour etc. Noise has been discussed previously.

The need to protect and enhance the biodiversity of the area, including the retention of vegetation and fauna habitat and the revegetation of land including riparian buffers along waterways, gullies, ridge lines, property boundaries and saline recharge and discharge areas.

- 9.20 The site is not recognized as being environmentally significant (i.e. through the application of an environmental overlay) and will have no significant impact on the biodiversity of the area.

How the use or development relates to sustainable land management and the need to prepare a sustainable land management plan.

- 9.21 The preparation of a sustainable land management plan is not required in this instance as once the telecommunications tower is constructed there will be no emissions requiring ongoing regulation (excepting noise) and very little site visitation except for maintenance approximately three times a year.

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The need to minimise adverse impacts of the siting, design, height, bulk, colours and materials to be used on major roads, landscape features and vistas.

- 9.22 The proposal will have minimal impact on major roads, noting that it will be situated over 300 metres from Bulla-Diggers Rest Road and approximately 1 kilometre east of the Calder Freeway. There are no significant landscape features in the nearby vicinity and the proposal will not impact any significant vista.

The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.

- 9.23 The proposal will have no impact on other existing infrastructure. The provision of a new vehicle access to the site will not result in any adverse visual impact to the landscape. The visual impact of the proposed infrastructure is discussed below.

Clause 52.19 – Telecommunications Facility

- 9.24 The proposal is consistent with the design, siting, construction and operation principles set out in *A Code of Practice for Telecommunications Facilities in Victoria*, and any adverse effect on adjacent land is limited to visual intrusion which is not to the extent that would warrant a refusal of the application.
- 9.25 The proposal is consistent with the principles of *A Code of Practice for Telecommunications Facilities in Victoria* as detailed.

Principle 1 - Siting the facility to minimise visual impact

- 9.26 The applicant has provided in depth detail of the site selection and decision-making process which has carefully considered the visual impact of the structure in the rural landscape, with particular regard to the site location within the Green Wedge A Zone. The siting and visual impact of the proposal is generally considered satisfactory.
- 9.27 The surrounding landscape features relatively flat topography with a gentle rise from Bulla-Diggers Rest Road to the rear boundary where the tower will be located. The topography does not obviate the proposal from any public vantage point, however as the land contains minimal vegetation there is little inherent screening with respect to short – mid range views from both Bulla-Diggers Rest Road and Crinnion Road. Longer range views from Duncans Lane (east approx. 600 metres), Buckley Road (north approx. 800 metres) and Lane Road (west approx. 800 metres) will likely be interrupted by vegetation which lines property boundaries.
- 9.28 This principle aims to ‘minimise’ the visual impact on the area, rather than requiring that the facilities be screened altogether. This view has been substantiated by the Tribunal in the case *Telstra Ltd v Bass Coast SC (2004) VCAT 1324* where the Tribunal stated “*there is nothing in the Planning Scheme which requires these facilities to be completely screened from view, and such an outcome would be clearly unrealistic. The fact that the structure will be visible is not itself sufficient for me to form the view that its visual impact has not been minimized or that it will have an unacceptable impact. The fact that the structure will be visible must be balanced against the policy provisions of the planning scheme which support the provision of this form of infrastructure and the wider community benefit to be derived from the development of a comprehensive telecommunication network.*”
- 9.29 The site is not in an area identified as one where the landscape attributes are to the extent to warrant any protection (such as a Significant Landscape Overlay) and the proposal will not impact any significant vista or panorama of a particular feature. That being said, there is a consistent concern in objections received regarding loss of visual amenity and detriment to the rural landscape character. Notably, both local policy (Clause 21.06-6) and the Green Wedge A Zone aim to retain a rural setting, an integral part of which is minimising visual intrusion.

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- 9.30 Having weighed these considerations, another recent VCAT decision is particularly informative. In *Righetti v Hepburn SC (2013) VCAT 750* the Tribunal again corroborated the view that it is untenable to require such a structure to be screened from view altogether, rather one must seek to minimise visual intrusion. In this case, where the site was also in a flat, rural location and the development particulars included a 40 metre high monopole and associated ground level equipment, the Tribunal found that the fairly open landscape in the immediate surround of the monopole would result in clear views which could be minimised by relocating the facility 10 metres from the road reserve and providing screen planting between the fenced enclosure and the road reserve, as well as additional screening to two of the three other sides of the structure to depths of 1.5 metres.
- 9.31 It is considered that similar requirements should be applied to this application to appropriately minimise the visual impact, at least of the ground level structures, particularly to Crinnion Road and the dwellings beyond, as well as to Bulla- Diggers Rest Road. A setback of 10 metres should be required from Crinnion Road (currently 3 metres to security fence) with appropriate screen planting suitable to the rural area and of a height and depth to screen the facility. A 3 metre buffer should be provided to the north, east and south of the fenced enclosure. This can be managed by conditions.

Principle 2 - The facility should be co-located wherever practicable

- 9.32 There are no existing telecommunications facilities in the area that the proposal could be co-located on. The applicant has stated that a new facility developed on this site would provide greater coverage and capacity to the area and would negate the need to provide more facilities in the area as it would provide complete coverage to much of Diggers Rest.

Principle 3 – Health standards for exposure to radio emissions will be met

- 9.33 As detailed earlier in the report, the Tribunal has previously determined that any health related impacts of telecommunications towers are outside the remit of the *Planning and Environment Act 1987*, and that the Tribunal is not the appropriate body to assess such issues. Health and safety in this setting is governed by ARPANSA and the Code requires that any telecommunications proposal comply with ARPANSA Standards. In this case, the proposal will be designed and installed to satisfy all relevant requirements of the ARPANSA standards.

Principle 4 – Disturbance and risk relating to siting and construction should be minimized

- 9.34 Construction of the facility is unlikely to cause any significant disruption to any adjoining land or public access areas. It has been advised that construction will likely take approximately 10 weeks and will likely require some heavy vehicles and a crane to assemble the structure. Any disturbance to nearby rural residential properties will be short-term only and therefore this does not constitute a ground to refuse the proposal given the wider, ongoing benefits the proposal presents. Once the construction is complete, there will be minimal disturbance to nearby residences as site visitation will only occur for required maintenance. Indeed, the ongoing use of the facility will likely have less vehicle movements than a dwelling.

10. CONCLUSION

- 10.1 The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme*, including State and Local Planning Policy Frameworks (inclusive of the Municipal Strategic Statement) and is considered to be generally consistent with the relevant purposes and strategies.
- 10.2 Both State and local policies provide very strong support for integrating telecommunications facilities in appropriate locations and there is no policy or requirement that would, in principle, prevent such a facility in a rural location such as this.

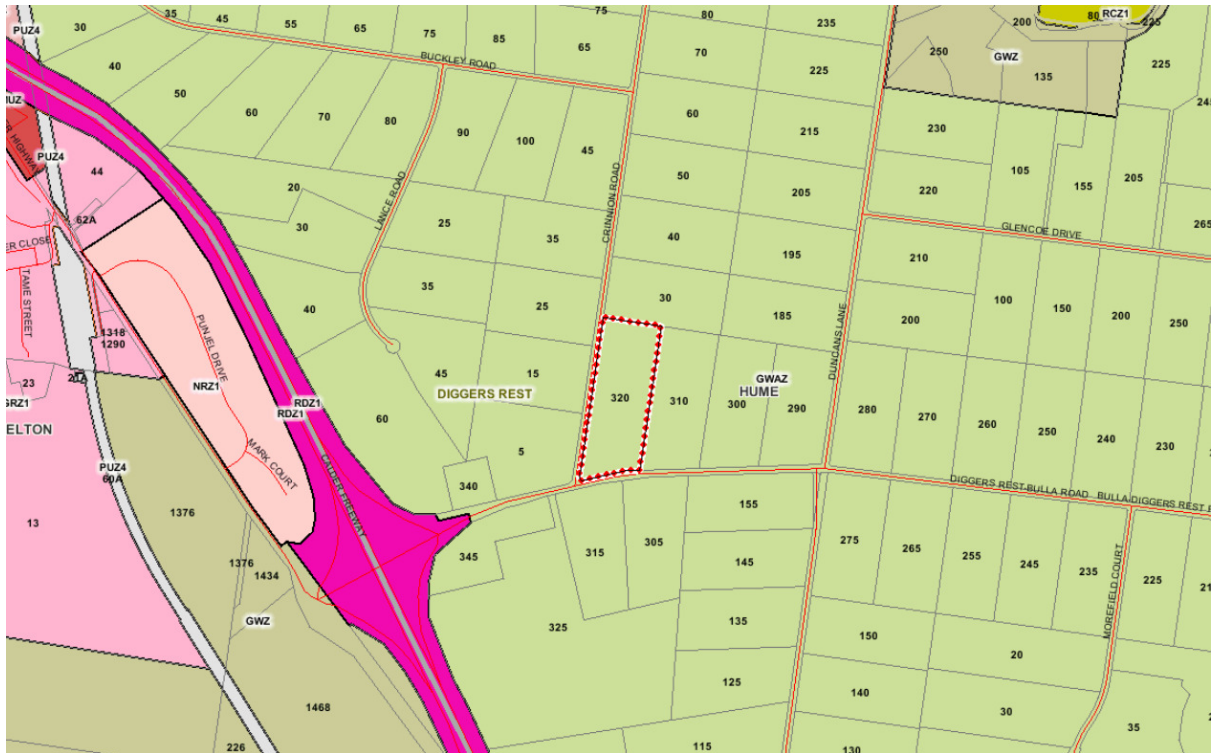
REPORT NO: SU238 (cont.)

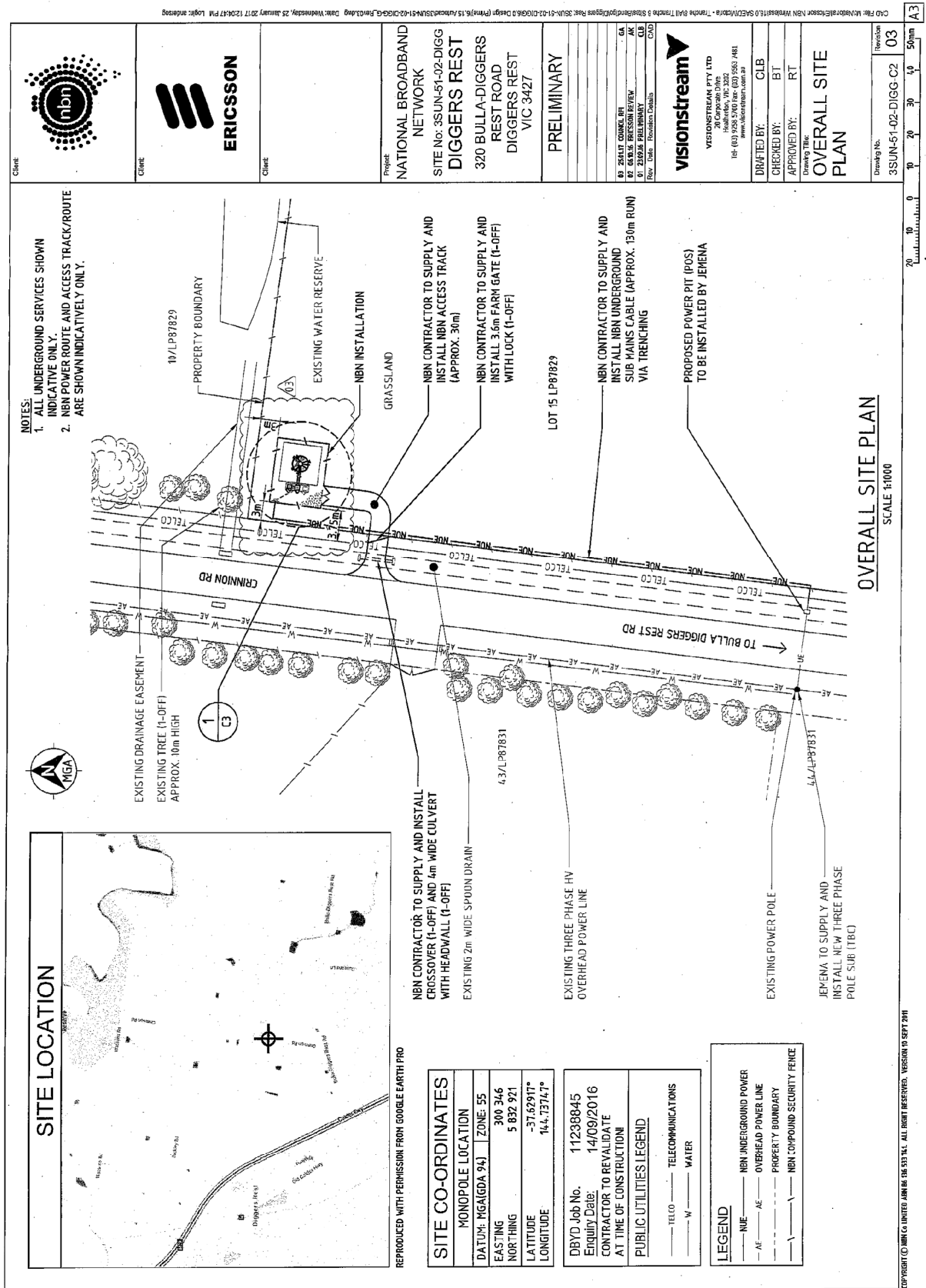
- 10.3 The visual impact of the proposal has been considered and whilst it is impossible to entirely screen the tower and, indeed, not a requirement under the scheme, there are reasonable grounds to require a greater setback and landscaping around the compound given the exposure to both Crinnion Road and Bulla-Diggers Rest Road.
- 10.4 It is considered that a Notice of Decision to Grant a Planning Permit be granted subject to conditions including a condition requiring a greater setback of 10 metres from Crinnion Road and a landscape buffer, as well as smaller landscape setbacks of 3 metres to the north, east and south of the fenced enclosure.

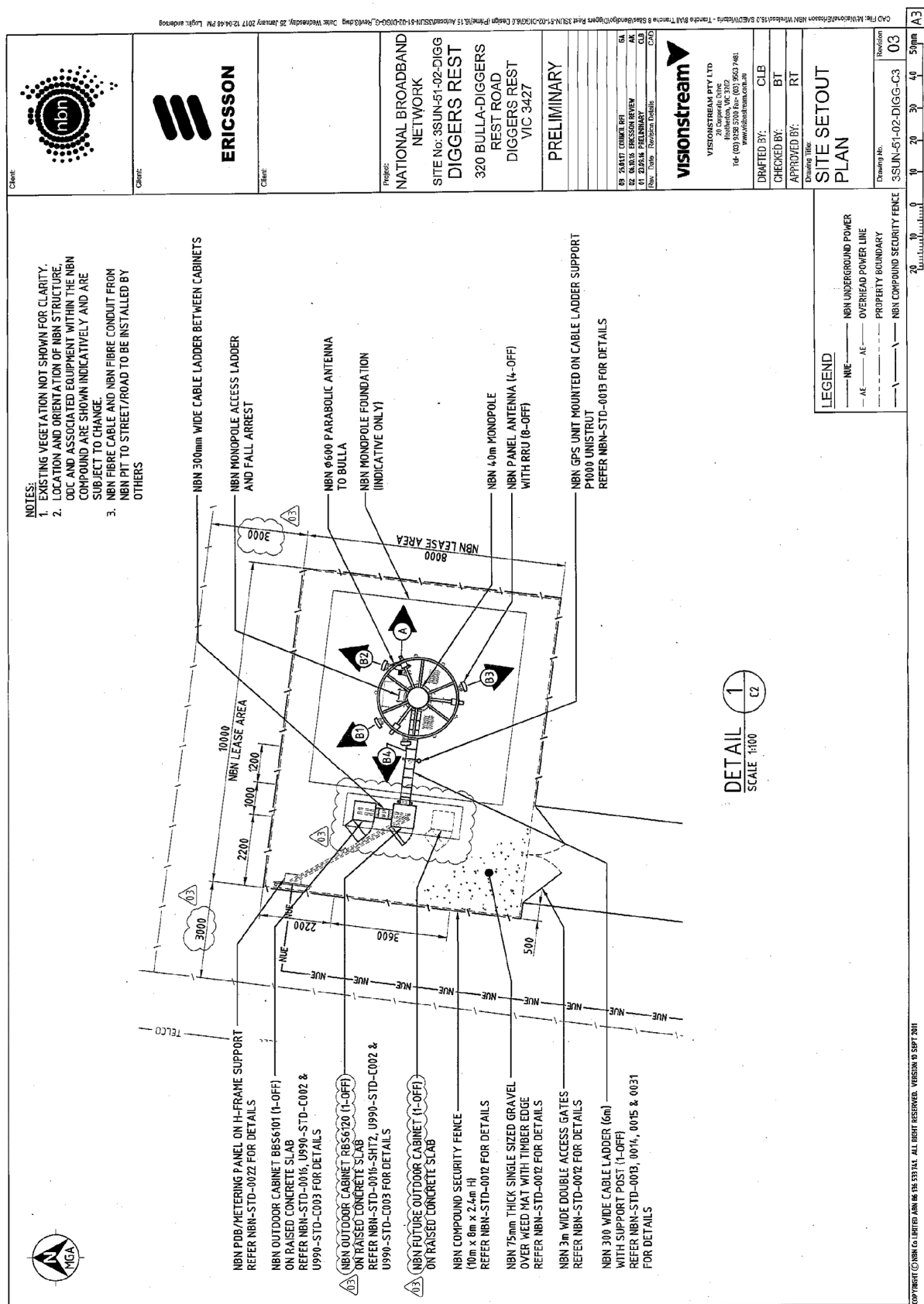
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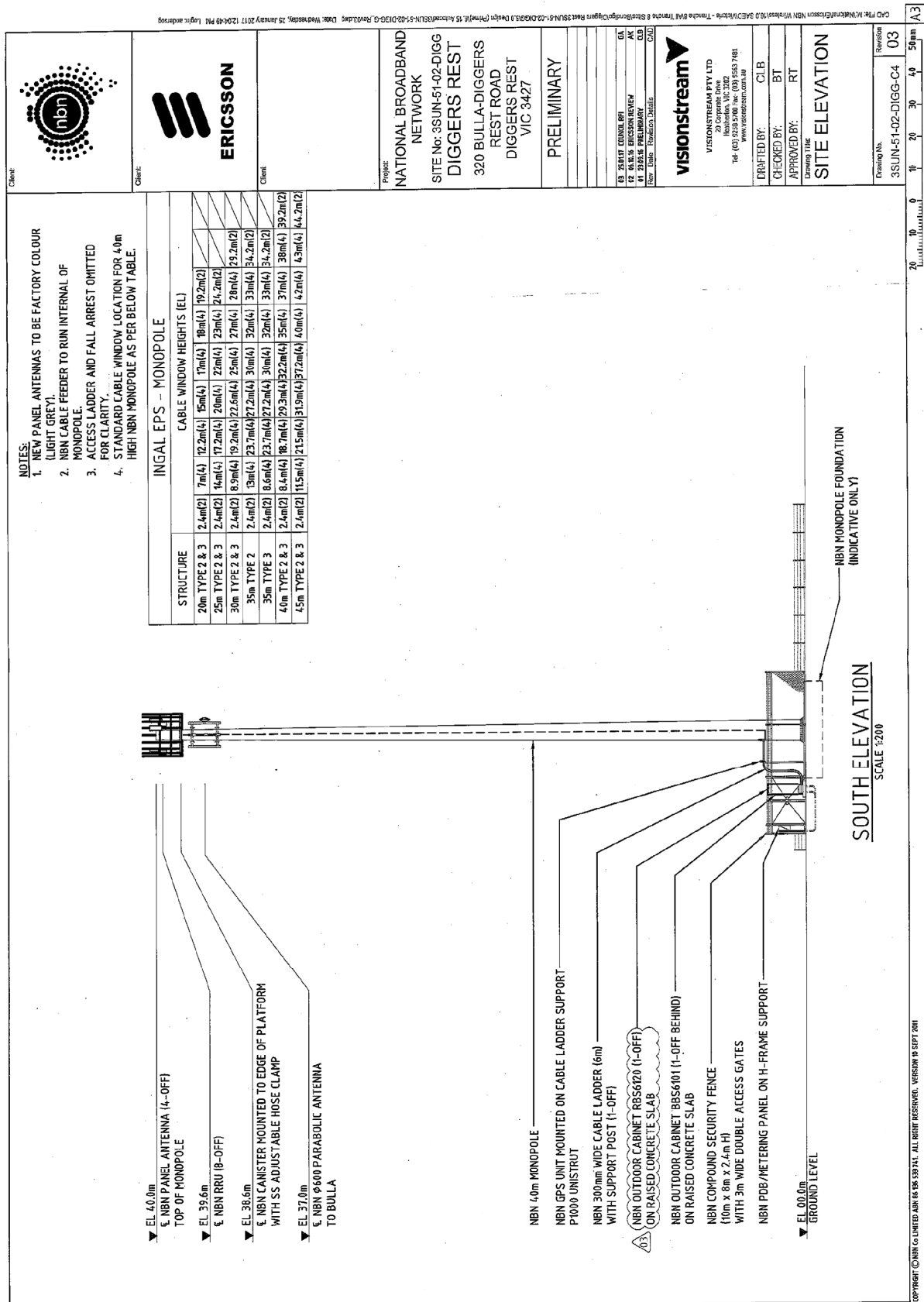
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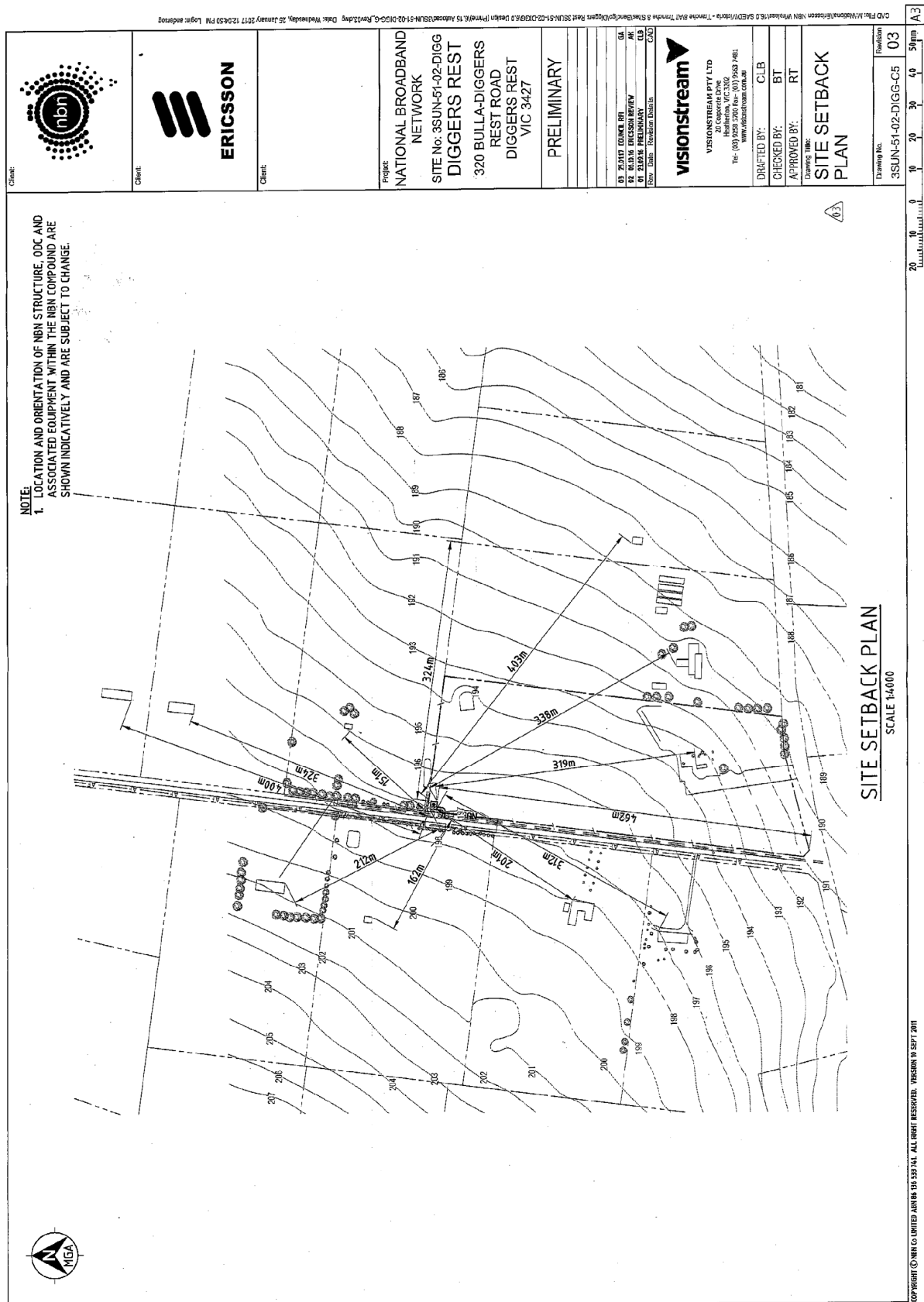
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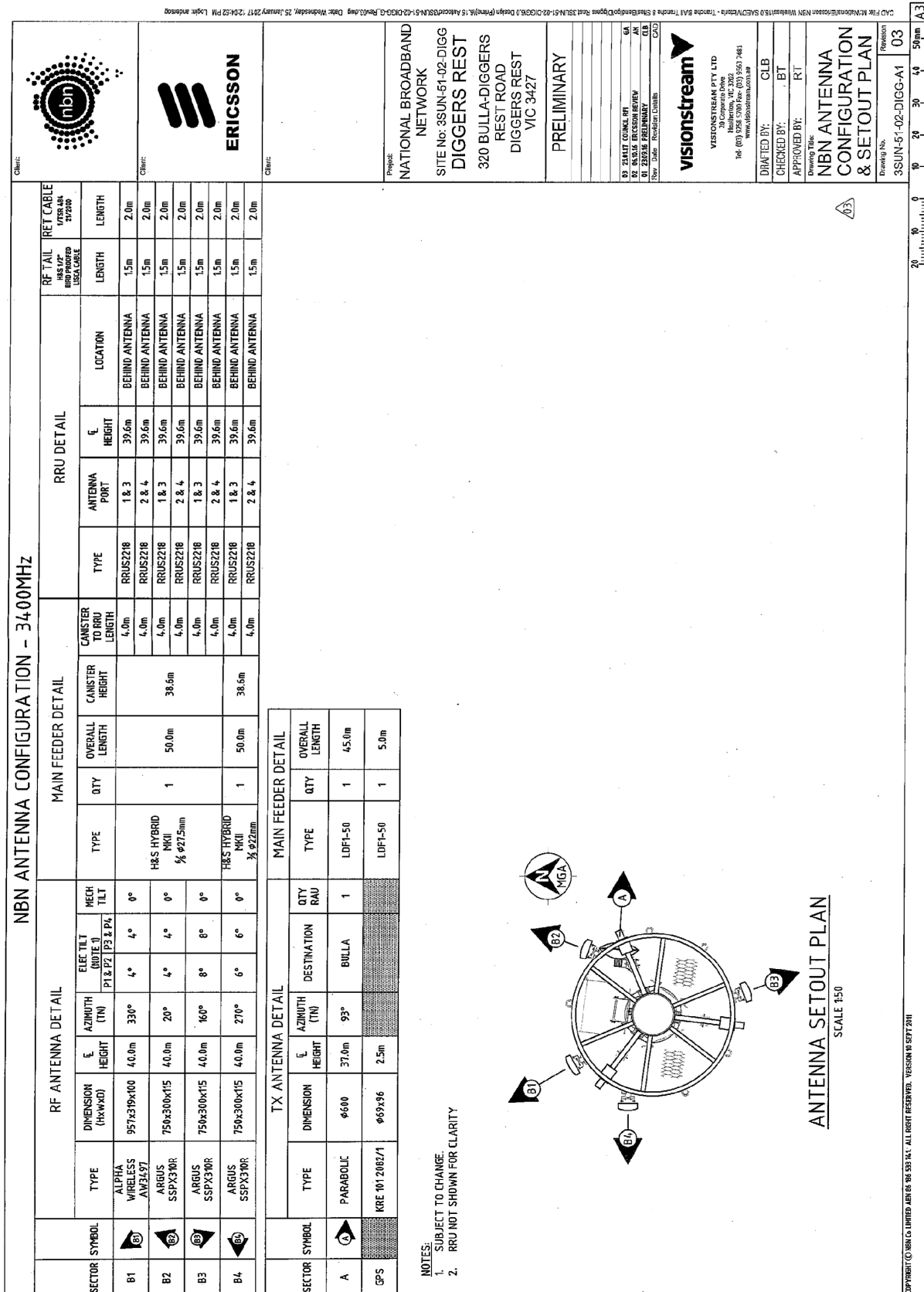












REPORT NO:	SU239
REPORT TITLE:	1350 Pascoe Vale Road, Coolaroo - Amendment to Planning Permit P14924.03 to change the preamble to remove reference to a Car Wash and allow the use and development of a Convenience Restaurant, including various modifications to the conditions of the permit.
SOURCE:	Tess Manolis, Town Planner
DIVISION:	Planning and Development
FILE NO:	P14924.04
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	<ol style="list-style-type: none">1. <i>Locality Plan</i>2. <i>Site Plan</i>3. <i>Ground Floor Plan</i>4. <i>Ground Floor Plan (Detailed)</i>5. <i>Elevation Plan</i>6. <i>Signage</i>7. <i>Planning Permit P14924.03 (unmodified)</i>

Application No:	P14924.04
Proposal:	Amendment to Planning Permit P14924.03 to change the preamble to remove reference to a Car Wash and allow the use and development of a Convenience Restaurant, including various modifications to the conditions of the permit.
Location:	1350 Pascoe Vale Road, Coolaroo
Zoning:	General Residential 1 Zone, Part Melbourne Airport Environs Overlay No. 1 and No. 2.
Applicant:	Dzine Construction Group C/O Stuart Griffin
Date Received:	5 May 2017

1. SUMMARY OF REPORT:

An application has been received to amend Planning Permit P14924.03 to change the preamble of the permit to remove reference to a Car Wash and allow use and development of a Convenience Restaurant at 1350 Pascoe Vale Road, Coolaroo. The planning permit would be modified by incorporating new conditions and altering existing conditions to make them relevant to the proposal. The application has been advertised, with no objections received. The proposal has been assessed against the State and Local Planning Policy Framework of the *Hume Planning Scheme (Scheme)* and approval is recommended.

The application is required to be presented to Council for consideration due to a previous amendment application (P14924.02) receiving multiple (three or greater) objections and that application was determined by Council not under delegation.

2. RECOMMENDATION:

That Council having considered the application, resolves to approve the proposed amendment to Planning Permit P14924.03 by amending the preamble of the Planning Permit to remove the reference to a car wash and which consequently should now be read as follows:

Allow the use and development of a convenience restaurant, take away food premises, convenience shop, service station, medical centre and indoor recreation facility (gym)

REPORT NO: SU239 (cont.)

with associated business signage and a reduction in loading bay requirements at 1350 Pascoe Vale Road, Coolaroo. Additionally, the permit conditions will be modified as follows:

- a) Amend Condition 6 to delete reference to the car wash and introduce operating hours for the convenience restaurant as follows:

Monday to Friday– 5.30am to 11:00pm
Saturday – 6:00am to 11:30pm
Sunday – 7:00am to 11:00pm
- b) Amend Condition 22 to alter the maximum number of patrons permitted within the convenience restaurant to 47 as follows:

Accommodation for patrons within the convenience restaurant must not exceed 47 seats except with the written consent of the responsible authority.
- c) Amend Condition 37 to alter the signage expiry date to 15 years as follows:

This permit in relation to advertising signs expires 15 years after the date it is issued. To allow the sign to continue to be displayed, a new application must be made to the responsible authority.
- d) Amend Condition 4c, to be replaced as follows:

External lighting must be installed or baffled such that it does not cause light spillage above the horizontal plane or beyond the subject site in order to prevent potential visual distraction to pilots.
- e) Amend Condition 4d, to be replaced as follows:

If any new landscaping is to occur on the site it must not comprise bird attracted species which may impact on safe aircraft operations and must comply with the Melbourne Airport Planting Guidelines.
- f) Add a new condition as follows:

Any structure or building activity (including construction cranes) on the subject land either permanent or temporary, must not penetrate “prescribed airspace” surfaces without the approval of Melbourne Airport in accordance with the Airports (Protection of Airspace) Regulations 1996.
- g) Add a new condition as follows:

Any activity on the subject land must not result in the emissions of smoke, dust or other particulate matter or the emission of steam or other gas, where these emissions are capable of affecting the ability of aircraft to operate in the prescribed airspace in accordance with Visual Flight Rules.
- h) Add a new note as follows:

‘Any building allowed by this permit for the restricted retail, play centre and offices must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, *Acoustics - Aircraft Noise Intrusion – Building Siting and Construction*, issued by Standards Australia International Ltd.’
- i) Delete Condition 4a. This Condition is replaced by the note inserted as per point i).
- j) Delete Condition 1k which was introduced to cater to the car wash.
- k) Delete Condition 1l which was introduced to cater to the car wash.
- l) Delete Condition 1h which was introduced to cater to the car wash.
- m) Renumber conditions accordingly.

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3. PROPOSAL:

- 3.1 The application proposes to amend the planning permit by replacing the car wash with a convenience restaurant in the preamble of the permit. The convenience restaurant is to be located within the same location as the car wash, and will have the same footprint as the convenience restaurant originally approved under the permit.
- 3.2 The convenience restaurant is to be a 'Starbucks', serving mainly drinks, with some food available for immediate consumption.
- 3.3 Patrons are able to be served on site within the proposed building, or through the proposed drive through. The drive through is expected to service the bulk of customers visiting the premises.
- 3.4 On premises seating would be a maximum of 47 which includes both indoor and outdoor seating.
- 3.5 Car parking is able to be accommodated on site, with 17 car spaces required to sufficiently meet the Statutory rate of 0.3 car spaces per patron. This is provided within the site.
- 3.6 The proposed hours of operation are as follows:
Monday to Friday– 5.30am to 11:00pm
Saturday – 6:00am to 11:30pm
Sunday – 7:00am to 11:00pm
- 3.7 The total floor area of the building is to be 198 square metres. An additional outdoor seating area of 20 square metres is to be provided to the north of the building. The overall building height is to be a maximum of 5.75 metres. The drive-through element of the site is located along the east and south of the building, able to accommodate 6 cars plus an additional waiting bay.
- 3.8 Various signage is proposed for the site, including fascia and drive-through signage along with a freestanding monument sign. The existing common pylon signs servicing the advertising needs of the broader site are to be upgraded to include the 'Starbucks' logo.

4. SITE AND SURROUNDS:

- 4.1 The subject site is located on the north-east corner of Pascoe Vale Road and Barry Road, Coolaroo. The site is irregular in shape and has an overall area of 10,500 square metres. The site has a frontage to Pascoe Vale Road of approximately 200 metres and Barry Road of approximately 50 metres. The site contains a service station and take-away food premises as approved under Planning Permit P14924. The site is generally flat with a slight fall from the north to the south of the site and from the east toward Pascoe Vale Road.
- 4.2 The site is accessed via three crossovers of which two are located off Pascoe Vale Road and one crossover off Barry Road. The northern most access point off Pascoe Vale Road is shared with the Melba Vale Retirement Village and provides for all traffic movements into and out of the site.
- 4.3 The site is located adjacent to the Broadmeadows railway line and is fairly isolated from other sites except where it abuts the adjoining retirement village. A 3 metre high acoustic fence separates the subject site from the retirement village. The newly constructed Coolaroo railway station and commuter car park is located to the north east of the site.

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* ("the Scheme") are relevant in the consideration of the application:

REPORT NO: SU239 (cont.)

<i>State Policies:</i>	Clause 15.01-1: Urban Design Clause 15.01-2: Urban Design Principles Clause 15.01-5: Cultural Identity and Neighbourhood Character Clause 15.02-1: Energy and Resource Efficiency Clause 17.01-1: Business
<i>Municipal Strategies:</i>	Clause 21.01-5: Land Use Vision Clause 21.03-2: Business Clause 21.06-3: Local Areas Clause 21.08: Particular Uses and Development Clause 22.09: Advertising Signs Local Policy
<i>Local Policies:</i>	None Relevant
<i>Zones:</i>	Clause 32.08: General Residential Zone (Schedule 1)
<i>Overlays:</i>	Clause 45.08: Melbourne Airport Environs Overlay (Schedule 1 and Schedule 2)
<i>Particular Provisions:</i>	Clause 52.05: Advertising Signs Clause 52.06: Car Parking Clause 52.20: Convenience Restaurant and Take-Away Food Premises
<i>General Provisions:</i>	Clause 65.01: Approval of an Application or Plan

- 5.2 The subject site is located within a Residential 1 Zone. Pursuant to Clause 32.08-2 of the *Hume Planning Scheme*, a planning permit is required to use land for the purpose of a convenience restaurant and the site must adjoin, or have access to, a road in a Road Zone. Pursuant to Clause 32.08-8 of the Scheme, a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
- 5.3 The subject site is located partly within a Melbourne Airport Environs Overlay No.1 and No. 2. A convenience restaurant (nested under ‘retail premises’) requires a planning permit for the use. Notification to Melbourne Airport is subsequently required under Section 52(1)(c) of the Act.
- 5.4 Clause 52.20 of the *Hume Planning Scheme* sets out decision guidelines for a convenience restaurant or take away food premises within residential areas.
- 5.5 Clause 15 of the State Planning Policy Framework relates to Built Form and Heritage and contains objectives in respect to Urban Environment, Sustainable Development and Heritage. Relevant objectives are:
- To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*
- To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*
- 5.6 Clause 17 of the State Planning Policy Framework contains objectives in respect to Business, Industry and Tourism. Relevant objectives are:
- To encourage development which meet the communities needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*
- 5.7 Clause 21.06-3 relates to the Dallas, Coolaroo and Campbellfield neighbourhood. As it relates to this application, the stated objective is:

REPORT NO: SU239 (cont.)

To create a vibrant and attractive industry and employment corridor that services local, regional and metropolitan labour markets, ensuring that these activities are protected from the encroachment of sensitive land uses.

- 5.8 There are no major power lines within 60 metres of the site to trigger any referrals to the relevant power authority.
- 5.9 The proposal is exempt from requiring a Cultural Heritage Management Plan as the site is not within or nearby a known cultural heritage sensitivity area.

6. REFERRALS:

- 6.1 The application was not referred to Council's Traffic and Civil Design Department as the permit remains to feature standard conditions as originally recommended, and the layout being previously assessed and approved under the original Permit P14924 (proposed layout under P14924.04 matches original layout).
- 6.2 Melbourne Airport have been notified of the application who have issued conditional approval subject to conditions and a note being placed on the permit in relation to lighting, airspace, emissions, landscaping and compliance with relevant Australian Standards.

7. ADVERTISING:

- 7.1 The application was advertised to adjoining owners/occupiers by mail for a period of 14 days. At the completion of the advertising period, no objections were received.

8. ASSESSMENT:

- 8.1 Having regard to the State and Local Planning Policies and particular provisions of the Hume Planning Scheme, an assessment of the proposal is as follows:

State Planning Policy Framework

- 8.2 In accordance with Clause 17 of the Hume Planning Scheme, the proposed development provides net community benefit in relation to accessibility and the proliferation of commercial facilities.

Clause 52.20 – Convenience Restaurant and Take-Away Food Premises and Clause 52.06 – Car parking

Amenity

- 8.3 The proposed building is located approximately 21 metres from the adjoining retirement village to the east, with the drive-through setback at least 15 metres. A three metre wide landscape buffer also exists along the eastern title boundary of the site including a three metre high acoustic fence as approved under the original permit. The drive-through and noise producing operations of the business are to be located well away from the adjoining retirement village, with sufficient design implementations and permit conditions in place which will ensure the adjoining residential uses are protected from the operations of the site.

Car parking and site circulation

- 8.4 The proposal includes sufficient car parking for the proposed 47 patrons. The rate as required under Clause 52.06 of the *Scheme* (0.3 car spaces per patron) has been applied, with 17 car spaces available within the site for use of the expected patrons. The drive-through is of sufficient length and is capable of handling queuing vehicles. The waiting bay provided to the west of the drive through will also limit the number of vehicles awaiting service.
- 8.5 The convenience restaurant is also provided with adequate loading bays and waste removal areas to manage deliveries or transport off site without impacting upon the circulation of the wider property.

REPORT NO: SU239 (cont.)

Design

- 8.6 The proposal incorporates a building footprint matching the original proposal within Planning Permit P14924 and is also similar in physical design. The design features various architectural elements including effective articulation, extensive fenestration and a mix of materials and colours which positively improve the overall site.

9. CONCLUSION

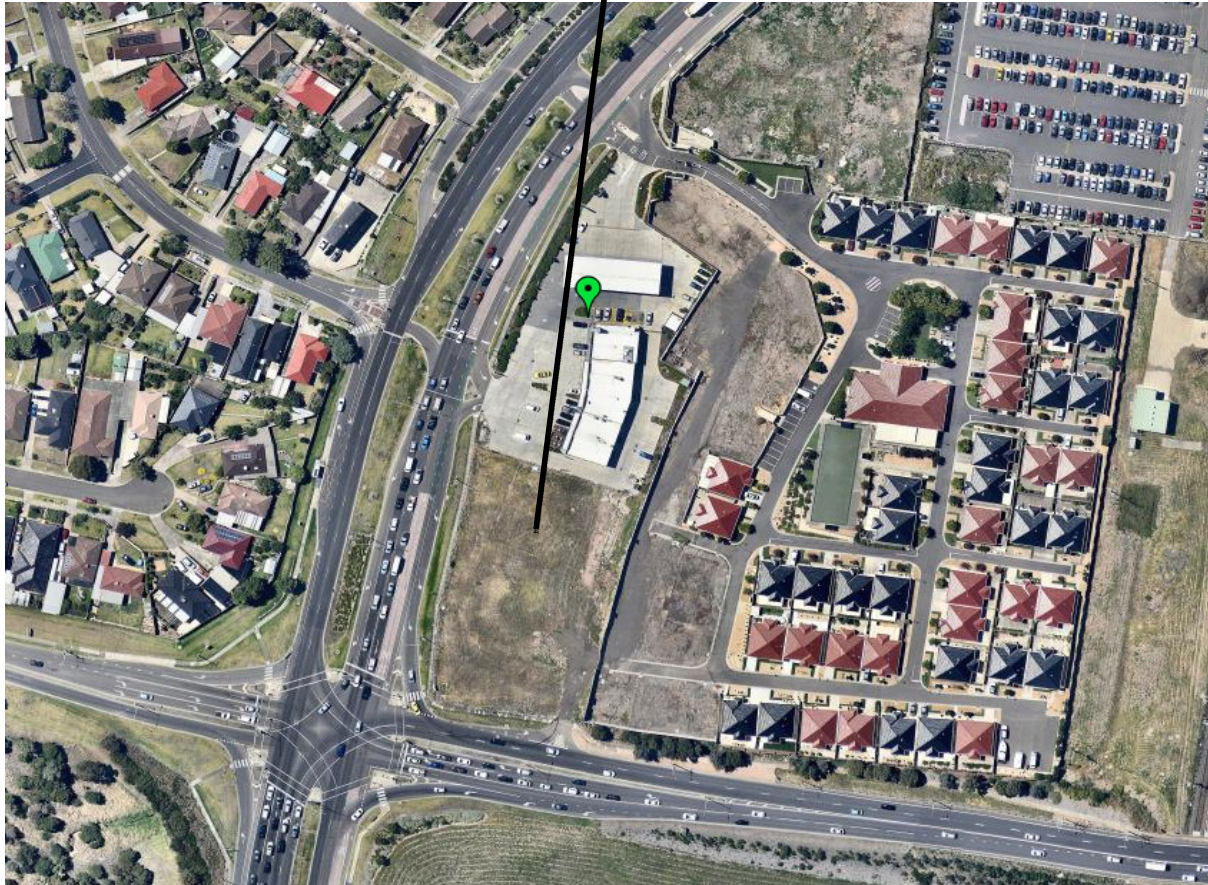
The proposed amendment to Planning Permit P14924.03 to replace the car wash with a convenience restaurant is considered appropriate with regard to the State and Local Planning Policies of the *Hume Planning Scheme* and approval is recommended. As previously noted, the application is required to be put before Council as the previous amendment (P14924.02) had been considered by Council, due to a number of objections being received.

LOCALITY PLAN

Permit Application: P14924.04

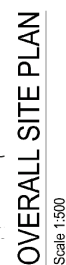
Site Address: 1350 Pascoe Vale Road, Coolaroo

Subject Site



ORDINARY COUNCIL (TOWN PLANNING)

LOT 3 PS 702371A VOL 11525 FOL 855 BEING 1350 PASCOE VALE ROAD COOLAROO VIC 3048



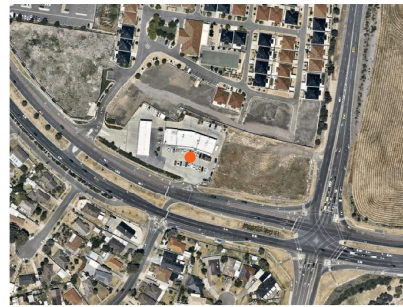
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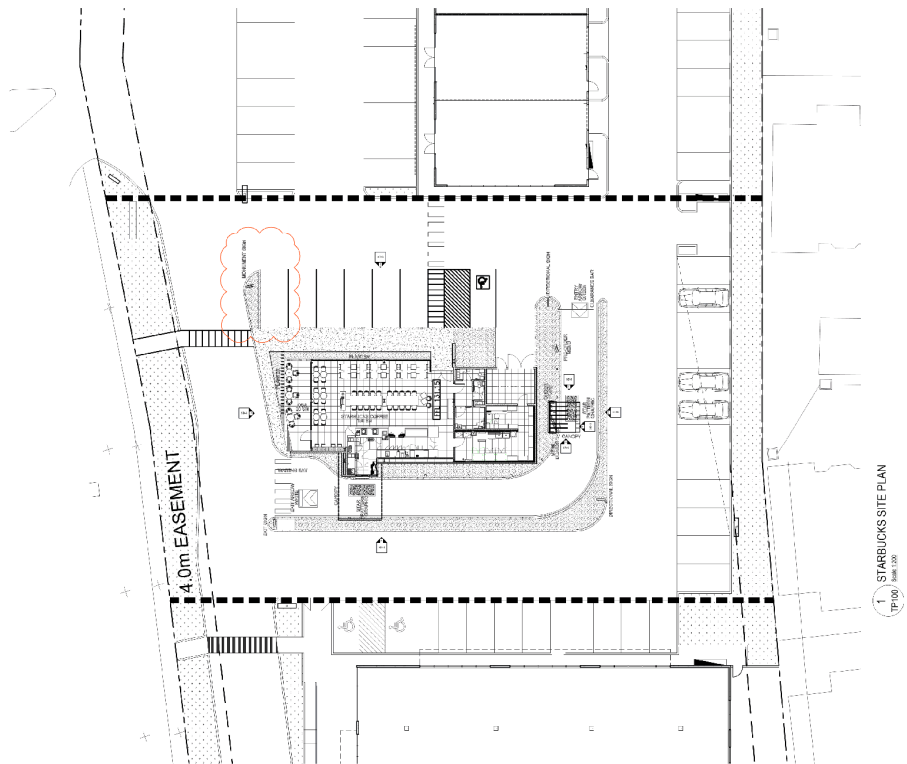
MAXIMUM OF 47 PATRONS FOR STARBUCKS



LOCALITY PLAN

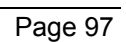
SITE ANALYSIS		CARSPACES PROVIDED
SITE AREA		10,555.0m ²
BUILDING AREA		
MEDICAL CENTRE (BASEMENT) TENANT 1: MEDICAL CENTRE (GROUND) TENANT 2: MEDICAL CENTRE (LEVEL 1) GYMNASIUM (LEVEL 1)	699.0m ² 699.0m ² 553.0m ² 506.0m ²	23 13
TENANT 3: STAIRWAYS	220m ²	17 REQUIRED 17 PROVIDED MATCH 0.00% (0.00% VARIATION)
TENANT 4:	124.0m ²	
TENANT 5:	92.0m ²	21
TENANT 6:	91.0m ²	
7-ELEVEN:	166.0m ²	15
TOTAL	3795.0m ²	
SITE COVERAGE		16.77%
CARSPACES PROVIDED		122
CARSPACES REQUIRED:		99

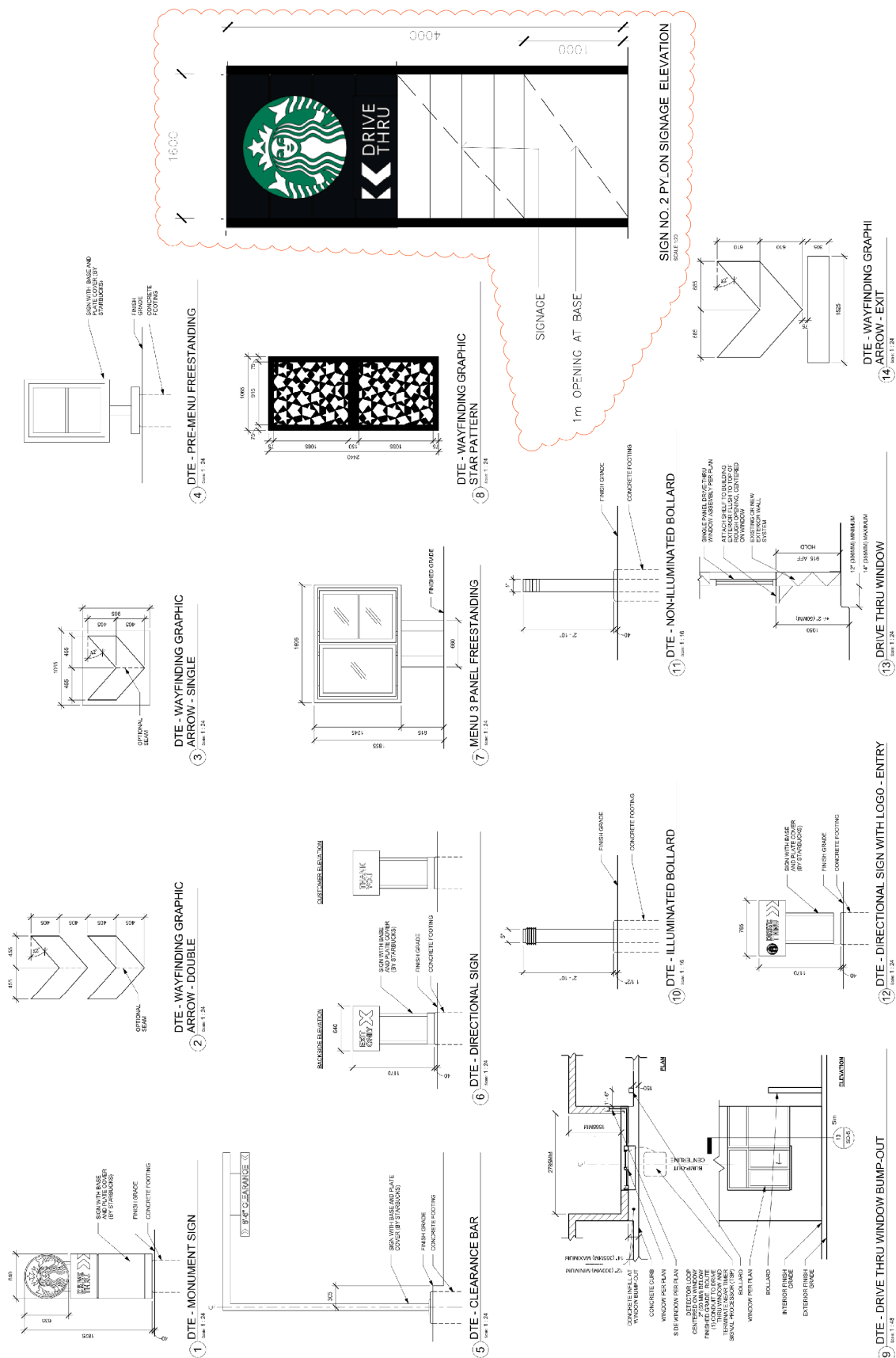
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DRAWN: [Name]		DATE: 28/08/2017		Sheet TP101
CHECKED: [Name]		DATE: 28/08/2017		Rev 4
APPROVED: [Name]		DATE: 28/08/2017		Rev 4
PROJECT: PROPOSED SERVICE DEVELOPMENT - STARBUCKS 1200 PASADIE VILLE RD COOLAROO		DATE: 28/08/2017		Rev 4
DRAWN: [Name]		DATE: 28/08/2017		Rev 4
CHECKED: [Name]		DATE: 28/08/2017		Rev 4
APPROVED: [Name]		DATE: 28/08/2017		Rev 4

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Planning and Environment Regulations 2005 Form 4

PLANNING PERMIT (AMENDMENT)



Application No. P14924.03
Planning Scheme Hume Planning Scheme
Responsible Authority Hume City Council

ADDRESS OF THE LAND:

1350 PASCOE VALE RD COOLAROO VIC 3048
(Part Lot 2 PS 604096S Vol 11104 Fol 495)

THE PERMIT ALLOWS:

**USE & DEVELOPMENT OF A CAR WASH, TAKE AWAY
FOOD PREMISES, CONVENIENCE SHOP, SERVICE
STATION, MEDICAL CENTRE AND INDOOR
RECREATION FACILITY (GYM) WITH ASSOCIATED
BUSINESS SIGNAGE AND A REDUCTION IN LOADING
BAY REQUIREMENTS IN ACCORDANCE WITH THE
ENDORSED PLANS**

NOTE: UNDER PART 4 DIVISION 1A OF THE PLANNING AND ENVIRONMENT ACT 1987, A PERMIT
MAY BE AMENDED. PLEASE CHECK WITH THE RESPONSIBLE AUTHORITY THAT THIS
PERMIT IS THE CURRENT PERMIT AND CAN BE ACTED UPON.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the use and/or 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 show:
 - (a) A shade tree within the landscape strips that break up the car park.
 - (b) The requirements of conditions 33 (a) and 33(b).
 - (c) The landscape strip located along Barry Road and Pascoe Vale Road to contain trees and shrubs.
 - (d) The removal of the logo (3m x 3.2m) located on the north elevation of the convenience restaurant.
 - (e) The location of the red rooster pylon sign to be located within the landscape strip adjacent to the convenience restaurant.
 - (f) The sign on the east elevation of the medical centre/gym to be non-illuminated.
 - (g) The height of the three tanks located in between the medical centre and the retirement village to not exceed the height of the existing acoustic fence.
 - (h) Screen trees to be located within the landscape strip adjacent to the retirement village fence.
 - (i) Low level lighting behind the convenience restaurant and tenancies 2-5.
 - (j) A colourbond fence to screen the tanks.
 - (k) The overall site plan (prepared by One to 100 Design, Ref TP100 and dated May 2012) to be amended to show access arrangements as per the Functional Layout Plan (Traffix Design, Dwg. No. G12431-01, Issue A).

Date Issued: 29 June 2011

Signature for the
Responsible Authority

THIS PERMIT HAS BEEN AMENDED UNDER SECTION 72 OF THE PLANNING AND ENVIRONMENT ACT 1987

1079 PASCOE VALE ROAD BROADMEADOWS VICTORIA 3047 TELEPHONE 03 9205 2200 FACSIMILE 03 9309 0109

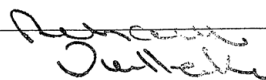
AMENDED PLANNING PERMIT NO: P14924.03

Sheet 2 of 8

- (l) Reference to 'preliminary plan' to be removed from the Functional Layout Plan (Traffic Design, Dwg. No. G12431-01, Issue A).
2. Prior to the commencement of the development, two copies of plans of the food related areas must be submitted to Council's Health department for approval along with the relevant fees. Separate applications for approval will be required for all food related areas. Detailed plans of the layout of the premises indicating where equipment is to be located and types of surfaces used.
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 plans/s shall not be altered or modified except with the written consent of the Responsible Authority.
4. The requirements of Melbourne Airport are as follows:
 - (a) Any building allowed by this permit must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2000, *Acoustics – Aircraft Noise Intrusion – Building Siting and Construction*, issued by Standards Australia International Ltd.
 - (b) Safe airport operations require the minimisation of the risk of glare experienced by pilots. Accordingly, all roofed areas of the proposed building must be coloured in non-reflective muted tones or constructed of suitable materials that absorb light rather than creating unnecessary glare.
 - (c) All site lighting should be baffled and should not project above a horizontal plane in order to prevent potential visual distraction to pilots.
 - (d) The landscaping species must comply with *Melbourne Airport's Urban Landscape Plantings Guide*.
5. The requirements of VicRoads are as follows:
 - (a) A Functional Layout Plan of the three access points and associated signage shall be submitted to VicRoads prior to the commencement of use of the site for approval.
 - (b) A waste management plan shall be submitted to the satisfaction of the Responsible Authority which specifies that waste collection shall occur within the cartilage of the site.
 - (c) All signs are installed totally within the site boundary line.
 - (d) All signs must not be animated, dynamic, flashing or reflective.
 - (e) The proposed pylon signs must be installed to ensure they do not obstruct the view of motorists.
 - (f) The luminance of the advertising sign must be such that it does not give a veiling luminance to the driver, of greater than 0.25cd/m2, throughout the driver's approach to the advertising sign.
 - (g) To the satisfaction of and at no cost to VicRoads and the Responsible Authority the developer shall be responsible for the relocation and reinstatement of any trees, road furniture and any other services that may be required in this work.
 - (h) Before the use approved by this permit commences, the access improvement works in accordance with the approved functional layout plan (Traffic Design, Dwg. No. G12431-01, Issue A) for the existing northern access point on Pascoe Vale Road must be completed at no cost to and to the satisfaction of VicRoads and the responsible authority.

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**Signature for the
Responsible Authority**



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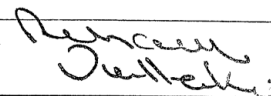
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6. Except with the prior written consent of the Responsible Authority, the following uses permitted by this permit may only operate between the following times:

Gymnasium - 6.00am to 10.00pm Monday - Sunday.
Medical centre and dispensary – 8.00am to 10.00pm Monday - Sunday.
Take-away food premises - 8.00am to 10.00pm Monday - Sunday.
Service station and convenience shop – 24 hours a day (7 days per week).
Car Wash – 7.00am to 10.00pm Monday - Sunday
7. The building hereby permitted must be designed and constructed in accordance with Australian Standard 1428-1993 "Design Rules for Access by the Disabled".
8. 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.
9. 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. A sign must be erected on site advising patrons to respect the adjoining neighbours by minimising noise through loud speaking and car radios.
10. No goods or packaging materials shall be stored outside the building.
11. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
12. Only lighting essential for the security of the site, to the satisfaction of the Responsible Authority, may operate when the facility is not operating.
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.
14. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
15. Odour filters shall be installed and maintained to control cooking, odours, fumes and smoke to the satisfaction of the Responsible Authority so as to prevent the emission of odours outside the premises.
16. Litter bins, cigarette butt receptacles and litter fencing should be installed to minimise the amount of litter escaping from the development onto the abutting road network.
17. Provision shall be made on site for the storage of trade waste disposal bins. The bins provided shall not occupy or obstruct access to any car parking area indicated on the endorsed plan.

Date Issued: 29 June 2011

**Signature for the
Responsible Authority**



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1079 PASCOE VALE ROAD BROADMEADOWS VICTORIA 3047 TELEPHONE 03 9205 2200 FACSIMILE 03 9309 0109 <http://www.hume.vic.gov.au>

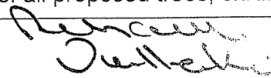
AMENDED PLANNING PERMIT NO: P14924.03

Sheet 4 of 8

18. 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.
19. Deliveries to and from the site (including waste collection) must only take place during the hours of operation permitted by this permit.
20. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm.
21. Entertainment only in the form of pre-recorded background music may be provided for the benefit of patrons of the premises. Highly amplified music must not be played.
22. Accommodation for patrons within the convenience restaurant must not exceed 30 seats except with the written consent of the Responsible Authority.
23. Prior to the commencement of the development a schedule of external building materials and colours, including details of cladding and roofing materials, must be submitted for approval by the Responsible Authority and upon approval such schedule shall be endorsed to form part of the planning permit.
24. 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.
25. 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.
26. 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.
27. A sign or signs must be provided to the satisfaction of the Responsible Authority to direct drivers to the on-site car parking area(s). Such sign(s) must be located in the vicinity of the frontage of the subject land and maintained to the satisfaction of the Responsible Authority.
28. A concrete kerb of a minimum height of 150mm or such other form of barrier as the Responsible Authority may approve, of sufficient height to prevent the passage of vehicles, must be provided where necessary to prevent vehicles causing damage to landscape areas, to prevent vehicle access other than where driveways are provided and to prevent vehicles projecting beyond the boundaries of the subject land.
29. The loading and unloading of goods from vehicles and the delivery of goods must at all times be carried out within the boundaries of the subject land.
30. The development permitted by this permit must not be commenced until a satisfactory landscape plan (3 x A1 copies) for the whole of the subject land is submitted to and approved by the Responsible Authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs

Date Issued: 29 June 2011

**Signature for the
Responsible Authority**



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AMENDED PLANNING PERMIT NO: P14924.03

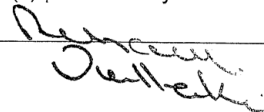
Sheet 5 of 8

and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.

31. 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.
32. Before the use allowed by this permit starts, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.
33. The requirements of Council's Traffic and Civil Design department are as follows:
 - (a) Linemarking works are required to be undertaken to the satisfaction of Council and VicRoads at the northern access point of Pascoe Vale Road. The linemarking works are to be as per the sketch attached to clarify the priority with the adjacent Retirement Village access.
 - (b) A pedestrian link including crossing linemarking and associated signs is required from the existing footpath onto Pascoe Vale Road and the proposed development.
 - (c) All parking bays are to be linemarked including disabled pavement marking.
 - (d) Spacing of columns, walls and obstructions around parking bays in the basement are to be as per Section 5 of AS2890.1 (2004) off street parking standard.
 - (e) Plans to be submitted to Council's Asset Development department for Drainage Investigation (fee of \$455.55 applies, which includes Asset Protection Permit to connect land to a Council Stormwater drain). 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.
 - (f) Following the Drainage Investigation, internal drainage plans must be submitted to Council (Asset Development department) for approval.
 - (g) Stormwater from all paved areas must be retained within the property and drained to the site's underground stormwater system, including pavement over the easement area.
 - (h) Any cut or fill must not interfere with the natural overland stormwater flow.
 - (i) No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
 - (j) Provision of litter control at stormwater inlet point within car park and paved areas is required. All stormwater pits must be channel grated or grated as per Council's Standard Drawing SD 210/215 or SD 225 respectively.
34. Petrol and/or LPG tankers must be parked wholly within the boundaries of the subject site when storage tanks are being filled.
35. Mechanical or other repairs to motor vehicles must not be carried out on the subject site.
36. The conditions relating to advertising signs are as follows:
 - (a) The location and details of the sign(s) shown on the endorsed plan(s), including the actual advertisement and colours, must not be altered except with the written consent of the Responsible Authority.
 - (b) Flashing or intermittent lighting must not be used in the sign(s) permitted by this permit.

Date Issued: 29 June 2011

Signature for the
Responsible Authority



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AMENDED PLANNING PERMIT NO: P14924.03

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- (c) The sign(s) permitted by this permit must be located so as to be wholly contained within the boundaries of the subject land.
 - (d) The sign(s) permitted by this permit must be maintained in good condition to the satisfaction of the Responsible Authority.
 - (e) The sign(s) permitted by this permit must be illuminated in such a way or provided with suitable baffles to the satisfaction of the Responsible Authority so that no direct light is emitted outside the boundaries of the subject land.
 - (f) Bunting, streamers, flags, windvanes or similar material must not be displayed except with the prior written consent of the Responsible Authority.
 - (g) Once the sign has been erected a sticker indicating the permit number and expiry date must be placed on the sign, to the satisfaction of the Responsible Authority. The sticker must remain on the sign at all times and must be clearly visible.
37. This permit in relation to advertising signs expires four years after the date it is issued. To allow the sign to continue to be displayed, a new application must be made to the Responsible Authority.
38. The requirements of Council's Health department are as follows:
- (a) All food premises are required to be registered under the Food Act 1984 prior to commencement.
 - (b) All food premises will be required to have a grease trap for trade waste, either a communal grease trap or individual grease traps for each business.
 - (c) Rainwater is to be used for irrigation purposes only and must not be used within a food premises.
 - (d) A sewerage disposal point is to be provided in the bin wash up area for collection of waste water and the surrounding area must be graded towards this point.
39. At no time may any more than 7 practitioners operate or conduct consultations in the Medical Centre at any one time.
40. Aside from the case of an emergency, the Medical Centre permitted by this permit may only operate between the following hours except with the prior written consent of the Responsible Authority.
41. The number of patrons within the gymnasium must not exceed 60 at any time.
42. This permit will expire if one of the following circumstances applies:
- The development is not commenced within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.

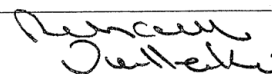
The Responsible Authority may extend periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

NOTE:

- a) Except where no permit is required under the provisions of the Hume Planning Scheme, no further advertising signs may be constructed or displayed without a permit.
- b) Stormwater discharge permit required from Council.

Date Issued: 29 June 2011

**Signature for the
Responsible Authority**



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AMENDED PLANNING PERMIT NO: P14924.03

Sheet 7 of 8

- c) Prior to any works carried out within the Road Reserve (nature strip): - Applicant/permit 'Non Utility Minor Works within Municipal Road Reserve' is to be obtained from the Council office.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
19 June 2012	<ul style="list-style-type: none"> • Sign on Barry Road increased in dimensions from 1.5m x 3.9m to 1.9m x 4m. • Sign on Pascoe Vale Road increased from 1.5m x 3.9m to 2m x 7m. • New 7/11 canopy fascia sign. • New signage panel on building 1.9m x 4m for the tenancy shops. • Increase from 27 to 28 car spaces within the basement. • Dispensary relocated from ground floor level to second floor and reduced in size. • Scrolling media sign on 7/11 on front façade. • Width of canopy for 7/11 decreased. • Roller doors at the rear of the tenancies provided. • Reduction of car spaces from 123 to 122 due to new disabled carspace regulation and access for disabled person. • Medical centre elevations have been amended to reflect the contours of the site with an average of 9m maximum height on the east elevation.
22 January 2013	<ul style="list-style-type: none"> • Rewording of Preamble. • Amendment of Condition 6. • Amendment of Condition 33(g). • Addition of Condition 1(k). • Addition of Condition 1(l). • Addition of Condition 5(h). • Addition of Condition 33(j). • Addition of Note (c).
4 April 2014	<ul style="list-style-type: none"> • By the endorsement of the amended plans. • By the correction of the preamble of the planning permit to include take-away food premises.

NOTE:

Plans endorsed as part of P14924 and P14924.02 now form part of this permit

Date Issued: 29 June 2011

**Signature for the
Responsible Authority**

[Handwritten Signature]

THIS PERMIT HAS BEEN AMENDED UNDER SECTION 72 OF THE PLANNING AND ENVIRONMENT ACT 1987

1079 PASCOE VALE ROAD BROADMEADOWS VICTORIA 3047 TELEPHONE 03 9205 2200 FACSIMILE 03 9309 0109

AMENDED PLANNING PERMIT NO: P14924.03

Sheet 8 of 8

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the Planning and Environment Act 1987)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- * from the date specified in the permit, or
- * if no date is specified, from:
 - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the discretion of the Tribunal, or
 - ii. the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

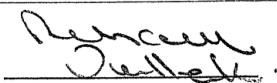
1. A permit for the development of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - * the development or any stage is not completed within the time specified in the permit or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the Subdivision Act 1988.
2. A permit for the use of land expires if -
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - * the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the completion of the development, or
 - * the use is discontinued for a period of two years.
4. If a permit for the use of the land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the Planning and Environment Act 1987, or to any combination of use, development or any of those circumstances requires the certification of a plan under the Subdivision Act 1988, unless the permit contains a different provision -
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

- * The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- * An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- * An application for review is lodged with the Victorian Civil and Administrative Tribunal
- * An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal and be accompanied by the applicable fee.
- * An application for review must state the grounds upon which it is based.
- * An application for review must also be served on the Responsible Authority.
- * Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date Issued: 29 June 2011

**Signature for the
Responsible Authority**



THIS PERMIT HAS BEEN AMENDED UNDER SECTION 72 OF THE PLANNING AND ENVIRONMENT ACT 1987

1079 PASCOE VALE ROAD BROADMEADOWS VICTORIA 3047 TELEPHONE 03 9205 2200 FACSIMILE 03 9309 0109

REPORT NO:	SU240
REPORT TITLE:	27 Gordon Street Tullamarine- development of three double storey dwellings and one single storey dwelling
SOURCE:	Blake Hogarth-Angus, Town Planner (Growth Areas)
DIVISION:	Planning and Development
FILE NO:	P19047
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Map</i> 2. <i>Proposed Development Plans</i>

Application No:	P19047
Proposal:	Development of three double storey dwellings and one single storey dwelling
Location:	27 Gordon Street, Tullamarine
Zoning:	General Residential Zone
Applicant:	MS Designer Living
Date Received:	18 th September 2015

1. SUMMARY OF REPORT:

Planning approval is sought for the development of three double storey dwellings and a single storey dwelling on the land known as 27 Gordon Street, Tullamarine. The application was advertised and eight objections have been received. The application has been assessed against the objectives and standards of Clause 55 of the *Hume Planning Scheme* including consideration of the issues raised in the objections. On balance the proposal is considered acceptable and it is recommended that a Notice of Decision to issue a permit be issued subject to conditions.

2. RECOMMENDATION:

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 and one single storey dwelling at 27 Gordon Street, Tullamarine subject to the following conditions:

1. Before the development permitted by this permit commences, three copies of plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plan reference TP1/5-TP5/5, 28th February 2017 but modified to show:
 - a) The provision of bollard lighting for the common accessway.
2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
3. Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority.
4. The development permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

REPORT NO: SU240 (cont.)

- 5. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.**
- 6. 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.**
- 7. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.**
- 8. All external cladding and roofing of the buildings hereby permitted must be of a non-reflective nature and must be coloured or painted in muted shades satisfactory to the Responsible Authority.**
- 9. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.**
- 10. No parking is permitted between the garage of Dwelling 3 and the car space of Dwelling 4 at any given time.**
- 11. 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.**
- 12. Any services within the road reserve that require relocation must be approved by the relevant service authority and any such relocation must be made at the owner's or developer's cost.**
- 13. Prior to the occupation of the dwellings, the 1.9 metre high dividing fence shown on the endorsed plans must be installed at finished ground level to the satisfaction of the responsible authority.**
- 14. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the Responsible Authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.**
- 15. Before the use allowed by this permit starts or the development is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.**
- 16. 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.**
- 17. 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 storage tanks must have the overflow pipe connected to the legal point of discharge.**

REPORT NO: SU240 (cont.)

18. 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.
19. Effluent or polluted drainage must not be allowed to discharge beyond the boundaries of the subject land onto other land or any street or road or directly or indirectly into any watercourse.
20. Any cut or fill must not interfere with the natural overland stormwater flow.
21. No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
22. 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:

- 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.

NOTE:

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

Permit Notes:

- 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.
- 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.
- An application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- Any service relocations are to the approval of the service authority and at the owners cost.
- Prior to any works being carried out within the road reserve (nature strip), an application for "Non Utility Minor Works within the Municipal Road Reserve" must be lodged and approved by Council.
- Approval is required from Council and other responsible authorities for the construction of the garage over the side easement.

3. PROPOSAL:

- 3.1 It is proposed to develop three double storey dwellings and a single storey dwelling on the land as follows:
 - Development of three double storey dwellings and one single storey dwelling down the length of the site.

REPORT NO: SU240 (cont.)

- Dwellings 1-3 are double storey and at ground level consist of a single car garage, portico entrance, open plan living/dining/kitchen area opening to private open space, powder room and laundry. The first floor comprises two bedrooms, a study 'nook' and a bathroom.
- Dwelling 4 is at the rear of the property and is a single storey dwelling consisting of a single car garage, portico entrance, open plan living/kitchen/dining area leading to private open space, 2 bedrooms, a bathroom and laundry.
- The front setback at ground level is 7.2 metres and 7.8 metres at upper floor level. The front porch of Dwelling 1 has 5.6 metre setback from Gordon Street.
- The side setbacks are a minimum of 3.3 metres at ground level and 3.7 metres at the upper floor level.
- Dwelling 4 is built partially on the northern and southern boundaries. The rear setback is 1.83 metres at the closest point.
- The dwellings will have an internal boundary wall between each unit. Dwelling 4 also has a boundary wall to the northern boundary with No.29 Gordon Street. The maximum average height for all shared boundary walls is 3.2m.
- The maximum wall height of the dwellings is 6.2m with a maximum roof height of 7.2m.
- Each dwelling is provided with at least 25sqm secluded open space and a minimum of 40sqm total open space.
- The proposal is of a contemporary design constructed in brick, timber and render with a pitched tiled roof.
- The site will be accessed via the existing crossover on the southern side of the property.

4. SITE AND SURROUNDS:

- 4.1 The subject site is located on the western side of Gordon Street, approximately 75 metres from the intersection with Spring Street.
- 4.2 The site is regular in shape with a 15.2 metre frontage to Gordon Street and is 45.7 metres in depth, yielding a lot size of 696 square metres. The property is relatively flat with a slight fall from the front to the rear of the lot.
- 4.3 The site is currently occupied by a single storey brick and tile dwelling. There is a 1.83 metre easement to the rear of the site. No significant vegetation exists on the allotment.
- 4.4 Adjoining the subject site to the south at No.25 Gordon Street is a single storey brick and tile dwelling with a front setback of approximately 7 metres.
- 4.5 Adjoining the subject site to the north at No.29 Gordon Street is a double storey dwelling with a front setback of approximately 5.3 metres
- 4.6 The surrounding area is an established residential neighbourhood characterised by a combination of single and double storey dwellings interspersed with medium density unit developments. Dwellings typically have open landscaped front gardens, with low or no front fencing, creating a moderate density and open streetscape character.
- 4.7 The site is located within close proximity to a range of infrastructure and services including:
 - Melrose Drive, the Western Ring Road and Tullamarine Freeway are all within a 1km radius;
 - Melrose Drive Local Activity Centre is approximately 450 metres to the north east;
 - Tullamarine Library is 350m to the west;

REPORT NO: SU240 (cont.)

- Westfield Airport West is 1.4 kilometres to the south;
- Essendon Fields is 2 kilometres to the southeast;
- The Leo Dineen Reserve is around 160 metres to the north
- There is a bus stop for Route 482 (Airport West) 250 metres to the south and a bus stop for Route 477 (Broadmeadows) 200 metres to the east.

4.8 The following table provides a summary of the proposed development:

Site Area	696m ²
Dwelling Density	1: 174m ²
Site Coverage	41.06%
Permeability	27.2%
Garden Area	N/A

5. PLANNING CONTROLS:

5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

<i>State Policies</i>	<p>Clause 15.01-1 Urban Design</p> <p>Clause 15.01-2 Urban Design Principles</p> <p>Clause 15.01-4 Design for Safety</p> <p>Clause 15.01-5 Cultural Identity and Neighbourhood Character</p> <p>Clause 15.02-1 Energy and Resource Efficiency</p> <p>Clause 16.01-1 Integrated Housing</p> <p>Clause 16.01-2 Location of Residential Development</p> <p>Clause 16.01-4 Housing Diversity</p> <p>Clause 16.01-5 Housing Affordability</p>
<i>Municipal Strategies</i>	<p>Clause 21.02-1: Housing</p> <p>Clause 21.02-2: Health and Safety</p> <p>Clause 21.06-4: Gladstone Park & Tullamarine</p>
<i>Local Policies</i>	<p>Clause 22.14: Residential Neighbourhood Character- Tullamarine Local</p>
<i>Zone</i>	<p>Clause 32.08: General Residential Zone – Schedule 1</p>
<i>Overlays</i>	<p>N/A</p>
<i>Particular Provisions</i>	<p>Clause 52.06: Car Parking</p> <p>Clause 55: Two or More Dwellings on a Lot and Residential Buildings</p>
<i>General Provisions</i>	<p>Clause 65.01: Approval of an Application or Plan</p>

5.2 It is State policy to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity, and to achieve urban design outcomes that contribute positively to the local urban character.

5.3 It is also policy that new housing is designed to respond to the community needs by providing affordable higher density housing developments which are strategically located close to transport corridors and activity centres.

REPORT NO: SU240 (cont.)

- 5.4 In relation to Housing, Clause 21.02-1 seeks:

“To provide access to a range and quality of housing opportunities that meet the varied needs of existing and future residents”, and “To deliver urban growth that is cost effective, orderly and achieves the greatest social benefits to the community, without diminishing the unique character and identity of the City”.

- 5.5 The subject site is within the area known as Tullamarine 3 referred to in clause 22.14-5 of the Hume Planning Scheme. The preferred neighbourhood character objectives and design responses of a low scale dwellings and open streetscapes are to be maintained where new development is proposed.

Aboriginal Cultural Heritage

- 5.6 The land is partially located within an area identified as having Aboriginal cultural heritage sensitivity. A Cultural Heritage Management Plan, however, is not required to be prepared as the development of three or more dwellings will occur on land less than 0.11 hectares and will not be within 200m of the coastal waters of Victoria or the Murray River, as stipulated under regulation 8A and 8B of the Aboriginal Heritage Regulations 2007.

6. REFERRALS:

- 6.1 The application was not required to be externally referred to any of the statutory authorities listed under Clause 66 of the Scheme or in accordance with Section 55 of the Act. No external referrals were therefore undertaken.
- 6.2 The application was referred to Council's Traffic & Civil Design Departments for comment. Comments were made in relation to the development and will be placed as conditions and notations on the permit should one issue.

7. ADVERTISING:

- 7.1 The application was advertised under Section 52 of the Planning and Environment Act by way of letters to adjoining land owners and occupiers and a notice board placed on site. A total of three (3) objections were received in response. The grounds of objection can be summarised as follows:
- Out of character
 - Traffic and parking
 - Amenity Issues (Overlooking/Overshadowing/Noise)
 - Loss of Vegetation

8. OBJECTIONS

- 8.1 A response to the objections is provided below:

8.2 Out of character

The established pattern of development consists predominantly of single storey dwellings within open setback areas, with some multi unit developments interspersed throughout. The proposed development would maintain the streetscape character by providing for an adequate front setback area, setbacks from side boundaries, articulation, breaks in the building bulk, single storey development at the rear and opportunities for landscaping which will ensure the proposal integrates with the surrounds.

8.3 Traffic and parking

Each two bedroom dwelling is provided with a single car space which is consistent with the parking requirement pursuant to Clause 52.06 – Car Parking of the Hume Planning Scheme. On street parking is also available along Gordon Street if required.

REPORT NO: SU240 (cont.)

Whilst the development will generate additional vehicle movements, the increase in traffic movements arising from a net increase of four dwellings is considered to be an acceptable increment in vehicle movements which can be absorbed by the local street network. Vehicles can also enter and exit the site in a forward motion.

8.4 Amenity issues (Overlooking/Overshadowing/Noise)

All windows on the upper level northern elevation have been treated in accordance with the requirements of Standard B22 – of ResCode (Overlooking) with fixed obscure glazing a minimum of 1.7 metres above floor level. As such the design response will address overlooking concerns from the development to the surrounding properties.

Shadow diagrams at the spring/autumn equinox have been submitted which show that as the proposal is orientated along the northern boundary; most of the overshadowing is internal to the site and is within the parameters outlined at Standard B21 of ResCode.

The development will create additional noise during the construction phase; however this will be temporary and can be regulated under separate building legislation to control the hours when building works can be carried out.

8.5 Loss of Vegetation

The subject site does not contain any significant native tree species. The existing street tree will not be impacted upon as the existing crossover is being used for access. The development will provide an opportunity for further landscaping of the property.

9. **ASSESSMENT:**

9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 of the *Scheme* is provided below. In summation, the proposal is able to satisfy the requirements of the respective provisions subject to the inclusion of permit conditions.

9.2 It is noted that the application was lodged prior to 27 March 2017 being the gazettal date of Amendment VC110 and it is therefore exempt from the new garden court, height and number of storey requirements.

Clause 52.06 – Car Parking

9.3 Clause 52.06-5 requires car parking at the following rates:

- *One car space for each one or two bedroom dwelling.*
- *Two car spaces for each three or more bedroom dwellings, with one space under cover.*
- *One car space for visitors for developments of five or more dwellings.*

9.4 Each dwelling contains two bedrooms and therefore is required to provide one space per unit. This is achieved via the single garage proposed to each dwelling. No visitor parking is required. In terms of access, Council's Engineers have raised no concerns with the use of the existing crossover. The design standards of Clause 52.06 relating to access, gradients, urban design, safety and landscaping are generally met.

9.5 A turning area has been provided to the rear of the site. A condition is to be placed on permit stipulating that no parking is to occur between the garage of unit 3 and the car space for unit 4.

Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)

9.6 Neighbourhood character objectives seek to ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character and that the development responds to the features of the site and the surrounding area. The site is within the area known as Tullamarine 3 as referred to in

REPORT NO: SU240 (cont.)

clause 22.14-5 of the Hume Planning Scheme. The preferred neighbourhood character objectives and design responses of a low scale dwellings and open streetscapes are to be maintained where new development is proposed.

- 9.7 The immediate area is characterised by a predominance of single-storey dwellings, with some double storey dwellings and multi unit developments interspersed throughout. The streetscape is characterised by open style gardens and generous front setbacks.
- 9.8 The proposed development matches these established front setbacks and is of a form and scale that is consistent with the mix of housing evident in the area. The proposal is consistent with the objective of the General Residential Zone, which has the following purpose: *“provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport”*.
- 9.9 The proposed dwelling will incorporate materials and finishes which can be found within the existing streetscape, has been appropriately located in the context of an established urban environment, will be connected to all relevant services and utilities and is within close proximity to community services and facilities.

Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15):

- 9.10 The dwelling to the south of the site has a front setback of 7.5 metres and the adjoining northern dwelling has a front setback of 7 metres. Standard B6 therefore requires a setback of 7.25 metres. The proposed development has a street setback of 7.2 metres at ground level and 7.8metres at first floor level, satisfying Standard B6. The porch of Dwelling 1 has a front setback of 5.6 metres, which is also acceptable under the standard as an allowable encroachment into the 7.25 metres setback stipulated.
- 9.11 The proposed development has an overall height of 7.2 metres to the roof pitch of the double storey dwelling and 4.7 metres for the single storey dwelling. This is well within the height restrictions of Standard B7.
- 9.12 The development will result in a site coverage of 37.5% which is within the maximum 60% specified under Standard B8. Site permeability is noted as being 36.8% which exceeds the minimum 20% required under Standard B9. Proposed site coverage and permeability satisfies Standards B8 and B9.
- 9.13 The new dwellings are provided with internal habitable living areas that have northern aspects and it is considered that the development will receive good solar access. Eaves have been provided which will assist with cooling in the summer months. Rainwater tanks have also been provided in areas of secluded open space.
- 9.14 The property does not immediately adjoin any public open space and as such Standard B11 is not applicable.
- 9.15 The layout of the development provides suitable safety and security to residents of the property. This has been achieved by ensuring that the entrances of the dwellings are not obscured or isolated and that they are clearly visible from the street or internal access way. A condition will also be included on any permit issued requiring the inclusion of lighting at the entrances to each of the proposed dwellings and along the shared access way to further enhance safety and security within the development.
- 9.16 Submission of a detailed landscape plan to the satisfaction of the responsible authority will be included as a condition on any permit issued to ensure that the development provides appropriate landscaping and contributes to the landscape character of the surrounding area.
- 9.17 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14. Access and parking has largely been discussed in relation to Clause 52.06 – Car Parking above.

REPORT NO: SU240 (cont.)

- 9.18 Vehicle parking for the dwellings is appropriately located, provides convenient parking for residents and avoids parking and traffic difficulties.

Clause 55.04 – Amenity Impacts (Standards B17 to B24)

- 9.19 All walls have been set back in accordance with Standard B17.
- 9.20 The only boundary wall to an external shared boundary is the bedroom boundary wall proposed for dwelling 4 on the northern boundary and the southern bedroom wall on the other boundary. The northern boundary wall is 3.8 metres long and 2.7 metres high and the southern boundary 3.4 metres long and 2.7 metres high which does not exceed the requirements of Standard B18.
- 9.21 The proposal allows for the adequate separation of the proposed built form in relation to all existing windows on neighbouring properties, with the required light courts provided.
- 9.22 There are no existing north facing habitable room windows within 3 metres of a boundary.
- 9.23 The submitted Shadow Diagrams demonstrate that there will be no significant overshadowing of adjoining areas of secluded private open space.
- 9.24 The proposed 1.9 metre boundary fence is sufficient to prevent overlooking from the new dwellings at finished floor level. All upper level habitable room windows and balconies are suitably screened to a height of 1.7 metres in accordance with the requirements of Standard B22 to prevent overlooking.
- 9.25 The dwelling layout, dividing fence and window screenings will prevent internal views into the secluded private open space within the development in accordance with Standard B23.
- 9.26 There will be no unreasonable noise impacts generated from the proposed development. It is anticipated that the only additional noise generated by the proposed dwellings will be consistent with the residential use of the land.

Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30):

- 9.27 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be easily accommodated in the future if the need arises which is consistent with Standard B25. The single storey dwelling at the rear will also provide people with limited mobility the opportunity to reside in the development.
- 9.28 The entries to each dwelling are generally visible and easily identifiable from the street for Dwelling 1, and are visible on site, for Dwellings 2, 3 and 4. Each dwelling is provided with a sense of personal address and a transitional space around each of the entries, consistent with Standard B26.
- 9.29 All proposed habitable rooms are provided with windows that have the requisite dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.
- 9.30 The secluded private open space areas to all dwellings have excellent northern orientation to allow ample solar access into this space. The areas of secluded private open space meet the minimum size and dimension requirements, and will be directly accessible from the living spaces; meeting the requirements of Standards B29 and B30.
- 9.31 Each dwelling has been allocated a storage shed that accords with Standard B30.

Clause 55.06 – Detailed Design (Standards B31 to B34)

REPORT NO: SU240 (cont.)

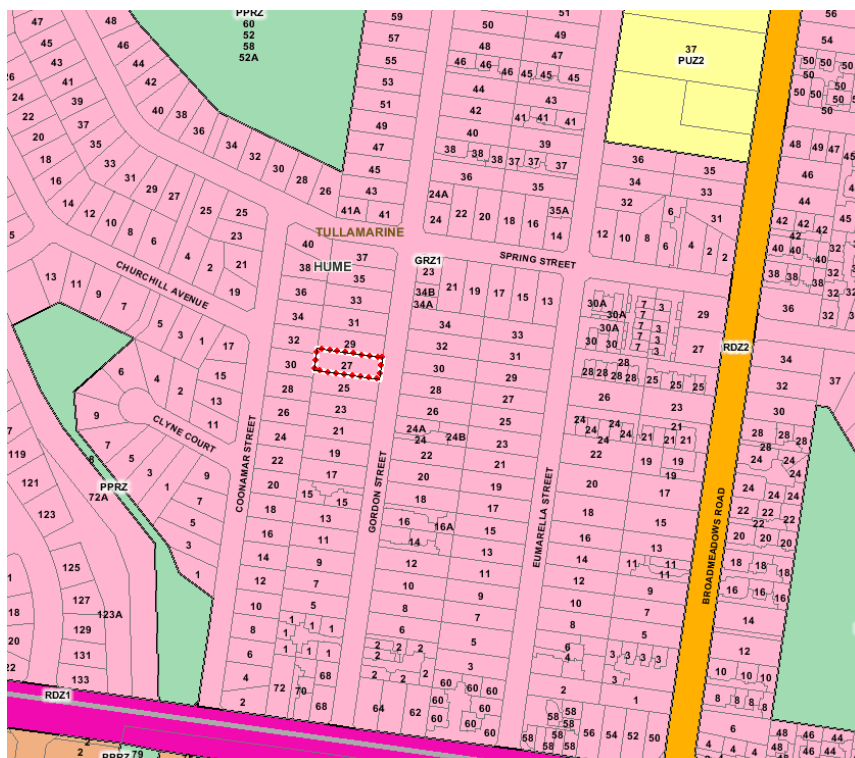
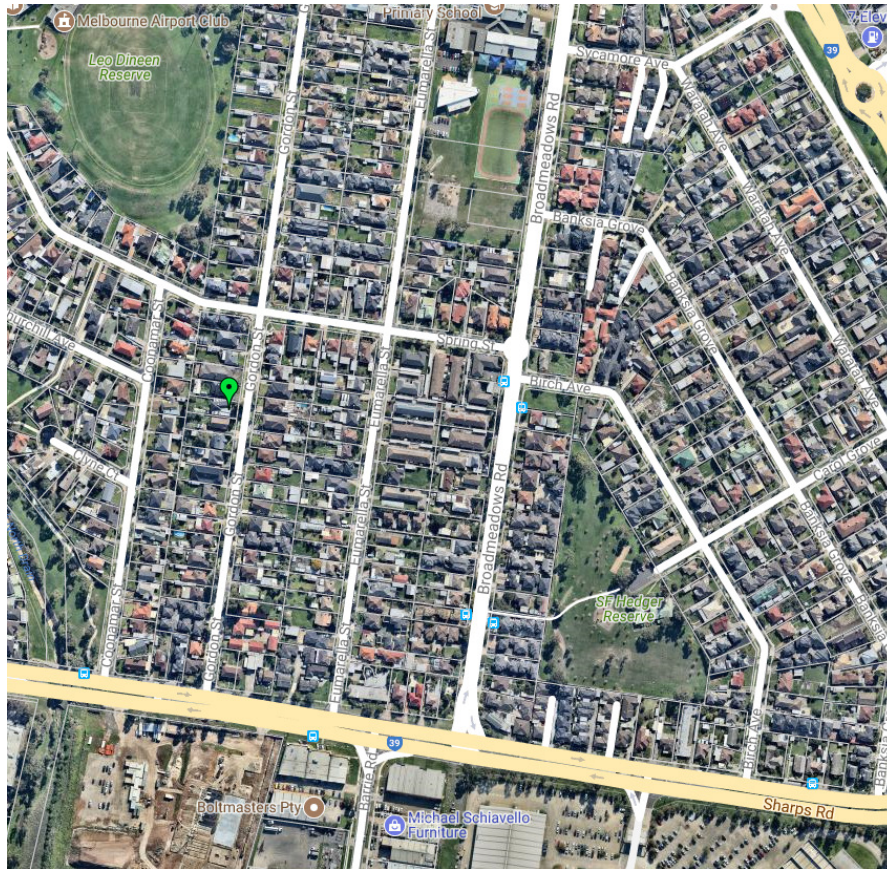
- 9.32 The proposed design of the dwellings, including the proposed hipped roof profiles and the use of brick and render, as well as the contemporary fenestration, are suitable in the context of the existing and emerging character of the area.
- 9.33 No front fence is indicated on the plans, which will ensure an open presentation to the street and maintain views to the front garden. This is acceptable and in accordance with Standard B32.
- 9.34 The proposed areas of common property relate only to the areas of shared access way and are functional and capable of efficient management
- 9.35 The plans suitably demonstrate the location of bin storage, mailboxes and clotheslines.

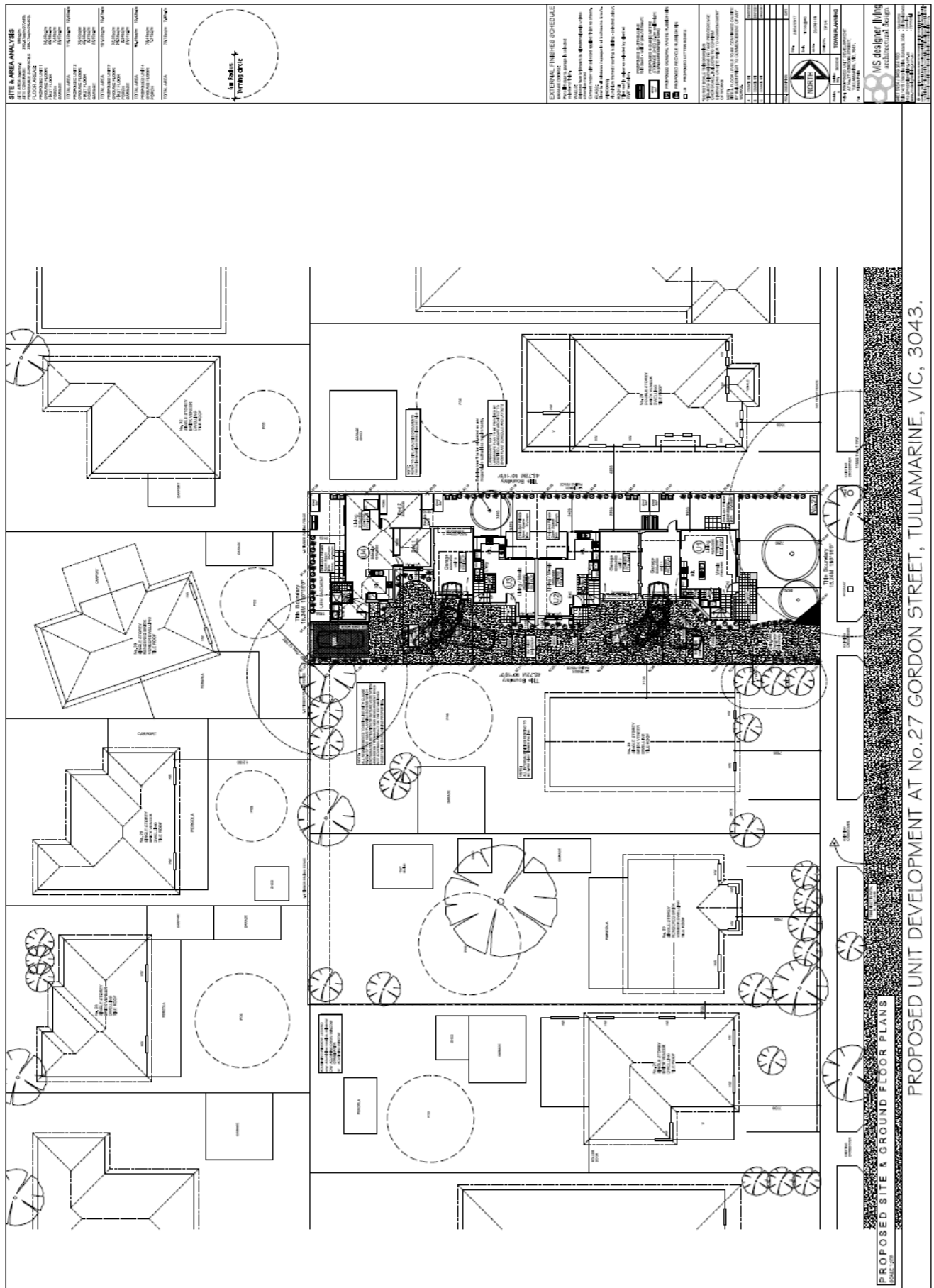
10. CONCLUSION

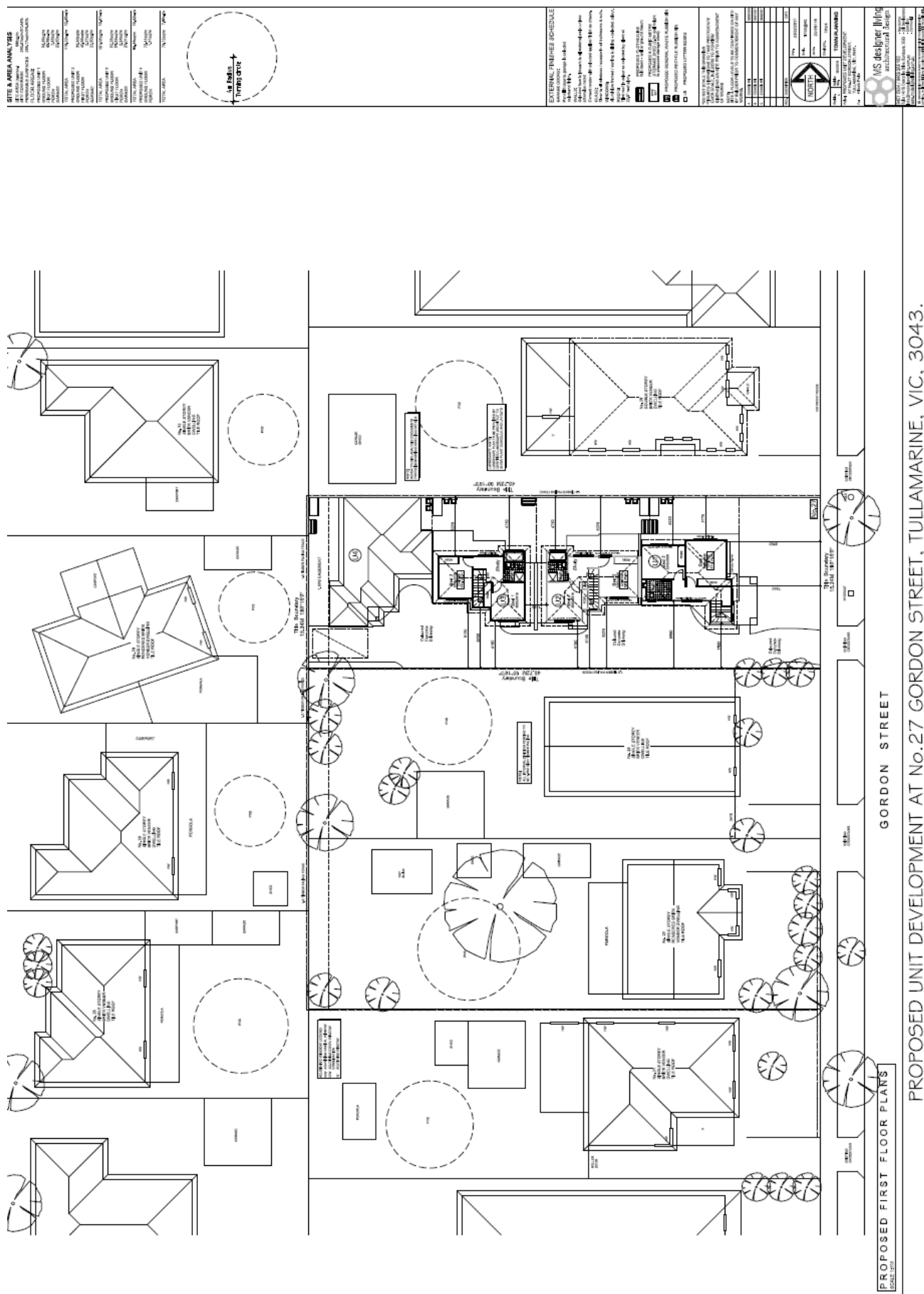
- 10.1 The development is considered to be a measured and site responsive design which is consistent with the existing streetscape character of Gordon Street.
- 10.2 The design is generally well resolved with respect to the requirements of Clause 55 (ResCode) of the *Hume Planning Scheme* and, subject to the conditions outlined in the officer's recommendation, will provide a development outcome that will not adversely diminish the existing or ongoing amenity of the area or neighbouring property owners and/or occupiers.
- 10.3 For these reasons, it is recommended that a Notice of Decision to Grant the permit be issued.

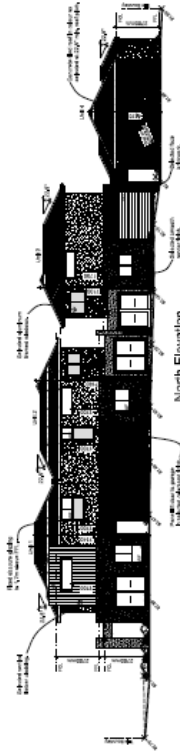
LOCALITY MAP

27 Gordon Street, Tullamarine









EXTERNAL COLOUR AND MATERIAL SCHEDULE	
BR	SMOOTH RENDER WITH
WH	ALL EXTERIOR FINISHES IN
WH	ALL COLOURS MATCHING
OP	ALL COLOURS MATCHING
OP	ROOF FLEET IN 24" PITCH
BL	ALL SHUTTER COLOURS
BL	FACE BRICKWORK
CONG	CONCRETE PAVING AND

[illegible]

QUESTIONS TO ASK	QUESTIONS TO ASK	QUESTIONS TO ASK	QUESTIONS TO ASK	QUESTIONS TO ASK
1. What is the purpose of the program?	2. What are the goals of the program?	3. What are the objectives of the program?	4. What are the outcomes of the program?	5. What are the impacts of the program?
6. What are the inputs of the program?	7. What are the outputs of the program?	8. What are the resources of the program?	9. What are the risks of the program?	10. What are the challenges of the program?
11. What are the stakeholders of the program?	12. What are the partners of the program?	13. What are the sponsors of the program?	14. What are the beneficiaries of the program?	15. What are the funders of the program?
16. What are the barriers of the program?	17. What are the opportunities of the program?	18. What are the lessons learned from the program?	19. What are the best practices of the program?	20. What are the future plans of the program?


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Shanxi Province, China
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	File No.	256-22017
	Sub.	1156-040
	App.	2015118
	Proj. No.	TP44
	TOWN PLANNING	
Title & Description	Public PROPOSED UNIT DEVELOPMENT AT No 27 DORSON STREET TULLAMORE, VA. 20463, Loudoun County, Virginia	

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PROPOSED SHADOWS

REPORT NO:	SU241
REPORT TITLE:	23 Gordon Street, Tullamarine - Construction of three double storey dwellings and one single storey dwelling
SOURCE:	Patrick Mora, Coordinator Statutory Planning (Growth Areas)
DIVISION:	Planning and Development
FILE NO:	P19048
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Map</i> 2. <i>Development Plans</i>

Application No:	P19048
Proposal:	Construction of three double storey dwellings and one single storey dwelling
Location:	23 Gordon Street, Tullamarine
Zoning:	General Residential Zone
Applicant:	MS Designer Living
Date Received:	18 September 2015

1. SUMMARY OF REPORT:

Planning approval is sought for the construction of three double storey dwellings and a single storey dwelling on land known as 23 Gordon Street, Tullamarine. The application was placed on advertised and three objections were received. The application has been assessed against the objectives and standards of Clause 55 of the *Hume Planning Scheme* including consideration of the issues raised in the objections. On balance the proposal is considered acceptable and it is recommended that a Notice of Decision to issue a permit be issued subject to conditions.

2. RECOMMENDATION:

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 and one single storey dwelling at 23 Gordon Street, Tullamarine subject to the following conditions:

1. Before the development permitted by this permit commences, three copies of plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plan reference TP-01 to 08 Revision E, 10 June 2016 but modified to show:
 - a) The accessway width adjacent to the garage entrances for Dwellings 1 and 2 to be increased to 5.8m.
 - b) The Dwelling 3 garage entrance increased in width to 3m.

REPORT NO: SU241 (cont.)

- c) The provision of bollard lighting for the common accessway.
- 2. Before the development permitted by this permit commences, the permit holder must contact Council's Parks Department (9205 2302) to arrange for:
 - a) the removal or relocation of the street tree within the Gordon Street road reservation adjacent to the proposed vehicle crossing;
 - b) In the instance of the street tree on Gordon Street requiring removal, it's replacement with an approved species within the Gordon Street road reservation a minimum of 2.5m from the proposed shared vehicle crossing

The permit holder must pay the following costs to Council's Parks Department:

- c) Tree Removal \$181 per tree
- d) Tree replacement \$483 per tree

All costs are subject to GST. The tree must only be removed by a responsible staff member from Council's Parks Department or a Council recommended contractor. It is an offence to prune or remove trees on Council land without prior consent from Council.

- 3. The 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.
- 4. Once the development permitted by this permit has commenced, it must be continued, completed and maintained thereafter to the satisfaction of the Responsible Authority.
- 5. The development permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
- 6. Prior to the occupation of the dwellings hereby approved, the 1.9m high paling fence as shown on the endorsed plans along the north, south and western boundaries must be positioned on any finished ground levels to the satisfaction of the responsible authority
- 7. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
- 8. 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.
- 9. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
- 10. All external cladding and roofing of the buildings hereby permitted must be of a non-reflective nature and must be coloured or painted in muted shades satisfactory to the Responsible Authority.
- 11. 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.
- 12. 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.

REPORT NO: SU241 (cont.)

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.
14. Any existing unused vehicle crossing(s) not required as part of the development hereby permitted must be removed and replaced with kerb and channel, footpath and nature strip to the satisfaction of the Responsible Authority.
15. Any services within the road reserve that require relocation must be approved by the relevant service authority and any such relocation must be made at the owner's or developer's cost.
16. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the Responsible Authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
17. Before the use allowed by this permit starts or the development is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.
18. 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.
19. 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 storage tanks must have the overflow pipe connected to the legal point of discharge.
20. 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.
21. Effluent or polluted drainage must not be allowed to discharge beyond the boundaries of the subject land onto other land or any street or road or directly or indirectly into any watercourse.
22. Any cut or fill must not interfere with the natural overland stormwater flow.
23. No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
24. 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:

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

REPORT NO: SU241 (cont.)

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

NOTES:

1. If a request for an extension of commencement/completion dates is made out of time allowed 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.
2. 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.
3. The proposed crossover must have a minimum clearance of 2.5m to any tree or consultation with Council's Parks Department.
4. Approval is required from Council and other responsible authorities prior to the construction of the garage for Dwelling 4 over the 2.44m wide drainage, sewerage and gas easement along the western boundary of the land.
5. Application for Legal Point of Stormwater Discharge is required prior to connecting to the legal point of discharge.
6. Drainage investigation is required for this development (fees apply). Plans are to be submitted to Council's Civil Design Department 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.
Following the drainage investigation, internal drainage plans are to be submitted to Council's Civil Design Department for approval.
7. The construction of any buildings (including sheds and outbuildings) within the 1.83m wide drainage easement will require separate approval from Council's Assets Department and any other relevant authority.

3. PROPOSAL:

- 3.1 The planning application proposes the construction of three double storey dwellings and one single storey dwelling on the land. The four dwellings will be constructed in a tandem arrangement along the length of the property. The three double storey dwellings will be constructed closest to the Gordon Street street-front while the single storey dwelling will be constructed to the rear of the property.

- 3.2 The following is a summary of the development:

Site Area	696sqm
Dwelling Density	1:174sqm
Site Coverage	260sqm / 37.3%
Permeability	257.3sqm / 37%
Garden Area	NA

- The existing single storey brick veneer dwelling and associated outbuildings are proposed to be demolished and replaced with three double storey dwellings and one single storey dwelling all attached at ground level and built in a tandem arrangement along the length of the property.
- The removal of all exotic trees and shrubs in the rear yard of the existing property will also occur as part of the proposed development.

REPORT NO: SU241 (cont.)

- Dwelling 1 will be the westernmost dwelling, providing the only dwelling frontage to Gordon Street with a 7.69m front boundary setback. The porch for Dwelling 1 will be set back 5.6m which is an allowable encroachment under the relevant provisions of Clause 55 of the Hume Planning Scheme.
- Dwelling 4 will be the only component of the overall development to be constructed along a common property boundary. The section along the northern boundary will extend for a distance of 6.7m with an average wall height of 3m. A minimum 1.9m setback is proposed to the western boundary of the land.
- The double storey dwellings (Dwellings 1-3) will comprise an open plan living/dining/kitchen area connected to their corresponding secluded private open space area, a powder room and laundry. The first floor will contain two bedrooms, a study 'nook' and a bathroom. Minimum ground floor northern and southern setbacks will be 3.3m and 3.8m respectively. Upper storey areas will have minimum northern and southern boundary setbacks of 3.7m and 4.1m respectively.
- The single storey dwelling (Dwelling 4) will contain an open plan living/kitchen/dining area, two bedrooms, a bathroom and laundry facility.
- A single car garage will be provided to Dwellings 1-3. Dwelling 4 will be provided with an uncovered car space directly south of this dwelling in the south-west corner of the land.
- The existing vehicle crossing adjacent to the north-eastern corner of the land will be removed and reinstated. A new 3m wide vehicle crossing is proposed adjacent to the south-eastern corner which will provide access to all four dwellings. A small street tree will be located 1.5m which may need to be either replaced or relocated more centrally along the front nature strip.
- Dwellings 2 to 4 will all be provided with 40.03sqm of secluded private open space. Dwelling 1 will be provided with 25.02sqm of secluded open space, however, this dwelling will also be provided with the front yard area which will have an area of approximately 77sqm.
- The dwellings will have a contemporary design, comprising of face brickwork at ground level with a variety of rendered and alucabond cladded finishes for upper storey components. Each dwelling will be provided with a concrete tiled hipped roof.
- Although the ground level components of the development are all attached, the upper storey components between Dwellings 2 to 3 are provided with a 1.8m separation. This will provide suitable and effective visual break when viewing the development from the adjoining properties to the north and south.
- Selected north and south facing upper storey habitable room windows will be either highlight windows to a 1.7m height above finished floor level or fixed obscure glazed to prevent overlooking into the adjoining properties.
- A new 1.9m high paling fence is proposed along the side and rear boundaries of the land.

4. SITE AND SURROUNDS:

- 4.1 The subject site is located on the western side of Gordon Street, Tullamarine approximately 111m south of the Spring and Gordon Street intersection. The site is rectangular in shape and has an area of 696sqm with a 15.24m front boundary and a 45.72m depth.
- 4.2 The site is relatively flat with a slight fall from the eastern boundary to the western (rear) boundary of the land.

REPORT NO: SU241 (cont.)

- 4.3 The site contains a single storey brick veneer dwelling which is setback approximately 6.5m from the Gordon Street frontage.
- 4.4 The front and rear yards of the site consist mostly of scattered low lying and mid-sized exotic canopy trees and shrubs and lawn.
- 4.5 A 1.83m wide drainage easement runs along the entire western boundary of the land.
- 4.6 Surrounding properties are predominantly residential in nature consisting of standard residential allotments of a similar lot size and containing a range of dwelling types. The majority of the dwellings are single storey detached dwellings built in a similar style to the dwelling on the subject site. Recent planning approvals have seen some double storey elements being introduced into the neighbourhood by way of medium density dwelling developments as well as some recent single dwelling developments.
- 4.7 The properties to the north and south of the subject site each contain a single storey 1970s mission brown dwelling. These dwellings are set back 7.5m and 7.7m respectively from the Gordon Street frontage.
- 4.8 To the east of the site on the opposite side of Gordon Street are two 1950s cream brick single storey dwellings set back approximately 7.5m from their respective frontages.
- 4.9 The garden character of the area is best described as modest but generally well maintained front yards comprising of low scale shrubs and plantings and expanses of lawn area. A few mid-sized canopy trees exist within the neighbourhood.
- 4.10 The site is located within proximity to a range of infrastructure and services including:
- Tullamarine Primary School – 245m north-east of the site.
 - Dawson Street Preschool – 515m north of the site.
 - Dalkeith Avenue Reserve – 440m north of the site.
 - Melrose Drive Neighbourhood Activity Centre - 597m north-east of the site.
 - Hume Libraries (Tullamarine) Library - 429m north-west of the site.
 - Leo Dineen Reserve - 187 metres north-west of the site.
 - Bus Route 482 (Airport West Shopping Centre to Melbourne Airport) has a bus stop 241 metres to the south of the subject site along Sharps Road. Bus Route 477 (Moonee Ponds to Broadmeadows Railway Station) has a bus stop 249m to the east of the subject site along Broadmeadows Road.

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

State Policies Clause 11: Settlement

Clause 15: Built Environment and Heritage

Clause 16: Housing

Clause 19: Infrastructure

Local Policies: Clause 21: Hume Municipal Strategic Statement

Clause 21.02-1: Housing

Clause 21.06-2: Local Areas (Tullamarine)

Zones: Clause 32.08: General Residential Zone

Overlays: Nil

Particular Clause 52.06: Car Parking

Provisions: Clause 55: Two or More Dwellings on a Lot and Residential Buildings (ResCode)

REPORT NO: SU241 (cont.)

<i>General</i>	Clause 65.01: Approval of an Application or Plan
<i>Provisions:</i>	Clause 66: Referral and Notice Provisions

- 5.2 The State and Local Planning Policy Frameworks aim to provide housing diversity within urban settlements that are sustained by supporting infrastructure while ensuring development respond to the landscape and urban character of areas.
- 5.3 New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space. Planning for housing should include the provision of land for affordable housing that is close to jobs, transport and services.
- 5.4 Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through appropriately located uses and developments and quality urban design.
- 5.5 The Hume Municipal Strategic Statement (MSS) identifies the single detached dwelling as the most common type of housing throughout the municipality. It forecasts this as remaining for some years even though the size and type of households is gradually changing. One of the challenges for Council is to increase the range of housing types available to meet the changing accommodation and lifestyle needs of the community.
- 5.6 In order to address this, the Hume MSS recognizes the following relevant objectives:
- *To provide access to a range and quality of housing opportunities that meet the varied needs of existing and future residents*
 - *To deliver urban growth that is cost effective, orderly and achieves the greatest social benefits to the community, without diminishing the unique character and identity of the City.*

Zoning

- 5.7 The subject site is located within the General Residential Zone. Pursuant to clause 32.08-4 of the Hume Planning Scheme a planning permit is required in the General Residential Zone, to construct more than one dwelling on the lot.
- 5.8 A development must meet the requirements of Clause 55 of the Hume Planning Scheme (ResCode).

Overlays

- 5.9 **The land is not affected by any overlays under the Hume Planning Scheme.**

Particular Provisions

Car Parking

- 5.10 Clauses 52.06 of the Hume Planning Scheme relates to car parking. Pursuant to this clause, a dwelling comprising two bedrooms requires one off-street car space to be provided while a dwelling comprising three or more bedrooms requires two off-street car spaces.
- 5.11 For developments of five or more dwellings, an additional one visitor car space for every five dwellings is required.
- 5.12 For this development, a total of four off-street car spaces and no visitor car spaces are required.

Aboriginal Cultural Heritage

- 5.13 The land is partially located within an area identified as having Aboriginal cultural heritage sensitivity. A Cultural Heritage Management Plan, however, is not required to be prepared as the development of three or more dwellings will occur on land less than 0.11 hectares and will not be within 200m of the Victorian coast or the Murray River, as stipulated under regulation 8A and 8B of the Aboriginal Heritage Regulations 2007.

REPORT NO: SU241 (cont.)

Major Electricity Transmission Line

5.14 The land is not located within 60 metres of a major electricity transmission line.

Planning Permit Triggers

5.15 A planning permit is required under the provisions of the General Residential Zone and in particular clause 32.08-4 of the Hume Planning Scheme.

6. REFERRALS:

- 6.1 The application was referred to Council's Assets (Engineering) Department, Landscape Planning Department and to the Parks Department.
- 6.2 The Assets Department advise that it has no objection to the application, provided that relevant conditions and notes are included on any planning permit that issues. Of particular note, is the need to ensure sufficient access and egress arrangements are achieved for all off-street car spaces. A condition will need to be placed on any permit that issues requiring the access width adjacent to the garages of Dwellings 1 and 2 increased from 5.6m to 5.8m. Additionally, the garage opening of Dwelling 3 will need to be increased to a minimum of 3m.
- 6.3 The Landscape Planning Department has reviewed the documentation and is satisfied with the arboricultural report submitted with the application. The removal of the on-site vegetation is supported as well as the measures to protect the root systems of trees on adjoining properties in proximity to the common boundary with the land. A condition will be placed on the planning permit requiring the submission of a landscape plan for all garden areas.
- 6.4 Council's Parks Department have requested the retention of the existing vehicle crossing and the 'flipping' of the development to accommodate a semi-mature street tree (Blackwood) located 1.5m from the proposed vehicle crossing. Given that this design solution would result in a less than optimal solar passive design for the development (with secluded private open space, main habitable rooms and potential increased overshadowing on the property to the south) this design response is not supported. A supplementary arboricultural report addressing the street tree was referred in June 2017. No further response has been received from the Parks Department. It is recommended that a condition be placed on the planning permit requiring either the relocation or replacement of this tree at the developers cost to a minimum distance of 2.5m from the vehicle crossing in accordance with Council standards.
- 6.5 The application was not required to be referred to any external determining authorities pursuant to clause 66 of the Hume Planning Scheme.

7. ADVERTISING:

- 7.1 The application was advertised under Section 52 of the *Planning and Environment Act 1987* by way of letters to adjoining owners and occupiers and sign was placed on the site for a minimum of 14 days as prescribed under the *Act*. A total of three objections were received in response and the grounds of objection are summarised as follows:
 - The dwelling density proposed is excessive when compared to the two and three dwelling developments in the immediate neighbourhood.
 - The development will contribute to increased on-street car parking demand, traffic and impediments to traffic movements along Gordon Street.
 - The development will be out of character with the surrounding neighbourhood particularly with respect to the design and layout of the private open space for each dwelling.
 - The construction of the development will result in excessive noise, dust and safety concerns for existing residents.

REPORT NO: SU241 (cont.)

8. OBJECTIONS

A response to the objections is provided below:

8.1 The dwelling density proposed is excessive when compared to the two and three dwelling developments in the immediate neighbourhood

The State and Local Planning Policy Frameworks along with the purpose and intent of the General Residential Zone support and encourage a diversity of housing densities in urban areas to encourage diversity of housing choice and availability within both established and emerging neighbourhoods while helping to achieve efficiencies in the community's access to services and infrastructure. Of particular note is one of the key objective of the General Residential Zone which states:

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

Furthermore, the objectives and standards outlined under clause 55 of the Hume Planning Scheme (ResCode) provide the technical tools for assessing medium density developments. ResCode provides an effective performance based measure for determining, not only the appropriateness of the built form and layout of a medium density housing development, but also the density proposed.

The density proposed for the Gordon Street neighbourhood will be consistent with the strategic objectives established in the Hume Planning Scheme. The four dwellings proposed will provide a variation from the prevailing single dwelling density along Gordon Street and the surrounding neighbourhood. The dwellings will provide housing variety and choice in the area particularly with respect to increasing the availability of low maintenance housing options as well as increasing two bedroom dwelling stock to accommodate single person households and smaller family units. The location of the site in relation to existing services and facilities will also ensure a higher and more efficient level of service patronage within the immediate residential catchment.

8.2 The development will contribute to increased on-street car parking demand, traffic and impediments to traffic movements along Gordon Street.

Each two bedroom dwelling is provided with a single car space which is consistent with the parking requirement pursuant to Clause 52.06 – Car Parking of the Hume Planning Scheme. On street parking is also available along Gordon Street if required.

Whilst the development will generate additional vehicle movements, the increase in traffic movements arising from a net increase of four dwellings is considered to be an acceptable increment in vehicle movements which can be absorbed by the local street network. Vehicles can also enter and exit the site in a forward motion.

8.3 The development will be out of character with the surrounding neighbourhood particularly with respect to the design and layout of the private open space for each dwelling.

The established pattern of development consists predominantly of single storey dwellings within open setback areas. Some multi-unit developments are also interspersed throughout the immediate neighbourhood. The proposed development would maintain the streetscape character by providing an adequate and consistent front setback area to that of the current dwelling. Setbacks from side boundaries, along with articulation of upper storey components, an upper storey break between Dwellings 2 and 3 and a single storey dwelling at the rear of the property will help reduce building bulk when viewed from adjoining properties.

The reduced private open space areas for each of the dwellings will also provide an accessible, well orientated and low maintenance dwelling layout alternative for the neighbourhood consistent with that of other medium density housing developments in the area. The private open space areas will also comply with the relevant requirements outlined under clause 55.05-4 of the Hume Planning Scheme in terms of minimum areas, solar orientation and access and outlook from internal habitable room windows.

REPORT NO: SU241 (cont.)

- 8.4 The construction of the development will result in excessive noise, dust and safety concerns for existing residents

The development will result in an increase of noise, dust and other disruptions than what is usually expected in residential neighbourhoods during the construction phase. However this will be temporary and can be regulated under separate building legislation to control the hours when building works can be carried out and the construction standards that will need to be adhered to.

9. ASSESSMENT:

- 9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 of the Hume Planning Scheme is provided below. The proposal is able to satisfy the requirements of the respective provisions subject to the inclusion of permit conditions.
- 9.2 It is noted that the application was lodged prior to 27 March 2017 being the gazettal date of Amendment VC110 and it is therefore exempt from the new garden court, height and number of storey requirements.

Clause 52.06 – Car Parking

- 9.3 Clause 52.06-5 requires car parking at the following rates:
- One car space for each one or two bedroom dwelling.
 - Two car spaces for each three or more bedroom dwellings, with one space under cover.
 - One car space for visitors for developments of five or more dwellings.
- 9.4 Each dwelling contains two bedrooms and therefore is required to provide one space per unit. No on-site visitor car space is required.
- 9.5 Each dwelling will be provided with a single garage which will be accessed via a shared internal accessway. The design standards of Clause 52.06 relating to access, gradients, urban design, safety and landscaping are generally met. Conditions will need to be placed on any permit that issues requiring slight increases to either the access way widths or the garage doors for selected dwellings to enable a sufficient access/egress area for vehicles using these spaces.

Clause 55 (Two or More Dwellings on a Lot and Residential Buildings):

- 9.6 A satisfactory neighbourhood and site description and design response plan has been provided for consideration. Assessment of the proposal against the requirements of Clause 55 of the Scheme is provided below. In summary, the proposal satisfies all objectives of the code subject to conditions being placed on permit as needed.

Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)

- 9.7 Neighbourhood character objectives seek to ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character and that the development responds to the features of the site and the surrounding area.
- 9.8 The concept of a tandem two storey dwelling development fronting an established residential streetscape is generally considered acceptable particularly when there are existing recent examples of double storey tandem design elements in the surrounding neighbourhood. In this context, the provision of double storey elements fronting Gordon Street is considered appropriate for the immediate neighbourhood.
- 9.9 The proposal will be a contemporary development with dwellings set in a tandem arrangement fronting with Dwelling One presenting to Gordon Street. The double storey elements will provide a point of variance from the predominantly single storey brick veneer dwellings immediately surrounding the subject site, however there will be generous enough setbacks and articulation to ensure that the change of built form and scale will be graduated.

REPORT NO: SU241 (cont.)

- 9.10 The design provides an appropriate design response demonstrating consistency with relevant housing policy objectives. The development provides meaningful dwelling diversity with a point of difference in terms of dwelling sizes, number of bedrooms and affordability to the area
- 9.11 The development is well integrated with the street in terms of vehicle and pedestrian links and will retain and remediate prominent landscaping present on the land (particularly the front garden area) so that it integrates with the development while resulting in minimal disruption to the existing garden character of the area.
- 9.12 The proposed dwellings are appropriately set back, designed and laid out contributing positively to the enhancement of the local urban environment. The site will also have convenient access to the relevant services and utilities present in the area.

Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15):

- 9.13 The proposed development will comply with the relevant front street setback requirements as indicated under Clause 55.03-1 of the Hume Planning Scheme.
- 9.14 The dwelling to the south of the site has a front setback of 7.7m and the adjoining northern dwelling has a front setback of 7.5m. The proposed development will comply with Standard B6 (Street Setback Objective) as the development requires a setback of 7.6m. The proposed development has a street setback of 7.6m at ground level and 7.8m at first floor level.
- 9.15 The porch of Dwelling 1 has a front setback of 5.6 metres. Porches, pergolas and verandahs with a height less than 3.6m (3m proposed) and a minimum depth of 2.5m (2m proposed) into the setback area are considered 'allowable encroachments' under Standard B6.
- 9.16 The proposed development has an overall height of 7.4 metres to the roof pitch of the double storey dwelling and 4.9 metres for the single storey dwelling. This is well within the height restrictions of Standard B7 (Building Height Objective).
- 9.17 The development will result in a site coverage of 37.3% which is within the maximum 60% specified under Standard B8. Site permeability is noted as being 36.9% which exceeds the minimum 20% required under Standard B9. Proposed site coverage and permeability satisfies Standards B8 (Site Coverage Objective) and B9 (Permeability Objectives).
- 9.18 The east-west alignment of the subject site provides it with optimal access to sunlight. The development has been designed in a manner that takes advantage of this orientation with internal habitable living areas and private open space areas having a northern aspect. Eaves have been provided which will assist with cooling in the summer months particularly for west facing habitable room windows for Dwelling Four.
- 9.19 The layout of the development provides suitable safety and security to residents of the property. This has been achieved by ensuring that the entrances of the dwellings are not obscured or isolated and that they are clearly visible from the street or internal access way. A condition will also be included on any permit issued requiring the inclusion of lighting at the entrances to each of the proposed dwellings and along the shared access way to further enhance safety and security within the development.
- 9.20 Submission of a detailed landscape plan to the satisfaction of the responsible authority will be included as a condition on any permit issued to ensure that the development provides appropriate landscaping and contributes to the landscape character of the surrounding area.
- 9.21 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14 (Access Objective). Access and parking has largely been discussed in relation to Clause 52.06 – Car Parking above.

REPORT NO: SU241 (cont.)

- 9.22 Vehicle parking for the dwellings is appropriately located, provides convenient parking for residents and avoids parking and traffic difficulties. A condition will however be included on any permit that issues requiring either the slight increase in accessway width or the widening of garage doors for selected dwellings as required by Council's Assets Department to facilitate vehicle access and egress to these spaces.

Clause 55.04 – Amenity Impacts (Standards B17 to B24)

- 9.23 Apart from the northern wall of Dwelling 4, there will be no new buildings constructed on common boundaries with adjoining properties. The length and height of this wall will comply with the relevant provisions of Standard B18 (Walls on Boundaries Objective). The ground floor setback for all dwellings will satisfy the minimum 1.78m setback required under Standard B17 (Side and Rear Setbacks Objective) with the nearest setback being 3.3m from the southern boundary of the land for the double storey dwellings proposed.
- 9.24 Daylight to existing windows will not be unreasonably affected. None of the proposed dwellings will be constructed within proximity of any existing dwelling on an abutting property and will be sufficiently set back to ensure appropriate daylight is received in accordance with Standard B19 (Daylight to Existing Windows Objective) and B20 (North Facing Windows Objective).
- 9.25 Shadowing is within acceptable limits and complies with Standard B21 (Overshadowing Open Space Objective). The sunlight to secluded private open spaces to adjoining properties will be in excess of the minimum 40sqm requirement in the case of the property to the south. The shadows cast onto the adjoining property to the south from the double storey dwellings at the Spring/Autumn equinox will be consistent with that of the existing paling fence. The proposal can therefore satisfy the minimum five hours access to sunlight between the hours of 9am and 3pm on the equinox.
- 9.26 All upper level windows can be designed or screened to achieve the requirements of Standard B22 (Overlooking Objective) with highlight windows with a lower sill height of 1.7m to finished floor level and fixed obscure glazing proposed.
- 9.27 No internal overlooking will occur between the proposed dwellings to habitable room windows or secluded private open space as required under Standard B23 (Internal Views Objective).

Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30):

- 9.28 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be easily accommodated in the future if the need arises which is consistent with Standard B25 (Accessibility Objective). The single storey dwelling at the rear will also provide people with limited mobility the opportunity to reside in the development.
- 9.29 The entries to each dwelling are generally visible and easily identifiable from the street for Dwelling 1, and are visible on site, for Dwellings 2, 3 and 4. Each dwelling is provided with a sense of personal address and a transitional space around each of the entries, consistent with Standard B26 (Dwelling Entry Objective).
- 9.30 All proposed habitable rooms are provided with windows that have the required dimensions clear to the sky. The daylight provisions of Standard B27 (Daylight to New Windows Objective) are therefore met.
- 9.31 The secluded private open space areas to all dwellings have excellent northern orientation to allow ample solar access into this space. The areas of secluded private open space meet the minimum size and dimension requirements, and will be directly accessible from the living spaces; meeting the requirements of Standards B29 (Solar Access to Open Space Objective).
- 9.32 Each dwelling has been allocated a storage shed that accords with Standard B30 (Storage Objective).

REPORT NO: SU241 (cont.)

Clause 55.06 – Detailed Design (Standards B31 to B34)

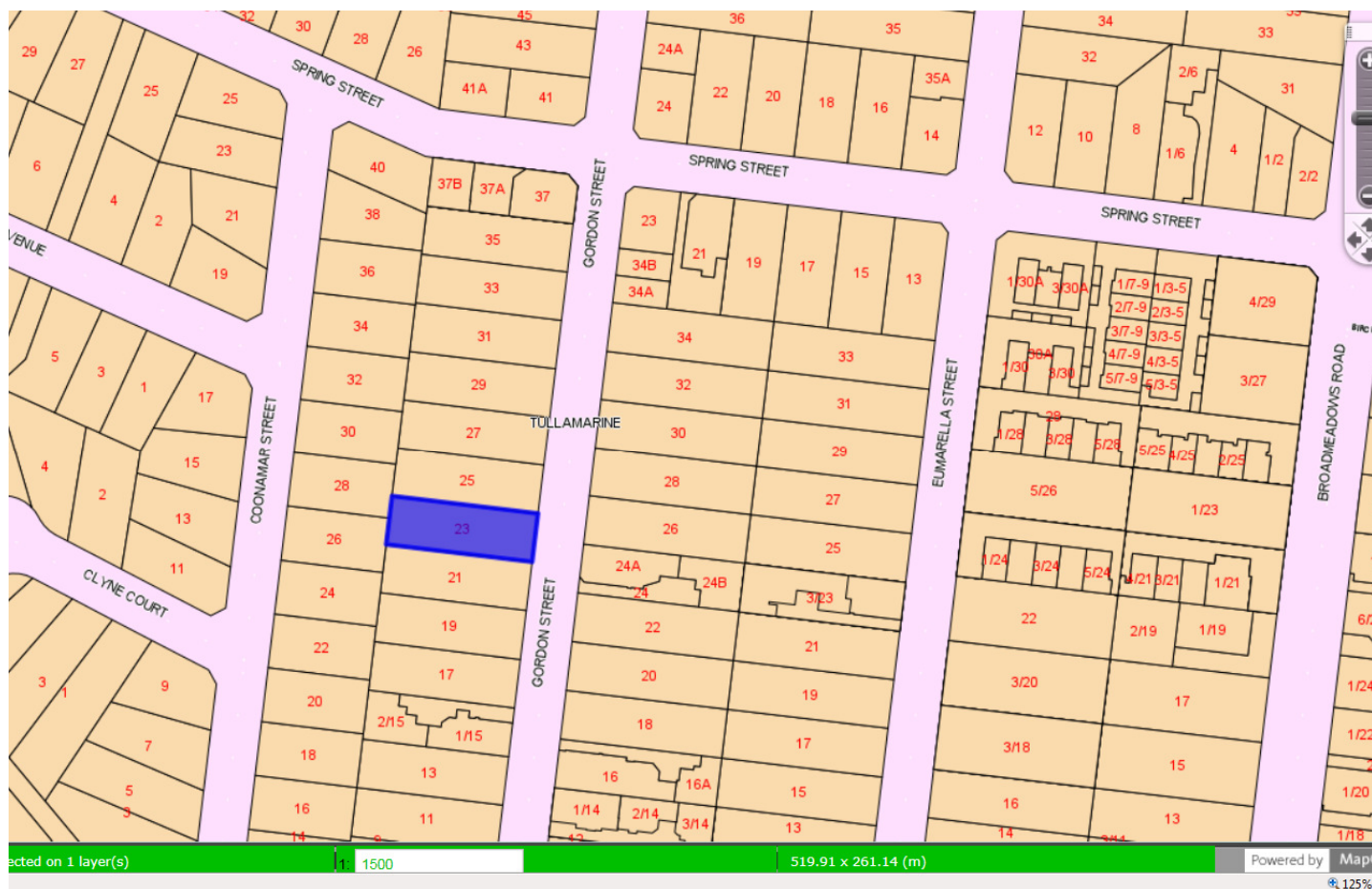
- 9.33 The proposed design of the dwellings, including the proposed hipped roof profiles and the use of brick and render, as well as the contemporary fenestration, are suitable in the context of the existing and emerging character of the area.
- 9.34 No front fence is indicated on the plans, which will ensure an open presentation to the street and maintain views to the front garden. This is acceptable and in accordance with Standard B32 (Front Fence Objective).
- 9.35 The proposed areas of common property relate only to the areas of shared access way as well as communal letter and meter boxes and are functional and capable of efficient management
- 9.36 The plans suitably demonstrate the location of bin storage, mailboxes and clotheslines.

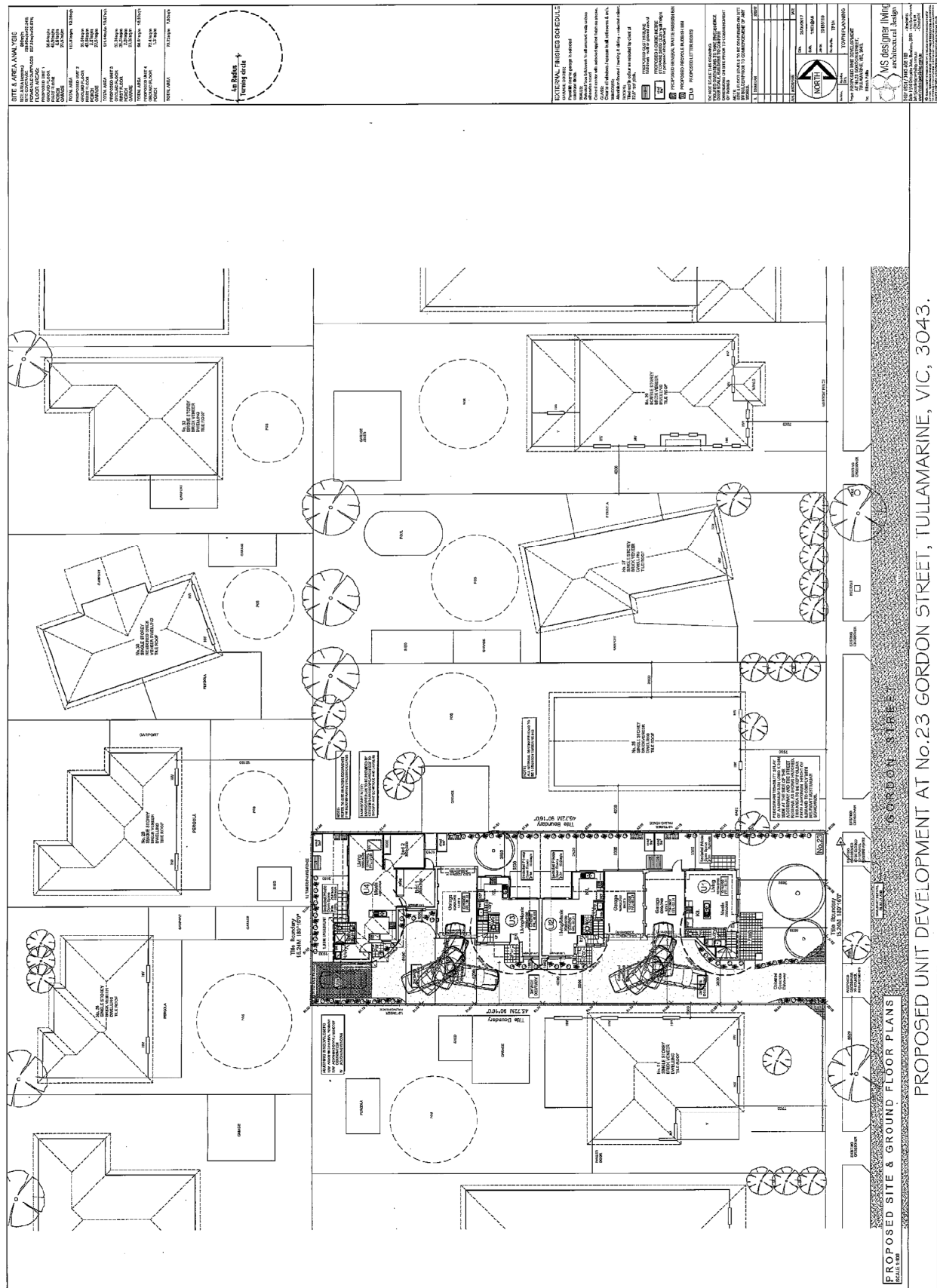
10. CONCLUSION

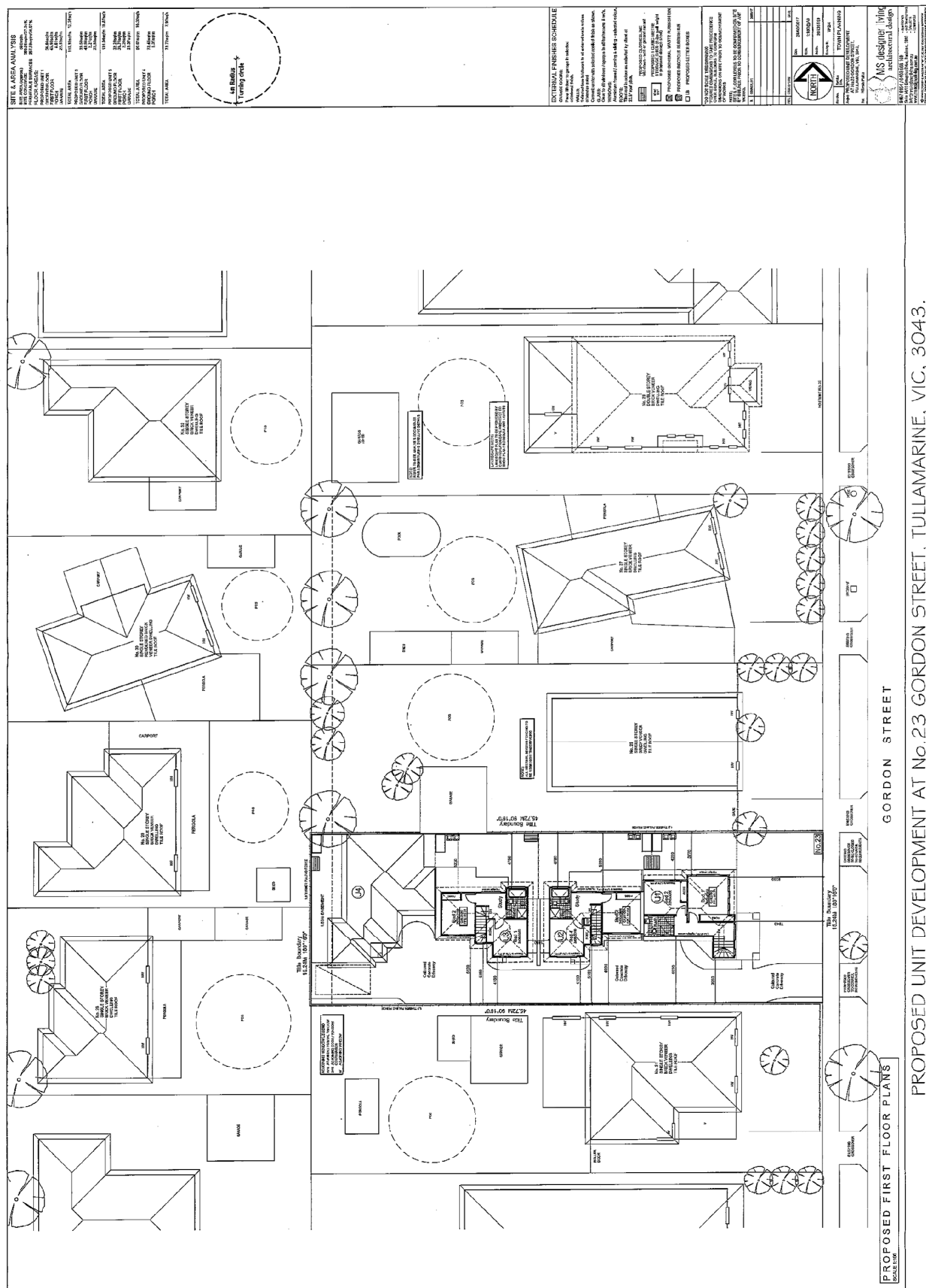
- 10.1 The proposed development will be appropriate for the site and surrounding area and will comply with the Hume Planning Scheme and in particular the ResCode provisions outlined under clause 55 of the Planning Scheme. The application will provide an increase in the variety of housing choice within this section of Tullamarine while respecting the established amenity and neighbourhood character along Gordon Street.
- 10.2 For these reasons, it is recommended that a Notice of Decision to Grant the permit be issued.

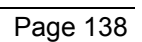
LOCALITY MAP – 23 GORDON STREET, TULLAMARINE

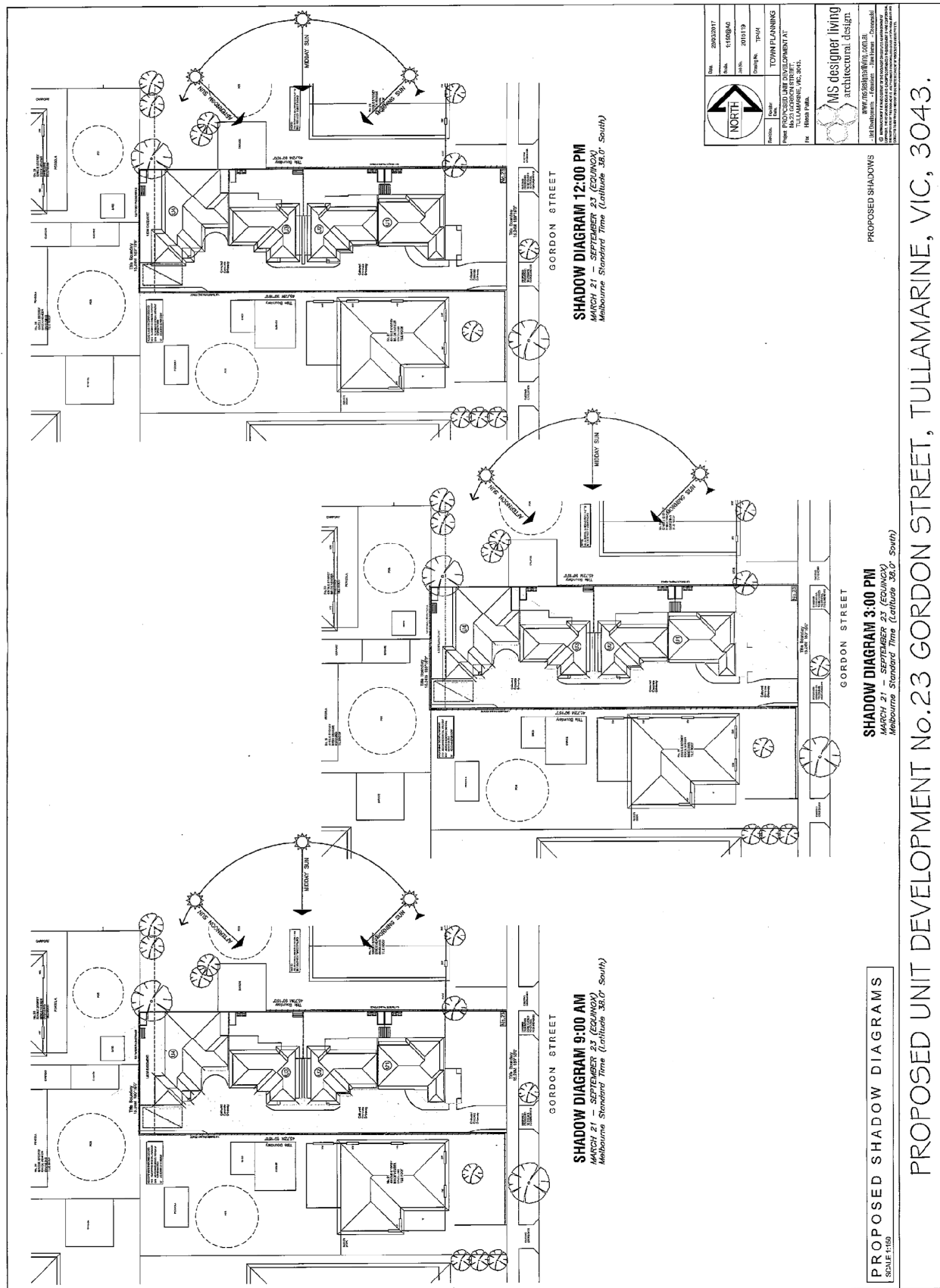
PLANNING APPLICATION NO. P19048











REPORT NO:	SU242
REPORT TITLE:	Statutory Planning Monthly Report August 2017
SOURCE:	Richard Siedlecki, Coordinator Statutory Planning
DIVISION:	Planning and Development
FILE NO:	-
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

This report incorporates the VCAT appeals update and decisions made by Council officers under delegation for the month of July. This report also details some performance indicators.

1.1 Performance

Included within this report are bar charts illustrating the following key performance indicators:

- Planning applications received and determined in the previous month.
- Outstanding applications.
- Average gross days in dealing with planning applications.
- Percentage of applications issued in 60 days or less.
- Percentage of applications issued in 60 days or less based on difficulty of applications.

The number of permit applications received in July fell by 17% when compared to June. The number of permits issued in July rose by 34% above that issued in June and was the highest amount issued for the past twelve months. The number of outstanding applications decreased by 6.7%. The average number of gross days taken to determine planning applications fell by 32% and is well below that of other growth and metropolitan Councils. The percentage of applications decided within 60 days or less increased from 15% in June to 34% in July.

The percentage of simple applications issued in 60 days or less decreased by 3% in July when compared to June. Average applications issued in 60 days or less increased by 3% in July. No complex applications were determined in the reporting period.

The Statutory Planning Unit is undertaking a review of outstanding applications over 12 months in age with the aim of seeking resolution of these applications and reducing the overall number of outstanding applications.

The table representing this data has been adjusted to accurately represent time frames and other reporting frameworks available to Council.

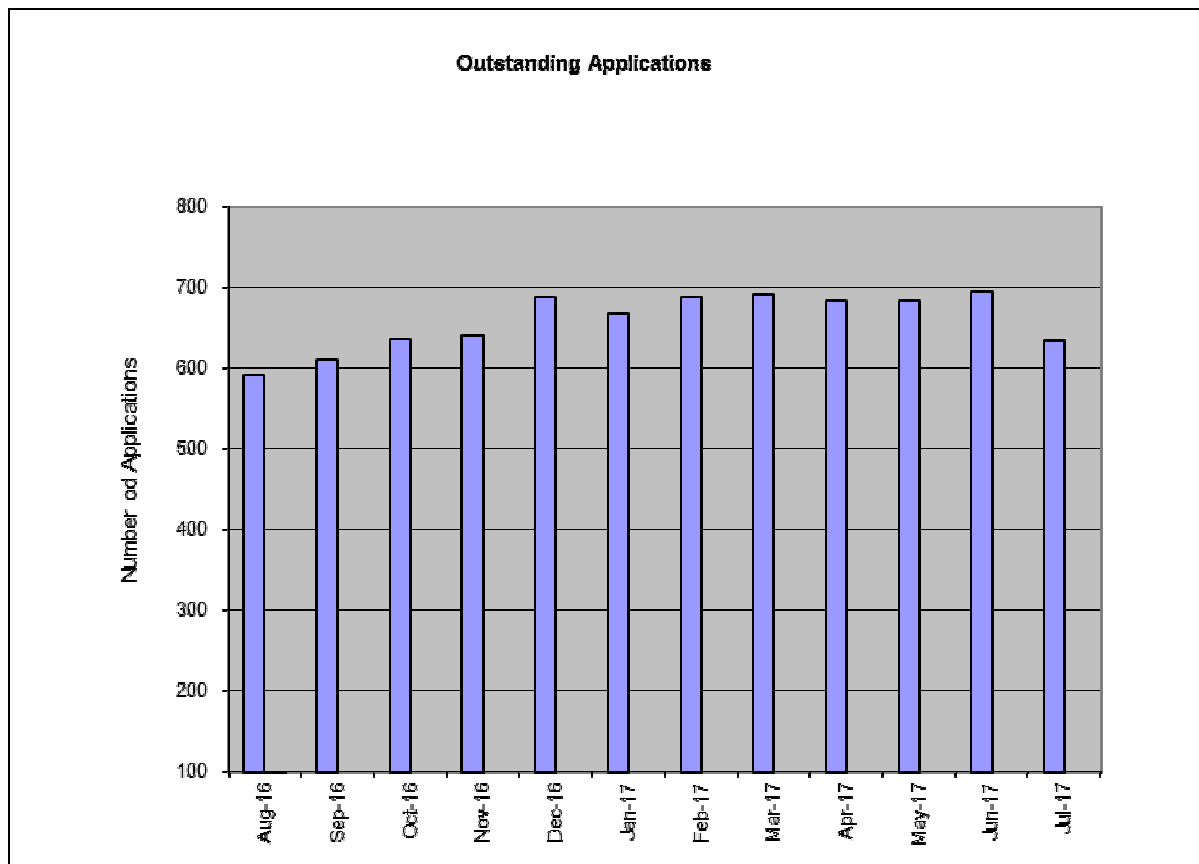
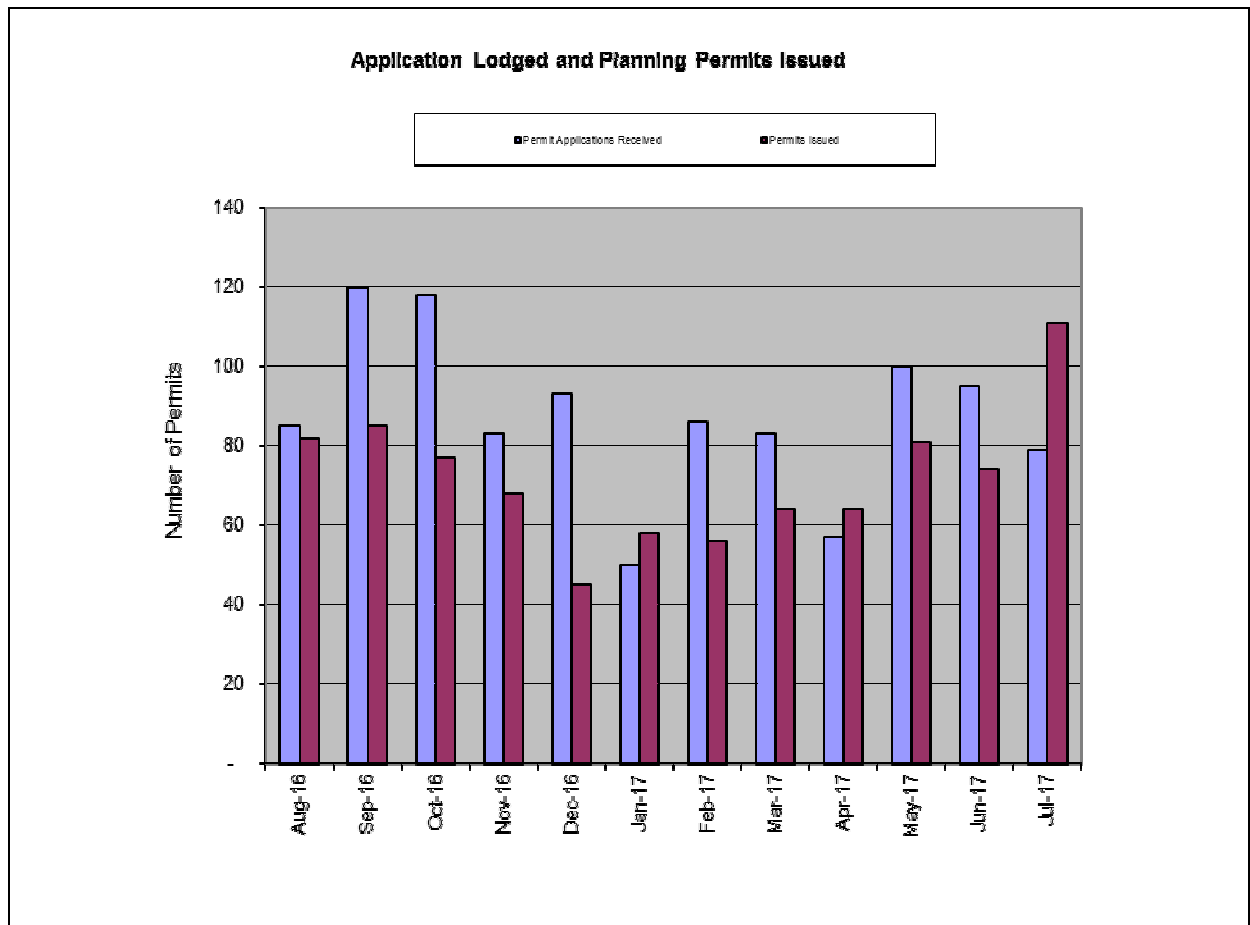
1.2 Delegated matters

The table within Section 4 of this report further details applications that have been determined under delegated authority including planning applications that receive two objections or less, applications to amend planning permits or plans, applications to extend planning permits, applications to certify plans of subdivision, and the issuing of Statements of Compliance under the Subdivision Act and Section 173 Agreements signed under delegation.

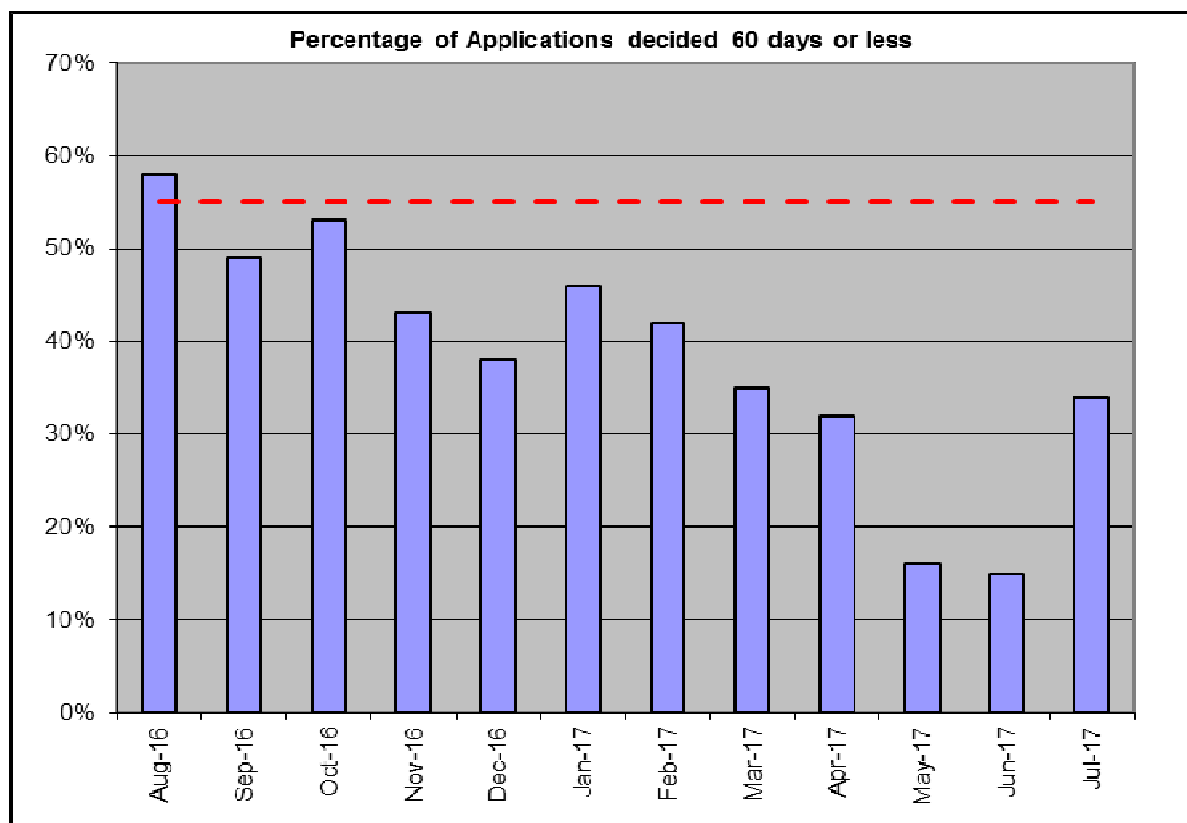
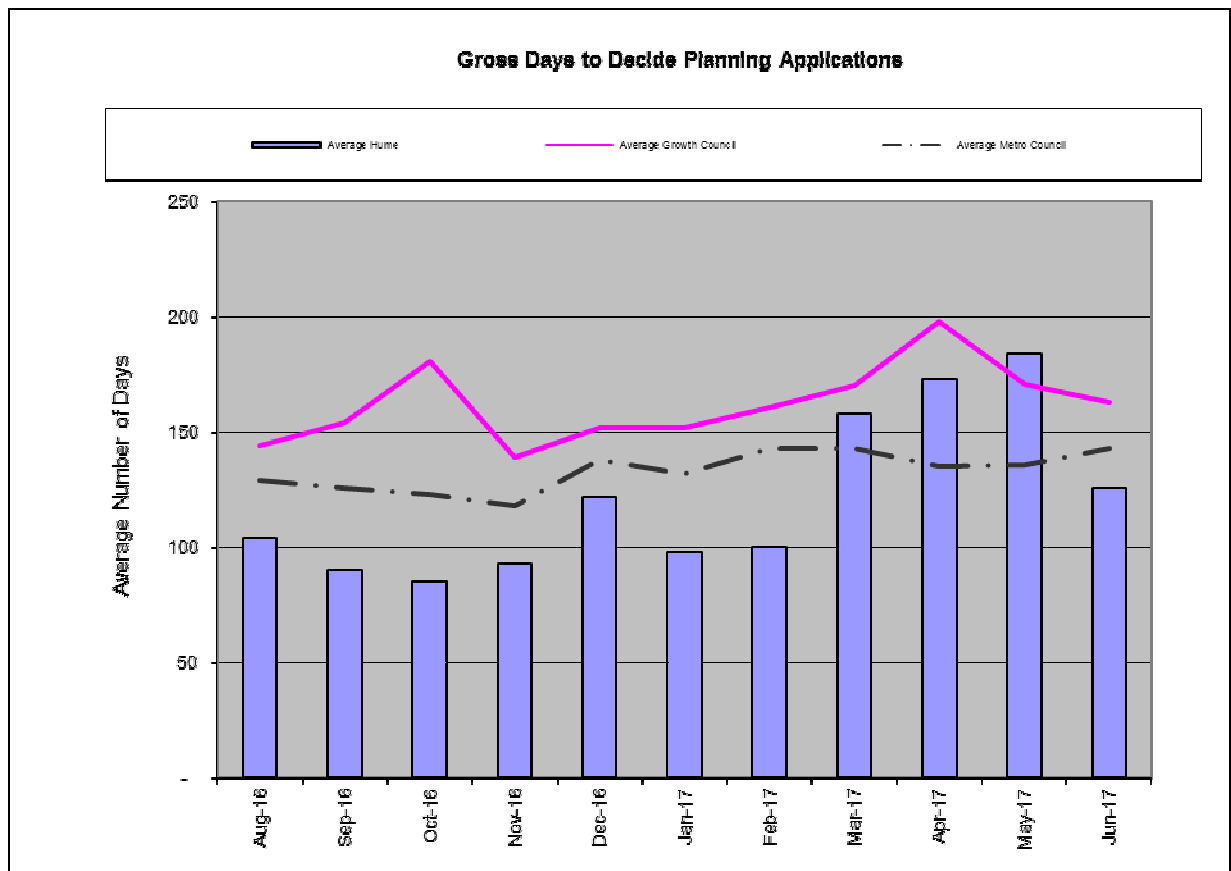
2. RECOMMENDATION:

That the report be noted.

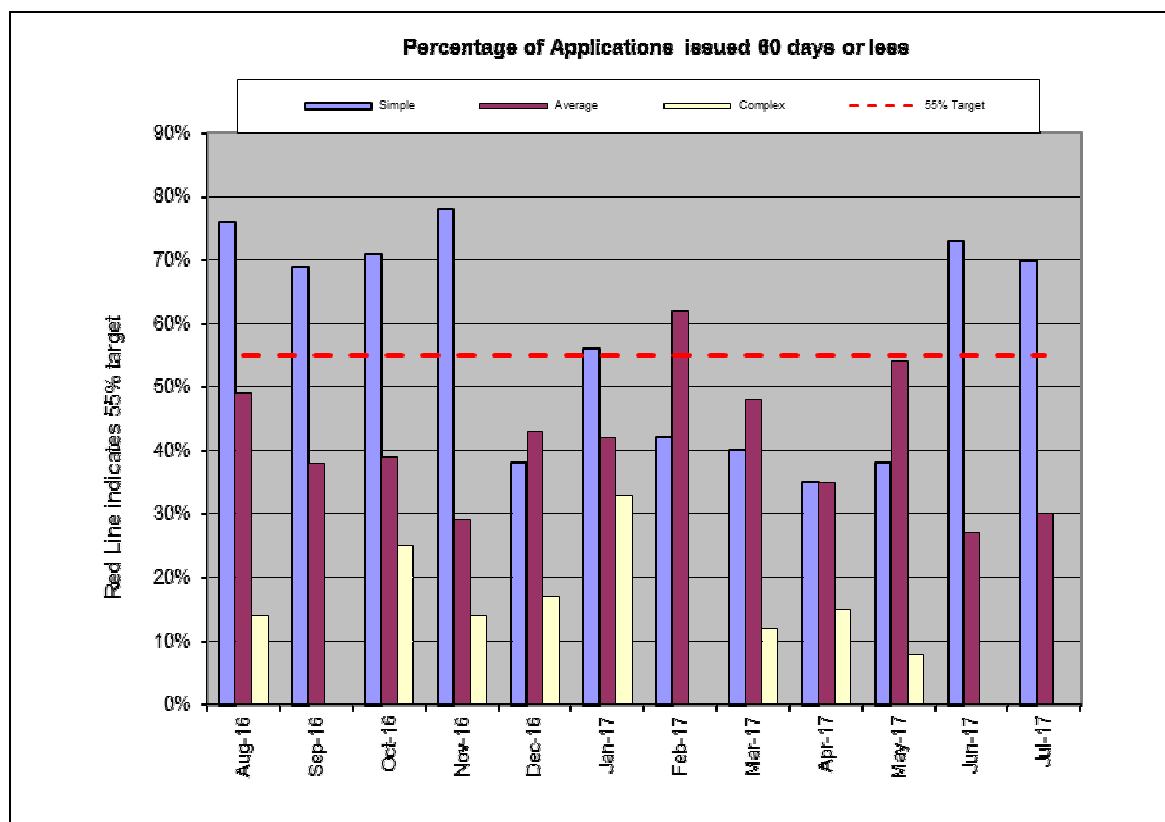
REPORT NO: SU242 (cont.)



REPORT NO: SU242 (cont.)



REPORT NO: SU242 (cont.)



3. APPEAL DECISIONS TO DATE:

- 3.1 This report includes all VCAT decisions received in the month of July 2017 and includes the current month prior to the Council meeting to give Council a more up to date report on VCAT decisions.
- 3.2 The Tribunal set aside Council's decision to refuse an application for five dwellings at 199 Mitchells Lane, Sunbury. The Tribunal considered that there is no preferred character for the neighbourhood or that any relevant character study of the area had been done, hence the proposal had to be determined against the existing character. Furthermore the Tribunal did not accept Council's concerns about a lack of articulation and bulky appearance.
- 3.3 An appeal against Council's failure to determine an application for a multi-lot subdivision at 760 Somerton Road, Greenvale resulted in a Compulsory Conference held between all parties. The outcome of the conference being that the Tribunal ordered that a permit be issued. Council was of the opinion that a permit was appropriate for the proposal and conditions placed on the permit were largely what Council had provided to the Tribunal.
- 3.4 An appeal against several conditions on a permit issued by Council for the importation and placement of clean fill at 335 Old Sydney Road, Mickleham has resulted in the Tribunal varying Council's decision. The variations are minor and relate largely to alterations to the height of some mounding on the site and that a Land Management Plan be confined to the area of the fill and not the entire site.

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WARD	APP. NUMBER	PROPOSAL	ADDRESS	DECISION	APPEAL TYPE	DATE	STATUS
Aitken Ward	P18739	Landscaping works using clean fill	335 Old Sydney Road, Mickleham	Appeal against several conditions	Appeal by applicant	Full hearing 16/6/2017	Council decision varied by Tribunal
Meadow Valley Ward	P20112	Residential hotel and waiver of bicycle requirements	133-141 Western Avenue, Westmeadows	Failure to determine	Appeal by applicant	Full hearing over two days on 14/7/2017 and 14/8/2017	To be heard
Aitken Ward	P18144	Education Centre	22-38 Malcolm Street, Kalkallo	Notice of Refusal to Grant a Permit.	Appeal by applicant	Practice day hearing on 14/7/2017 Compulsory Conference on 18 /7/2017 Full hearing on 4/9/2017	To be heard
Aitken Ward	P18044	Function Centre and Restaurant	267 Mickleham Road, Westmeadows	Notice of Decision to Grant a permit	Appeal by objector	Practice day hearing 21/7/2017 Full hearing 8/11/2017	To be heard
Meadow Valley Ward	P19659	Four double storey dwellings	3 Leech Court, Jacana	Notice of Decision to Grant a Permit	Appeal by objectors	Full hearing 8/11/2017	To be heard
Jacksons Creek Ward	Interim Development Permit IDP51	Stone Extraction	40 Batey Court, Bulla	Considered that no approval for stone extraction	Declaration being sought from Tribunal by owner of site as to the legality of stone extraction occurring on the site.	13/11/2017	To be heard
Meadow Valley Ward	P19595	Nine double storey and three single storey dwellings	6-10 Bliburg Street, Jacana.	Notice of Refusal	Appeal by applicant	22/9/2017	To be heard
Jacksons Creek Ward	P19284	Five Dwellings	199 Mitchell's Lane, Sunbury	Notice of Refusal	Appeal by applicant	30/6/2017	Council decision set aside
Meadow Valley Ward	P20018	Multi-lot subdivision	760 Somerton Road, Greenvale	Failure to determine	Appeal by applicant	15/6/2017	Council decision set aside

4. MATTERS DETERMINED UNDER DELEGATION:

The following table lists all matters dealt with under delegation between 4 July 2017 and 31 July 2017.

MATTERS DEALT WITH UNDER DELEGATION			
P15074	Two double storey dwellings to the rear of an existing double storey dwelling	8 Aberdeen Ave, Greenvale	Extension of Time issued
P15975	Two double storey dwellings to the rear of an existing dwelling	5 Thistle Ct, Meadow Heights	Extension of Time issued
P16096	Three double storey dwellings	11 Linlithgow Way, Greenvale	Extension of Time issued
P16806	Three double storey dwellings	5 Holberry St, Broadmeadows	Extension of Time issued
P17115	Use of an existing building for a restaurant in conjunction with agricultural use and utilise rural	45-165 Old Sydney Rd, Mickleham	Amended plans endorsed (Secondary Consent)

REPORT NO: SU242 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
	outbuildings as an art and craft centre with eco-tourism related activities and access to road in Road Zone 1		
P17280	Dwelling to the rear of an existing dwelling and alterations to existing dwelling	31 Walsh St, Broadmeadows	Extension of Time issued
P17411	Three single storey dwellings to the rear of an existing dwelling	8 Evans Ct, Broadmeadows	Extension of Time issued
P17447	Mixed use development comprising 13 storey residential building, retail premises, expansion of existing bingo centre and multi-level car park and dispensation in car parking	1/1398-1400 Sydney Rd, Fawkner	Extension of Time issued
P17740	Three double storey dwellings	78 Waranga Cres, Broadmeadows	Extension of Time issued
P17924	Three lot subdivision	16 Huntly Ct, Meadow Heights	Extension of Time issued
P18462	One warehouse and reduction car parking	11 Export Rd, Craigieburn	Amended plans endorsed (Secondary Consent)
P18716	Four double storey dwellings and partial removal of easement	31 Robinson St, Jacana	Amended plans endorsed (Secondary Consent)
P20104	Double storey dwelling in MAEO2 overlay	6 MacKay St, Greenvale	Amended plans endorsed (Secondary Consent)
P17210.01	Transfer station and buildings and works with reduction in car parking	132-134 Bolinda Rd, Campbellfield	Amended permit issued
P18322.01	Use of land for various food and drink premises, service station, medical centre, child care centre and creation of new access points to Road Zone Category 1	1500 Pascoe Vale Rd, Coolaroo	Amended permit issued & amended plans endorsed
P20117.01	Food and drink premises, internally illuminated signs and reduction in car parking	46 O'Shanassy St, Sunbury	Amended permit issued & amended plans endorsed
P8082.01	Warehouse and ancillary office with reduced car parking	49-51 National Blvd, Campbellfield	Amended plans endorsed
P19146.01	Double storey dwelling to the rear of an existing dwelling	1 Haworth Ct, Greenvale	Amended plans endorsed
P19642.01	Factory with ancillary offices, signage, removal native vegetation and reduction in car parking	77-93 National Blvd, Campbellfield	Amended permit issued & amended plans endorsed
P19127.01	Two double storey dwellings	51 Natural Dr, Craigieburn	Amended plans endorsed
P20162.01	Industry, signage and reduction in car parking	50 Donnybrook Rd, Mickleham	Amended permit issued
P18628.02	Multi-lot subdivision, creation and variation of easement, creation of restriction and construction of dwellings on lots less than 300m ²	705-725 Donnybrook Rd, Kalkallo	Amended permit issued
P19289	Apply for licence to serve liquor for existing restaurant	1-3 Cheviot Rd, Campbellfield	Permit issued
P19387	Three double storey dwellings	64 Cuthbert St, Broadmeadows	Permit issued
P19629	Two double storey dwellings to the rear of an existing dwelling	1033 Pascoe Vale Rd, Jacana	Permit issued

REPORT NO: SU242 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
P19686	Creation of easement	227 Feehans Rd, Wildwood	Permit issued
P19702	Four double storey dwellings	12 Longwood Ct, Meadow Heights	Permit issued
P19746	Four single storey and two double storey dwellings	81-83 Menzies Dr, Sunbury	Permit issued
P19800	Industry/warehouse with office and reduction in car parking	27-33 Potter St, Craigieburn	Permit issued
P19802	Increase floor area of existing industrial building and reduction in car parking	9 Freeman St, Campbellfield	Permit issued
P19812	Two double storey dwellings and one single storey dwelling	76 Cuthbert St, Broadmeadows	Permit issued
P19830	Two double storey dwellings	575G Craigieburn Rd, Craigieburn	Permit issued
P19846	Five double storey dwellings and three single storey dwellings	64-66 Anderson Rd, Sunbury	Permit issued
P19849	Change of use to medical centre	3 Hanson Rd, Craigieburn	Permit issued
P19882	Three double storey dwellings	3 Gerbert St, Broadmeadows	Permit issued
P19930	One double storey dwelling to the rear of an existing dwelling	60 Mitchells Lane, Sunbury	Permit issued
P20004	Two single storey dwellings (proposed 2 Donatello Rd)	965 Mickleham Rd, Greenvale	Permit issued
P20006	Three double storey dwellings (proposed Lot 1722 Vantage Bvd)	575G Craigieburn Rd, Craigieburn	Permit issued
P20007	Three double storey dwellings (proposed Lot 1724 Vantage Bvd)	575G Craigieburn Rd, Craigieburn	Permit issued
P20018	Multi-lot subdivision	760 Somerton Rd, Greenvale	Permit issued
P20052	Three double storey dwellings	75 Dallas Dr, Dallas	Permit issued
P20058	Two lot subdivision	1 Sparkford Rd, Craigieburn	Permit issued
P20060	Multi-lot subdivision, removal native vegetation, creation of access to and subdivision of land adjacent to Road Zone Category 1	780 Somerton Rd, Greenvale	Permit issued
P20088	Two double storey dwellings in addition to existing dwelling and extension to existing dwelling	34 Bliburg St, Jacana	Permit issued
P20099	Two lot subdivision	9 Everglade Cres, Roxburgh Park	Permit issued
P20108	Internally illuminated business signage	798 Cooper St, Somerton	Permit issued
P20113	Four lot subdivision	3 Campbell St, Campbellfield	Permit issued
P20131	Three lot subdivision	24 Colin Ct, Broadmeadows	Permit issued
P20142	Two lot subdivision	30 Frontier Ave, Greenvale	Permit issued
P20156	Two double storey dwellings to side of existing dwelling	36 Graham St, Broadmeadows	Permit issued
P20158	Five lot subdivision	7 Joffre St, Broadmeadows	Permit issued
P20179	Two double storey dwellings	94 Mickleham Rd, Tullamarine	Permit issued

REPORT NO: SU242 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
P20180	Three double storey dwellings and one single storey dwelling	85 Hamilton St, Craigieburn	Permit issued
P20194	Use of dwelling for home occupation (hairdresser) and associated buildings and works	1/76 Horne St, Sunbury	Permit issued
P20202	One double storey dwelling and one single storey dwelling	13 Parnell Cres, Gladstone Park	Permit issued
P20210	Double storey dwelling to the rear of an existing dwelling	34 Ventnor Cres, Coolaroo	Permit issued
P20213	Three double storey dwellings	175 James Mirams Dr, Roxburgh Park	Permit issued
P20215	Warehouse and office with car parking	810 Cooper St, Somerton	Permit issued
P20216	Warehouse and office development with car parking	810 Cooper St, Somerton	Permit issued
P20218	Two double storey dwellings and one single storey dwelling	7 Gosford Cres, Broadmeadows	Permit issued
P20221	Two lot subdivision	95 Malmsbury Dr, Meadow Heights	Permit issued
P20248	One double storey dwelling to the rear of an existing dwelling	2 Davies Ct, Sunbury	Permit issued
P20249	Three double storey dwellings	575L Craigieburn Rd, Craigieburn	Permit issued
P20253	Staged multi-lot subdivision	200 Olivers Rd, Mickleham	Permit issued
P20265	Warehouse development	12 Burnett St, Somerton	Permit issued
P20269	Three double storey dwellings	175 James Mirams Dr, Roxburgh Park	Permit issued
P20281	Two lot subdivision	17 Norwich Cres, Campbellfield	Permit issued
P20285	Display advertising signage	2 Dwyer St, Kalkallo	Permit issued
P20297	Change of use to allow sale of packaged liquor	85-87 Riggall St, Broadmeadows	Permit issued
P20323	Eight lot subdivision	46 Barkly St, Sunbury	Permit issued
P20328	Two lot subdivision	8 Vivid Way, Craigieburn	Permit issued
P20336	New access way and crossover to property off Amcor Way and relocation of parking spaces	9 Vanessa Rd, Campbellfield	Permit issued
P20340	Extension of existing liquor licence, increase in licensed area and number of patrons and amending of licensed trading hours	48 Pearcedale Pde, Broadmeadows	Permit issued
P20346	Two double storey dwellings	11 Hamilton St, Craigieburn	Permit issued
P20350	Two lot subdivision	23 Muirfield Dr, Sunbury	Permit issued
P20362	Nine lot subdivision	11-13 Mitchells Lane, Sunbury	Permit issued
P20367	Two lot subdivision	44 Notre Dame Dr, Sunbury	Permit issued
P20385	Single storey dwelling to the rear of an existing dwelling	139 Hothlyn Dr, Craigieburn	Permit issued
P20394	Warehouse with ancillary office	1 Burnett St, Somerton	Permit issued
P20413	15 lot subdivision	41 Furlong St, Craigieburn	Permit issued
P20423	Ten double storey town houses with double garages at rear	116-142 Newbury Bvd, Craigieburn	Permit issued

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MATTERS DEALT WITH UNDER DELEGATION			
P20432	Three lot subdivision	2 Distinction Ave, Craigieburn	Permit issued
P20443	Three lot subdivision	23 Malcolm Pl, Campbellfield	Permit issued
P20460	Four lot subdivision	2 Newton Dr, Somerton	Permit issued
P20475	Display of advertising signage	Brankeet, 980 Mickleham Rd, Greenvale	Permit issued
P20484	Three lot subdivision	108 Gallantry Ave, Craigieburn	Permit issued
P20494	Change of use to allow specific use as ambulance facility, request specific approval to use for said use	47 Metrolink Cct, Campbellfield	Permit issued
P20495	Change of use to allow specific use as ambulance facility, request specific approval to use for said use	21-29 Global Dr, Westmeadows	Permit issued
P20535	Three lot subdivision	92 Gallantry Ave, Craigieburn	Permit issued
P20536	Single storey dwelling within Melbourne Airport Environs Overlay (MAEO2)	7 Tyers Ct, Dallas	Permit issued
P20539	Variation of registered restrictive covenant to allow building outside building envelope (in ground swimming pool)	1 Battista Gr, Greenvale	Permit issued
P20541	Extension of existing staff room building of existing primary school	169-187 Craigieburn Rd, Craigieburn	Permit issued
P20544	Single storey dwelling and garage	16 Tattenham Ct, Attwood	Permit issued
P20550	Three lot subdivision	32 Kitchener St, Broadmeadows	Permit issued
P20552	Two lot subdivision	36 Riggall St, Dallas	Permit issued
P20555	Two lot subdivision	23 Manningtree Pde, Craigieburn	Permit issued
P20569	Four lot subdivision	63 Eumarella St, Tullamarine	Permit issued
P20584	Two lot subdivision	9 Plaza Ct, Roxburgh Park	Permit issued
P20615	Four lot subdivision	10 Graham St, Broadmeadows	Permit issued
P20626	Expansion to existing industrial building including car parking and landscaping works	1727-1787 Sydney Rd, Campbellfield	Permit issued
P20635	Two lot subdivision	7 Langdon Cres, Craigieburn	Permit issued
S007466	31 lot subdivision	Lot A Mulgrave Boulevard, Kalkallo	Plan re-certified With Statement of Compliance on 4 July 2017
S008189	86 lot subdivision	Lot D Kangaroo Road, Craigieburn	Plan certified on 5 July 2017
S008203	Removal of reserve status	37 Cambridge Crescent, Roxburgh Park	Plan certified with Statement of Compliance on 5 July 2017
S007950	Two lot subdivision	2 Zeal Way, Craigieburn	Plan certified on 6 July 2017

REPORT NO: SU242 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
S007944	19 lot subdivision	2-24 Nyora Court, Westmeadows	Plan certified on 6 July 2017
S007915	Two lot subdivision - industrial	25 Grasslands Av. Craigieburn	Plan certified on 6 July 2017
S008198	27 lot subdivision – multi-unit	39-43 Cornish St. Sunbury	Plan certified on 7 July 2017
S007532	Two lot subdivision – dual occupancy	1 Gullane Dv. Sunbury	Plan certified on 7 July 2017
S008197	60 lot subdivision	425 Donnybrook Road, Mickleham	Plan certified on 10 July 2017
S008157	Three lot subdivision – multi-unit	94 Lahinch St. Broadmeadows	Plan certified with Statement of Compliance on 11 July 2017
S008138	Two lot subdivision	100 Vineyard Road, Sunbury	Plan certified with Statement of Compliance on 11 July 2017
S007950	Two lot subdivision	2 Zeal Way, Craigieburn	Statement of Compliance issued on 12 July 2017
S008174	Two lot subdivision	61 Burge Drive, Sunbury	Plan certified with Statement of Compliance on 12 July 2017
S008164	32 lot subdivision	61 Burge Drive, Sunbury	Plan certified on 13 July 2017
S007865	57 lot subdivision	175 James Mirams Drive, Roxburgh Park	Plan recertified with Statement of Compliance on 13 July 2017
S007832	29 lot subdivision Rosenthal Estate - Stage 9	100 Vineyard Road, Sunbury	Plan re-certified on 13 July 2017
S007636	Three lot subdivision – multi-unit	23 Carol Grove, Tullamarine	Plan certified with Statement of Compliance on 13 July 2017
S007320	Three lot subdivision – multi-unit	1 Hamilton Street, Broadmeadows	Statement of Compliance issued on 13 July 17
S008198	27 lot subdivision – multi-unit	39-43 Cornish St. Sunbury	Statement of Compliance issued on 14 July 2017
S008176	Four lot subdivision – multi-unit	5 Geach Street, Dallas	Statement of Compliance issued on 17 July 2017
S008159	Two lot subdivision	5 Wilsons Lane, Sunbury	Plan certified with Statement of Compliance on 17 July 2017
S008171	67 lot subdivision	Lot H Trophis Street, Kalkallo	Plan certified on 18 July 2017
S007832	29 lot subdivision	100 Vineyard Road, Sunbury	Statement of Compliance issued on 19 July 2017
S006648	Nine lot Subdivision	144 Melrose Drive, Tullamarine	Statement of Compliance issued on 19 July 2017

REPORT NO: SU242 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
S007915	Two lot subdivision	25 Grasslands Avenue, Craigieburn	Statement of Compliance issued on 19 July 2017
S007952	Two lot subdivision	68 Gerbert Street, Broadmeadows	Plan certified with Statement of Compliance on 19 July 2017
S008048	Three lot subdivision – multi-unit	13 Selwyn Avenue, Craigieburn	Plan certified with Statement of Compliance on 19 July 2017
S008123	Ten lot subdivision – multi-unit	10 Crete Street, Greenvale	Plan certified on 19 July 2017
S008146	Two lot subdivision	555 Donnybrook Road, Mickleham	Plan certified with Statement of Compliance on 19 July 2017
S008147	Two lot subdivision	555 Donnybrook Road, Mickleham	Plan certified with Statement of Compliance on 19 July 2017
S008025	43 lot subdivision – multi-unit	64 Escapade Boulevard, Craigieburn	Plan certified on 20 July 2017
S006392	Two lot subdivision	39 Eyre Street, Westmeadows	Plan certified on 20 July 2017
S008195	Three lot subdivision and creation of DP14b District open space	Lot FF Ryolite Drive, Craigieburn	Plan certified on 20 July 2017
S008025	43 lot subdivision	64 Escapade Boulevard, Craigieburn	Statement of Compliance issued on 25 July 2017
S008077	45 lot subdivision	110 Dwyer Street, Kalkallo	Plan certified on 25 July 2017
S008030	Two lot subdivision	26 Tatura Crescent, Broadmeadows	Plan certified with Statement of Compliance on 25 July 2017
S007660	Two lot subdivision	9 Lakes Drive, Sunbury	Plan certified with Statement of Compliance on 25 July 2017
S007866	42 lot subdivision	175 James Mirams Drive, Mickleham	Plan re-certified with Statement of Compliance on 25 July 2017
S007903	64 lot subdivision	Lot P Horizon Boulevard, Greenvale	Statement of Compliance issued on 26 July 2017
S007699	Two lot subdivision	24 Spirited Court, Craigieburn	Plan certified on 27 July 2017
S007526	Plan of Creation of Easement	11 Dorrington Street, Greenvale	Plan certified with Statement of Compliance on 28 July 2017
S007680	Two lot subdivision	63 Mont Albert Drive, Campbellfield	Plan certified on 28 July 2017
S008123	Ten lot Subdivision	10 Crete Street, Greenvale	Statement of Compliance issued on 28 July 2017

REPORT NO: SU242 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
S007159	Two lot subdivision	3 Micheline Street, Tullamarine	Plan certified on 28 July 2017
S007428	Two lot subdivision	1 Paltara Close, Meadow Heights	Statement of Compliance issued on 28 July 2017
S008054	Nine lot subdivision	1-3 Maygar Boulevard, Broadmeadows	Plan certified with Statement of Compliance on 31 July 2017
S007879	Two lot subdivision	10 Lubeck Court, Meadow Heights	Plan certified on 31 July 2017
S007598	Two lot subdivision	20 Export Road, Craigieburn	Plan certified on 31 July 2017
S008076	54 lot subdivision	Lot A Gamon Street, Kalkallo	Plan certified on 1 August 2017

MATTERS DEALT WITH UNDER DELEGATION WITH OBJECTIONS			
FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P19484	17 dwellings comprising of 8 double storey and 9 single storey dwellings	40 Mitchells Lane, Sunbury	Notice of Decision to Grant a Permit issued
P19896	Two double storey dwellings and one single storey dwelling	25 Johnstone St, Jacana	Notice of Decision to Grant a Permit issued
P20152	Two double storey dwellings	11 Dorothy St, Tullamarine	Notice of Decision to Grant a Permit issued
P20355	Four double storey dwellings	7 Berkeley Cl, Broadmeadows	Notice of Decision to Grant a Permit issued

SECTION 173 AGREEMENTS SIGNED UNDER DELEGATION			
FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P18915	43 lot subdivision	64 Escapade Blvd, Craigieburn	Agreement signed on 5 July 2017
P20039	Three lot subdivision	41 Reverence Dr, Craigieburn	Agreement signed on 4 July 2017

VICSMART PERMITS SIGNED UNDER DELEGATION			
FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P20361	Two lot subdivision	9 Port Patrick Ct, Greenvale	Permit issued
P20425	Two lot subdivision	39 Bainbridge Cl, Craigieburn	Permit issued
P20472	Two lot subdivision	65 Vantage Bvd, Craigieburn	Permit issued
P20474	Two lot subdivision	73 Vantage Bvd Craigieburn	Permit issued
P20483	Two lot subdivision	78 Gallantry Ave, Craigieburn	Permit issued
P20486	Two lot subdivision	6 Dianne Dr, Tullamarine	Permit issued
P20498	Replacement of cooling chiller with cooling tower	20 Hewitt Way, Tullamarine	Permit issued

REPORT NO: SU242 (cont.)

VICSMART PERMITS SIGNED UNDER DELEGATION			
FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P20512	Two lot subdivision	20 Gillingham Cres, Craigieburn	Permit issued
P20515	Two lot subdivision	2 Rubus Ct, Meadow Heights	Permit issued
P20558	Re-alignment of common boundary between lots 1 and 2	34-46 King William St, Broadmeadows	Permit issued
P20571	Construction pergola and decking	5 The Glade, Sunbury	Permit issued
P20607	Two lot subdivision	23 Kiewa Cres, Dallas	Permit issued
P20645	Two lot subdivision	225 Gap Rd, Sunbury	Permit issued
P20663	Two lot subdivision	15 Congram St, Broadmeadows	Permit issued
P20667	Two lot subdivision	9 Pembroke Cres, Craigieburn	Permit issued
P20669	Two lot subdivision	4 Huntly Ct, Meadow Heights	Permit issued
P20670	Two lot subdivision	10 Tarwin Pl, Meadow Heights	Permit issued

REPORT NO:	SU243
REPORT TITLE:	Panel Submission on the Sunbury South and Lancefield Road Precinct Structure Plans
SOURCE:	Sarah Kernohan, Strategic Planner
DIVISION:	Planning and Development
FILE NO:	HCC12/962-04, HCC12/961-05
POLICY:	-
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

The Victorian Planning Authority (VPA) placed the Sunbury South (Amendment C207) and Lancefield Road (Amendment C208) Precinct Structure Plans (PSPs) on public exhibition between 24 November 2016 and 6 February 2017. A total of 94 submissions were received to the Sunbury South PSP and 93 to the Lancefield Road PSP. The VPA have referred all submissions to a Planning Panel. The Planning Hearing commenced 21 August 2017 and will run for a period of 8 weeks. Council continues to work with the VPA to resolve matters raised in Council's submission to the VPA on 27 February 2017. Council's submission to the Planning Hearing will continue to advocate for all matters raised in the submission.

2. RECOMMENDATION:

That Council:

2.1 notes the Panel Hearing process to hear submissions to the PSPs.

2.2 notes that the matters raised in Council's submission remain unresolved, and that a submission will be made to the Panel consistent with the matters raised in the original submission endorsed by Council on 27 February 2017.

3. LEGISLATIVE POWERS:

Planning and Environment Act 1987.

4. FINANCIAL IMPLICATIONS:

As the collecting and delivery agency the Infrastructure Contribution Plan (ICP) will have significant financial implications on Council. The absence of a completed ICP, including infrastructure costings, has meant that Council has been unable to determine whether these infrastructure items can be provided for within the standard levy or whether a supplementary levy is required. Until such time as Council is provided with a copy of the proposed ICP, Council is unable to determine the full extent the financial implications that the ICP will have on Council.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

The PSPs identify a number of objectives and requirements to minimise the environmental impact of new development including objectives and requirements relating to: increasing access to a range of employment, retail, recreation, community, education and leisure uses, delivering new walking and cycling infrastructure, and providing for integrated water management.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

The PSPs identify a number of objectives and requirements to achieve a more sustainable built environment. The implementation of these objectives through individual permit applications will help deliver a sustainable and liveable city that is more resilient and adaptable to climate change.

REPORT NO: SU243 (cont.)

7. CHARTER OF HUMAN RIGHTS APPLICATION:

The public exhibition and panel hearing process for the PSPs provides the opportunity for the community to participate in land use and planning decisions that will directly affect them.

8. COMMUNITY CONSULTATION:

8.1 Consultation on the PSPs is the responsibility of the VPA as the Planning Authority. The VPA placed the PSPs and associated planning applications on public exhibition between 24 November 2016 and 6 February 2017 (Amendments C207 and C208). The VPA undertook consultation meetings in Sunbury during December 2016. Council officers attended the meetings and the community concerns have been taken into consideration in the assessment of the PSPs and informed Council's submission to the VPA.

8.2 The planning panel will consider all written submissions to the PSPs regardless of whether the submitter chooses to be heard at the public hearing. A total of 52 submitters have requested to be heard at the public hearing.

9. DISCUSSION:

9.1 Background

9.1.1 The Victorian Planning Authority (VPA) is currently undertaking precinct structure planning for two very large areas to the south and east of Sunbury, known as the Sunbury South and Lancefield Road PSPs.

9.1.2 The PSPs were placed on public exhibition on 24 November 2016. Submissions on the PSPs formally closed on 6 February 2017, and Council resolved to confirm and forward its submission to the VPA on 27 February 2017.

9.1.3 A total of 94 submissions were received to the Sunbury South PSP and 93 to the Lancefield Road PSP.

9.1.4 On 3 April 2017 the VPA requested the appointment of a planning panel to hear all submissions to the PSPs. A Planning Panel (the Panel) was appointed on 10 April 2017. A directions hearing was held on 6 July 2017. At the directions hearing, the Panel Chair advised that the Panel will commence on 21 August 2017 and will run for a period of 8 weeks.

9.1.5 It is important to note that the Panel is required to consider all submissions referred to it by the Planning Authority (VPA) regardless if the submitter appears at the Panel hearing. This means that all submissions, including Council's will be considered by the Panel. The Panel hearing is an opportunity for submitters to speak to their original submissions and to amplify or expand on matters raised. It also provides the Panel the opportunity to ask any questions it may have in relation to the submissions or to seek further information.

9.2 Panel Hearing

9.2.1 The Panel will sit for a total of 33 days commencing 21 August 2017, with the last day scheduled for 18 October 2017. Council will be in attendance all 33 days of the Panel Hearing.

9.2.2 Council will be presenting its opening submission on 4 and 5 September 2017.

9.3 Resolution of Submissions

9.3.1 Post exhibition the VPA have worked with submitters, including Council, to resolve matters raised in the submissions. Due to the volume of submissions, the number of individual subject matters raised, the conflicting positions and changes requested by individual submitters, the VPA have not confirmed their response to all matters and continue to work through the resolution of these submissions.

REPORT NO: SU243 (cont.)

9.3.2 The Panel has directed the VPA to provide a record of all its proposed changes to the PSPs and amendment documentation proposed as a result of the issues raised in submissions. Until this is provided officers will not have certainty on whether, and how, the VPA propose to make changes to the PSPs in response to Council's submission.

9.3.3 Due to the dynamic and constantly evolving nature of the PSPs, it is not possible to provide a definitive position on which matters raised in Council's submission are resolved, and which remain unresolved. Accordingly the submission to Panel will be made in a manner that is consistent with the positions outlined in the submission that was endorsed by Council on 27 February 2017.

9.4 Panel Submission

9.4.1 Officers have continued to work with the VPA to resolve the matters raised in Council's submission. Officers have had some success in negotiating changes to the PSPs (subject to confirmation), and will continue to work with the VPA up to, throughout, and likely post, the Panel Hearing.

9.4.2 The following outlines the key issues forming the submission to Panel. It includes changes to the PSPs requested in Council's submission, matters that have arisen in other submissions, and positions that will require defending at Panel.

9.4.3 The list is not exhaustive as it is intended to outline the key issues Council intends to emphasise at the Panel Hearing. Given the evolving nature of the PSPs Council will continue to advocate for all matters raised in its submission, noting that some matters have been resolved and others will continue to be resolved throughout the process.

9.4.4 Sunbury-Bulla Road capacity and early delivery of the Southern Creek Crossing

- (a) The PSPs as drafted provide no recognition of the importance of upgrades to Sunbury Road and the Bulla Bypass to the orderly planning of Sunbury. Currently, Sunbury Road is operating over design capacity through Bulla, with traffic volumes already exceeding the typical trigger for duplication.
- (b) The issue of traffic capacity on Sunbury Road is a known community issue, and was raised in the majority of community submissions to the PSPs, along with a range of other road capacity and parking issues.
- (c) The PSPs seek to address the issue of traffic constraints on Sunbury-Bulla Road by prioritising the delivery of the southern creek crossing as a means to take traffic off Sunbury-Bulla Road and over to the Calder Freeway.
- (d) Council's submission stated that it is unclear from the traffic modelling provided whether the southern creek crossing will assist in reducing traffic volumes on Sunbury-Bulla Road. In the absence of this evidence, it is of concern that the southern creek crossing is being prioritised in the short-term at the expense of other infrastructure needs.
- (e) The submission to Panel will continue to advocate for the duplication of Sunbury Road and the delivery of the Bulla Bypass, and will make additional submissions on the outcome of transport modelling work in relation to the southern creek crossing. It is likely that Council will call expert transport evidence at the Panel Hearing.

9.4.5 Northern Creek Crossing

REPORT NO: SU243 (cont.)

- (a) The exhibited PSPs showed the alignment of the northern creek crossing as 'road alignment subject to review'. The indicative alignment of this road as shown in the PSP runs through culturally sensitive land. A number of post-contact and Aboriginal cultural heritage concerns relating to this creek crossing were raised in Council's submission.
- (b) The alignment of this road, along with the development of Villawood's Sherwood Estate, were subject to a significant number of submissions.
- (c) Left unresolved, the alignment of the creek crossing will impact on the urban structure and ability of landowners to develop (including the Sherwood Heights 96A application), and the Infrastructure Contributions Plan (ICP). Until such point in time that the alignment of this road is confirmed, Council is unable to determine whether the standard ICP levy is sufficient to cover the costs of delivering the crossing, or if a supplementary levy is required.
- (d) The submission to Panel will continue to request that the VPA resolve all outstanding post-contact and Aboriginal cultural heritage concerns before confirming the alignment of this bridge.

9.4.6 Jacksons Hill Road Link

- (a) The exhibited PSP proposes a connection to the Jacksons Hill Estate as a future ICP item. The provision of a road connection from the Jacksons Hill Estate to Vineyard Road is also an obligation of the developer of the Jacksons Hill Estate (Development Victoria) as outlined in the *Jacksons Hill Local Structure Plan*.
- (b) Two different road alignments are proposed, with the PSP assuming that the Development Victoria connection has been delivered prior to the delivery of the PSP connection.
- (c) The submission requested that the PSP and ICP not be approved until Development Victoria deliver or enter into an arrangement for the delivery of the connection. Council continues to negotiate with Development Victoria regarding the delivery of this connection. Council will continue to request that the PSPs and ICP not be approved until the delivery of this connection is secured.

9.4.7 Boulevard Roads

- (a) Council's submission was generally supportive of the road cross sections and welcomed the intent to facilitate a boulevard outcome along the arterial roads. It did however raise concerns that the boulevard cross sections may not meet VicRoads clear zone requirements, or provide sufficient room to accommodate existing and proposed servicing.
- (b) Villawood, the developer of land adjoining Sunbury Road have raised concerns with the Sunbury Road boulevard cross section in their submission, seeking a number of changes, including a reduction in width of the central boulevard. Villawood have cited a range of reasons for requesting a reduced boulevard treatment including, servicing, clear zone requirements and the cost of delivering a wider intersection.
- (c) Officers are working with Villawood, VicRoads and the VPA to provide for a revised cross section that provides for servicing and clear zone requirements whilst retaining a significant boulevard treatment. The submission to Panel will reinforce the significance of boulevard roads in reinforcing Sunbury's landscape character.

9.4.8 Infrastructure Contributions Plan

REPORT NO: SU243 (cont.)

- (a) Council's submission raised significant concerns relating to the exhibition of the PSPs without an ICP. It was requested that Council be provided with a copy of the ICP for review and comment as soon as it is available.
- (b) The absence of a completed ICP, including infrastructure costings, has meant that Council has been unable to determine whether these infrastructure items can be provided for within the standard ICP levy or whether a supplementary levy is required.
- (c) As the collecting and delivery agency the ICP will have significant financial implications on Council. The submission to Panel will state that Council does not support the approval of the PSPs until such time as the ICP has been prepared, reviewed, and ultimately endorsed by Council in its capacity as the Responsible Authority, Collection Agency and Development Agency.

9.4.9 Sunbury Infrastructure Coordination and Delivery Strategy

- (a) The Sunbury Infrastructure Co-Ordination and Delivery Strategy details the VPA's preferred staging of the infrastructure projects within the PSPs.
- (b) Council's submission raised significant concerns with the document, in particular the extent to which it seeks to control the staging of infrastructure. Of particular concern was the Strategy's prioritisation of the southern creek crossing as the first item to be delivered across the two precincts.
- (c) Further interrogation of the Strategy has raised questions with the population projections informing the Strategy, and the absence of strategic transport modelling that justifies the transport infrastructure staging. Council may call a transport expert witness at the hearing.
- (d) The submission to Panel will continue to request that this document is not necessary and should not form part of the PSPs and that all references to the Strategy within the PSPs and associated documentation, including UGZ schedules, be removed.

9.4.10 Cultural Heritage

- (a) Council has continuously requested that the PSPs not be exhibited until the cultural heritage constraints are understood. Council's submission noted the absence of Cultural Heritage Management Plans (CHMPs) for the land subject to the creek crossings, and Villawood's Sherwood Heights development to be of most concern. The submission requested that the PSPs not progress to a Panel Hearing until these CHMPs are prepared and approved.
- (b) It should be noted that since exhibition a CHMP has been approved for the Sherwood Estate. It is unclear however the extent to which this CHMP may need to be amended to reflect any changes in the location of the creek crossing where it aligns with the Estate.
- (c) The absence of any CHMP was raised in a number of community submissions. This matter remains unresolved. The submission to Panel will continue to require that a CHMP is undertaken.

9.4.11 Post Contact Heritage

- (a) The exhibited Sunbury South PSP proposes to remove the heritage overlay (HO358) applying to the former Constitution Hotel. Council's submission requested that the heritage overlay be retained on the basis that Council had engaged a heritage consultant to undertake further research into the history of the site.

REPORT NO: SU243 (cont.)

- (b) This research has since been completed, and confirms that the farmhouse and farm buildings currently located on the site are not the former Constitution Hotel. The report notes the potential for material from the former Hotel to have been incorporated into the construction of the existing farmhouse.
- (c) It is recommended that Council support the removal of the buildings within the heritage overlay on the basis that the former Constitution Hotel does not exist in any known form on the site. The removal should only be supported on the basis that if materials associated with the former Constitution Hotel are found, that they be photographed, recorded and reused in an interpretative educational feature. In order to ensure that this condition is met, it will be requested that the heritage overlay remain on the site, and that the removal of the buildings is subject to a planning permit.
- (d) Council's submission also requested that the alignment of the northern creek crossing avoid the 'Cannon Gully' Volunteer Military Exercise heritage site (HO366). The latest alignment of the northern creek crossing reduces the extent to which the road impacts on the site, however earthworks associated with the construction of the road will encroach into the site. The submission to Panel will continue to advocate for the northern creek crossing to avoid Cannon Gully. Council continues to be involved in discussions with the VPA regarding the alignment of this bridge.

9.4.12 Town Centres

- (a) Council's submission was supportive of the number, location and size of the town centres as shown within the PSPs. The submission requested a number of specific changes to the individual town centre concept plans, along with changes to the town centre and local convenience centre design guidelines and requirements.
- (b) A number of submitters have requested changes to the town centre concept plans, including two submissions requesting an increase in the size (retail and commercial floor space cap) of the Yellow Gum Town Centre.
- (c) The VPA is currently working through the town centre submissions and will provide a position on these centres at the Panel Hearing. In order to assist Council in defending its position on the size of, and concept plans for these centres (depending on the position presented by the VPA at the Panel Hearing), Council may call an urban designer as an expert witness at the hearing.

9.4.13 Employment - Sunbury Road

- (a) The exhibited Sunbury South PSP identifies approximately 47ha of employment land (Industrial Zone) along Sunbury-Bulla Road adjacent to the quarry. This is well short of the 100ha of employment land identified in *Sunbury HIGAP* and the *Sunbury Diggers Rest Growth Corridor Plan*. Council's submission requested an additional 53ha of employment land be shown at this location.
- (b) The owner of this land has submitted that the identification of 47ha of industrial zoned land is excessive and has requested that approximately half of this land is identified as residential and commercial.
- (c) The VPA have indicated that they will amend the PSP to provide for an additional 25ha of industrial zoned land in this location. The submission to Panel will request that the full 100ha of employment land is provided at this location.

REPORT NO: SU243 (cont.)

9.4.14 Employment - Vineyard Road

- (a) Council's submission requested a number of changes to the Sunbury South PSP relating to the Vineyard Road employment land. The VPA have indicated that they support all changes requested by Council in relation to this land.
- (b) A landowner within the Vineyard Road employment area has submitted against the 500m² as of right (Section 1) cap on supermarkets within this employment area, and has requested that this be amended to 1,800m² consistent with general Commercial 2 requirements. The VPA have indicated that they do not support this request.
- (c) The retention of the 500m² cap on supermarkets within this employment area is strongly supported, and is required to not only maintain the intent of the employment area, but to ensure the viability and function of Sunbury's activity centres are maintained. The submission to Panel will reinforce the changes requested in Council's submission and request that the 500m² cap is retained.

9.4.15 Education and Community Facilities

- (a) The exhibited Sunbury South PSP removed a government secondary school from the Harpers Creek precinct (was previously shown at agency exhibition), on the basis that the school would be provided for outside the Sunbury South Precinct, within the Victoria University owned land at Jacksons Hill.
- (b) Council's submission stated that it is considered premature to remove the secondary school from the Sunbury South precinct, until further work had been done to confirm the suitability and support for the school on the Victoria University land and requested that the VPA reinsert the government secondary school at this location. The submission to Panel will continue to request that this government secondary school be shown in the Sunbury South PSP.

9.4.16 Redstone Hill

- (a) The Sunbury South PSP retains Redstone Hill hilltop as Rural Conservation Zone (RCZ) and identifies it as regional destination parkland with significant landscape values. The PSP also includes height controls, restricting development around the base of the hilltop to a height that does not protrude above 253AHD contour.
- (b) The developers of this land, have raised concerns with the height limit and have indicated in their submission that they may seek an increased height limit. They have also requested that this land be included as regional open space in the ICP (land and/or construction), in order to provide for funds to embellish the park.
- (c) Council has yet to determine the extent to which, and how, this hilltop might be embellished. Officers are also concerned that there is insufficient room within the ICP standard levy to accommodate any additional ICP items without triggering the need for a supplementary levy. As outlined in Section 3.15 the submission will request that the PSPs are not approved until such time as the ICP has been prepared, reviewed, and ultimately endorsed by Council as the Responsible Authority, Collection Agency and Development Agency.

9.4.17 Break of Slope

- (a) The delineation of the break of slope, a major outstanding issue in Council's submission, has been resolved with Council, Melbourne Water and the VPA agreeing on a break of slope. However as officers have yet

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to see revised PSPs, the submission to Panel will continue to advocate for the PSPs to be amended to reflect the updated break of slope.

9.4.18 Bushfire Risk

- (a) Bushfire Risk remains a significant unresolved issue. The bushfire risk assessment still remains incomplete, with the findings of this report yet to be incorporated into the PSPs. This work has significant implications on the viability and functionality of the PSPs, as it determines not only the development setbacks, but also the extent of developable area. In addition the draft bushfire study shows some areas may be unsuitable for development due to bushfire risk.
- (b) The submission to Panel will continue to request that this work is completed and informs the PSPs.

9.4.19 Setback from Escarpment – Visual and Bushfire Risk

- (a) Development setbacks from the Jackson and Emu Creeks escarpments was identified in *Sunbury HIGAP* as needed to reduce the visual intrusion of new development, manage bushfire risk, facilitate walking and cycling networks, and to ensure that Jacksons and Emu Creeks remain the dominant features in the landscape.
- (b) Due to the absence of a completed bushfire risk assessment, the development setbacks within the exhibited PSPs were only defined by the visual impact modelling. As noted above, the setback is also required for bushfire management.
- (c) The visual setback currently within the PSPs has been challenged in the majority of developer submission to the PSPs. The submission to Panel will continue to advocate for, and reinforce the importance of this visual setback. In many locations it is likely that the bushfire setback will be consistent with and reinforce the visual setbacks already contained within the PSPs. The completion of the bushfire risk assessment and incorporation of this work in the PSPs will assist in defending these setbacks.

9.4.20 Ownership of Encumbered Land and Conservation Areas

- (a) The PSPs identify approximately 1,680ha of encumbered/conservation land along Jacksons and Emu Creeks and at Jacksons Hill. The future ownership and management of encumbered land and conservation areas continues to remain unresolved. A number of submitters, including developers and Sunbury residents, have also raised concerns at the lack of certainty of land ownership/management. The submission will continue to request that the PSPs provide direction on land ownership and management.

9.4.21 Regionally Significant Landscape Area

- (a) Council's submission requested that the Regionally Significant Landscape Values of the Jacksons, Emu and Harpers Creeks and Redstone Hill be best protected through the application of the Significant Landscape Overlay. A Significant Landscape Overlay would not only address the significant geological and hydrological values of the area but would also be able to incorporate the significant Aboriginal and post-contact heritage values.
- (b) The submission also objected to the removal of the existing Environmental Significance Overlay 1 for the Regionally Significant Landscape Area. The removal of this overlay removes very clear recognition of the landscape significance of Regionally Significant

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Landscape areas that are not covered by the proposed Environmental Significance Overlay 10 or the Incorporated Plan Overlay.

- (c) The submission to Panel will continue to request that the planning schemes overlays be provided to recognise the landscape significance of Jacksons, Emu and Harpers Creeks and Redstone Hill.

9.4.22 Integrated Water Management

- (a) Council's submission raised concern at both the number of retarding basins across the two PSPs, but also the number that were identified as being in the ownership/maintenance responsibility of Council. The majority of developers have submitted against the number and/or size of retarding basins shown on their land.
- (b) Melbourne Water have revised the drainage scheme to reduce the number/size of retarding basins, however the ownership/maintenance responsibility of these remains unclear. The submission to Panel will request clarification and satisfactory resolution of this issue.

9.4.23 Buffer Distances

- (a) The Sunbury South PSP contains land use buffers relating to the landfill, quarry and composting facilities located on the quarry site. A number of these buffers were incorrectly shown in the exhibited PSP or shown as 'to be confirmed'. Council's submission requested that these buffers be confirmed.
- (b) The EPA, Sustainability Victoria, and the Melbourne Metropolitan Waste and Recovery Group have raised concerns with both the extent of the buffers and the land uses proposed within the buffers. Hi-Quality in their submission has sought to reduce the extent of the buffers.
- (c) A number of submitters, including Hi-Quality have advised the Panel that they will call experts in this field, including experts on odour modelling.
- (d) Council supports a number of the concerns raised by the government agencies, in particular the need to ensure that the buffers are adequately determined, and identification of sensitive uses within the buffers. The submission to Panel will outline these concerns.

9.4.24 Development on Escarpment

- (a) The exhibited Sunbury South PSP shows a portion of 'escarpment land' as developable land, subject to a land capability assessment. Officers have continually requested that the PSPs show this land as encumbered, due to concerns surrounding the protection of the escarpment, its visual amenity and Council's recreational aspirations.
- (b) The developer of this land wishes to develop the land for residential purposes. In response to Council's submission the VPA have indicated that they are not prepared to identify this land as encumbered.
- (c) The submission to the Planning Panel will continue to advocate for this land to be shown as encumbered, consistent with the reasons outlined in Council's submission.

9.4.25 96A Planning Permit Applications

- (a) Three planning permit applications were exhibited with the two PSPs. Council's submission noted a large amount of inconsistency between the three 96A permit applications, the future urban structure, and the requirements of the PSPs and UGZ schedules. This includes the absence of application requirements relating to the potential for

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contamination, sloping land, traffic impact assessments and height controls. A number of permit conditions required by the UGZ schedules were also not included on the permits.

- (b) The submission to Panel will continue to request that the permits not be approved until these outstanding matters are resolved.

10. CONCLUSION:

- 10.1 The VPA are currently working through the resolution of a significant number of submissions received to the PSPs. Officers will continue to work with the VPA up to, throughout, and post, the Panel Hearing to resolve matters raised in Council's submission.
- 10.2 The submission to Panel will request a number of changes to the PSPs, and defend a number of key elements of the PSPs. The submission to Panel will be made in a manner that is consistent with the positions outlined in the submission that was endorsed by Council on 27 February 2017.

REPORT NO:	GE218
REPORT TITLE:	Policy Reviews - Place Names and Proposals for Memorialisation Within the Municipality of Hume
SOURCE:	Peter Faull, Coordinator Governance & Corporate Support; Kirsty Pearce, Senior Governance Officer
DIVISION:	Corporate Services
FILE NO:	-
POLICY:	Place Names Policy; Proposals for Memorialisation within the Municipality of Hume Policy
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	1. <i>Place Names Policy</i> 2. <i>Proposals for Memorialisation Within the Municipality of Hume Policy</i>

1. SUMMARY OF REPORT:

- 1.1. *The Naming Rules for Places in Victoria – Statutory Requirements for Naming Roads, Features and Localities 2016* (the Naming Rules) replace the *Guidelines for Geographic Names 2010 Version 2*. The Naming Rules are the statutory requirements allowed for under the *Geographic Place Names Act 1998* (the Act).
- 1.2. Compliance with the Naming Rules is mandatory for all naming authorities, including local councils, in Victoria. The introduction of these new rules requires Council to amend its Place Names and Proposals for Memorialisation within the Municipality of Hume policies to ensure continued compliance with the Act.
- 1.3. This report presents Council with revised policies for consideration and adoption.

2. RECOMMENDATION:

- 2.1 **THAT Council revokes the Place Names Policy adopted on 15 March 2016.**
- 2.2 **THAT Council revokes the Proposals for Memorialisation within the Municipality Policy adopted on 23 February 2015.**
- 2.3 **THAT Council adopts the Place Names Policy provided as Attachment 1 to this report.**
- 2.4 **THAT Council adopts the Proposals for Memorialisation within the Municipality of Hume Policy provided as Attachment 2 to this report.**

3. LEGISLATIVE POWERS:

Geographic Place Names Act 1998

4. FINANCIAL IMPLICATIONS:

If the reviewed policies are adopted, there will be some minor costs associated with Council continuing to approve requests for naming, renaming or memorialisation within Hume, such as costs related to signage.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

Environmental Sustainability has been considered and the recommendations of this report give no rise to any matters.

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6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

There are no considerations that impact on climate change adaptation as a result of this report.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered and it was determined that no rights were engaged in this matter.

8. COMMUNITY CONSULTATION:

Community consultation is not required because the revisions recommended to the Place Names Policy and Proposals for Memorialisation within the Municipality of Hume Policy are required in order to comply with legislative changes.

9. DISCUSSION:

- 9.1 The Naming Rules set out step-by-step information on naming, renaming or changing the boundaries of roads, features and localities in Victoria.
- 9.2 Under the Act, Hume City Council is the responsible naming authority for investigating and determining place name applications for places that fall within the boundaries of the municipality of Hume.
- 9.3 Place, as defined by the Act, means any place or building that is, or is likely to be, of public interest and includes, but is not restricted to:
 - (a) township, area, park, garden, reserve of land, suburb and locality;
 - (b) topographical feature, including undersea feature;
 - (c) street, road, transport station, government school, government hospital, and government nursing home.
- 9.4 Council's Place Names Policy allows for the formal naming of those places and structures that are allowed for under the Act, whilst its Proposals for Memorialisation within the Municipality of Hume Policy allows for the naming of Council owned assets or areas controlled by Council in circumstances that sit outside of what is allowed for under the Act.
- 9.5 Following the introduction of the new Naming Rules, which took effect on 2 February 2017, these policies are required to be amended to ensure continued compliance with the Act.

Place Names Policy

- 9.6 Council's Place Names Policy outlines how Council will investigate and determine applications received to assign or amend names of places, or to establish an Avenue of Honour. Any naming proposals endorsed by Council are submitted to the Registrar of Geographic Names (the Registrar) who makes the final decision on whether a proposal is approved.
- 9.7 The Registrar's decision is substantially based on Council's compliance with the principles, requirements and procedures outlines in the Naming Rules (previously the Guidelines) when assessing and considering naming proposals.
- 9.8 The key changes to the Place Names Policy following review are as follows:
 - (a) Principles related to naming have been amended, added and re-ordered so that they duplicate the amended principles as they appear in the Naming Rules.

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- (b) A list of the step-by-step process that Council will follow when considering a naming proposals is provided;
- (c) Under the draft policy, Council has the option not to proceed to public consultation for a naming proposal that has been presented to it for consideration if it decides:
 - (i) that the naming proposal seeks to change a long established and compliant name that is familiar to local residents and service providers, particularly to emergency service providers, and the proposal does not establish a compelling reason as to why Council would consider endorsing a change of name for such a location; or
 - (ii) if for any other reason Council determines that it does not wish to proceed to public consultation for a naming proposal that has been presented to it for consideration.
- (d) It is made clear that the Chief Executive Officer (the CEO) has the power, under their delegated authority, to decline to present a naming proposal to Council for its consideration, if the CEO assesses that the naming proposal:
 - (i) is non-compliant with principle (D) *Ensuring Names are Not Duplicated* and/or principle (E) *Names Must Not be Discriminatory*, of the Naming Rules;
 - (ii) is substantially similar to an application which has already been deliberated on by Council.
- (e) Consultation processes now include additional requirements regarding the notification of a Council decision to the community. The new process steps included in the policy are:
 - (i) that the community must be advised of a naming authority's final decision via an advertisement in local papers and on Council's website;
 - (ii) that any party who responded to a naming proposal during the public consultation period must be advised of the naming authority's final decision. For objectors, they must be advised of how their objections were dealt with, and if the naming authority has endorsed the naming proposal, they must also be advised of their appeal right to the Registrar (Council's letters to objectors currently do this). Council is not required to consider objections that do not explain reasons for the objector opposing the name; it only needs to consider objections that suggest that a naming proposal does not comply with principles contained within the Naming Rules, or that it does not comply with the requirements and procedures outlines in the Naming Rules.
- (f) A submission form is now included with the policy to assist parties who are submitting a naming proposal to Council;
- (g) As well as changes made to reflect the new Naming Rules, some other minor changes have been made to the Place Names Policy to reflect current practice in the management of Place Name applications at Council.

Partial Exemption from Naming Rules

- 9.9 The Naming Rules state that a Naming Authority must allow at least 30 days for final objections to be received from members of the community before lodging an endorsed

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proposal with the Registrar. The Office of Geographic Names has, however, given Council an exemption from this requirement, because Council's current processes (explained below) already allows for objections to be lodged to a naming proposal during public consultation periods.

- 9.10 If an objection is lodged during a public consultation period which is assessed as requiring the naming proposal to be amended, then Council can choose at this point in the process to amend or abandon the original naming proposal. If the proposal is amended, Council is required to re-consult with the community on the amended name. By following this process Council provides members of the community with the opportunity to object to the actual name that Council is considering endorsing.
- 9.11 In circumstances where Council endorses a naming proposal that members of the community have had an opportunity to object to during a consultation period, there is no benefit in providing a second 30 day period in which objections can be lodged against the same proposal. In these circumstances it is reasonable to assume that the same objections could potentially be submitted, with the same assessments being made of those objections.
- 9.12 Those parties that object to a naming proposal during a public consultation period are informed of their right to appeal directly to the Registrar, in circumstances when Council subsequently endorses the proposal. So whilst Council does not provide a second 30 day period in which objections can be lodged, parties that originally lodged an objection still have an appeal avenue available to them if they are unhappy with Council's decision.

Memorialisation Within the Municipality of Hume Policy

- 9.13 The Act outlines the requirements and responsibilities for the naming of places and the registration of place names. Council on occasion receives memorialisation proposals to name features, Council owned assets or areas controlled by Council, in circumstances that are not covered by the Act.
- 9.14 These proposals are most often made to:
- (a) memorialise a Hume resident or other individuals who have made a significant contribution to the Hume municipality, and who are deceased;
 - (b) locate a memorial on Council land or assets.
- 9.15 The 'Proposals for Memorialisation within the Municipality of Hume' policy, allows Council to apply consistent criteria and a transparent process to the consideration of such proposals. It also provides guidance to members of the community who are considering making an application of this type.
- 9.16 Minimal changes have been made to the Memorialisation Policy to reflect the principles contained in the new Naming Rules, as this policy makes reference to those principles.

10. CONCLUSION:

It is recommended that Council adopts the attached Place Names and Proposals for Memorialisation within the Municipality of Hume policies, which have been reviewed and updated to comply with the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016*.



PLACE NAMES POLICY

Policy Reference No:	CP2002-02-38
File Reference No:	HCC11/739
Strategic Objective:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs
Date of Adoption:	
Date for Review:	
Responsible Officer:	Manager Governance
Department:	Governance

PLACE NAMES POLICY

1. POLICY STATEMENT

- 1.1. Hume City Council will comply with any applicable legislation, regulations, rules and/or policy when it receives and considers an application made under the *Geographic Place Names Act 1998* (the Act).
- 1.2. Hume City Council's Place Names Policy outlines how Council will investigate and determine applications received to:
 - a) assign or amend names of places (being a road, feature or locality);
 - b) amend the boundaries of a road, feature or locality; or
 - c) establish an Avenue of Honour.

2. PURPOSE

- 2.1. The Act outlines the requirements and responsibilities for the naming of places and the registration of place names. Any feature, locality or road (whether public or private) can be named, renamed or have its boundary changed.
- 2.2. The Act provides the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities* (the Naming Rules). Naming Rules are made by the Governor in Council, on recommendation from the Minister and are to be implemented in selecting, assigning or amending names of places. Investigating and determining naming applications against the Naming Rules is mandatory.
- 2.3. The purpose of this policy is to ensure that:
 - a) Council follows the Naming Rules when investigating and determining applications received under the Act; and
 - b) Submitters of place name applications are aware of the process and principles by which Council will investigate and determine their applications.

3. SCOPE

- 3.1. Under the Act, Hume City Council is the responsible naming authority for investigating and determining place name applications for places that fall within the boundaries of the municipality of Hume.
- 3.2. Place, as defined by the Act, means any place or building that is, or is likely to be, of public interest and includes, but is not restricted to:
 - a) township, area, park, garden, reserve of land, suburb and locality;
 - b) topographical feature, including undersea feature;
 - c) street, road, transport station, government school, government hospital, and government nursing home.
- 3.3. Council on occasion receives proposals to name Council owned assets or features and areas controlled by Council after a Hume resident or an individual who has made a significant contribution to the Hume municipality, or to locate a memorial (for example, a commemorative plaque) on Council land or assets, or areas controlled by Council. In circumstances that do not fall within the scope of this place names policy, applications of this type will fall under the scope of Council's 'Proposals for Memorialisation within the Municipality of Hume' policy.

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PLACE NAMES POLICY

4. OBJECTIVE

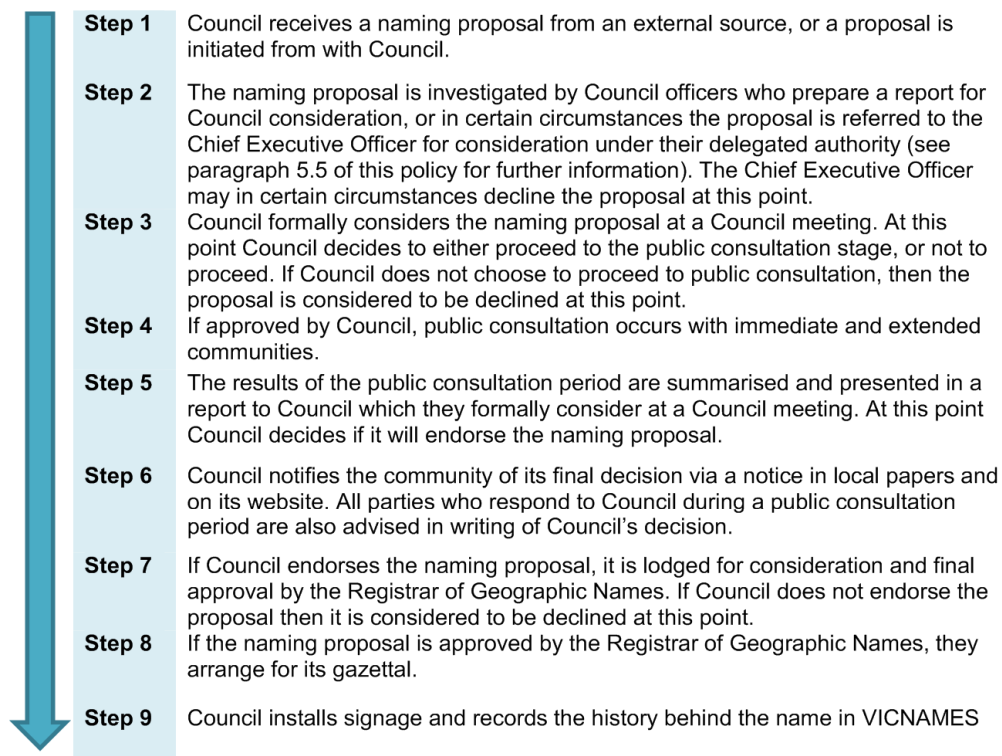
To ensure that Council follows the Naming Rules when investigating and determining naming applications, so that there is transparency and consistency in its decision making and application of this policy.

5. POLICY IMPLEMENTATION

5.1. Council will begin investigating and determining place name applications after one of the following occurs:

- a) a Council Officer identifies a need to assign or amend the name of a place or places;
- b) a member of the general public, a community interest group or an organisation submits a written request to amend a name or change the name of a road, feature or locality, including a locality's boundaries;
- c) a Plan of Subdivision is submitted for certification by Council. Council's subdivision certification process includes an audit of street names to ensure that new names are unlikely to cause offence, confusion or duplicate an existing name. This process is in keeping with the Policy.

5.2. Council will follow the step-by-step process listed below when it receives a place name application. Steps are explained in further detail later in this policy:



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PLACE NAMES POLICY

5.3. PRINCIPLES OF THE NAMING RULES FOR PLACES IN VICTORIA – STATUTORY REQUIREMENTS FOR NAMING ROADS, FEATURES AND LOCALITIES 2016

Council will abide by the Principles of the Naming Rules when assessing and determining all naming applications.

The Principles are as follows:

a) Principle (A) Ensuring public safety

Geographic names and boundaries must not risk public and operational safety for emergency response; or, cause confusion for transport, communication and mail services. Many emergency services and other public services (such as mail) are determined by locality boundaries or road extents, and proposals must ensure that operations will not be adversely affected.

b) Principle (B) Recognising the public interest

Regard needs to be given to the long-term consequences and short-term effects on the wider community of naming, renaming or adjusting the geographic boundary of a place. Changes will affect not only the current community but also future residents, emergency response zones, land titles and addresses, property owners, businesses and visitors. A proposal must show that the long-term benefits to the community outweigh any private or corporate interests, or short-term effects.

c) Principle (C) Linking the name to place

Place names should be relevant to the local area with preference given to unofficial names used by the local community. If named after a person, Principle (H) applies. Infrastructure features should use the name of the locality. Names of estates should not be applied to roads, features or localities. A place of greater than local significance should have a name relevant to the wider community.

d) Principle (D) Ensuring names are not duplicated

Proposed names must not duplicate another name within the same locality or close proximity (defined in the Naming Rules), irrespective of locality and/or council boundaries. Duplicates are considered to be two (or more) names within close proximity, or names that are identical or have similar spelling or pronunciation.

e) Principle (E) Names must not be discriminatory

Place names must not discriminate. Refer to the Equal Opportunity Act 2010 for further information.

f) Principle (F) Recognition and use of Aboriginal languages in naming

The use of Aboriginal languages in the naming of roads, features and localities is encouraged, subject to agreement from the relevant Traditional Owner group(s). Council will consult with the Wurundjeri Tribe Land Compensation and Cultural Heritage Council prior to any public consultation on a proposed name that uses an Aboriginal language.

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g) Principle (G) Dual names

Dual names may be used as a way of recognising the names given to places by different enduring cultural and language groups. A dual name may be formed with two distinct name parts, usually one part of non-Aboriginal language origin and the other of Aboriginal language origin, giving simultaneous and joint recognition of Aboriginal and non-Aboriginal cultures through naming. Dual names can be applied to natural topographical features and open space and reserves, but cannot be adopted for localities, towns or rural districts, or constructed features (such as roads, highways or bridges).

h) Principle (H) Using commemorative names

If naming after a person, that person should have been held in strong regard by the community, and Council will consider the person's achievements, relevant history and association to the area, and the significance of the family/person to the area/land. Council will not consider the names of people who are still alive. A commemorative name applied to a locality or road should use only the surname of a person. The initials of a given name are not to be used in any naming instance.

i) Principle (I) Using commercial and business names

Council should not name places after commercial businesses, trade names, estate names (which are solely commercial in nature), and not-for-profit organisations. Names of estates should not be applied to roads, features or localities.

j) Principle (J) Language

Geographic names must be written in standard Australian English or a recognised format of an Aboriginal language local to the area. Geographic names should be easy to pronounce, spell and write, and not exceed three words and/or 25 characters. Names cannot contain numerical values, use of 'The' as a prefix, symbols, apostrophes, or punctuation marks such as commas and full stops.

k) Principle (K) Directional names to be avoided

Cardinal directions (north, south, east and west) must be avoided. A proposed name that uses a cardinal direction to distinguish itself from another similar name is considered to be a duplicate name.

l) Principle (L) Assigning extent to a road, feature or locality

Council must clearly define the area and/or extent to which the name will apply. A proposal for a road or waterway must include the line details, a feature (excluding a waterway) must include the centroid coordinates, and a locality must include the polygon attributes.

5.4. ADDITIONAL CONSIDERATIONS

- 5.4.1. Where it is inappropriate to name a place after a person, institution or enterprise, Council may determine that it is appropriate to place a plaque or other commemorative work in a prominent position on that place to recognise the contribution of that person, institution or enterprise. This principle will be governed by the *Proposals for Memorialisation within the Municipality of Hume Policy* (refer to Clause 3.3). Proposals under this policy will also only be considered for persons who are no longer living.

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- 5.4.2. There are additional statutory requirements contained within the Naming Rules, which are not listed in this policy, that are mandatory for Council to follow when considering specific types of place name applications. Specifically, there are requirements to be met when investigating and determining applications to name, rename, create or amend localities, roads and features.

5.5. DECISION NOT TO PROCEED WITH CONSIDERATION OF A NAMING PROPOSAL

- 5.5.1. In accordance with clause 6.2.1 of the Naming Rules, 'the decision to proceed with a name proposal rests with the naming authority', being Council.
- 5.5.2. Council can choose not to proceed to public consultation with a naming proposal that has been presented to it for consideration if it decides:
- that the naming proposal seeks to change a long established and compliant name that is familiar to local residents and service providers, particularly to emergency service providers, and the proposal does not establish a compelling reason as to why Council would consider endorsing a change of name for such a location; or
 - if for any other reason Council determines that it does not wish to proceed to public consultation for a naming proposal that has been presented to it for consideration.
- 5.5.3. The Chief Executive Officer, under the power delegated to them by Council, can reject the application and decline to present to Council for their consideration any proposal that the Chief Executive Officer has assessed as:
- being non-compliant with principle (D) *Ensuring Names are Not Duplicated* and/or principle (E) *Names Must Not be Discriminatory*, of the Naming Rules;
 - being substantially similar to an application which has already been decided upon by the naming authority.

5.6. CONSULTATION

- 5.6.1. Council must consult the public on any naming proposal as assessed as being compliant (excluding those that fall under clause 5.5). The level and form of consultation can vary depending on the naming proposal.
- 5.6.2. Council will consult with two types of community groups as defined in the Rules, for any proposal it resolves to consult on:
- The *immediate community*, which broadly includes people who live and work within the area and owners of properties or businesses.
 - The *extended community*, which includes residents, ratepayers, Emergency Service Organisations and businesses surrounding the area directly affected by the proposal.

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- 5.6.3. These consultation requirements do not apply to the naming of roads or features within new subdivisions where there are no immediate community members who will be affected.
- 5.6.4. Council will exercise discretion when deciding which sections of the community to consult with and the manner of consultation, taking into consideration the likely impact of the naming proposal. A proposal that will have a smaller impact on the community will have a different level of consultation than that of a proposal with a larger impact. Council will be guided by the Naming Rules when developing a consultation plan.
- 5.6.5. If a proposal has been made on public safety and/or emergency response grounds, and Council believes that community support may not be forthcoming and rejecting the proposal will maintain the risk to public safety, then it still may proceed with considering the proposal on public safety grounds.
- 5.6.6. Council will consider and analyse all responses received both in support of, and objecting to, a naming proposal.
- 5.6.7. The minimum requirements for consultation are that Council will:
- advertise public notices in local newspapers circulated in the affected area;
 - place exhibition posters in local public libraries and all Council customer service offices;
 - advertise the proposal on Council's website;
 - seek comment from resident groups and local historical societies.
- 5.6.8. Council will inform the community of its final decision in regards to a naming proposal that it has publically consulted on by:
- notifying the community of its decision by a notice published on its website and in local papers; *and*
 - writing to all parties who responded to Council during a consultation period to advise them of Council's decision. If Council endorsed the naming proposal, those parties who objected to the proposal will also be advised of their appeal rights with the Registrar of Geographic Names.

5.7. AVENUES OF HONOUR

- 5.7.1. Avenue of Honour is the term given to a memorial avenue of trees, generally with each tree symbolising a person. Most avenues are in remembrance of those who fought or died in war, particularly World War I (1914–1918).
- 5.7.2. Avenues of Honour are a means of family members and the community expressing gratitude to individuals who sacrificed their life in major conflicts around the world in which Australia participated. They are usually a row of trees accompanied by a monument or plaques which identify and commemorate a collective of individuals from a local area.
- 5.7.3. To request the establishment of an Avenue of Honour, a resident or community group must provide with their written submission to Council the following information:

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- the proposed site of the Avenue of Honour;
 - proposed details of the commemorative plantings;
 - details of the collective and/or all individuals to be commemorated;
 - the conflict/s in which the individuals lost their lives;
 - proposed details of any memorials, plaques and/or monuments to be included in the proposed Avenue;
 - any other information that is relevant to the submission.
- 5.7.4. Council officers will first check with the road authority that is responsible for the road at the location for which the Avenue of Honour is being proposed, and if appropriate, refer the proposal to them, if Council is not the naming authority for this location. This will most likely be VicRoads. If Council is the naming authority and not the road authority, it will seek the road authority's view on the proposal and approval from them to consider establishing the Avenue of Honour, should that be deemed appropriate. Ongoing maintenance of the Avenue of Honour will also be discussed with the road authority, if it is not Council.
- 5.7.5. If the road authority does not approve the request for an Avenue of Honour then the applicant will be advised of this and no further action will be taken by Council.
- 5.7.6. If the road authority gives their approval for the Avenue of Honour, Council will then consult with other stakeholders as per the community consultation requirements contained in this policy.
- 5.7.7. In addition to those requirements, Council will also consult with any of the following:
- Returned and Services League of Australia (RSL)
 - Department of Veteran's Affairs
 - Australian War Memorial
 - National Trust of Australia (Vic)
 - Local Historical Associations

6. DEFINITIONS AND ABBREVIATIONS

Act means the *Geographic Place Names Act 1998*.

Estate names include names applied to residential estates, commercial use estates, e.g. residential subdivisions and business parks or commercial/industrial zoned land.

Naming Rules means the Naming Rules for Places in Victoria – Statutory Requirements for Naming Roads, Features and Localities 2016, having effect under Part 2 of the Act

Place means any place or building that is, or is likely to be, of public or historical interest and includes, but is not restricted to:

- township, area, park, garden, reserve of land, suburb and locality
- topographical feature, including undersea feature;
- street, road, transport station, government school, government hospital and government nursing home.

Register means the Register of Geographic Names established under section 9 of the Act.

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Registrar means the Registrar of Geographic Names appointed under section 7 of the Act.

7. RELATED DOCUMENTS

- *Geographic Place Names Act 1998*
- *Local Government Act 1989*
- Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities
- Hume City Council's 'Proposals for Memorialisation Within the Municipality of Hume' policy

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PLACE NAMES POLICY

Naming Proposal – Submission to Hume City Council

Your name and contact details:			
Email Address:			
Is your naming proposal related to a:			
<input type="checkbox"/>	Road		
<input type="checkbox"/>	Feature		
<input type="checkbox"/>	Locality		
Is your naming proposal for a:			
<input type="checkbox"/>	New name for an unnamed road, feature or locality		
<input type="checkbox"/>	Renaming of a road, feature or locality		
Complete the following details:			
Proposed name			
Location of the road or feature (please include a map with your proposal)			
Background information on why Council should consider naming or changing the name or boundary, e.g. why the proposed name is considered appropriate (include any history or local relevance)			
If the proposal is a commemorative name, please include information on the person such as:			
<ul style="list-style-type: none"> • Full name, date of birth, date of death, parent's names • Occupation and/or education • Civil and community achievements or contributions • Honours and awards received • Other relevant material of historical interest 			
Reason for the proposal (why the current name is not considered appropriate or any other relevant information)			
General Questions			
	Yes	No	Not applicable
Have you checked that your proposed name conforms to the principles in Section 2?			
Principle (A) Ensuring public safety	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (B) Recognising the public interest	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (C) Linking the name to the place	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (D) Ensuring names are not duplicated	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (E) Names must not be discriminatory	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (F) Recognition and use of Aboriginal languages in naming	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (G) Dual names	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (H) Using commemorative names	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (I) Using commercial and business names	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (J) Language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (K) Directional names to be avoided	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principle (L) Assigning extent to a road, feature or locality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there any existing signage at the road or feature?	Yes	No	
Is an Aboriginal name being proposed?	Yes	No	
If yes, what type of proposal is being considered:			
<input type="checkbox"/>	Addition of an Aboriginal name as Registered or Dual?		
<input type="checkbox"/>	Addition of an Aboriginal name as Traditional or Historical?		

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PROPOSALS FOR MEMORIALISATION WITHIN THE MUNICIPALITY OF HUME POLICY

Policy Reference No:

File Reference No:

Strategic Objective: 5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs

Date for Review:

Responsible Officer: Manager Governance

Department: Governance

PROPOSALS FOR MEMORIALISATION WITHIN THE MUNICIPALITY OF HUME

1. POLICY STATEMENT

- 1.1 The *Geographic Place Names Act* 1998 (the Act) outlines the responsibilities held by a naming authority for the naming of roads, places and features in Victoria. The Act provides the basis for the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities* (the Naming Rules), which are made by the Governor in Council, on recommendation from the Minister, and provide the basis for Hume City Council's **Place Names Policy**.
- 1.2 Council on occasion receives memorialisation proposals to name features, Council owned assets or areas controlled by Council after a Hume resident or an individual who has made a significant contribution to the Hume municipality, or to locate a memorial (for example, a commemorative plaque) on Council land or assets, or areas controlled by Council, in circumstances that are not covered by Council's Place Names Policy.
- 1.3 Council's view is that the appropriate location for the memorialisation of individuals is within a cemetery. The management and operations of cemeteries are provided for by the *Cemeteries and Crematoria Act* 2003.
- 1.4 Any application submitted for the memorialisation of an individual within Hume, in the circumstances allowed for by this policy, will only be considered if it can be demonstrated by the applicant that the deceased person made a significant contribution to the Hume community, or that there were exceptional circumstances surrounding the death of the individual.
- 1.5 This policy provides guidelines for Council and Council Officers to follow when considering memorialisation proposals received under these circumstances.

2. PURPOSE

- 2.1 To allow Council to consider memorialisation proposals received that are not covered by Council's Place Names Policy.
- 2.2 To facilitate the memorialisation within the Hume municipality of residents or other individuals whose contribution to the Hume community are viewed as being appropriate for memorialisation, or who had exceptional circumstances surrounding their death.

3. SCOPE

- 3.1 This policy will apply to all applications or General Business items received to memorialise individuals within the municipality of Hume, where the circumstances of the memorialisation request are not covered by Council's Place Names Policy.
- 3.2 Proposals will only be considered for persons who are no longer living.

4. OBJECTIVE

To provide members of the public, Councillors and Council staff with clear guidelines to follow when considering memorialisation proposals received in circumstances that are not covered by Council's Place Names Policy.

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PROPOSALS FOR MEMORIALISATION WITHIN THE MUNICIPALITY OF HUME

5. POLICY IMPLEMENTATION

5.1 Publication and review

The policy and its implementation will be managed and monitored by the Manager Governance.

The policy shall be reviewed and adopted by Council at periods not exceeding 5 years.

5.2 Process

Council officers will investigate memorial proposals after one of the following occurs:

- a) a Councillor requests an investigation via a general business item or notice of motion at a meeting of Council;
- b) a member of the general public, a community interest group or an organisation submits a written request.

Applicants, whether they are individuals or organisations, must provide evidence in support of their application that addresses the criteria listed in paragraph 5.3 (d) to (g) of this policy.

Applicants must clearly establish the significant contribution that the individual has made to the local community, and the association of the individual to the feature that the applicant is proposing to have named, or the location at which they are proposing to have a memorial located at. If applicants are not able to establish these elements then the proposal will not be considered.

5.3 Criteria for considering proposals

The following details must be established by an applicant in their application to Council:

- a) That the memorial proposal relates to a person who is no longer living;
- b) The feature, Council asset or area controlled by Council that is proposed to be named and/or at which a memorial is proposed to be located at; *and*
- c) That the proposed name conforms with the naming principles as contained within Council's Place Names Policy, and which are listed in paragraph 5.4 of this policy.

When considering a proposal, Council should consider:

- d) The reasons proposed for honouring the deceased person;
- e) The deceased person's contribution to the community, including lengths of service;
- f) The deceased person's association with the feature or asset that is proposed to be named in their memory, or at which a memorial is proposed to be located (that is, linking the name to the place);
- g) The level of support from the deceased person's family for the proposal

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5.4 Principles

When considering memorialisation proposals, Council will, where appropriate, be guided by the principles governing naming proposals contained within Council's Place Names Policy, which are taken from the Naming Rules:

- a) Principle (A) Ensuring public safety
- b) Principle (B) Recognising the public interest
- c) Principle (C) Linking the name to place
- d) Principle (D) Ensuring names are not duplicated
- e) Principle (E) Names must not be discriminatory
- f) Principle (F) Recognition and use of Aboriginal languages in naming
- g) Principle (G) Dual names
- h) Principle (H) Using commemorative names
- i) Principle (I) Using commercial and business names
- j) Principle (J) Language
- k) Principle (K) Directional names to be avoided
- l) Principle (L) Assigning extent to a road, feature or locality

5.5 Internal Consultation

Internal consultation by Council officers, seeking input and feedback on memorialisation proposals from various departments within Council, is mandatory. Feedback on the naming proposal will be sought from (but not limited to) the following individuals:

- Revenue Administrator
- Manager Waste
- Manager Leisure and Sport
- Manager Parks
- Manager Subdivisions
- Manager Community Development and Learning
- Manager Governance
- Coordinator Property and Development
- Coordinator Corporate Knowledge
- Senior Subdivisions Officer
- GIS Administrator

5.6 Public Consultation

Public consultation on memorialisation proposals that are not covered by Council's Place Names Policy is optional.

If a report is prepared for Council on a memorialisation proposal that is not covered by Council's Place Names Policy, it should make comment on whether consultation is recommended for that proposal.

If a proposal is received to name or re-name a Council building, or a feature or asset that is located on Council land, Council officers should consult with user groups, clubs and/or Committees of Management that are users of or have an interest in that location.

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If considered appropriate, the level of public support for a proposal can be ascertained by a public consultation process.

5.7 Memorials Not Approved in Perpetuity

Any memorialisation proposals approved by Council will not be approved in perpetuity, and Council may change, remove or choose not to replace any damaged or moved memorials at its discretion. This includes any approved trees or plants that are planted as a memorial to a deceased individual.

5.8 Roadside Memorials

Council does not support the construction of roadside memorials.

5.9 Scattering of Ashes

Council does not support the scattering of ashes in public areas.

5.10 Sponsorship

- a) The approval of a memorialisation proposal which is located at or on a Council owned feature, asset, piece of land or an area that Council is responsible for, does not preclude Council from entering into a sponsorship agreement for that same feature, asset, piece of land or area that Council is responsible for.
- b) If a Council owned feature, asset, piece of land or an area that Council is responsible for has been named as the result of a successful memorialisation proposal application, and Council enters into a sponsorship agreement for that feature, asset, piece of land or area that Council is responsible, Council retains the right to rename it.

5.11 Lodgement of Successful Memorialisation Proposals with the Registrar of Geographic Names

Memorial proposals approved by Council will not be submitted to the Registrar of Geographic Names for official naming and inclusion in VICNAMES, which is the which is the database that stores information and data related to all officially registered and recorded features, locality and road names in Victoria, unless this is specifically requested by Council.

6. DEFINITIONS AND ABBREVIATIONS

6.1 Geographic Name:

In relation to a place, means the name registered in the Register as the name for that place.

6.2 Memorial Proposal:

A proposal to honour the life of a deceased person who has made a significant contribution to the Hume community, or who had exceptional circumstances surrounding their death, by the naming of a Council owned feature or asset, or by the locating of a memorial on Council land, in circumstances that are not covered by Hume City Council's Place Names Policy.

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6.3 Naming Rules:

The *Naming Rules for Places in Victoria – Statutory Requirements for Naming Roads, Features and Localities 2016*, having effect under Part 2 of the *Geographic Place Names Act 1998*.

6.4 Registrar:

The Registrar of Geographic Names appointed under Section 7, *Geographic Place Names Act 1998*.

6.5 VICNAMES :

The database that stores information and data related to all officially registered and recorded features, locality and road names in Victoria.

7. RELATED DOCUMENTS

- Hume City Council Place Names Policy
- *Local Government Act 1989*
- *Geographic Place Names Act 1998*
- Naming Rules for Places in Victoria – Statutory Requirements for Naming Roads, Features and Localities 2016
- *Cemeteries and Crematoria Act 2003*

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REPORT NO:	GE219
REPORT TITLE:	Infringement Management Policy Review
SOURCE:	Peter Faull, Coordinator Governance & Corporate Support
DIVISION:	Corporate Services
FILE NO:	HCC13/492
POLICY:	Infringement Management Policy
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENT:	1. <i>Infringement Management Policy</i>

1. SUMMARY OF REPORT:

- 1.1 The Infringement Management Policy has been reviewed to reflect amendments made to the *Infringement Acts* 2006, and to incorporate new statutory requirements resulting from the early commencement of certain initiatives contained with the *Fines Reform Act* 2014.
- 1.2 This report presents Council with an updated Infringements Management Policy for consideration and adoption.

2. RECOMMENDATION:

- 2.1 **THAT Council revokes the Infringement Management Policy that was adopted by Council on 27 April 2015.**
- 2.2 **THAT Council adopts the Infringement Management Policy provided as Attachment 1 to this report.**

3. LEGISLATIVE POWERS:

- 3.1 *Infringements Act* 2006
- 3.2 *Fines Reform Act* 2014
- 3.3 *Fines Reform and Infringements Acts Amendment Act* 2016

4. FINANCIAL IMPLICATIONS:

Under the *Fines Reform Act* 2014, Council will now not collect revenue from individuals who complete a Work and Development Permit in lieu of paying an infringement, however, it is often vulnerable and disadvantaged people who cannot pay their fines due to acute financial hardship, so whilst Council will not collect revenue on these occasions, collection rates in these circumstances are already low.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

There are no environmental sustainability implications in respect to this report.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

There are no climate change adaptation implications in respect to this report.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

The rights protected in *The Charter of Human Rights and Responsibilities Act* 2006 were considered and it was determined that Council has acted compatibly with these rights when conducting this policy review.

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8. COMMUNITY CONSULTATION:

Community consultation is not required because the updates recommended to the Infringement Management Policy are required in order to comply with legislative changes that commenced on 1 July 2017.

9. DISCUSSION:

9.1 The Department of Justice and Regulation provides the following background information on the introduction of the *Fines Reform Act 2014*:

- (a) the *Fines Reform Act 2014* establishes a new fines recovery model for the collection and enforcement of fines in Victoria;
- (b) a new administrative body called Fines Victoria will be responsible for collecting and enforcing infringement fines and court fines;
- (c) a statutory position of Director, Fines Victoria, will be established.
- (d) the *Fines Reform Act 2014* contains measures designed to assist vulnerable and disadvantaged members of the community, who are often disproportionately impacted because they cannot pay and require other options to deal with their fines. These include a Work and Development Permit scheme, which will enable eligible people to finalise their infringement fines by undertaking approved treatment and activities.

9.2 The date of commencement of the *Fines Reform Act 2014*, which includes amendments to the *Infringement Acts 2006*, was extended by the *Fines Reform and Infringements Acts Amendment Act 2016* so that certain initiatives commenced on 1 July 2017, with full commencement of the *Fines Reform Act 2014* being on 31 December 2017.

9.3 Council's Infringement Management Policy has been updated to incorporate legislative changes that applied as of 1 July 2017, being:

9.4 Introduction of the Work and Development Permit (WDP) Scheme

9.4.1 The WDP scheme is a new initiative to help vulnerable and disadvantaged people who cannot pay their fines due to acute financial hardship. An eligible person's sponsor (who is accredited by the Secretary, Department of Justice and Regulation) can apply to the Secretary for a WDP which will enable them to clear an unpaid fine by participating in approved activities supervised by their sponsor. Successful completion of a WDP will clear the eligible person's infringement debt, however, a person with a WDP can also opt out at any stage and choose to pay the balance owing on their infringement/s.

9.5 Introduction of a New Infringement Review Ground – Person Unaware

9.5.1 The *Infringements Act 2006* allows individuals who receive an infringement notice to request the issuing enforcement agency to review the decision to issue that notice. A new ground for review of an infringement notice is being introduced called 'Person Unaware'.

9.5.2 A person may seek an internal review on grounds that they were unaware that an infringement notice had been served and where service of the notice was not personal service. An application under the person unaware ground must be made within 14 days of the applicant becoming aware of the infringement notice.

9.5.3 The definition of an authorized address in the *Infringements Act 2006* is an address recorded in relation to a person in a register kept by a public statutory body (including, in relation to a director, alternate director or secretary of a company within the meaning of the Corporations Act, the Australian Securities

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and Investments Commission) if by law that person or another person is required to notify that public statutory body of any change in that address. For Council, this definition will apply to individuals with authorized addresses that are maintained by VicRoads, and for companies that are maintained by Australian Securities and Investments Commission (ASIC).

9.5.4 Whilst this review ground is not limited to circumstances only involving a change of address, evidence is required from the applicant to support whatever reason is submitted as to why they were unaware of the infringement, and this must be done within 14 days of becoming aware of the infringement.

9.5.5 A successful application under the Person Unaware review ground will have the effect of ‘resetting’ the infringement back to the original penalty amount. At this point in time the individual can then pay the infringement, request a payment plan, request a WDR, elect to have the matter heard in Court, or request another review of the infringement based on one of the other review grounds.

9.6 Introduction of a New Special Circumstances Category – Family Violence

9.6.1 The *Infringements Act 2006* allows individuals who receive an infringement notice to request that the issuing enforcement agency review the decision to issue that notice due to special circumstances. To apply for a review due to special circumstances, a person will currently need to have, or be experiencing, any one of the following:

- (i) a mental or intellectual disability, disorder or illness;
- (ii) an addiction to drugs, alcohol or a volatile substance;
- (iii) homelessness.

9.6.2 These amendments will add a new category of ‘family violence’ that can be considered under the review category of special circumstances. This category relates to a person who is a victim of family violence and family violence results in the person being unable to control the conduct which constitutes the offence.

9.7 Exceptional Circumstances – Financial Hardship

9.7.1 Financial hardship is not a ground for review, but Council may consider such applications under the exceptional circumstances ground. Where a person is experiencing financial hardship and is unable to pay their outstanding fines, Council should and does assist the applicant, where appropriate, to negotiate a payment plan.

9.8 Other Legislative Changes

9.8.1 Other legislative changes which came into effect on 1 July 2017 are the introduction of an internal review oversight function (which gives the Director, Fines Victoria the power to request information from an enforcement agency about a specific internal review that the agency has conducted), the harmonisation of court powers to deal with fine defaulters, and the reinstatement of an improved ‘Time Served’ scheme for prisoners.

9.8.2 Of these, the internal review oversight function is the only one that will effect Council, and this only via the Director, Fines Victoria having powers to oversee, monitor and report on the operation of the internal review scheme, which can include the making of guidelines setting out the purposes of internal review and the obligations of enforcement agencies in performing the internal review function. The internal review oversight function was vested in the

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Secretary to the Department of Justice and Regulation as of 1 July 2017 until the Director role commences on 31 December 2017.

- 9.9 Upon full commencement of the *Fines Reform Act 2014* on 31 December 2017, the following will occur:
- (a) establishment of Fines Victoria;
 - (b) appointment of the Director, Fines Victoria;
 - (c) shorter collection and enforcement timeframes for infringement fines;
 - (d) the replacement of the current revocation process by an administrative enforcement review process;
 - (e) more effective powers and sanctions to enforce unpaid fines;
 - (f) consolidation of fines into a single payment arrangement;
 - (g) collection and enforcement of court fines by the Director.
- 9.10 These changes will allow Fines Victoria to offer and manage payment plan arrangement on behalf of Council (and all agencies that issue infringements) for eligible individuals.
- 9.11 As well as changes made to the Infringement Management Policy to reflect legislative changes that took effect as of 1 July 2017, some other minor changes have been made to the policy to reflect current practice in the management of infringements at Council.
- 9.12 The Infringements Management Policy has been given a review date of 30 June 2018, however if it is required to be amended earlier than that to comply with the full commencement of the *Fines Reform Act 2014* in December 2017, then the policy will be presented to Council with the necessary changes for re-adoption at an earlier time.
- 9.13 Council's internal systems, processes and procedures have been updated to accommodate the legislative changes that commenced on 1 July 2017. The information provided to individuals who receive infringements, as well as general information provided about infringements to members of the public, was also updated to reflect changes to legislation.

Other Changes to Policy

- 9.14 Following input from Councillors, the attached Infringements Management Policy includes the following clause:
- ‘Any person who receives an infringement for parking in a designated narrow street will be entitled, on request for a review, to have that infringement withdrawn and instead be issued with a warning. This review ground only applies to that person's first offence in any designated narrow street within the municipality of Hume.’
- 9.15 Following Councillor input the CEO's confidential guidelines will now also give further consideration to cases of extreme financial hardship.

10. CONCLUSION:

It is recommended that Council adopts the attached Infringement Management Policy, which has been reviewed and updated to comply, where applicable, with legislative changes that took effect on 1 July 2017.



INFRINGEMENT MANAGEMENT POLICY

Policy Reference No:	CP2013-10-03
File Reference No:	HCC – CM13/1359
Strategic Objective:	Health, Safety and Wellbeing
Date of Adoption:	28 August 2017
Date for Review:	30 June 2018
Responsible Officer:	MANAGER GOVERNANCE
Department:	GOVERNANCE

Hume City Council: INFRINGEMENT MANAGEMENT POLICY

1. POLICY STATEMENT

- 1.1 This Infringement Management Policy (the Policy) defines the standards and expectations set by Council, for the exercise of all duties, functions and responsibilities involved in carrying out any enforcement of Legislation in the Hume City Council.
- 1.2 Council is committed to ensure enforcement is carried out in the public interest and is transparent, fair, efficient and consistent.

2. PURPOSE

- 2.1 The aim of this Policy is to:
 - 2.1.1 Document Council's approach to the management of infringements issued by Council's authorised officers; *and*
 - 2.1.2 To ensure that regulatory functions are exercised consistently and without bias and in accordance with Council's obligations under the Local Government Act.
- 2.2 The management of infringements will be auditable and transparent and in accordance with the requirements of the Infringements Act 2006 which establishes a standard framework for issuing and enforcing infringement notices.

3. SCOPE

- 3.1 The Local Government Act 1989 empowers Local Government Authorities (LGA) to administer any delegated State Government Act and Local Law as listed in Section 8 of this Policy.
- 3.2 The Infringements Act 2006 and Fines Reform Act 2014 provide the legislative framework for the administration of infringements in Victoria.
- 3.3 The Act is supported by the Infringements Regulations 2016. There are currently over 50 legislative instruments in Victoria containing infringement offences.
- 3.4 This Policy is to be applied for infringement management in the Statutory Planning and Building Control Services, Assets, Waste, City Laws, Sustainable Environment, Public Health and any other applicable departments of Council.

4. OBJECTIVE

- 4.1 The objective of this Policy is to provide a consistent, accountable and transparent process for infringement management.

5. POLICY IMPLEMENTATION

- 5.1 This Policy provides standards and direction to ensure that all regulatory functions undertaken on behalf of Council are undertaken in a manner that reflects Council's Corporate Values, whilst complying with Council's Employee Code of Conduct.
- 5.2 This Policy establishes clear and lawful guidelines when exercising regulatory functions by providing:
 - 5.2.1 Enforcement options which ensure a consistent, impartial and fair application of the law.
 - 5.2.2 Guidance for Authorised Officers in their use of discretion.
 - 5.2.3 Clear and concise guidelines, which are consistent with guidelines issued by the Attorney General.

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- 5.2.4 Ensuring that all warnings, infringement notices, notices and reports are correctly recorded within Council's systems and contain all the necessary elements to establish the alleged offence.
- 5.3 The Departments responsible for authorised officers will implement this Policy by ensuring their staff:
- 5.3.1 Are trained and competent to use procedures that support the Policy.
- 5.3.2 Have access to this Policy and supporting procedures and legislation.
- 5.4 Reporting to the Department of Justice and Regulation:
- 5.4.1 Under the Infringements Act 2006 and regulations, an enforcement agency must provide prescribed information to the Department of Justice and Regulation every six months in relation to each category of infringement offences as follows:
- The number of official warnings;
 - The number of official warnings withdrawn;
 - The number of infringement notices issued;
 - The number of infringement notices withdrawn;
 - The number of persons served with an infringement notice who elect to have the matter heard and determined in court, or in the case of a child, the Children's Court;
 - The number of applications for internal review under each of the grounds and the number of applications for internal review decided;
 - The number of applications for payment plans received by the enforcement agency and as far as practicable:
 - The total number of payment plans offered.
 - The total number of payment plans commenced.
 - In relation to commenced payment plans, the number defaulted.
 - The number of applications for review under Special Circumstances – Family Violence.

6. POLICY STATEMENTS

6.1 GENERAL

- 6.1.1 Policy Statements will be presented in the order of the Infringement Management process i.e.
- Issue of Infringements
 - Payment of Infringements
 - Infringement Review
 - Consideration of Special Circumstances and Exceptional Circumstances
 - Financial Hardship
 - Infringement Recovery
 - Work And Development Scheme
 - Prosecutions

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6.1.2 The Chief Executive Officer (CEO) or Councillors are not to become involved in reviews of infringement notices and will not hear deputations regarding individual Infringement notices. Where an appeal is not confirmed the next course of review is an appeal through the Courts.

6.1.3 If the CEO or Councillors receive an application to review an infringement the application should be forwarded to Council's Executive Officer or another staff member so that it is recorded in Council's Record Management System and forwarded to the Infringement Management Unit where policy, guidelines and processes will be followed.

6.2 ISSUE OF INFRINGEMENTS

6.2.1 Authorised Officers have a statutory obligation to enforce the legislation conferred upon Council. Such enforcement actions may include verbal or written warnings and directions, the issue of infringement notices for certain offences or undertaking further legal action for serious and recalcitrant breaches of law.

6.2.2 Infringements must be issued in accordance with the Policy for any sighted contravention of the Local Law or any State Legislation that Council is authorised to enforce.

6.2.3 All infringements must be recorded and monitored on Councils CI Property and Rating Infringement Module or other database as approved by the CEO.

6.2.4 Information regarding the Infringements Management process shall be available in plain English and able to be accessed by the community either through www.hume.vic.gov.au or in hard copy from the Council Customer Service Centres.

6.2.5 If at any point an authorised officer suspects that a procedural error may have occurred, the matter should be referred for review immediately and without the necessity for an application for review. A hold will be placed on the Infringement notice so as not to incur late fees until the matter is reviewed and response provided.

6.3 PAYMENT OF INFRINGEMENTS

6.3.1 All infringements must be paid by the due date on the infringement notice.

6.3.2 Infringements may be paid by installments or by negotiating an extension on the due date from the time it is first issued to avoid extra fees being accrued (where applicable) i.e. a payment plan.

6.3.3 Payment plans (instalments) are to be available as per the criteria listed below to any person (not a company) who is able to prove financial hardship:

- a) Payment plans are only available on 2 occasions (not on an ongoing basis). This includes instalment plans, extensions of time to pay or a combination of both;
- b) If a person defaults by not making a payment within 14 days of the due date, as per the payment plan conditions, the plan will be considered to be in default;
- c) A default letter will be sent advising payment is required within 7 days and if this payment is not received the payment plan will be cancelled and the matter will proceed to the next stage in the infringement lifecycle, which may include Court.

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- 6.3.4 A person who receives one of the following benefits is eligible for payment plans as of right:
- Centrelink Health Care Card;
 - Pensioner Concession Card;
 - Department of Veterans' Affairs Concession Card.
- 6.3.5 The minimum amount accepted per fortnight for a payment plan is to be based on the total amount of the accumulated penalty amounts to be paid within a 12 month period (i.e. total dollar value divided by 26 fortnights). The minimum payment amount is not to be less than \$20.00, or in the case of extreme financial hardship, \$10.00, per fortnight. Persons suffering extreme financial hardship will be dealt with on a case by case basis, however full payment is never to exceed a 24 month term.
- 6.3.6 Extensions of the time to pay infringements in full will be considered (2 to 8 weeks depending on the amount of the infringement) without penalty.
- 6.3.7 A company is not eligible to be offered a payment plan (instalment) arrangement but may be offered up to two 8 week extensions of time to pay an infringement.

6.4 INFRINGEMENT REVIEW

- 6.4.1 Council acknowledges the right of people issued with infringement notices to seek a review of the circumstances of the notice before further legal action is taken under various Acts and Regulations. All such reviews will be dealt with fairly, impartially and consistently.
- 6.4.2 When applying for review of an infringement, the applicant must:
- a) Complete the form "Application to Review an Infringement" (Attachment 1), or submit a written request for a review, either in person or by mail or by e-mail to contactus@hume.vic.gov.au. A person may also submit an application for review online on Council's website.
 - b) Set out the circumstances and basis for disputing the alleged offence and the grounds on which the decision should be reviewed:
 - was contrary to law;
 - involved a mistake of identity;
 - that special circumstances apply to the person;
 - the conduct for which the infringement notice was served should be excused having regard to any exceptional circumstances relating to the infringement offence;
 - Person unaware of infringement.
 - c) Include any documentary evidence or information supporting their application (please note, for all incidents where a person is relying on evidentiary circumstances, they will be required to declare the information on a statutory declaration in the first instance).
 - d) State the applicant's current address for service of the outcome of the decision.
 - e) A request for review of a parking infringement may also be lodged directly with Council's Parking Services Contractor.

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- 6.4.3 The “Application to Review an Infringement” application form may change from time to time.
- 6.4.4 A request for a review may only be made once in relation to any one infringement offence in respect of the applicant.
- 6.4.5 If a review is requested and the decision to issue the infringement is upheld, the time to pay the fine will be extended by either 2 weeks from date of the response letter or 1 week from the due date of the infringement, whichever is the greater time period.
- 6.4.6 A person issued with an infringement notice may elect to have the matter referred to Open Court at any time.
- 6.4.7 Infringement Reviews must be conducted in accordance with the confidential guidelines as approved by the CEO.
- 6.4.8 The outcome of the review is to be forwarded to the applicant in writing within 21 days of Council making a decision on the review.
- 6.4.9 Infringement Notices that are not withdrawn by a review panel and are referred to Court will be processed in accordance with the procedure outlined in the Magistrates’ Court Act 1989.
- 6.4.10 Any person who receives an infringement for parking in a designated narrow street will be entitled, on request for a review, to have that infringement withdrawn and instead be issued with a warning. This review ground only applies to that person’s first offence in any designated narrow street within the municipality of Hume.
- 6.5 REVIEW GROUND - SPECIAL CIRCUMSTANCES**
- 6.5.1 A person in receipt of an infringement may also apply for a review of the infringement if there are special circumstances.
- 6.5.2 Special circumstances include:
- a mental or intellectual disability or disorder, disease or illness;
 - a serious addiction to drugs, or alcohol or a volatile substance, that resulted in the person being unable to understand or control the behaviour that resulted in an offence;
 - homelessness resulting in an inability to control the behaviour constituting the offence;
 - is a victim of family violence.
- 6.5.3 Note:
- (a) Homelessness is defined in Regulation 7 of the Infringement (General) Regulations as:
- the person is living in crisis accommodation;
 - the person is living in transitional accommodation;
 - the person is living in any other accommodation provided under the *Supported Accommodation Assistance Act 1994* of the Commonwealth;

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- the person has inadequate access to safe and secure housing as defined in section 4 of the *Supported Accommodation Assistance Act 1994* of the Commonwealth.
- (b) Family violence is defined as a behaviour by a person towards a family member of that person if that behaviour:
 - is physically or sexually abusive; or
 - is emotionally or psychologically abusive; or
 - is economically abusive; or
 - is threatening; or
 - is coercive; or
 - in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; or
 - behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to above.
- 6.5.4 Applications for review under the special circumstances clause must be supported with documentation or proof of the circumstances.
- 6.6 **REVIEW GROUND - EXCEPTIONAL CIRCUMSTANCES**
 - 6.6.1 A person in receipt of an infringement may apply for a review of the infringement if there are exceptional circumstances.
 - 6.6.2 Exceptional circumstances are not specifically defined and hence the applicant will be required to explain the circumstances and have supporting material as evidence to back up their case (e.g. a doctor's letter).
 - 6.6.3 The Guide provided as Attachment 2 is from the Department of Justice and Regulation website and provides some assistance with applications that cite Exceptional and Special Circumstances.
- 6.7 **FINANCIAL HARDSHIP**
 - 6.7.1 Whilst financial hardship is not a ground for review, Council may consider such applications under the exceptional circumstances ground.
 - 6.7.2 Alternatively, where a person is experiencing financial hardship and is unable to pay their outstanding fines, Council should assist the applicant, where appropriate, to negotiate a payment plan.
- 6.8 **INFRINGEMENT RECOVERY**
 - 6.8.1 The Infringement Recovery Process shall be in accordance with this Policy.
 - 6.8.2 Within 30 days of the expiry of the due date for payment of the Penalty Reminder Notice, recovery of the infringement and related costs (where applicable) of the infringement will commence via either Council solicitor letter or a Recovery Agency.
 - 6.8.3 The Recovery Agency or solicitor will attempt to recover the outstanding infringement amount and where necessary have any directions or breaches on the notice complied with (using appropriate measures) over a 90 day period.

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- 6.8.4 The use of a Recovery Agency will require reports to be forwarded of unpaid infringements for review with regard to issuing summons on a monthly basis.
- 6.8.5 If a notice is not paid, even after a reminder (with late fee added) has been sent, the matter can be referred to Court.
- 6.8.6 Infringement notices issued under the Environment Protections Act 1970 are to be referred to Court after the Penalty Reminder Notice stage so that if another person is identified as the offender during the Court process, this person can be charged with the offence.
- 6.9 WORKING AND DEVELOPMENT SCHEME (WDP)**
- 6.9.1 The WDP scheme is a new initiative to help vulnerable and disadvantaged people who cannot pay their fines due to acute financial hardship.
- 6.9.2 If a person is eligible for a WDP, their sponsor (who is accredited by the Secretary, Department of Justice and Regulation) will be able to apply to the Secretary for a WDP which will enable the eligible person to clear an unpaid fine by participating in approved activities supervised by their sponsor.
- 6.9.3 To be eligible for a WDP, a person will need to have, or be experiencing, any one of the following:
- a mental or intellectual disability, disorder or illness;
 - an addiction to drugs, alcohol or a volatile substance;
 - homelessness;
 - family violence;
 - acute financial hardship.
- 6.9.4 Approved WDP activities under the supervision of a sponsor may include:
- Drug and alcohol counselling;
 - Unpaid / voluntary work;
 - Courses included educational, vocation or life skills;
 - Medical or mental health treatment provided by a doctor, nurse or psychologist;
 - Mentoring programs (for people under the age of 25 years).
- 6.10 PROSECUTIONS**
- 6.10.1 Following the expiry of the recovery period, proceedings may be instigated through the Magistrates Court or any other applicable Court.
- 6.10.2 The following factors may indicate that it is in the Public Interest to commence or continue a prosecution:
- The need to maintain the rule of law (for example, an offence which is a community safety issue such as illegal parking near schools, a health or building offence etc).
 - The need for deterrence, (for example, an offence that represents a negative impact on the environment and/or appearance of the city

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such as an unsightly premise, an asset protection issue or any other planning infringement).

- The need to maintain public confidence in Council acting in the interest of the community and as a regulator.
- There is a total value of infringement and costs exceeding \$200.
- That a person has incurred 3 or more infringements.

6.10.3 The following factors may indicate that it is not in the Public Interest to pursue a prosecution:

- The youth, age, physical or mental health or special infirmity of the alleged offender or of a witness.
- The triviality of the offence i.e. the infringement value is under \$75.
- The availability of alternatives to prosecution.
- The financial capacity or insolvency of the offender.
- The offender rectifies the act or omission which led to the charge.
- The likely length of the hearing or the expense of pursuing the prosecution.
- The likely outcome in the event of a finding of guilt having regard to the punishment.

6.10.4 Should Council's Prosecutions and Compliance Officer, or any other appropriately authorised/delegated officer become aware that an error has been made or of new circumstances, the matter must be reviewed internally, and if appropriate, must not proceed to Court. No request in writing is required on such occasions.

6.10.5 Unpaid Infringements that are considered unrecoverable will be written off.

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7 DEFINITIONS AND ABBREVIATIONS

- 7.1 The following definitions are applicable within this Policy:
- 7.1.1 Act - The Infringements Act 2006.
 - 7.1.2 Council - means Hume City Council.
 - 7.1.3 Authorised Officer - means an Officer granted appropriate delegated authority under the Local Government Act 1993 and other legislation for which the Council is responsible.
 - 7.1.4 Recovery Agency - a company endorsed by Council to collect outstanding monies owed.
 - 7.1.5 Manager is a person appointed as a Manager at Council.

8 RELATED DOCUMENTS LEGISLATION / GUIDELINES

- 8.1 This Policy Document relies on the provisions contained by not limited to the following Acts, Regulations and Guidelines:
- 8.1.1 Hume City Council's General Local Law 1
 - 8.1.2 State Legislation
 - Local Government Act 1989
 - Road Safety Act 1986
 - Metropolitan Fire Brigades Act 1958
 - Country Fire Authority Act 1958
 - Domestic Animals Act 1994
 - Environment Protection Act 1970
 - Fines Reform Act 2014
 - Infringements Act 2006
 - Tobacco Act 1987
 - Magistrates' Court Act 1989
 - Impoundment of Livestock Act
 - Prevention of Cruelty to Animals Act 1986
 - Summary Offences Act 1966
 - Magistrates Court Act 1989
 - Evidence Act 2008
 - Victorian Civil and Administrative Tribunal Act 1998
 - Building Act 1993
 - Planning and Environment Act 1987 [s147(4)]
 - Road Management Act 2004
 - Food Act 1984
 - Acts and regulations including Part 14 of residential Tenancies Act 1997
 - Any Regulations made and in-force under the above listed Acts
 - 8.1.3 This Policy relates to the following Council policies, plans or manuals:
 - Employee Code Of Conduct;
 - Council's applicable Complaints Handling Policy/s;
 - Department's individual applicable procedures, work instructions and guidelines;
 - Infringement Management Guidelines.

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Attachment 1

Application for Internal Review (Infringements Only)

1. Please complete all sections below to have your infringement reviewed. Please complete the white sections, print clearly in ink using BLOCK letters, cross where applicable and then sign below.
2. Only one Internal Review may be submitted per Infringement Notice, unless applying when an internal review has been granted on the ground of Person Unaware of Fine.
3. Internal reviews are not permitted for an alleged drink-driving, driving under the influence of drugs, or excessive speed infringements that result in a loss of licence.

Applicant details

Who is applying (confirm who is making the application):



Person named on the
infringement notice



Other person with consent

(You must also complete the "Consent for
Internal Review" on reverse side of this page)



Authorised company
representative

Your personal details

Surname / Company Name

First name / Company ACN

Address of person / Company

State

Postcode

Email

Infringement details

Your Infringement number

Vehicle registration number

Grounds for application

Descriptions are located on the reverse side of this page.



Exceptional Circumstances
See description 1



Contrary to Law
See description 2



Special Circumstances
See description 3



Mistaken Identity
See description 4



Person Unaware of Fine
See description 5



Penalty Reminder Notice/
Fee Waiver Request
See description 5

I have attached an explanation of my circumstances and ground(s) in support of my application



Declaration details

I understand that this is the only Internal Review for this
Infringement that I am able to submit pursuant to s.22 (2) of
the Infringements Act 2006.

I declare that the information that I have supplied in this
form, and any attachments to this form, are true and
correct to the best of my knowledge.

I understand that by making a false or misleading
statement in support of this claim, I may be prosecuted.

Signature of Applicant



Date

D D / M M / Y Y Y Y

AB-WDP v1.0 | 12.16



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Description of relevant grounds for internal review appeal	
1	Exceptional Circumstances Please provide details of the exceptional circumstances (where you have committed the offence due to unforeseen or unpreventable circumstances, e.g. medical emergencies).
2	Contrary to Law Please provide the reasons why you consider the decision to issue you with an Infringement was unlawful (e.g. the Infringement was not valid).
3	Special Circumstances Special circumstances includes: <ul style="list-style-type: none"> a mental or intellectual disability, disorder, disease or illness a serious addiction to drugs, alcohol or volatile substance homelessness, or family violence within the meaning of the Family Violence Protection Act 2008. You must provide evidence (e.g. letter, report, statement) from one of the following parties to support your application. <ul style="list-style-type: none"> a case worker, case manager or social worker a general practitioner, psychiatrist or psychologist, or an accredited drug treatment agency. Evidence (e.g. letter, statement or a report) from practitioner or case work should include the following information: <ul style="list-style-type: none"> the practitioner/case worker's qualification and relationship with you, including the period of engagement the nature, severity and duration of your condition or your circumstances: <ul style="list-style-type: none"> a) whether you were suffering from the relevant condition or circumstances at the time the offence was committed, and b) whether, in the opinion of the practitioner/case worker, it is more likely than not that your condition/ circumstances resulted in your inability to understand or control the conduct constituting the offence. The practitioner or agency report must show that because of your condition/situation you could not understand or control constituting the offence.
4	Mistaken Identity Please provide an explanation of why you rely on the ground of mistake of identity (including evidence e.g. copy of your driver's licence, in support).
5	Person Unaware of Fine An application made on the ground of "person unaware" must: <ul style="list-style-type: none"> be made within 14 days of you becoming aware of the infringement notice (You may evidence the date that you became aware of the infringement notice by executing a statutory declaration) state the grounds on which the decision should be reviewed, and provide your current address for service.
6	Penalty Reminder Notice Fee Waiver Request Please provide the reason(s) why you believe the Penalty Reminder Notice Fee should be waived. Note: The original penalty amount is still applicable under this request.

Applicants please note:

If you do not provide sufficient information, the enforcement agency may request further information. If you do not provide this further information within 28 days of the date of request, the enforcement agency may determine the application without further information. Internal reviews are not permitted for an alleged drink-driving, driving under the influence of drugs, or excessive speed infringements that result in a loss of licence.

Consent for internal review

To be completed if another person is acting on your behalf.

I (person named in the infringement) _____,
 of (address of person named on the infringement) _____, give my
 consent to (name of person making the application on your behalf) _____, to apply
 for an Internal Review on my behalf to Infringement Number _____.

Signature of person named on the infringement

Date

D D / M M / Y Y Y Y

Signature of other person with consent

Date

D D / M M / Y Y Y Y

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Application for review of an infringement

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Hume City Council: INFRINGEMENT MANAGEMENT POLICY

Attachment 2 :

Detailed Practitioner's Reports: Instructions for Practitioners

A Guide to Special and Exceptional Circumstances Applications
For health practitioners, case workers and support agencies

DEPARTMENT OF JUSTICE
INFRINGEMENTS SYSTEM OVERSIGHT UNIT
Victoria

What is a Practitioner's Report?

Practitioners may be asked to provide a report to support a patient's application for review of the issue of an Infringement Notice under the *Infringements Act 2006* (the "Act"). A person may apply for a review in one of two ways:

- Every person who receives an Infringement Notice is entitled to an internal review of the decision to issue the notice. This review is undertaken by the enforcement agency that issued the notice, under section 22 of the Act.
- Similarly, under section 65 of the Act, if the Infringements Court has issued an Enforcement Order in respect of an outstanding Infringement, that person may apply for the withdrawal or cancellation of the Order (called a 'revocation' of the Order).

A practitioner may be asked to provide a 'Detailed Practitioner's Report' where a patient applies because of 'special circumstances' or 'exceptional circumstances'.

There is no restriction on the format of a detailed practitioner's report; however, a practitioner should address the questions contained in this pamphlet.

The purpose of the detailed practitioner's report is to set out details of the client's condition and treatment, in support of their claim of special or exceptional circumstances. Without these details, their claim may fail.

What are 'special circumstances'?

A 'special circumstances' application must meet two tests.

Firstly, a person must suffer from one of the following three types of conditions:

- a mental or intellectual disability, disorder, disease or illness; or
- a serious addiction to drugs, alcohol or volatile substance; or
- homelessness.

Secondly, if a person claims that they are suffering from a serious drug, alcohol or volatile substance addiction, or some form of mental disability, illness or disorder, they must show:

- that because of this condition, they could not understand the behaviour was against the law; or
- that because of this condition, they could not control the conduct for which they received the Infringement.

If a person claims they are experiencing homelessness, they must show that because of this condition, they could not control the conduct for which they received the Infringement.

What are 'exceptional circumstances'?

Applications may be made on the basis of 'exceptional circumstances'. This term is not defined in the Act and applications may be made on any basis.

If a person wishes to claim exceptional circumstances on the basis of medical or health reasons, they will require supporting evidence from their practitioner to show that because of particular circumstances they should be excused from liability to pay the Infringement.

"...your assistance helps create a fairer justice system, addressing those in need..."

Detailed Practitioner's Reports: Instructions for Practitioners
Infringements System Oversight Unit

DEPARTMENT OF JUSTICE
INFRINGEMENTS SYSTEM OVERSIGHT UNIT
Victoria

Practitioners may be asked to provide a report to support a patient's application for review of the issue of an Infringement Notice under the *Infringements Act 2006*. Reports should address the questions below:

Who may provide a 'Detailed Practitioner's Report'?

Reports can be accepted from:

- In the case of an application based on a mental or intellectual disability, disorder, disease or illness - a general practitioner, psychiatrist or psychologist;
- In the case of an application based on a serious alcohol or drug dependency condition - a general practitioner, psychiatrist, psychologist or an accredited drug treatment agency;
- In the case of an application based on homelessness - a case worker, case manager, social worker, agency funded under the *Supported Accommodation Assistance Act 1994*, or other health service provider.

A practitioner should state:

- the practitioner's qualifications; and
- position in their employer organisation (if applicable); and
- how many occasions they have seen/treated the patient.

Generally, a practitioner's report will be regarded as current if dated within 12 months of the date of the client's request for review. In some circumstances, reports may be accepted outside this timeframe.

Reports relating to a client claiming an addiction or a mental or intellectual disorder

The practitioner needs to include the following:

- What is the diagnosis?**
 - What is the nature and severity of the illness or condition?
 - How long has the person had the illness or condition? Please specify dates if possible.
- Has the illness, condition or addiction resulted in the person being unable to either understand or control the conduct that constitutes the offence?**
 - Was the person suffering and/or diagnosed with the illness or condition at the time of committing the offences?
 - If so, how did the illness or condition contribute to the offence?
 - Is the person taking medication, or undergoing any treatment or rehabilitation?
- Is there any other relevant information?**

Reports relating to a client claiming homelessness

The practitioner needs to include the following:

- What are the person's current living arrangements?**
 - How long has the person been homeless?
 - Was the person homeless at the time of the offence?
- Has homelessness resulted in the person being unable to control the conduct that constitutes the offence?**
 - If so, how did the homelessness contribute to the offences?
 - Does (or did) the person suffer from any other illnesses which may be relevant in determining whether the person was able to control or prevent the conduct for which the Infringement Notice was issued?
 - If so, is the person taking medication, undergoing any treatment or rehabilitation?
- Is there any other relevant information?**

"...your assistance helps create a fairer justice system, addressing those in need..."

http://www.justice.vic.gov.au/resources/ae90b54d-0d7c-404a-a070-4527653b6cec/infringement_notice_special_circumstances.pdf

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REPORT NO:	GE220
REPORT TITLE:	Review of Council Policy Register
SOURCE:	Peter Faull, Coordinator Governance & Corporate Support; Brad Mathieson, Governance Support Officer
DIVISION:	Corporate Services
FILE NO:	HCC15/190
POLICY:	-
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	<ol style="list-style-type: none">1. <i>Council Policy for re-adoption as listed in Table 3</i>2. <i>Council Policies for re-adoption as listed in Table 4</i>3. <i>Council Policies recommended to be revoked as listed in Table 5</i>

1. SUMMARY OF REPORT:

- 1.1 This report provides Council with a status update on all publically available policies that are recorded in Council's Policy Register, which is a register of all Council adopted policies. All publically available policies can be viewed on Council's website. Council's Policy Register also records confidential policies, but these are not referred to in this report.
- 1.2 Policies been designated with a status of either 'Current' or 'Past Review Date', with recommendations made regarding review dates and/or the re-adoption of policies that are past their review dates. A recommendation is also included that Council revokes two currently active policies that are no longer required.

2. RECOMMENDATION:

- 2.1 That Council notes those policies listed in Table 1 of this report as being current policies, which require no further action at this time.
- 2.2 That Council notes those policies listed in Table 2 of this report are past their review dates, but which are currently under active review for presentation to Council.
- 2.3 That Council re-adopts the Flyers and Petitions – Display at Council Buildings Policy as listed in Table 3 of this report (which is provided as Attachment 1), without any amendment to policy content, to June 2022.
- 2.4 That Council re-adopts without amendment to June 2018 those policies listed in Table 4 of this report (which are provided as Attachment 2), which are past their review dates, and notes that these policies will be reviewed and presented to Council prior to June 2018.
- 2.5 That Council revokes those policies listed in Table 5 of this report (which are provided as Attachment 3).
- 2.6 That Council notes that the Responsible Officers and Departments listed against each policy in Tables 1 to 4 are current and correct, and that where applicable, policies available on Council's website will be updated so that they show the current Responsible Officer and Department.

3. LEGISLATIVE POWERS:

Council Policies may have varying legislative powers applied to them.

REPORT NO: GE220 (cont.)

4. FINANCIAL IMPLICATIONS:

There are no financial implications directly associated with this report; however there may be minor associated costs with Council policies that require community consultation.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

There are no environmental sustainability implications in respect to this report.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

There are no climate change adaptation implications in respect to this report.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

The rights protected in *The Charter of Human Rights and Responsibilities Act 2006* were considered and it was determined that Council has acted compatibly with these rights when conducting this policy review.

8. COMMUNITY CONSULTATION:

Community consultation is not required for those policies that Council is being asked to note (Table 1) or to re-adopt without amendment (Tables 3 and 4). For those policies that are being reviewed (Tables 2 and 4), Responsible Officers will make recommendations regarding public consultation when they present these policies, or drafts of these policies to Council for its consideration.

9. DISCUSSION:

- 9.1 All policies that are adopted by Council are recorded in a Policy Register. Any adopted policy remains active until it is formally revoked by Council. The policy register therefore contains policies that are 'current' (not expired) or policies that have past their review dates, but which are still active policies.
- 9.2 A policy that is past its review date is still active, but following a review it can be re-adopted or revoked by Council.
- 9.3 Council is not bound by any legislation to conduct a review of its own policies, however some Council policies refer to specific legislation and there is a risk that a policy could contain out-of-date information or references if it is not reviewed by its scheduled review date. Policies are given a default review date of 5 years from the date of adoption unless a shorter period is recommended when the policy is presented to Council for consideration and adoption.
- 9.4 All policies have a Responsible Officer, which for most policies is a Manager but can also be a Director or a Coordinator. The Responsible Officer has responsibility for policy content and implementation, and is the first point of contact for any queries about the policy.

Current Status of Policies

- 9.5 All of the policies in Council's Policy Register, excluding confidential policies, have been included in one of the five tables listed below:
 - (a) **Table 1** lists those policies which are current and which require no further action from Council at this time. Whilst these policies are all current, some are approaching their review dates so they may be presented to Council in the near-future for consideration and adoption, and/or some will need to be presented to Council for reconsideration because content changes are required. These policies can be viewed on Council's website, which can also be accessed via the Councillors Portal.
 - (b) **Table 2** lists policies which are past their review dates and which are currently under active review by their respective Responsible Officers, who have provided a date by which they expect the policy to be ready

REPORT NO: GE220 (cont.)

for presenting to Council. Council is not being asked to re-adopt or revoke any of these policies prior to these reviews being completed. These policies can be viewed on Council's website, which can also be accessed via the Councillors Portal.

- (c) **Table 3** lists the Flyers and Petitions – Display at Council Buildings Policy, which is past its review date but which is recommended for re-adoption with no changes to policy content. This policy is provided as Attachment 1 to this report.
- (d) **Table 4** lists policies which are past their review dates that Council are being asked to re-adopt without change until June 2018, prior to which they will be reviewed and re-presented to Council. These policies are provided as Attachment 2 to this report.
- (e) **Table 5** lists those policies which it is recommended that Council revoke because they are no longer required. The table provides a comment from the respective Responsible Officers as to why they are recommending that these policies be revoked. These policies are provided as Attachment 3 to this report

9.6 Table 1 – Current policies (not expired)

Table 1		
Current Policies		
Policy Name	Responsible Officer	Department
Aboriginal and Torres Strait Islander Recognition Policy	Manager Community Development & Learning	Community Development & Learning
Agricultural Land Use Rebate Policy	Manager Sustainable Environment	Sustainable Environment
Art in Public Places Policy	Manager Community Development & Learning	Community Development & Learning
Asset Management Policy	Manager Assets	Assets
Biodiversity Planning Policy	Manager Sustainable Environment	Sustainable Environment
Building Control Policy for Places of Public Entertainment and Prescribed Temporary Structures	Manager Statutory Planning & Building Control Services	Statutory Planning & Building Control Services
Capital Investment Policy	Director Corporate Services	Corporate Services
Combined Allotment Statements Policy	Manager Statutory Planning & Building Control Services	Statutory Planning & Building Control Services
Communications Equipment on Council Property Policy	Manager Finance & Property Development	Finance & Property Development
Construct Buildings Over Easement Policy	Manager Statutory Planning & Building Control Services	Statutory Planning & Building Control Services
Councillor Portfolio Guidelines	Manager Governance	Governance
Councillor Support and Expenses Entitlement Policy	Manager Governance	Governance

REPORT NO: GE220 (cont.)

Table 1		
Current Policies		
Councillor Training and Conference Policy	Manager Governance	Governance
Dealing with Difficult and Vexatious Customers Policy	Manager Governance	Governance
Election Caretaker Period Policy	Manager Communications & Events	Communications & Events
Events and Festivals Bond Policy	Manager Communications & Events	Communications & Events
Fencing of Council Reserves Policy	Manager Leisure Centres & Sports	Leisure Centres & Sports
Food Policy	Manager Governance	Governance
Food Safety Management Policy	Manager Governance	Governance
Fraud Control Policy	Manager Governance	Governance
Free Tipping for Charitable Organisations Policy	Manager Waste	Waste
Graffiti Management Policy	Manager Waste	Waste
Half Cost Fencing Policy	Manager Assets	Assets
Hume City Parking on Narrow Streets Policy	Manager Assets	Assets
Hume Parking Management Policy	Manager Strategic Planning	Strategic Planning
Information Privacy and Health Records Policy	Manager Governance	Governance
Infringement Management Policy	Manager Governance	Governance
Liquor Licensing Referral Policy	Manager Community & Activity Centre Planning	Community & Activity Centre Planning
Municipal Building Control Intervention Filter Criteria – Risk Assessment Policy	Manager Statutory Planning & Building Control Services	Statutory Planning & Building Control Services
Occasional Care Enrolment Policy	Manager Family, Youth & Children's Services	Family, Youth & Children's Services
Place Names Policy	Manager Governance	Governance
Preschool Policy	Manager Family, Youth & Children's Services	Family, Youth & Children's Services
Procurement Policy	Manager Finance & Property Development	Finance & Property Development
Proposals for Memorialisation within the Municipality of Hume Policy	Manager Governance	Governance
Recognition of Residents Policy	Manager Governance	Governance

REPORT NO: GE220 (cont.)

Table 1		
Current Policies		
Residential Parking Permit Policy	Manager Assets	Assets
Responsible Gaming Policy	Manager Community & Activity Centre Planning	Community & Activity Centre Planning
Risk Management Policy	Manager Governance	Governance
Setting of Fees and Charges Policy	Manager Finance & Property Development	Finance & Property Development
Shipping Containers and Waste Skips Policy	Manager Governance	Governance
Social Impact Assessment Planning Policy and Guidelines	Manager Community & Activity Centre Planning	Community & Activity Centre Planning
Social Justice Charter	Manager Community Development & Learning	Community Development & Learning
Special Rate and Special Charge Scheme Policy	Manager Assets	Assets
Vehicle Crossing Siting Policy	Manager Assets	Assets

9.7 Table 2 – Policies past their review dates but which are currently under active review

Table 2			
Policies Past Their Review Date - Currently Under Active Review			
Policy Name	Responsible Officer	Department	Indicative date for presenting to Council by:
3 Year Old Activity Group Enrolment Policy	Manager Family, Youth & Children's Services	Family, Youth & Children's Services	October 2017
Customer Feedback and Complaints Handling Policy	Manager Customer Service	Customer Service	November 2017
Fees and Charges Policy for Sports Ground Usage Policy	Manager Leisure Centres & Sports	Leisure Centres & Sports	December 2017
Lease and Licence Policy (<i>expires August 2017</i>)	Manager Finance and Property Development	Finance and Property Development	December 2017
Long Day Care Policy	Manager Family, Youth & Children's Services	Family, Youth & Children's Services	October 2017
Playgroup Support Policy	Manager Family, Youth & Children's Services	Family, Youth & Children's Services	October 2017
Preschool Enrolment Policy	Manager Family, Youth & Children's Services	Family, Youth & Children's Services	October 2017

REPORT NO: GE220 (cont.)

Table 2			
Policies Past Their Review Date - Currently Under Active Review			
Public Place Lighting Policy	Manager Assets	Assets	August 2017
Recognition of Former Councillors Policy	Manager Governance	Governance	November 2017
Residential Naturestrip Policy	Manager Parks	Parks	November 2017
Street and Reserve Tree Policy	Manager Parks	Parks	August 2017

- 9.8 Table 3 - Policy past its review date which is recommended for re-adoption to June 2022, with no changes to policy content (policy provided as Attachment 1 to this report)

Table 3		
Policy Past Review Date - Recommended for Re-Adoption with no Change to Policy Content		
Policy for Re-Adoption for review	Responsible Officer	Department
Flyers and Petitions – Display at Council Buildings Policy	Manager Governance	Governance

- 9.9 Table 4 - Policies past their review dates which Council are being asked to re-adopt without change until June 2018, prior to which they will be reviewed (policies provided as Attachment 2 to this report)

Table 4			
Policies Past Their Review Date - Council are Being Asked to Re-Adopt Without Change Until June 2018			
Policy Name	Responsible Officer	Department	Date for presenting to Council by:
Aged and Community Care Policy	Manager Health & Community Wellbeing	Health & Community Wellbeing	June 2018
Club Contributions Policy for Capital Works Projects	Manager Leisure Centres & Sports	Leisure Centres & Sports	June 2018
Community Transport Policy	Manager Health & Community Wellbeing	Health & Community Wellbeing	June 2018
Dogs in Public Places Policy	Manager Community & Activity Centre Planning	Community & Activity Centre Planning	June 2018
Hume City Council Sponsorship Policy	Manager Communications & Events	Communications & Events	June 2018
Media Communications Policy	Manager Communications & Events	Communications & Events	June 2018

REPORT NO: GE220 (cont.)

Table 4			
Policies Past Their Review Date - Council are Being Asked to Re-Adopt Without Change Until June 2018			
Turf Cricket Policy	Manager Leisure Centres & Sports	Leisure Centres & Sports	June 2018
The Use of Fireworks and Pyrotechnics in Hume Policy	Manager Leisure Centres & Sports	Leisure Centres & Sports	June 2018

- 9.9.1 The Responsible Officer for the 'Hume City Council Sponsorship Policy' and the 'Media Communications Policy' has provided the following comment that applies to both policies –

'These policies remains relevant but will be updated to adopt current terminology and to ensure a consistent approach is applied across the organisation'.

- 9.10 Table 5 – policies which are recommended to be revoked (policies provided as Attachment 3 to this report)

Table 5			
Policies that are Recommended to be Revoked			
Policy Name	Responsible Officer	Department	Reason for being revoked
Conditions for use of Mayoral Discretionary Fund Policy	Manager Governance	Governance	The Local Government Act no longer allows for discretionary funding
Council Contribution to Construction of Parking Bays Policy	Manager Assets	Assets	This is now encompassed in Parking on Narrow Streets Policy

Other Changes to Policies

- 9.11 Following the Hume City Council organisational restructure that took effect on 1 July 2016, the Responsible Officer and Department for some policies has changed. The Responsible Officers and Departments listed in Tables 1 to 4 of this report are current and correct.
- 9.12 Following Council consideration of this report, the policies available on Council's website, where applicable, will be updated so that they show the current Responsible Officer and Department, and to ensure that any reference to Responsible Officers or Departments in the content of the policy is correct. Where applicable, policies on Council's website will also be updated if they are presented on an out-of-date policy template.
- 9.13 Policy reference numbers for each policy have also been updated to a more contemporary reference number system.

10. CONCLUSION:

- 10.1 This report designates a status to all publically available policies which are recorded in Council's Policy Register as either 'Current' or 'Past Review Date'.
- 10.2 Recommendations have been made regarding review dates and/or the re-adoption of policies which are past their review dates. A recommendation has also been made that Council revokes two currently active policies that are no longer required.



FLYERS AND PETITIONS – DISPLAY AT COUNCIL BUILDINGS POLICY

Policy Reference No.	POL/167
File No.	HCC04/852
Strategic Objective	5.2 Create a community actively involved in civic life
Adopted by Council	28 November 2011
Re-Adopted	
Date for Review	June 2016
Responsible Officer	Manager Governance
Department	Governance

FLYERS AND PETITIONS – DISPLAY AT COUNCIL BUILDINGS POLICY

1 POLICY STATEMENT

1.1 Any petition, flyer or other document seeking support for action may be distributed or displayed at a Council controlled building if:

1.1.1 A previous resolution of Council supports the intent of the flyer or petition or, as determined by the Mayor of the day.

1.1.2 The intent of the petition or flyer is in keeping with the current direction of Council, provided it is not contrary to an existing Council policy or resolution; and

1.1.3 It will not cause Council any embarrassment or controversy as determined by the Chief Executive Officer or relevant Director.

2 PURPOSE

2.1 This policy is to define when and under what circumstances Council will permit the display of petitions and flyers in Council controlled buildings.

3 SCOPE

3.1 This policy applies to all Council controlled buildings, including but not limited to, municipal offices, Council depots, leisure centres, preschool centres, maternal and child care centres and youth centres.

4 OBJECTIVE

4.1 To operate with integrity and openness in providing the highest level of representation and advocacy for the community.

4.2 To ensure only appropriate petitions and flyers are displayed in any Council controlled buildings.

5 POLICY IMPLEMENTATION

5.1 The exhibition of any flyer or petition at a Council controlled building requesting action from Council is prohibited other than support from Council for a requested action from a Government or organisation, as complies with this policy.

5.2 Where there is any doubt or ambiguity in the interpretation of this policy the document seeking support for action is not to be displayed.

6 DEFINITIONS AND ABBREVIATIONS

6.1 **Petitions** are those seeking support for actions from government or organisations other than Hume City Council.

6.2 **Flyers** include any printed material, circulars, brochures, pamphlets, advertisements or bulletins.

Policy Reference No:	POL/167	Responsible Officer:	Manager Governance
Date of Re/Adoption:	28 November 2011	Department:	Governance
Review Date:	June 2016		

FLYERS AND PETITIONS – DISPLAY AT COUNCIL BUILDINGS POLICY

7 RELATED DOCUMENTS

7.1 Nil.

Date Adopted	28 November 2011
Date Re-Adopted	
Review Date	June 2016

Policy Reference No:	POL/167	Responsible Officer:	Manager Governance
Date of Re/Adoption:	28 November 2011	Department:	Governance
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AGED AND COMMUNITY CARE POLICY

Policy Reference No.	POL/146
File No.	HCC
Strategic Objective	2.1 Foster a community which is active and healthy.
Adopted by Council	6 December 2010
Re-Adopted	
Date for Review	
Responsible Officer	Manager Health & Community Wellbeing
Department	Health & Community Wellbeing

AGED AND COMMUNITY CARE POLICY

1 PURPOSE

1.1 The purpose of this Policy is to guide Council in relation to the aged and community care system and the planning, delivery and evaluation of aged and community care services to Hume residents.

1.1.1 This Policy describes:

1.1.2 Underpinning principles;

1.1.3 The aged and community care system within Hume, its influences and drivers;

1.1.4 Provision of aged and community care services to Hume residents, and

1.1.5 Policy implementation.

2 POLICY STATEMENT

Council provides Home And Community Care services to the community within Hume. Council supports aged and community care services that enhance broader community outcomes provided by other agencies, including but not limited to, Community Service Organisations, Non-Government Organisations and Community Health Services.

3 DEFINITIONS AND ABBREVIATIONS

3.1 The aged and community care system: The broader system which supports the planning, delivery and evaluation of services and programs that enable frail older people and people with disabilities to remain living in their home and their community.

3.2 Hume City Council Aged and Community Care Services: A range of services provided by Council to frail older people and people with disabilities, their carers delivered in their home and community which aim to improve and enhance the physical, social, emotional wellbeing and independence of clients to allow them to remain living in their own home.

3.3 Home and Community Care: The Home and Community Care (HACC) Program provides funding for services which support frail older people and people with disabilities and their carers. These services provide basic support and maintenance to people living at home and whose capacity for independent living is at risk, or who are at risk of premature or inappropriate admission to long-term residential care.

4 POLICY PRINCIPLES

4.1 Principles which underpin and guide this Policy include:

- A strong sense of belonging and connection to the community in which one lives;
- Respect for all clients including those from diverse backgrounds;
- Responsiveness to disadvantage and difficulties that arise;
- A network of support systems;

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- The active practice of neighbourliness and hospitality;
- A belief by the community in their capacity to influence decision makers;
- A sense of ownership and enjoyment of public space;
- Positive ageing for all individuals which includes:
 - Creating opportunities and choices for people;
 - Enabling them to maximise independence and control over their own lives;
 - Enhancing quality of life, and
 - Encouraging continued participation in all aspects of community life;
- An effective health service system which includes:
 - Access to information and culturally appropriate services to maintain wellbeing;
 - Sustainable workforce development to provide services across the continuum of care;
 - Infrastructure that supports the provision of care in the 'best place to treat'.
 - Supportive and effective agency partnerships in the delivery of care and
 - Advocacy to address the challenges of the changing policy, social, workforce and community contexts in Hume City.

5 AGED AND COMMUNITY CARE SYSTEM WITHIN HUME

The aged and community care system within Hume is characterized, influenced and driven by:

- A growing and ageing population;
- Expansion of the municipality's population within Council boundaries;
- High rate of disadvantage and the relationship between increased level of disadvantage and poorer health outcomes;
- Level of people with severe disability;
- Increasing prevalence of chronic diseases;
- Expectations of people seeking and receiving aged and community care services;
- The policy positions of Federal and State government in relation to the provision and delivery of aged and community care services and the ability of funding received from these bodies to meet the direct and indirect costs of providing each type of service, and
- The need to support and effectively manage the diverse range of interfaces, relationships, networks, alliances and partnerships Council has with public and private service systems and agencies.

Council recognises it is not responsible for the provision and delivery of the entire range of aged and community services to the Hume community; however it will endeavour to provide leadership and foster innovation within the broader aged and community care system, utilising its organisational resources, comprehensive knowledge and understanding and its experience, expertise and skills.

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AGED AND COMMUNITY CARE POLICY

Council's objectives in relation to the aged and community care system within Hume are to:

- Provide aged and community care services designed and configured to respond to the needs of the community within the finite resources available;
- Ensure effective management and governance in relation to the planning, delivery and evaluation of all activities related to Council's aged and community care services;
- Engage with policy and funding agencies to advocate for funding and resources to support the provision of aged and community care services to meet community needs;
- Maintain a current and comprehensive knowledge of the aged and community care system and use this knowledge to support service innovation and demonstrate leadership within the sector;
- Maintain a current and comprehensive knowledge of demographic trends within the municipality to support effective service planning and responsible management of Council's aged and community care resources;
- Seek and utilise feedback from clients, their carers and the community including service providers and agencies, to understand expectations and identify opportunities to improve service provision and delivery;
- Seek and respond to opportunities to consult, collaborate and partner with other service providers and agencies to enhance and augment aged and community care service access and service options;
- Provide relevant data and information to other agencies and services providers to assist their planning and resource management in relation to aged and community care services, and
- Evaluate the impact and effectiveness of aged and community care services to ensure effective management and support continuous improvement.

6 HUME CITY COUNCIL AGED AND COMMUNITY CARE SERVICE PROVISION

Council will provide aged and community care services that:

- Are client centered, focusing on promoting client capacity, restorative care, independence and healthy ageing whilst contributing to improved physical, social and emotional wellbeing of clients, carers and communities;
- Are equity based and assessed on client-centred needs and individual circumstances. Services are only provided to people within the target group, subject to assessment and prioritised need in accordance with operational practice guidelines including priority of access tool. Eligibility does not confer entitlement to service provision;
- Facilitate and support efficient transition for clients into aged and community care services within the municipality, with particular attention to those unable to access Hume City Council services;
- Are dedicated to clients with highest need. Where episodes of service demand exceeds capacity for service provision, Hume City Council may develop and utilise

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AGED AND COMMUNITY CARE POLICY

robust systems for waiting list management, to ensure services are equitably provided to clients with highest need;

- Effectively utilise the expertise, knowledge and skills of our people who deliver aged and community care services;
- Avoid duplication of services, making the best and most efficient use of the resources available to Council to provide aged and community care services, and
- Where possible, offer and provide flexible service options within the limitations of Council's budget and human resources.

Council provides the following service types:

- Assessment;
- Care coordination;
- Community transport;
- Delivered meals;
- Home care;
- Home maintenance;
- Personal care;
- Policy and planning;
- Respite care, and
- Social recreation programs.

7 POLICY IMPLEMENTATION

7.1 Service Planning

Regular and ongoing aged and community care service planning will be undertaken to ensure Council has a current and comprehensive knowledge of:

- The Hume municipality which includes:
 - Demographics;
 - Population growth and projected growth;
 - Spread of the population within Council boundaries;
 - The cultural mix and changing diversity of the community;
 - Prevalence of chronic diseases, disability and carers within our municipality, and
 - Numbers and demographic of people within the municipality who are socio-economically disadvantaged
- Service utilisation and projected demand in relation to aged and community care services;
- Community expectations of aged and community care service offering and provision;
- Current and future plans of other service providers and agencies including other Local Government Authorities;
- Service innovations in the aged and community care environment, and
- Federal, State and Local government policy context and funding in relation to aged and community care.

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Council will evaluate aged and community care service planning process to determine the effectiveness of the research methodology and approach and to inform changes to future service planning processes.

7.2 Service options and provision

The range of aged and community care services provided by Council will be reviewed and evaluated regularly as part of the service planning process to determine how effectively the range and provision of services are meeting the needs of the community and making best use of finite resources.

A formal business case, including service demand, establishment and operational budgets will be prepared for all proposals for new and/or alternative service options.

Opportunities to collaborate and/or partner with other agencies to develop service options not currently available will be actively sought.

7.3 Service innovation

Council will actively explore and investigate opportunities for service innovation within the aged and community care system. Opportunities for innovation may be initiated and driven internally or may be part of alliances, collaborations or partnerships with other agencies or services providers

7.4 Advocacy

Council will utilise its knowledge and breadth of expertise and resources to advocate on behalf of its community and where agreed, other agencies and services providers external to Council. Advocacy activities may include but not be limited to:

- Seeking additional funds and resources;
- Seeking access to programs;
- Service innovation and service development;
- Contributing to government policy review and/or development, and
- Advocating on behalf of community groups agencies and / or other service providers.

7.5 Financial management

Council receives funding for aged and community care services from Federal and State governments. Council acknowledges funds received may not cover the full cost of providing and delivering each type of aged and community care service provided by Council. Council will ensure effective and responsible financial management in relation to the provision and delivery of aged and community care services by quantifying the full cost (direct and indirect) of providing each aged and community care service.

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Cost considerations may include but not be limited to:

- Direct client hours;
- Staff induction;
- Occupational Health and Safety;
- Staff supervision and support;
- Meetings to support service provision;
- Consumables;
- Client administration;
- Physical infrastructure;
- Staff training;
- Case conferencing, and
- Unplanned leave.

Undertaking a comprehensive costing exercise for any aged and community care service provided, or is proposed Council may provide, will ensure Council has a complete understanding of the financial and human resource implications of service provision and the extent to which government funding does not cover the cost of services. This information will allow Council to make informed decisions regarding service provision and internal funding requirements of existing and proposed aged and community care services.

7.6 Human Resources Management

Council will engage a workforce suitably qualified and skilled to deliver safe and appropriate aged and community care services.

All staff will have a current and detailed position description.

Council will support the workforce so it has access to education and training to provide respectful, safe and appropriate services for frail older people, people with disabilities and people from diverse backgrounds within the municipality.

7.7 Collaboration and partnering

Council will seek to collaborate and partner with other service providers and agencies where there are opportunities to enhance and build on existing aged and community care service options and to ensure services are responsive to community needs including cultural diversity.

7.8 Governance and management

Council will implement mechanisms to support robust governance and effective management of aged and community care services. This will include:

- Reporting and accountability systems for individuals and teams;

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- Procedures and guidelines to support safe and appropriate practice in relation to provision and delivery of aged and community care services;
- Information management and record keeping that is accurate, timely and secure;
- Utilisation of outcome and indicators to monitor activity, achievements and performance, and
- Responsive feedback systems for consumers of aged and community care services, staff and agencies and other services providers.

7.9 Evaluation and continuous improvement

In a timely manner to inform Council planning including budgeting, Council will monitor and evaluate the provision and delivery of aged and community care services using agreed outcomes and performance indicators as benchmarks which include but may not be limited to:

- Activity targets;
- Client feedback and satisfaction;
- Adverse events;
- Budget performance;
- Workforce engagement;
- Occupational Health and Safety outcomes;
- Feedback from other service providers and agencies, and
- Satisfactory achievement of accreditation processes.

A range of strategies will be employed to assess Council's performance against agreed outcomes and performance indicators. Ongoing monitoring of performance will be undertaken and reported on an annual basis. Implementation of continuous improvement strategies and initiatives will be actioned where required.

7.10 Communication of this policy

This policy will be communicated to all staff within Aged and Disability Services at orientation and following changes to the policy.

Interested parties / agencies / partners can access this policy through the council website or by directly contacting Aged and Disability Services.

7.11 Policy Review

This policy will be reviewed six months following initial ratification and every two years thereafter and as required.

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8 RELATED DOCUMENTS

- 8.1 Victorian HACC Program Manual
- 8.2 Aged and Disability Services operational guidelines
- 8.3 .id Consultants, Hume Population Forecasts – April 2010
- 8.4 Healthy ageing in Hume City Research Report – December 2006
- 8.5 Hume City Council Plan 2009-2013
- 8.6 The geography of disability and economic disadvantage in Australian Capital Cities - Australian Institute of Health and Welfare 2009
- 8.7 Hume City Council Social Justice Charter

Date Adopted	6 December 2010
Date Re-Adopted	
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CLUB CONTRIBUTION POLICY FOR CAPITAL WORKS PROJECTS

Policy Reference No.	POL/152
File No.	HCC15/190
Strategic Objective	1.2 Create conditions which support business growth and create local jobs for Hume residents
Adopted by Council	10 November 1997
Re-Adopted	
Date for Review	08 September 2003
Responsible Officer	Manager Leisure Centres & Sport
Department	Leisure Centres & Sport

CLUB CONTRIBUTIONS POLICY FOR CAPITAL WORKS PROJECTS

1 POLICY STATEMENT

- 1.1 To ensure the continuous development and upgrade of Council's leisure facilities, Council will adopt an equitable and systematic approach to determining the level of funding contribution Council will provide sporting and community groups to fund leisure capital works projects.

2 PURPOSE

- 2.1 The overall purpose of the Capital Works Club Contribution Policy is to ensure a planned, equitable and systematic approach to the provision of leisure capital works projects. This policy looks at the extent to which community and sporting clubs should fund capital works projects given Council's need to prioritise and spread its available resources.

3 POLICY IMPLEMENTATION

3.1 Rationale for determining contribution level

- 3.1.1 In determining the level of funding to be offered to sporting clubs Council will take the following factors into consideration.
- 3.1.1.1 the nature and extent to which facilities are readily available to the general community;
 - 3.1.1.2 the degree to which usage of a facility is primarily restricted to one or two user groups;
 - 3.1.1.3 the extent to which juniors have access to facilities;
 - 3.1.1.4 whether the user groups of a facility are newly formed or well established;
 - 3.1.1.5 the income generating capacity of user groups; and
 - 3.1.1.6 whether the facility is ultimately the property of Hume City Council.
- 3.1.2 It should be noted that it is very difficult to determine a hard and fast percentage split in many cases, given that circumstances vary markedly from one situation to another. However, in each of the cases listed, the rationale outlined above will be used to determine the percentage to be contributed by clubs.
- 3.1.3 Officers will be guided by the rationale and the table outlined in this policy. Each application will be dealt with on a case by case basis and a comprehensive report will be presented to Council for consideration, using the guidelines outlined in this policy
- 3.1.4 It is most important to note that the percentage contributions are only applicable if the project is funded in council's Capital Works or Maintenance Programs. In other words, if a Club decides that it wishes to proceed with a project that does not receive funding in Council's Capital Works Program, then it will be required to contribute 100% of
- 3.1.5 the costs, regardless of the percentage shown in this policy.

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CLUB CONTRIBUTIONS POLICY FOR CAPITAL WORKS PROJECTS

3.2 Council Reserves

		Council Contribution %	Combined Club Contribution %
5.2.1	New standard oval/field developments - total oval preparation provided that the facilities are genuinely multi-use (ie: readily accessible to the general community when not utilised for competition training, and facilities that can be utilised for a range of purposes). A standard oval/field development would include irrigation system, goal posts, cricket wicket with synthetic surface, standard change rooms, including showers, basic kitchen/kiosk storerooms and umpires rooms.	100%	Nil
5.2.2	Oval/field developments that are not genuinely multi-use - an enclosed facility that is not easily accessible to the community or a single-use facility.	Nil - 50%	50% - 100%
5.2.3	Up to two Cricket Practice Wickets (fencing, concrete base, surface, etc.) - provided that they remain readily accessible to the general community - on ovals utilised for cricket training and usually constructed after the initial development of facilities.	100%	Nil
5.2.4	Cricket Practice Wickets (in additional to the initial two wickets).	Nil	100%
5.2.5	Additional storage sheds	Nil	100%
5.2.6	Oval/reserve training floodlighting	40%	60%
5.2.7	Public toilet facilities	100%	Nil

Policy Reference No:	POL/152	Responsible Officer:	Manager Leisure Centres and Sport
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CLUB CONTRIBUTIONS POLICY FOR CAPITAL WORKS PROJECTS

5.2.8	Pavilion extension if beyond the standard Council provision. Eg: to include medical room/gymnasium.	Nil - 50%	50 - 100%
5.2.9	Pavilion not genuinely multi-use/or easily accessible to the community/or a single use venue. Eg: Bowling Clubroom.	Nil - 40%	60 - 100%
5.2.10	Social Clubrooms including related car parking.	Nil	100%
5.2.11	Bowling greens Establishment of a new Bowling Green (excludes floodlighting)	Nil - 50%	50 - 100%
5.2.12	Construction of Additional Bowling Greens to basic standard	Nil - 50%	50 - 100%
5.2.13	New Development/Improvements to facilities, beyond what is standard multi-purpose provision to suit the requirements of a particular organisation. (eg: synthetic athletics track/turf wickets/synthetic hockey field)	Nil - 50%	50 - 100%
5.2.14	Specialised largely single-use facilities, eg: equestrian manege facilities/velodrome	Nil - 50%	50 - 100%

Policy Reference No:	POL/152	Responsible Officer:	Manager Leisure Centres and Sport
Date of Re/Adoption:	10 November 1997	Department:	Leisure Centres and Sport
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CLUB CONTRIBUTIONS POLICY FOR CAPITAL WORKS PROJECTS

5.2.15	Car parking other than that associated with Social Clubrooms (to standard determined by Council)	100%	Nil
5.2.16	Coaches' boxes	Nil	100%
5.2.17	Scoreboards	Nil	100%

3.3 Council Tennis Clubs

		Council Contribution	Combined Club Contribution
		%	%
5.3.1	Construction of additional (new) courts (complete construction - except floodlighting)	40%	60%
5.3.2	Re-surfacing of existing court surfaces	40%	60%
5.3.3	Floodlighting	40%	60%
5.3.4	Other improvements - seating, shelter	40%	60%
5.3.5	Standard Pavilion Development (if genuinely shared use)	100%	Nil
5.3.6	Standard Pavilion Development (if not genuinely shared use)	Nil – 40%	60% - 100%
5.3.7	Pavilion extension - beyond standard provision	Nil – 40%	60% - 100%
5.3.8	Car parking/access road - to standard set by Council	100%	Nil

Policy Reference No:	POL/152	Responsible Officer:	Manager Leisure Centres and Sport
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CLUB CONTRIBUTIONS POLICY FOR CAPITAL WORKS PROJECTS

3.4 Proposed Development of Council Indoor Sports Halls

		Council Contribution %	Combined Club Contribution %
5.4.1	New courts/extensions (genuinely multi-use, eg: basketball/netball/badminton).	80%	20%
5.4.2	Single use facilities - new courts/extensions	Nil - 40%	40% - 100%
5.4.3	Non Standard provision, eg: retractable seating	Nil - 40%	40% - 100%

3.5 Proposed Development of Council Community Halls

		Council Contribution %	Combined Club Contribution %
5.5.1	Fully shared use / multi-use Community Halls (construction / extension renovations)	100%	Nil
5.5.2	Single purpose use (exclusive use)	Nil - 40%	60% - 100%
5.5.3	Works undertaken for a specific group or groups. ie: lighting bars, mirrors for dance tuition and fixed equipment for martial arts.	Nil - 20%	80% - 100%

Policy Reference No:	POL/152	Responsible Officer:	Manager Leisure Centres and Sport
Date of Re/Adoption:	10 November 1997	Department:	Leisure Centres and Sport
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CLUB CONTRIBUTIONS POLICY FOR CAPITAL WORKS PROJECTS

3.6 Proposed Development of Council Recreation Facilities

		Council Contribution	Combined Club Contribution
		%	%
5.6.1	Various Community Facilities, (ie: swimming pools, libraries, golf courses, playgrounds, BMX tracks).	100%	Nil

4 RELATED DOCUMENTS

4.1 Nil

Date Adopted	10 November 1997
Date Re-Adopted	
Review Date	08 September 2003

Policy Reference No:	POL/152	Responsible Officer:	Manager Leisure Centres and Sport
Date of Re/Adoption:	10 November 1997	Department:	Leisure Centres and Sport
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COMMUNITY TRANSPORT POLICY

Policy Reference No.	POL/154
File No.	
Strategic Objective	3.1 Foster socially connected and supported communities
Adopted by Council	08 September 2003
Re-Adopted	
Date for Review	
Responsible Officer	Manager Health, Community & Wellbeing
Department	Health, Community & Wellbeing

COMMUNITY TRANSPORT POLICY

1 INTRODUCTION

1.1 Hume City Council has one eighteen seater bus and six mini-buses which are available for use for the transport of community groups that would otherwise not have access to such transport.

1.2 Council's community transport should not be viewed as a substitute for public transport, but rather as a complementary service providing transport assistance primarily to those people who cannot readily use public transport and/or are deemed transport disadvantaged. Council's community buses are to be used to transport residents of Hume City Council to groups so that they are provided with opportunities for social contact otherwise not available.

1.3 The community transport service has been divided into two separate policies as follows:

1.3.1 Community Large Bus Policy

1.3.2 Community Mini-Bus Policy

2 POLICY STATEMENT

Use of Council's Community Transport Vehicles will be subject to the conditions outlined in this Policy.

3 POLICY IMPLEMENTATION

3.1 COMMUNITY LARGE BUS POLICY

3.1.1 Background

3.1.1.1 Hume City Council has one large (eighteen seater) bus, with a hydraulic hoist. Council employs one part time driver and a number of casual drivers to transport groups on a regular basis. The Council bus is used to a maximum capacity through the week, and currently no additional groups can make regular bookings during the hours of 9.00 am and 5.00 pm, Monday to Friday.

3.1.2 Aims

The aims are:

3.1.2.1 To transport residents of Hume who are largely housebound, to groups so that they are provided with opportunities for social contact otherwise not available.

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COMMUNITY TRANSPORT POLICY

3.1.2.2 To facilitate access to community facilities, Senior Citizens Centres, shopping facilities and social programs or functions organised for the benefit of the aged and people with disabilities.

3.1.3 Eligibility Guidelines

3.1.3.1 As this bus has both a hydraulic lift and a full-time driver, the bus will only be available to elderly persons and people with disabilities who are housebound, isolated and lacking alternative transport means, or have difficulty using such transport because of frailty or disability.

3.1.4 Guidelines

3.1.4.1 The bus is allocated on an equitable basis ensuring a balance between groups. Given that demand is greater than supply, each group will be restricted to using the bus once per week.

3.1.4.2 The bus will be used to transport frail older people and people with disabilities to attend programs.

3.1.4.3 People who receive this service are charged \$1 per return trip. When the bus is available for a day excursion, each member will be charged \$2 per trip.

3.1.4.4 When available the bus will be used for trips as approved by the Social Support Co-ordinator with priority given to:

- a) eligible groups who do not currently receive any bus allocation;
- b) eligible groups who do not have their own bus/transport; and
- c) Council sponsored programs.

3.2 COMMUNITY MINI-BUS POLICY

3.2.1 Background

3.2.1.1 Hume City Council has six twelve seater mini-buses available for use by groups. One of the buses has a hydraulic lift. This bus can carry seven passengers and two wheelchairs or nine passengers and one wheelchair.

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COMMUNITY TRANSPORT POLICY

Currently four buses are based at Broadmeadows, one at Sunbury and one at Craigieburn. The buses are maintained and updated by Council in line with its existing vehicle policy (each 3 years or 60,000 kms), the cost of which is borne by Council with subsidy from user fees.

3.2.1.2 Conditions of use and eligibility criteria are as stated within this document. All user groups are requested to familiarise themselves with this document in relation to their intended use of these vehicles.

3.2.2 Guidelines for Operation of Community Mini-buses by the Hume City Council

3.2.2.1 The purpose of the community mini-buses is to provide a service for community members who are transport disadvantaged to enable them to participate in activities and programs they would otherwise not have access to.

3.2.2.2 Transport disadvantaged groups will be those whose members are disabled, under 18 years of age or over 55 years of age, and people residing in areas which lack public and private transport.

3.2.3 Eligibility Guidelines/Priority Status

3.2.3.1 Priority of access will be given to:

1. Council Programs involving the transport disadvantaged.
2. Hume City Council Community groups – i.e. not for profit organisations for community purposes activities, church/voluntary groups, schools, nursing homes, hostels, groups accessing local residents to provide social and recreational outlets.
3. Hume City Council residents and staff for private use. This includes usage by private organisations and groups.

3.2.4 Procedure for Bookings

3.2.4.1 General bookings for groups under criteria 2 can be made not more than three months in advance by contacting the Social Support Office on 9205 2554

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3.2.4.2 Groups under criteria 3 may not book more than 2 weeks in advance. The mini-buses will be allocated to these groups pending availability and overall suitability.

3.2.4.3 Groups must confirm the bus booking no less than 3 working days prior to the use of the bus.

3.2.4.4 The buses can be booked subject to availability and eligibility guidelines.

3.2.4.5 An application form must be completed prior to use and a copy of a valid license lodged.

3.2.5 Collection of Keys

3.2.5.1 Keys must be collected from the Customer Service Officers at their respective offices on the day of use. Keys may be collected the day before if picking up prior to 8.30 or on Friday for weekend use but buses may not be taken prior to the booked time. Buses booked for the next day cannot be taken the night before unless an overnight fee is paid. Customer Service Cashier hours are Monday to Friday between 9.00 am and 4.30 pm. A suitable time for all collections and returns should be arranged with the Booking Officer at the time of booking. Keys returned outside business hours must be returned as follows:

- a) For Broadmeadows buses, keys must be placed in the mail slot in the door at the front of the Broadmeadows Office.
- b) For the Sunbury bus, keys must be placed in the mailbox located next to the main entrance of Sunbury Offices.
- c) For the Craigieburn bus, keys must be deposited through the mail slot in the door of the Craigieburn Office.

3.2.6 License Requirements

3.2.6.1 A current Victorian car license is required to drive the buses. Probationary drivers will not be accepted.

3.2.6.2 A bus usage form and the log book is to remain in the bus at all times. Both must be filled out. The bus usage form must be returned to the Customer Service Officer with the keys.

3.2.6.3 Drivers must carry their licences at all times.

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3.2.7 Cost of Hire from 1st July 2002

3.2.7.1 The bond for this year is \$50 per booking. For regular user groups, the bond may be held subject to annual review.

3.2.7.2 The user fee is subject to eligibility guidelines and the particular vehicle used.

a) Council Programs:

Hume City Council community groups – i.e. not for profit organisations for community purposes/activities.

Hourly rate: \$10.50 per hour + petrol
Daily rate: \$60.00 + petrol (7.00am – midnight)
Overnight rate: \$30.00 + petrol
Weekend rate: \$165.00 + petrol (5.00pm Friday until midnight Sunday)

NB: BOOKINGS CANNOT BE MADE MORE THAN THREE MONTHS IN ADVANCE

b) Hume City Council residents and staff for private use. This includes usage by private organisations and groups. –

Hourly rate: \$15.00 + petrol
Daytime rate: \$90.00 + petrol (7.00am – midnight)
Overnight rate: \$40.00 + petrol
Weekend rate: \$235.00 (5.00pm Friday until midnight Sunday)

NB: BOOKINGS CANNOT BE MADE MORE THAN TWO WEEKS IN ADVANCE

3.2.7.3 Council also has an enclosed trailer that can be towed by some of the buses. The trailer is located at the Sunbury Office and must be picked up from and returned there. Additional cost for the trailer is \$11.00 per day.

ALL PRICES ARE INCLUSIVE OF G.S.T. EXCEPTING THE BOND WHICH IS G.S.T. FREE

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4 DEFINITIONS AND ABBREVIATIONS

Nil

5 RELATED DOCUMENTS

Nil

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Policy Reference No.	POL/162
File No.	HCC
Strategic Objective	2.2 Strengthen community safety and respectful behaviour
Adopted by Council	09/08/1999
Re-Adopted	
Date for Review	08/08/2003
Responsible Officer	Manager Community & Activity Centre Planning
Department	Community & Activity Centre Planning

DOGS IN PUBLIC PLACES POLICY

1 POLICY STATEMENT

1.1 The following five concepts form the basis of Hume's Dogs in Public Places Policy:

- 1.1.1** Dogs must be under effective control: under voice control, in sight of their owner and the owner must carry a leash at all times;
- 1.1.2** Dogs may only be off leash in a designated off leash area;
- 1.1.3** Dogs are not permitted within 10 metres of all playgrounds, barbecues, and formal picnic areas;
- 1.1.4** Dogs must be under effective control by means of a leash or other similar device 5 metres on either side of a shared footway/bike path; and
- 1.1.5** Dog owners must pick up and remove their dog's faeces.

2 PURPOSE

2.1 Background

- 2.1.1** This policy provides guidelines about access to and management of dogs in public places in Hume City. The policy focuses on planning and providing for people with dogs, as legitimate users of public places in Hume, while minimising the conflict with other users.
- 2.1.2** The Domestic (Feral and Nuisance) Animals Act came into operation in 1996. Section 26 of the Act provides for local authorities to make an Order in relation to access by dogs to public places. In response to the Act, Hume City Council undertook a trial for off-leash areas and poop scoops in parks during 1998. This policy has been developed following the outcomes of this trial.
- 2.1.3** A Background Paper, Hume City Council - Dogs in Public Places (Jan 1999), was prepared by Harlock Jackson Pty Ltd, to assist in the preparation of this policy.

3 SCOPE

3.1 In this policy, 'public places' is taken to mean all publicly accessible land that is owned and/or managed by Hume City Council.

This includes:

- Public open space (parks, reserves, active sporting areas etc.), and
- Streets, footpaths, shopping centres and public car parks.

3.2 The policy applies to owned domestic dogs in the company of their owner/controller. It does not apply to dogs wandering at large which is an offence under the Domestic (Feral and Nuisance) Animals Act 1996.

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3.3 Dog management in other public areas not owned or managed by Hume City Council, such as Woodlands Historic Park and Greenvale Reservoir Reserve, is determined by the managing organisation, such as Parks Victoria.

4 OBJECTIVE

4.1 Aims and guiding values

4.1.1 The aims of this policy are to:

- Ensure Council meets its obligations under the Domestic (Feral and Nuisance) Animals Act 1994;
- Provide for the recreational needs of people with dogs in Hume;
- Facilitate and foster responsible dog ownership in Hume; and
- To harness the benefits of dog ownership.

4.1.2 Guiding values which underpin the recommendations in this policy include:

- People with dogs are legitimate users of public places in Hume;
- Council is committed to achieving responsible behaviour by all dog owners who use public places in Hume, using an effective mix of regulatory and non-regulatory tools;
- Council is committed to balancing the needs of dog owners with other members of the community and the environment; and
- Council is committed to the integration of dogs and their owners with other park users, not separation.

4.2 Key Issues

4.2.1 To achieve the aims of this policy the following key issue areas were identified as needing to be addressed. A discussion of these issues and a detailed implementation plan can be found in Part B of this document.

- a) Providing for people with dogs in public places
- b) Faeces management
- c) Education, promotion and information dissemination
- d) Enforcement
- e) Harnessing the benefits of owning pets
- f) Planning for future needs

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5 POLICY IMPLEMENTATION

5.1 Dog Off-leash areas

5.1.1 A series of off-leash areas has been designated in parks throughout Hume. These areas have been selected based on the following criteria

- Safety
- Size and openness - visibility
- Proximity to a playground, barbecue, picnic facility
- Reasonable distribution of areas
- Current and future use of site / community demand
- Suitable distance from roads and motor vehicles
- Accessibility of the site
- Existence of natural or fenced boundaries
- Provision of a rich and varied sensory experience for dogs
- Conservation values

5.1.2 Some active sporting reserves are to be designated as off-leash when formal sports are not being played. Off-leash areas adjacent to schools will revert to on leash during the hours of 8.00am to 5.00pm Monday to Friday.

5.1.3 The following parks to be designated as dog off-leash areas are:

Reserve	Active Sporting area	Time Restrictions apply	Melway Reference
SUNBURY			
Emu Bottom Wetland (except for high conservation area - Horseshoe Bend)	No	No	362 F7
Eric Boardman Reserve	Yes	No	381 G5
Heyson Drive Reserve (between Heyson Dve & Wright Crt)	No	No	381 J2
Langama Park	Yes	No	381 K6
The Nook	No	No	382 G4
Spavin Drive Dam and Kismet Creek (part of - area immediately below the dam and designated dog swim area)	No	No	362 C11
Stewarts Lane Nature Reserve (part of - open clearing in the middle)	No	No	361 K12
Sunbury Park (not in equestrian area)	No	No	382 F6
Sunbury Recreation - Clarke Oval	Yes	No	382 C2
BROADMEADOWS			
Anderson Reserve	Yes	No	6 H11

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Barry Road Reserve / Broadmeadows Valley Park	Yes	No	6 G3
Broadmeadows Valley Park (between Johnstone and Dimboola St)	No	No	6 E7
Gibb Street Reserve	Yes	Yes	6 K4
Jacana Valley (part of) / Jacana Reserve	Yes	No	6 E8
Laura Douglas Reserve	Yes	No	7 C4
Seabrook Reserve	Yes	No	7 A8
Will Will Rook	No	No	7 B9
WESTMEADOWS			
Westmeadows Reserve	Yes	No	6 A9
Willowbrook Reserve	Yes	No	5 J6
Jacana Reserve	Yes	Yes	6 D8
MEADOW HEIGHTS			
Broadmeadows Valley Park – Shankland Reach	No	No	179 H10
TULLAMARINE			
Trade Park Reserve	Yes	No	15 G1
Tullamarine Reserve - Melrose Drive	Yes	No	5 H10
Tullamarine Reserve – Spring Street	Yes	No	15 H12
CRAIGIEBURN			
D.S. Aitken Reserve	Yes	No	386 H9
Hothlyn Drive Reserve	Yes	Yes	387 A12
Vic Foster Reserve	Yes	No	387 A7
Aitken Creek Reserve (part of – between Hothlyn Drive and the railway line)	No	No	387 B11
GREENVALE			
Bradford Ave Reserve	Yes	Yes	178 K9
Drummond Street Reserve	Yes	Yes	6 A1
Greenvale Reserve - Section Rd (part of)	Yes	No	178 G7
BULLA			
Bulla Reserve	Yes	No	177 B6
CAMPBELLFIELD			
Seth Raistrick Reserve	Yes	No	7 F6
ROXBURGH PARK			
Lakeside Drive Ovals / Reserve	Yes	No	179 K6

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GLADSTONE PARK			
Ginnifer Reserve	Yes	No	6 C10
Carrick Drive Reserve	No	No	6 B8
John Coutts Reserve	No	No	6 C11
COOLAROO			
Progress Reserve	Yes	Yes	6 K2

5.1.4 All dog off-leash parks to be designated with clear signage, indicating timing restrictions where required and encouraging responsible dog ownership.

5.2 No Dog areas

5.2.1 Dog free areas are to be designated where the potential conflict is great with other park users or park functions. This includes:

- a) A 10 metre radius around all playgrounds, barbecues, and formal picnic areas.
- b) Areas of high conservation value.

5.2.2 The following parks are to be designated as no dog areas:

Reserve	Melway Reference
Albert Road Nature Reserve, Sunbury	362 E8
Evans Street Grasslands, Sunbury	382 D5
Konagaderra Bridge Reserve, Konagaderra	Key Map 8
Martin Dillon Reserve, Wildwood	384 A12
Proposed Grassland Park (off Geach Street), Upfield	7D6
Sunbury Cemetery	382E7

5.2.3 All no dog areas are to be clearly marked with signage.

5.3 Dog on-leash areas

5.3.1 All other areas throughout Hume City are designated as on-leash at all times. This includes public areas such as footpaths and carparks.

6 DEFINITIONS AND ABBREVIATIONS

6.1

Active sporting reserve	A park or reserve which is designed and used for active sport, including outdoor playing fields.
DART	Domestic Animal Reference Team (Hume City Council community committee)
Effective control	The dog is in sight, under voice control and the owner

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	is carrying a leash.
High conservation area	A park or reserve which is botanically and zoologically significant.
Poop scoop	A litter collection device suitable to clean up any excrement left by his or her dog.
Public places	Has the same meaning as appears in the Summary Offences Act.
The Act	Domestic (Feral and Nuisance) Animals Act 1994

7 RELATED DOCUMENTS

7.1 Dogs in Public Places Policy Implementation Plan (Attached)

7.2 Hume City Council – Dogs in Public Places (Jan 1999) prepared by Harlock Jackson Pty Ltd.

7.3 Council strategies and policies which have a relationship to this policy include:

- Open Space Strategy 1999
- Bicycle Strategy Plan 1996
- Waste Management Strategy 1996
- Municipal Public Health Plan 1997
- Leisure Services Plan 1996
- Conservation Strategy (Bulla and Broadmeadows)
- Greening Strategy 1996
- Interpretation Strategy 1998

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DOGS IN PUBLIC PLACES POLICY IMPLEMENTATION PLAN

This part presents an implementation plan, addressing each of the key issues identified in section 1.5 of this policy. A discussion of each issue is followed by a series of actions for implementation. Each action is prioritised and allocated timelines as follows:

High	Urgent/extremely important	Short	Within one year
Medium	Important	Medium	Within two years
Low	Desirable	Long	Within three years
		Ongoing	No defined end point

1. PROVIDING FOR PEOPLE WITH DOGS IN PUBLIC PLACES

Dogs and their owners are legitimate users of Council managed open spaces. Well considered integration of dogs and their owners into existing parks/open space is important as these are multipurpose facilities which cater for a variety of users.

Infrastructure such as fences, mown grass tracks and dog hitches will further facilitate this process of integration.

Given that the policy for dogs in public places will affect all park users it is essential that the document be reviewed on a regular basis so that it continues to consider and reflect community needs.

Table 1 sets out priority actions and how Council proposes to monitor these actions over time. The costs to carryout the actions can be met from Council's Local Laws recurrent budget, unless otherwise indicated.

TABLE 1

Action	Priority	Timeline	Cost	Performance Indicators
Review the designated off-leash parks within twelve months.	High	Medium - Ongoing	Nil	Complete the review by June 2000

DOGS IN PUBLIC PLACES POLICY

TABLE 1 continued

Action	Priority	Timeline	Cost	Performance Indicators
"Dog hitches" to be installed in selected parks, e.g. near playgrounds.	Moderate	Medium	\$4,000	Dog hitches to be installed by April 2001
Review mowing regime in select parks to provide mown pathways for people with dogs to minimise conflict with other park users.	Low	Medium	Any costs arising will be minor and can be confirmed within the existing budgetary provision for Parks & Open Space	Alternative dog pathways to be installed by October 2001
Allocation of specific dog swimming sites along waterways within off-leash parks.	Moderate	Short	\$1,500 - signage and graphic art costs	Dog swimming areas indicated by park signage by December 1999
Continue to monitor community feedback regarding the management of dogs in public places via the community DART meetings, questionnaires and complaints.	High	Ongoing	\$2,000- mail out and direct survey costs	Feedback via questionnaires, local law officers and DART meetings by October 2000
Seek advice on appropriate risk management strategies in public open space.	High	Short	Nil (Solicitor consultation completed)	Production of a risk assessment document by October 1999

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2. FAECES MANAGEMENT

Retrieval of dog faeces is important for amenity, health and environmental concerns. Hume City Council requires that dog owners carry some form of a poop scoop while exercising their dogs in public places.

Encouraging people to properly dispose of faecal deposits is best achieved through an integrated program comprising education, communication and enforcement.

For aesthetic, environmental and budgetary reasons the provision of poop scoop facilities will be minimal except for sporting facilities where at least one dispenser will be installed.

Ongoing monitoring, community consultation and evaluation data will provide information for the trial of alternative approaches to faeces management.

Priority actions, timelines for completion and how Council will monitor outcomes is outlined in Table 2.

TABLE 2

Action	Priority	Timeline	Cost	Performance Indicators
Installation of poop scoop dispensers in all off-leash sporting ovals and other high usage parks.	High	Short	\$7,000	Pooscoop dispensers installed by November 1999
Installation of poop scoop dispensers in high profile parks, such as Village Green, Jack Roper Reserve and Broadmeadows Town Park.	Medium	Medium	\$1,500	Pooscoop dispensers installed by November 1999
Ensure that all off-leash reserves have at least one litter bin for the deposit of poop scoops.	High	Short	\$1,500	Additional litter bins installed by November 1999

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TABLE 2 continued

Action	Priority	Timeline	Cost	Performance Indicators
Trial of alternative forms of poop management controls, such as a poop sandpit or dog toilet.	Medium	Medium	\$2,000	Trial of alternative forms of poop control conducted by December 2000
Poop scoop stickers stuck to bins in all of the major parks at Hume.	High	Short	\$3,500	Stickers located in all parks in Hume by September 1999
Poop signage located in all off-leash parks.	High	Short	Nil	Signage installed in all off-leash parks by September 1999
Prepare a variation to the Waste contract to ensure that bag dispensers and poop containers are routinely filled/emptied.	High	Short	Up to \$1,000 per year – Potential variation to Waste contract	System in operation by September 1999
Monitoring of poopscoop usage via onsite surveys and questionnaires.	High	Ongoing	Nil	Feedback and data available by October 2000
Evaluation of faeces management program within the first eighteen months.	High	Medium	Nil	Evaluation completed by December 2000

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3. EDUCATION, PROMOTION AND DISSEMINATION

Community education is the route to public cooperation. Dogs, their owners, prospective dog owners and non-pet owners all need to be educated and informed.

Once the Strategy is adopted the community needs to become aware of its implications. To ensure access to, and reinforcement, of information the policy needs to be disseminated and promoted through a variety of mediums.

Priority actions, timelines for completion and how Council will monitor outcomes is outlined in Table 3.

TABLE 3

Action	Priority	Timeline	Cost	Performance Indicators
Installation of appropriate and consistent signage to indicate dog off-leash parks.	High	Short	Nil Covered in 1998/99 recurrent budget	Installation of signage in off-leash areas by September 1999.
Where required install interpretative signs adjacent to wetlands to encourage responsible dog management.	Moderate	Medium	\$6,000	Interpretative signs to be installed by December 2000
Advise creek management committees, adjacent Councils, Parks Victoria and other interested parties of the new policy.	High	Short	Nil	Letters forwarded by September 1999
Development of multilingual information poster showing off leash, on leash and dog free zones and requiring responsible dog management.	High	Short	\$5,000 graphic artist & printing costs	Information poster positioned in park information shelters and disseminated to relevant areas across the municipality by September 2000

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TABLE 3 continued

Action	Priority	Timeline	Cost	Performance Indicators
Development and dissemination of multilingual "Dogs in public places Brochure".	High	Short	\$7,000 design and printing	Brochures included with dog registration mail out, March 2000.
Launch of the Dogs in Public Places Policy in one of the off-leash areas.	High	Short	\$500.00	Policy Launched by September 1999
Dogs policy information to be included in the next print of the Hume Leisure Map.	High	Short/Medium – next printing	Nil	Policy information to be included in the reprint of Hume Leisure Map
Hold a training seminar to brief relevant staff and contractors in the environmental and social reasons for declaring 'no dog', 'dog on lead' and 'dog off lead' areas.	High	Short	\$1,000.00 - Consultant costs	Seminar to be held by September 1999
Media releases prior to and during the initial stages of the program.	High	Short	Nil	Local media coverage which explains the policy
New provisions to be publicised on 'Hume Link'.	High	Short	Nil	New provision "Hume Link" by September 1999
Policy to be promoted at festivals.	Moderate	Medium /ongoing	Nil	Policy to be promoted at the 1999 Broadmeadows and 2000 Craigieburn and Sunbury Festivals

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DOGS IN PUBLIC PLACES POLICY

TABLE 3 continued

Action	Priority	Timeline	Cost	Performance Indicators
Inform Melway Street Directory to request that the new provisions be included in future editions.	Moderate	Short	Nil	New provisions be included in the 2000 print of Melway street directory
New provisions to be promoted in the Broadmeadows, Craigieburn and Sunbury Shopping Centres.	High	Short	Nil	Attended display of new provisions to occur on a Saturday morning at the Broadmeadows, Sunbury and Craigieburn Shopping Centres by October 1999
Regional forum of local authorities and interested stakeholders be convened to consider approaches to dissemination and public education. The forum could obtain specialist communications expertise.	Moderate	Medium	Nil	Regional forum convened by March 2000
Advise Life Be In it of Hume's off-leash areas.	High	Medium	Nil	Hume's off-leash areas to be included in Life Be In It publications.
Plan a dissemination, education and promotion strategy for implementing the policy and encouragement of responsible dog ownership in the first two years.	High	Short	Nil	Dissemination, education and promotion strategy to be completed by November 1999.

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4. ENFORCEMENT

Rules governing dogs in public places are difficult to enforce, hence emphasis needs to be placed on voluntary compliance. Enforcement procedures, however, are seen as an essential part of this strategy because they will lead to long term behavioral change by acting as vehicles for community education.

An interim enforcement strategy will focus on information dissemination, education and consolidation of responsible dog ownership.

A review of enforcement procedures and protocols will ensure that educational strategies are effectively complemented by regulatory control.

Table 4 sets out priority actions for enforcement and how Council proposes to monitor these actions over time.

TABLE 4

Action	Priority	Timeline	Cost	Performance Indicators
Increase in patrolling of parks by local law officers for a period of three months.	High	Short	\$10,000 Local Laws recurrent budget	Increased presence of Council Officers in parks by September 1999. Increased compliance with leash and poopscoop rules
Source sponsorship for a dog show bag which will be distributed by council officers while patrolling parks.	High	Short	Nil	Development of dog show bag by September 1999
Review all enforcement procedures and protocols for operational improvements and gaps.	High	Short	Nil	Review completed by November 1999

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5. HARNESSING THE BENEFITS OF OWNING PETS

Dogs provide companionship, security, emotional release and instruction on life skills. Many of these personal reasons for having a dog translate into positive outcomes for the community. Council can play a role in harnessing these benefits by providing information and programs, which facilitate dog ownership.

Table 5 sets out priority actions and how Council proposes to monitor these actions over time.

TABLE 5

Action	Priority	Timeline	Cost	Performance Indicators
Investigate the feasibility of establishing a Pet Links program in Hume.	Moderate	Medium	\$2,000 – consultant costs	Feasibility study completed by December 2000
Consider the health benefits of owning pets in the next review of the Public Health Plan.	Moderate	Medium	Nil	Discussion on the relevance of encouraging pet ownership conducted in the next review of Municipal Public Health Plan - June 2000
Assist tenants and landlords with queries about owning pets in rental accommodation.	Moderate	Medium	Nil	Hard copies of the PIAS brochures on keeping pets in rental accommodation for distribution to the local community by December 1999. Briefing to relevant Council staff by December 1999

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6. PLANNING FOR FUTURE NEEDS

Dog owners are a substantial group of park users. It is important that the needs of dogs and their owners be integrated into open space planning. This integration will assist with establishing more effective domestic animal management.

A study of the long term recreational needs of dogs and their owners will enable the strategy to accurately reflect the needs of dogs and their owners.

Submission to the IAHAIQ "Pets in Cities" award will promote Hume's approach to Dogs in Public Places as best practice.

Table 6 details priority actions and how Council proposes to monitor these actions over time.

TABLE 6

Action	Priority	Timeline	Cost	Performance Indicators
Undertake a study of the long term recreational needs of dogs and their owners.	Moderate	Long	\$3,000 – consultant costs	Study completed by December 2002
Implementation of the Open Space Strategy must acknowledge the needs of dog owners as a group with legitimate recreation needs that should be given consideration.	High	Ongoing	Nil	The needs of dog owners as a group with legitimate recreation needs are considered in implementation of the Open Space Strategy
Design and siting of new play equipment and public picnic areas / BBQs to consider integration with off-leash areas.	High	Ongoing	Nil	Positioning of play equipment and public picnic/BBQs to allow integration with off-leash areas

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TABLE 6 continued

Action	Priority	Timeline	Cost	Performance Indicators
The design and siting of new shared footways/bicycles paths consider better integration with off-lead areas.	High	Ongoing	Nil	Design and siting of new shared footways/bicycles paths to allow integration with off-leash areas.
Council undertake a feasibility study for one or more purpose-designed recreation facilities for dogs and their owners.	Moderate	Medium	\$2,000 - Consultant costs	Feasibility study completed by December 2000
Write to Parks Victoria requesting that they consider providing off-lead areas for dogs and their owners within their open space network.	Moderate	Short	Nil	Letter forwarded to Parks Victoria by December 1999
Consideration be given to the public open space needs of dog owners in the design of new public open space or any modifications to existing open space.	High	Short/ongoing	Nil	Draft park master plans be referred for comment to relevant Council staff to ensure areas for dog owners are considered with any changes and other proposals
Submission to IAHAIO "Pets in Cities" award to promote Hume's approach to Dogs in Public Places as best practice.	Moderate	Short	Nil	Entry submitted by July 2000. Increased recognition of Hume's proactive management of dogs in public places.

Policy Reference No:	POL/162	Responsible Officer:	Manager Community & Activity Centre Planning
Date of Re/Adoption:	09 August 1999	Department:	Community & Activity Centre Planning
Review Date:	08 September 2003		
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HUME CITY COUNCIL SPONSORSHIP POLICY

Policy Reference No.	POL/174
File No.	HCC15/190
Strategic Objective	3.3 Strengthen community connections through local community events and the arts
Adopted by Council	30 August 2010
Re-Adopted	
Date for Review	August 2012
Responsible Officer	Manager Communications and Events
Department	Communications and Events

HUME CITY COUNCIL SPONSORSHIP POLICY

1 INTRODUCTION

- 1.1** This policy has been developed to provide guidance on all sponsorships that are either received by Council or distributed by Council to external parties.
- 1.2** Council often secures in-kind and financial sponsorship from businesses to offset the costs of staging an event/activity or to complement a range of aspects associated with an event/activity. This policy outlines the process for securing this sponsorship and provides guidelines about the types of organisations or industries that Council will not partner with in regards to sponsorship.
- 1.3** Council also provides financial sponsorship to external parties. This may be to assist these organisations/groups to stage events within the municipality, or Council may have identified that by providing sponsorship, Council will receive economic or marketing benefits. This policy provides guidelines on the types of organisations Council will sponsor and the process for approving these sponsorships.
- 1.4** This policy provides a framework for managing Council's sponsorship obligations and will ensure that:
- a) Council maximises opportunities to obtain commercial sponsorship for appropriate events, campaigns or initiatives whilst offering sponsors attractive packages demonstrating value for money for both parties.
 - b) Council's position and reputation are adequately protected in sponsorship agreements.
 - c) Council adopts a consistent and professional approach towards sponsorship.

2 POLICY STATEMENT

- 2.1** This policy applies to all sponsorships received by Council and all sponsorships that are distributed by Council and can be for Category 1, 2 or 3 events as well as other activities undertaken by Council, that Council may seek sponsorship funding to support.
- 2.2** This policy does not apply to Council's community grants process.
- 2.3** A sponsorship can be either financial (cash) or in-kind (products and/or services).
- 2.4** For the purpose of this policy sponsorship is defined as:
- a) an agreement between Hume City Council and the sponsor, where the Council receives either money or a benefit in-kind for an event, campaign or initiative from an external party/organisation or individual which in turn gains publicity or other benefits; and/or
 - b) an agreement between Council and an external party, where the external party receives from Council either money or an in-kind benefit and in turn, Council

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Date of Re/Adoption:	30 August 2010	Department:	Communications and Events
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HUME CITY COUNCIL SPONSORSHIP POLICY

receives benefits which could include but are not limited to branding, hospitality and advertising.

3 SPONSORSHIP PRINCIPLES

3.1 Council will actively seek opportunities to work with both local and national organisations by identifying sponsorship opportunities of mutual benefit and which are in keeping with Council's strategic priorities and core values.

Council welcomes all opportunities to work in such partnerships. Any sponsorship Council undertakes however must not compromise Council's reputation, image, probity or ability to fulfil its functions and responsibilities.

3.2 Council retains the right to decline a sponsorship agreement with any organisation, individual or in respect to particular products/services which the Council in its sole discretion considers inappropriate. Council will not, however, under any circumstances enter into sponsorship agreements with the following:

- a) Organisations whose business poses a conflict with the broader policies and practices of Council.
- b) Organisations in financial or legal conflict with Council.
- c) Organisations involved in the production and sale of weaponry including firearms.
- d) Organisations whose business conflicts with Council's social justice charter and principles of equity, access, participation, rights and accessibility for all community groups.
- e) Organisations that have direct involvement in the manufacture of tobacco and associated products.

4 DEFINITIONS

4.1 Event – the term 'event' is interchangeable with 'festival' and is classed as any organised activity that is staged to bring together residents, visitors, business people, and/or stakeholders to celebrate and/or promote an issue or area. For example community festivals, citizenship ceremonies, business breakfasts and launches/openings are considered an event.

4.2 External parties – refers to community groups or incorporated associations that Council may decide to sponsor for a specific event, or an organisation that has provided sponsorship to Council.

4.3 In-kind sponsorship – refers to benefits that have been received that are not financial (cash) and have no cost associated with them, for example free water bottles for an event or free advertising that has been provided by a publisher in support of an event.

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- 4.4** Sponsorship agreement – a signed agreement between Council and an external party outlining all associated costs, benefits and commitments relating to a sponsorship.
- 4.5** Category 1 Events - are described as events and festivals that enhance community inclusion and social justice. They also include events that are required to fulfil the day-to-day work of Council.
- 4.6** Category 2 Events - are described as events and festivals that express and celebrate cultural identity and spaces; and promote the liveability of growth areas, established communities and renewal locations. These events primarily target and attract people within the local area.
- 4.7** Category 3 Events - are described as events and festivals that showcase the economic and/or tourism aspects of the municipality, they have a business element, are marketing Hume City Council to businesses and government; and build confidence and increase the economic contribution or activity in Hume. These events provide Council with the opportunity to attract people from outside the municipality ie. they become a 'destination' event.

5 POLICY IMPLEMENTATION

5.1 Management of Sponsorships

- 5.1.1** Council's Special Events and Festivals Coordinator will be responsible for establishing and managing ongoing relationships with sponsors and managing sponsorship outcomes.
- 5.1.2** Council's Special Events and Festivals Coordinator will be responsible for contacting external organisations in relation to securing all sponsorship on behalf of Council.
- 5.1.3** Council officers seeking sponsorship from external organisations must complete a sponsorship request form (Attachment 1) and provide this to the Special Events and Festivals Coordinator for consideration who will then work with the Council officer to identify potential sponsors.
- 5.1.4** A sponsorship agreement will be developed for all sponsorships and signed by Council and the external party that outlines all associated costs, benefits and commitments by both parties in relation to the sponsorship.
- 5.1.5** For events sponsored by Council, the sponsorship agreement will be developed and managed by the Special Events and Festivals Coordinator, and signed by the Chief Executive Officer on behalf of Council.

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HUME CITY COUNCIL SPONSORSHIP POLICY

5.1.6 For Council events sponsored by an external organisation, the sponsorship agreement will be developed and managed by the Council Department responsible for the event in consultation with the Special Events and Festivals Coordinator.

5.1.7 Council's Special Events and Festivals Coordinator will provide a sponsorship report to Council annually detailing the sponsorships received and granted by Council.

5.2 Sponsorships provided by Council

5.2.1 Council requires external parties seeking Council sponsorship to provide a written proposal to Council's Special Events and Festivals Coordinator for consideration. Proposals must address the eligibility criteria as outlined in 4.2.2 and will be considered during the annual budget process. A recommendation from Council's Special Events and Festivals Coordinator will be provided to Council's Executive Management Team for consideration and approval.

5.2.2 Eligibility Criteria

The following criteria will be assessed by Council in considering whether or not to sponsor an event:

Criteria	Description
Engagement	<ul style="list-style-type: none">• The event provides opportunities for community interaction• The event demonstrates significant community relevance and benefit.• The event is inclusive of people with diverse cultural and socio-economic lifestyles and interests.
Liveability and Safety	<ul style="list-style-type: none">• The event is held at a safe, accessible and people-friendly environment.• The event is compliant with relevant legislative requirements, standards and Council policy (eg OH&S).
Sustainability/Relevance	<ul style="list-style-type: none">• Capacity for long term change, growth, value-adding.• Environmental protection is an integral component to the event.• The event provides an opportunity for change, growth and value-adding.
Economic Development	<ul style="list-style-type: none">• The event has the capacity to contribute to economic development within the city.• The event has the potential to generate revenue through attracting participants/

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	spectators from outside the municipality.
Cultural Development	<ul style="list-style-type: none">• The event provides opportunities for expression, engagement and/or exposure to artistic and cultural audience.
Tourism	<ul style="list-style-type: none">• The event provides opportunities for marketing Hume City to a wider audience.

5.2.3 In addition to the Eligibility Criteria, proposals must also include information on:

- The objectives of event
- All existing funding sources that have been secured to stage the event
- Council resources/services that are required to support the event
- The date, time and location of the event
- Full details on the activities that are proposed to be held as part of the event and any costs that will be incurred by the community in participating in the event.
- The proposed benefits and recognition Council will obtain as a result of providing sponsorship.

5.2.4 Council will not sponsor events that:

- Do not meet the eligibility criteria or are in conflict with Council's vision and mission
- Are coordinated by commercial enterprises
- Are proposed by unincorporated groups or individuals without the auspices of an incorporated group or organisation
- Council does not have the capacity to adequately resource from either a financial, service or human resource basis.

5.3 Sponsorships sought by Council

5.3.1 Council reserves the right to either publicly call for Expressions of Interest to allow all potential sponsors equal opportunities for involvement in an event; or approach individual sponsors directly.

5.3.2 Council will actively seek sponsorship opportunities with both local and national organisations to assist it in delivering events for the community. The sponsorship will be mutually beneficial and in keeping with Council's strategic priorities and core values.

5.3.3 Council retains the right to decline a sponsorship agreement with any external party or in respect to particular products/services which the Council considers inappropriate. Council will not under any circumstances enter into sponsorship agreements with the organisations outlined in section 3.2.

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- 5.3.4** As outlined in section 5.1.3, Council Officers seeking sponsorship from external organisations must complete a Sponsorship Request Form (Attachment 1) and provide this to the Special Events and Festivals Coordinator for consideration who will then work with the Council Officer to identify potential sponsors.

6 RELATED DOCUMENTS

- 6.1** Hume City Council Events Strategy
- 6.2** Sponsorship Request Form (Internal - HCC Only)
- 6.3** Proposal to Seek Council Sponsorship

Date Adopted	30 August 2010
Date Re-Adopted	
Review Date	August 2012

Policy Reference No:	POL/174	Responsible Officer:	Manager Communications and Events
Date of Re/Adoption:	30 August 2010	Department:	Communications and Events
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HUME CITY COUNCIL SPONSORSHIP POLICY

Sponsorship Request Form (Internal HCC Only)

Name: _____ Date: _____

Department: _____

Division: _____

Department Manager Approval: _____

Divisional Director Approval: _____

Background information about the event?

What are the benefits Council can offer the sponsor?

What is the scope/potential reach of the event ie who is the event targeted to and how many people are you intending to attract?

What are the benefits of the event to the local community/business?

Are there any potential sponsors in the local community that you are aware of who would see benefits in sponsoring an event of this nature?

What marketing and promotional activities are planned as part of the event that potential sponsors could leverage off?

What is the financial or in-kind value of the sponsorship sought?

Have you read Sponsorship Policy? ☐ Yes ☐ No

Do you comply with the Sponsorship Policy? ☐ Yes ☐ No

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Date of Re/Adoption:	30 August 2010	Department:	Communications and Events
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HUME CITY COUNCIL SPONSORSHIP POLICY

Proposal to Seek Council Sponsorship

Name of external party/organisation: _____ Date: _____

Contact information: _____

Date, time and location of the event: _____

Objectives and background of the event: _____

Details of funding already secured to stage the event including other sponsors: _____

Details of activities to be held at event: _____

What Council resources/services will be required to support the event? _____

What benefits/recognition will Council receive, if it was to sponsor the event? _____

Have you run events in the past, if so please explain? _____

Assessment of how the event meets eligibility criteria:

Criteria	Description of how event meets criteria
Engagement <ul style="list-style-type: none">The event provides opportunities for community interactionThe event demonstrates significant community relevance and benefit.	

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<ul style="list-style-type: none"> The event is inclusive of people with diverse cultural and socio-economic lifestyles and interests. 	
Liveability and Safety <ul style="list-style-type: none"> The event is held at a safe, accessible and people friendly environment. The event is compliant with relevant legislative requirements, standards and Council policy. 	
Sustainability/Relevance <ul style="list-style-type: none"> Capacity for long term change, growth, value adding. Environmental protection is an integral component to the event. The event provides an opportunity for change, growth and value-adding. 	
Economic Development <ul style="list-style-type: none"> The event has the capacity to contribute to economic development within the city. The event has the potential to generate revenue through attracting participants/spectators from outside the municipality. 	
Cultural Development <ul style="list-style-type: none"> The event provides opportunities for expression, engagement and/or exposure to artistic and cultural audience. 	
Tourism <ul style="list-style-type: none"> The event provides opportunities for marketing Hume City to a wider audience. 	

Have you read Sponsorship Policy? ☐ Yes ☐ No

Do you comply with the Sponsorship Policy? ☐ Yes ☐ No

Policy Reference No:	POL/174	Responsible Officer:	Manager Communications and Events
Date of Re/Adoption:	30 August 2010	Department:	Communications and Events
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MEDIA COMMUNICATIONS POLICY

Policy Reference No.	POL/180
File No.	HCC15/190
Strategic Objective	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs
Adopted by Council	07 April 1997
Re-Adopted	
Date for Review	08 September 2003
Responsible Officer	Manager Communications & Events
Department	Communications & Events

MEDIA COMMUNICATIONS POLICY

1 INTRODUCTION

- 1.1 This policy has been established to ensure the Council presents a coordinated approach to communicating Council policies and decisions to both the community and wider audiences.

2 POLICY STATEMENT

- 2.1 The Mayor is the official spokesperson for the Council and will be responsible for the making of media statements. Whilst Councillors may express their own personal views, it is understood the Mayor's comments will represent the official Council position.
- 2.2 On day-to-day management issues, the Chief Executive Officer will be responsible for press comment. Where appropriate Directors of divisions will be responsible for comment within their areas of responsibility and may arrange for a relevant Manager of Officer to provide comment within their area of expertise.

3 POLICY IMPLEMENTATION

- 3.1 Hume City Council will be proactive with the press to promote the achievements, services and facilities of Hume City and its residents.
- 3.2 As part of the program of forward initiatives where stories are being considered in particular wards, Ward Councillors will be involved and quoted. Councillors are also encouraged to put forward stories about their Wards in relation to achievements of residents and community groups etc.
- 3.3 All media statements being issued from the Council will be approved through the Communications Unit before release.

4 DEFINITIONS AND ABBREVIATIONS

- 4.1 Nil

5 RELATED DOCUMENTS

- 5.1 Code of Conduct for Councillors

Date Adopted	07 April 1997
Date Re-Adopted	
Review Date	08 September 2003

Policy Reference No:	POL/180	Responsible Officer:	Manager Communications & Events
Date of Re/Adoption:	07 April 1997	Department:	Communications & Events
Review Date:	08 September 2003		

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TURF CRICKET POLICY

Policy Reference No.	POL/204
File No.	HCC15/190
Strategic Objective	3.2 Enhance community pride and sense of place
Adopted by Council	April 2004
Re-Adopted	
Date for Review	April 2007
Responsible Officer	Manager Leisure Centres & Sports
Department	Leisure Centres & Sports

TURF CRICKET POLICY

1 INTRODUCTION

- 1.1** This policy has been developed to provide a clear set of guidelines for the establishment and maintenance of Turf cricket wicket facilities within Hume City Council boundaries.
- 1.2** The fees and charges for Turf cricket facilities have been reviewed.
- 1.3** The Policy also identifies both the Council and Sporting Club roles and responsibilities in relation to Turf cricket in Hume.
- 1.4** There has been an increase in the number of clubs requesting to move to playing on a Turf cricket surface.
- 1.5** This policy is linked to two existing Policies: *Club Contributions Policy for Capital Works Projects* CP1997/11/07 and *Fees and Charges for Sports Grounds* CP1997/11/08.
- 1.6** Contact has been made with a number of Local Government authorities across the state and interstate to assist in the development of this policy.
- 1.7** There are significant implications in adopting this policy. The policy determines that at the conclusion of the 2004/05 cricket season Council will no longer prepare and maintain turf cricket wickets.
- 1.8** The interests of junior cricket players in the municipality have been taken into consideration when preparing this policy.

2 POLICY STATEMENT

To provide a set of guidelines for the establishment, maintenance and preparation of Turf Cricket pitches along with the development of a new schedule of charges for Turf Cricket facilities.

3 POLICY IMPLEMENTATION

- 3.1** Any club wishing to make an application to establish a Turf Cricket wicket will need to prepare a submission that addresses all the issues included in this policy.
- 3.2** The submission will then be considered by Council against the prescribed criteria.
- 3.3** Criteria:

3.3.1 Effect on Junior Cricket

- 3.3.1.1 Ability to relocate junior teams in immediate area
- 3.3.1.2 Documented feedback from Junior club parents (survey to be conducted by Club)
- 3.3.1.3 Effect on school usage in the area

Policy Reference No:	POL/204	Responsible Officer:	Manager Leisure Centres & Sport
Date of Re/Adoption:	27 September 2004	Department:	Leisure Centres & Sport
Review Date:	April 2007		

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TURF CRICKET POLICY

3.3.2 Turf Cricket sites in area

3.3.2.1 The number of Turf Clubs in the immediate area

3.3.2.2 The grade and level of competition to be played

3.3.3 Financial

3.3.3.1 Clubs will be required to contribute to the cost of installation of a wicket table (50% of total costs or 100% of costs if funds are not available through Council)

3.3.3.2 Ability of the Club to meet costs managing a Turf Cricket Ground, i.e. turf installation, maintenance and renovation

3.3.3.3 Review of financial plan by Council officers

3.3.3.4 If wickets are prepared by Council, the following fees and charges will apply, 20% of total cost of preparation

3.3.3.5 At the conclusion of the 2004/05 cricket season Council will not prepare and maintain turf cricket wickets during the season.

3.3.4 Impact on use of Oval

3.3.4.1 Consideration of other activities on oval and any affect on these users

3.3.4.2 Consultation with other users of the oval/reserve

3.3.5 Turf Practice Wickets

3.3.5.1 Only required at District and Sub-district levels

3.3.5.2 Full funding would be required by the club for installation and ongoing maintenance

3.3.5.3 All practice wickets would need to be located off the main ground (run-ups not to be on ground)

3.3.6 Development

3.3.6.1 Consideration of any increase in participation in Cricket by women

3.3.6.2 Identification of any activities that promote and develop the opportunities for participation in cricket

4 DEFINITIONS AND ABBREVIATIONS

4.1 *Nil*

5 RELATED DOCUMENTS

5.1 *Nil*

Policy Reference No:	POL/204	Responsible Officer:	Manager Leisure Centres & Sport
Date of Re/Adoption:	27 September 2004	Department:	Leisure Centres & Sport
Review Date:	April 2007		

TURF CRICKET POLICY

Date Adopted	27 September 2004
Date Re-Adopted	
Review Date	April 2007

Policy Reference No:	POL/204	Responsible Officer:	Manager Leisure Centres & Sport
Date of Re/Adoption:	27 September 2004	Department:	Leisure Centres & Sport
Review Date:	April 2007		

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THE USE OF FIREWORKS & PYROTECHNICS IN HUME POLICY

Policy Reference No.	POL/203
File No.	HCC04/355
Strategic Objective	2.2 Strengthen community safety and respectful behaviour
Adopted by Council	28 November 2011
Re-Adopted	
Date for Review	June 2013
Responsible Officer	Manager Leisure Centres & Sports
Department	Leisure Centres & Sports

THE USE OF FIREWORKS & PYROTECHNICS IN HUME POLICY

1 POLICY STATEMENT

1.1 Through the Fireworks and Pyrotechnics Policy, Council will:

- 1.1.1** Provide controls concerning the use of fireworks/pyrotechnics on Council controlled property.
- 1.1.2** Address nuisance and amenity in regards to the use of fireworks/pyrotechnics within Hume.
- 1.1.3** Ensure the general amenity of areas adjacent to locations where fireworks/pyrotechnics displays occur.

2 PURPOSE

2.1 This policy sets out the general standards required by Council for the use of fireworks/pyrotechnics on Council controlled property.

3 SCOPE

3.1 General conditions and guidelines for the use of Fireworks and Pyrotechnics:

- 3.1.1** All organisations or individuals intending to conduct a fireworks display on Council controlled land must first complete an 'Application to hold an event in the City of Hume'. This is obtainable from Council offices and the request must comply with all conditions required by Council.
- 3.1.2** Not less than seven (7) days prior to any permitted fireworks/pyrotechnics display, written notification of the display must be delivered to all properties within five hundred (500) metres from the site of display.
- 3.1.3** All written notification of proposed fireworks/pyrotechnics displays may only be placed in the letterbox, newspaper holder or under the front door of premises.
- 3.1.4** Only Pyrotechnics licensed with WorkSafe are permitted to discharge firework/pyrotechnic displays within Hume. The person and/or organisation whose name appears on any fireworks/pyrotechnics permit shall be solely responsible for any damage, litter or nuisance as a consequence of the display.
- 3.1.5** Operators proposing to conduct fireworks/pyrotechnics displays must hold (and continue to hold during any such display) public liability insurance cover of not less than ten million dollars (\$A10million). Evidence of cover must be produced with applications.
- 3.1.6** Operators must supply to Leisure Services a copy of their Risk Management Assessment, including a plan detailing the proposed display and charges as given to the Work Safe Authority.

Policy Reference No:	POL/203	Responsible Officer:	Manager Leisure Centres & Sports
Date of Re/Adoption:	28 November 2011	Department:	Leisure Centres & Sports
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THE USE OF FIREWORKS & PYROTECHNICS IN HUME POLICY

- 3.1.7** All Work Safe Authority distance and safety requirements must be adhered to.
- 3.1.8** No display shall occur on any day of total fire ban or EPA Smog Alert Day.
- 3.1.9** No display shall occur on any day where the prevailing winds exceed 10 knots.
- 3.1.10** Recommendations by either the CFA or MFB will be taken into consideration.
- 3.1.11** No fireworks display shall be permitted to take place after 10.30pm.
- 3.1.12** Aerial shells with a diameter exceeding 150mm are not permitted to be used.
- 3.1.13** Aerial “Salutes” shall not be permitted
- 3.1.14** Should this policy be inconsistent with the Local Law or any other legislation, that Local Law or legislation will override any condition or requirement detailed in this policy.

3.2 Withdrawal of permission and disclaimer

- 3.2.1** Hume City Council reserves the right to withdraw permission for any fire works or pyrotechnic display at short notice. This is in consideration of extreme climatic conditions, which Council deems has the potential to adversely affect the amenity and safety of the area.
- 3.2.2** Hume City Council will not be held responsible for any loss of monies in the event that Council withdraws permission for fire works and pyrotechnic displays.

4 OBJECTIVE

- 4.1** To guide Council officers in their discretionary powers in regards to the use of fireworks/pyrotechnics and ensure Council standards and the general amenity of the municipality are maintained.

5 POLICY IMPLEMENTATION

- 5.1** The Leisure Services Department will implement this policy by ensuring that staff:
 - 5.1.1** Are trained and competent to use procedures that support the policy.
 - 5.1.2** Have access to this policy and supporting procedures and legislation.
- 5.2** The department will monitor and review the effectiveness of this policy every two years in consultation with the City Laws Department and Risk Management Unit.

Policy Reference No:	POL/203	Responsible Officer:	Manager Leisure Centres & Sports
Date of Re/Adoption:	28 November 2011	Department:	Leisure Centres & Sports
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THE USE OF FIREWORKS & PYROTECHNICS IN HUME POLICY

6 DEFINITIONS AND ABBREVIATIONS

Nil.

7 RELATED DOCUMENTS

7.1 Local Government Act 1989

7.2 Summary Offences Act 1966

7.3 Dangerous Goods Act 1985.

Date Adopted	28 November 2011
Date Re-Adopted	
Review Date	June 2013

Policy Reference No:	POL/203	Responsible Officer:	Manager Leisure Centres & Sports
Date of Re/Adoption:	28 November 2011	Department:	Leisure Centres & Sports
Review Date:	June 2013		

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CONDITIONS FOR USE OF MAYORAL DISCRETIONARY FUND POLICY

Policy Reference No:	CP2011-11-03
File Reference No:	HCC04/3
Strategic Objective:	Accountable Leadership
Date of Adoption:	28 November, 2011
Date for Review:	June 2016
Responsible Officer:	Manager Corporate Services
Department:	Corporate Services

CONDITIONS FOR USE OF MAYORAL DISCRETIONARY FUND POLICY

1. POLICY STATEMENT

- 1.1. Each year within the Council's budget an allocation is made for philanthropic and charitable purposes that may arise during the year. These funds are allocated on the approval of the Mayor of the day. This policy outlines the conditions and limitations for use of the fund.

2. PURPOSE

- 2.1. To provide the Mayor, Councillors and Chief Executive Officer with clear conditions and limitations for the use of the fund.

3. SCOPE

- 3.1. This policy guides the decisions of the Mayor in relation to the distribution of the fund for donations up to \$500.
- 3.2. This policy guides the decisions of Council in relation to the distribution of funds for donations over \$500.

4. OBJECTIVE

- 4.1. To operate with integrity and openness in providing the highest level of representation and advocacy for the community.
- 4.2. Any funding applications for funds from the Mayoral Discretionary Fund are assessed in accordance with the funding criteria set out in this policy.

5. POLICY IMPLEMENTATION

5.1. Applying for funding assistance

- 5.1.1. All applications for assistance for funds from the Mayoral Discretionary Fund are to be in writing and addressed to and received by the Mayor.
- 5.1.2. Applications must specify the purpose the funds are to be used for and how the community or individual will benefit from the funds being allocated.
- 5.1.3. The Mayor in consultation with the Chief Executive Officer may approve funding applications which meet the stated funding criteria and which are up to and including \$500 for any one application.
- 5.1.4. Any funding applications from the Mayoral Discretionary Fund being greater than \$500 will only be granted by decision of a majority of Councillors.
- 5.1.5. If an application is agreed to, the Chief Executive Officer will authorise the payment.

Policy Reference No: CP2011-11-03	Date of Adoption: 28 November, 2011
Review Date: June 2016	Responsible Officer: Manager Corporate Services
	Department Corporate Services
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CONDITIONS FOR USE OF MAYORAL DISCRETIONARY FUND POLICY

5.2. Funding Criteria

5.2.1. The Mayoral Discretionary Fund is generally to be used for the following purposes:-

- To assist in instances of individual or group hardship and where providing assistance will be to the greater benefit of the local community.
- To contribute towards the cost of an individual or group associated with the municipality attending a sporting or other major event at which they will be representing the nation, state or municipality.
- To assist with the development and implementation of a local project, scheme or initiative.
- To provide assistance and donation to any cause which merits the involvement of the Council and is able to provide a direct or indirect benefit for the municipality.

5.2.2. The Mayoral Discretionary Fund is not to be used for any purpose to assist a political party or for fund raising of a political nature.

5.2.3. Preference will be given to assisting locally based groups or individuals.

5.3. Limitations

5.3.1. Applications for amounts greater than \$500 from the Mayor's Discretionary Fund are to be considered and approved by resolution of Council.

5.3.2. Applications considered by Council must also fall within the general guidelines and criteria of this policy.

5.3.3. The Mayor of the day can approve expenditure of the annual allocation of the Mayoral Discretionary Fund for that proportion of the financial year that that particular Mayor holds office.

5.4. Budgeting

5.4.1. There is to be an amount set in each Council budget for the Mayoral Discretionary Fund.

5.4.2. This budget is not to be exceeded without a resolution of Council.

Policy Reference No: CP2011-11-03	Date of Adoption: 28 November, 2011
Review Date: June 2016	Responsible Officer: Manager Corporate Services
	Department Corporate Services
Page 3 of 4	

CONDITIONS FOR USE OF MAYORAL DISCRETIONARY FUND POLICY

6. DEFINITIONS AND ABBREVIATIONS

For the purposes of this policy, the following definitions are used:

Mayoral Discretionary Fund – Council funds allocated for philanthropic and charitable purposes.

7. RELATED DOCUMENTS

7.1. In using this policy Council will act in accordance with the:

- *Code of Conduct for Councillors*
- *Local Government Act 1989*

Policy Reference No: CP2011-11-03	Date of Adoption: 28 November, 2011
Review Date: June 2016	Responsible Officer: Manager Corporate Services
	Department Corporate Services
Page 4 of 4	

HUME CITY COUNCIL**POLICY****Council Contribution to Construction of Parking Bays**

Policy Ref. No:	CP2002/12/43
Date Adoption:	16 December 2002
Date Amended:	8 September 2003
Date of Review:	-
Responsible Officer:	Manager Traffic and Civil Design

1 INTRODUCTION

- 1.1 Council's has an existing policy of enforcing the Road Safety Act 1986 in relation to not permitting parking on nature strips on a no tolerance basis. Exception, however, is made where a resident installs an indented nature strip parking bay at his or her own cost.
- 1.2 This policy outlines the contribution Council will make towards the construction of indented parking bays on nature strips in situations where a traffic management device has been installed and on-street parking is reduced.

2 POLICY STATEMENT

- 2.1 Where Council has previously installed a traffic management device and individual residents believe they have reduced on-street parking, Council will contribute up to \$1,000 for the construction of a parking bay within the nature strip

3 POLICY IMPLEMENTATION

- 3.1 Implementation of the above policy is subject to the following conditions:-
 - 3.1.1 A written request has been received from the resident to install a standard concrete nature strip parking bay;
 - 3.1.2 The residents have had the on-street parking adjacent to their property restricted by traffic control devices;
 - 3.1.3 Council's Traffic Section endorses the proposal;
 - 3.1.4 The work will be carried out by an approved contractor; and
 - 3.1.5 That payment is made upon completion of the works to the satisfaction of Council
- 3.2 Approval of each individual application is to be made by the Manager Traffic and Civil Design based on the above conditions being satisfied.

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4 RELATED DOCUMENTS

- 4.1 Road Safety Act 1986 (Road Rule Victoria 1999)
- 4.2 Council Policy - Parking on Nature Strips

H:\Corporate Support - Current\Policies\Policy Presentation for Review 2017\Policies Under Review\REVIEW CP2002-12-43
Contribution to Construction of Parking Bays Policy.doc

REPORT NO:	GE221
REPORT TITLE:	S163 Agreement - Building Act 1993 3 Glenmore Place Greenvale
SOURCE:	Peter Jolly, Municipal Building Surveyor
DIVISION:	Planning and Development
FILE NO:	BRC20140006
POLICY:	CP2011-11-13
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

This report details an agreement made under Section 163 of the *Building Act* 1993 (Act). The agreement is required by the Building Appeals Board under section 162 of the Act in relation to a modification to the Building Regulations 2006 with respect to an “as built” alfresco constructed over an easement without the consent of the service authority (Council) being obtained.

2. RECOMMENDATION:

That:

- 2.1 Four copies of the Agreement detailed in this report be executed and sealed by Council.**
- 2.2 a copy of the sealed agreement is to be given to the land owners.**
- 2.3 the sealed agreement be registered on the title appurtenant to the land.**
- 2.4 a copy of the sealed agreement be lodged with the Building Appeals Board.**

3. LEGISLATIVE POWERS:

- 3.1 Section 162 of the *Building Act* 1993 gives powers to the Building Appeals Board to require a building owner to enter into an agreement with the relevant council in relation to modifications to provisions of the Building Regulations 2006.

4. DISCUSSION:

- 4.1 This matter was first brought to Council's attention by way of a complaint made by a resident on the 17 January 2012.
- 4.2 Council records disclosed that a private building surveyor, James Reardon BS-U17998 (*Relevant Building Surveyor [RBS]*) issued a Building Permit BSU17998/1521810/0 on the 5 October 2010 for building work described as construction of an Independent person unit. An Occupancy Permit was issued by the RBS on 29 January 2013 in respect of the building work.
- 4.3 A site inspection was carried out by a Council Building Inspector on the 18 September 2013 which revealed that the independent person unit has been converted to a second self-contained dwelling without permit and also revealed that it had been constructed over an easement where neither the Sewerage Authority nor Council had consented to the proposal. Thus the report and consent of the service authorities had not been obtained in accordance with the requirements of regulation 310(1).
- 4.4 The matter was drawn to the attention of the RBS who was required to deal with the non-compliance. The owner made application to Council for a report and consent to regulation 310(1) to allow the independent person unit to remain as constructed over the easement.

REPORT NO: GE221 (cont.)

- 4.5 Council refused to grant retrospective report and consent as there is no power to do so. As a consequence, the owner made application to the Building Appeals Board (*BAB*) to appeal Council's decision to allow the building work to remain as constructed over the easement.
- 4.6 As part of the *BAB* consideration of the appeal application, Council's comments on the proposal were sought. Council considered the matter in the context of the policy number CP2011-11-33 and offered no objection subject to the requirement for an agreement protecting Council's interests be registered on the title for the land.
- 4.7 The *BAB* approved the application on 31 May 2017 on condition that the owners of the land enter into an agreement with Council under section 163 of the *Building Act* 1993.
- 4.8 The agreement is consistent with Council's normal section 173 agreement and sets out a range of conditions applying to the arrangement that bind the current and future owners.
- 4.9 The agreement has been signed and executed by the relevant owners of the land. Council must execute the completed agreement. The sealed agreement will be lodged with the Office of Titles for registration on the title certificate. A copy of the sealed agreement is also required to be lodged with the *BAB*.

5. CONCLUSION:

The signing and sealing of the agreement by Council and the subsequent lodgement on the land title will formalise the agreement.

REPORT NO:	GE222
REPORT TITLE:	S163 Agreement - Building Act 1993 6 Maple Court Campbellfield
SOURCE:	Peter Jolly, Municipal Building Surveyor
DIVISION:	Planning and Development
FILE NO:	BRC201700240
POLICY:	CP2011-11-13
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

This report details an agreement made under Section 163 of the *Building Act* 1993 (Act). The agreement is required by the Building Appeals Board under section 162 of the Act in relation to a modification to the Building Regulations 2006 with respect to an “as built” alfresco constructed over an easement where the report and consent of the service authority (Council) was not first obtained.

2. RECOMMENDATION:

That:

- 2.1 Four copies of the Agreement detailed in this report be executed and sealed by Council.**
- 2.2 a copy of the sealed agreement is to be given to the land owners.**
- 2.3 the sealed agreement be registered on the title appurtenant to the land.**
- 2.4 a copy of the sealed agreement be lodged with the Building Appeals Board.**

3. LEGISLATIVE POWERS:

- 3.1 Section 162 of the *Building Act* 1993 gives powers to the Building Appeals Board to require a building owner to enter into an agreement with the relevant council in relation to modifications to provisions of the Building Regulations 2006.

4. DISCUSSION:

- 4.1 This matter was first brought to Council’s attention by way of a complaint made by a resident on the 4 October 2011.
- 4.2 A private building surveyor, Dino Molinaro BS-U14142 (*Relevant Building Surveyor [RBS]*) issued a Building Permit BS14142/20083324/0 on the 7 August 2008 for building work described as construction of Extensions and Alterations to Existing Dwelling.
- 4.3 A site inspection was carried out by a Council Building Inspector on the 16 September 2013 which revealed that the building work was continuing to progress and the building work had gone outside the scope of the endorsed plans appurtenant to the building permit. In particular, the verandah had been constructed over an easement where neither the Sewerage Authority nor Council had given consent to the proposal. Thus the report and consent of the service authorities had not been obtained in accordance with the requirements of regulation 310(1).
- 4.4 The matter was drawn to the attention of the RBS who was required to deal with the Matters of non-compliance. The owner made an application to the Building Appeals Board (BAB) to modify the regulation 310(1) to allow the verandah to remain as constructed over the easement.

REPORT NO: GE222 (cont.)

- 4.5 As part of BAB consideration of the modification application, Council's comments on the proposal were sought. Council considered the matter in the context of the policy number CP2011-11-33 and offered no objection subject to the requirement for an agreement protecting Council's interests be registered on the title for the land.
- 4.6 The BAB approved the application on 6 April 2017 on condition that the owners of the land enter into an agreement with Council under section 163 of the *Building Act* 1993.
- 4.7 The agreement is consistent with Council's normal section 173 agreement and sets out a range of conditions applying to the arrangement that bind the current and future owners of the land.
- 4.8 The agreement has been signed and executed by the relevant owners of the land. Council must execute the completed agreement. The sealed agreement will be lodged with the Office of Titles for registration on the title certificate. A copy of the sealed agreement is also required to be lodged with the BAB.

5. CONCLUSION:

The signing and sealing of the agreement by Council and the subsequent lodgement on the land title will formalise the agreement.

REPORT NO:	GE223
REPORT TITLE:	ANZAC Centenary Event - Broadmeadows Town Park
SOURCE:	Louise McFarlane, Manager Communications and Events
DIVISION:	Communications, Engagement and Advocacy
FILE NO:	HCC17/554
POLICY:	-
STRATEGIC OBJECTIVE:	5.1 Realise the vision and aspirations of Hume's community by implementing Hume Horizons 2040.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

- 1.1. This report has been prepared in response to the General Business Item Number KUR012:

"That officers investigate opportunities to hold an event to mark the ANZAC Centenary in the Broadmeadows Town Park, and provide a report to a Strategy and Policy Briefing."

- 1.2. It is proposed to hold a commemorative service to mark the conclusion of the ANZAC Centenary on ANZAC Day 2018 at the Broadmeadows Town Park Memorial in honour of the contribution of Australia's service men and women.

2. RECOMMENDATION:

That Council:

- 2.1. Approves the staging of a commemorative ANZAC Day service from 10.30am to 11.30am on 25 April 2018 to mark the conclusion of the ANZAC Centenary (2014-2018).
- 2.2. Invites key community stakeholders to establish a community organising committee to provide input into the planning and delivery of the 2018 service, ensuring it is in keeping with ANZAC Day ceremony protocols;
- 2.3. Notes the event is proposed to complement existing services that will be held on the day in Broadmeadows, Craigieburn and Sunbury, and is consistent with the range of activities and events that Council has staged throughout the ANZAC Centenary;
- 2.4. Notes that the event will also be used to gauge community interest in the event ongoing and assess whether there is interest for the continuation of the community organising committee beyond 2018. If so, ongoing responsibility to plan an annual ANZAC Day Service in Broadmeadows Town Park will transition from Council to the community;
- 2.5. Notes the ANZAC Day service and associated costs of approximately \$5,000 have not been budgeted for in Council's 2017-2018 operations budget and approves the additional funds of \$5,000 to stage the commemorative service.

3. FINANCIAL IMPLICATIONS:

- 3.1 The costs of \$5,000 to hold the Anzac Service have not been budgeted for in Council's 2017-2018 Communications and Event's operations budget and approval is sought for the \$5,000 in additional funds to be spent to stage the event.

4. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

- 4.1 The planning of the commemorative ANZAC Day service will be considered within the context of Council's *Pathways to Sustainability - an Environmental Framework*.

REPORT NO: GE223 (cont.)

5. CHARTER OF HUMAN RIGHTS APPLICATION:

- 5.1 The planning for the commemorative service will be considered within the context of Council's *Social Justice Charter*.

6. COMMUNITY CONSULTATION:

- 6.1 With Council endorsement, the Mayor of Hume will invite key stakeholders to form a community organising committee to assist with the planning of the trial commemorative service in 2018. A proposed program of three meetings will be held in November 2017, February 2018 and March 2018.
- 6.2 It is proposed that Council invite one representative from the following organisations to participate in the committee: the Glenroy RSL (or RSL Victoria), the Maygar Barracks, the Broadmeadows Historical Society, the Hume Interfaith Network and the Victoria Police.
- 6.3 It is also proposed that a representative of the Craigieburn Anzac Day Organising Committee and the Sunbury RSL be invited to the first committee meeting to draw on their experiences as part of Council's Anzac Centenary Community Committee.
- 6.4 Post the event, an evaluation including community consultation will be undertaken to determine whether the event is viable in future years and if so, inform future planning.

7. BACKGROUND:

- 7.1 *Hume Horizons 2040* outlines a community expectation that: *Residents take pride in place with a strong sense of community values, ownership and belonging.*
- 7.2 Council's role is identified as a 'facilitator' and through the *Council Plan 2017-21*, is committed to an action to: *'implement a program of neighbourhood events/activities.'*
- 7.3 In 2018, the ANZAC Centenary commemorations will draw to a close. A range of community-led and Council-led activities have happened within Hume City over the last four years to mark the centenary. This includes ANZAC Day services, exhibitions and events/activities funded by Council and through Federal Government grants.
- 7.4 Council-led activities were guided by the ANZAC Centenary Community Committee, which was established to recommend activities that encouraged awareness and participation from the whole of the community.
- 7.5 Traditionally, ANZAC Day is remembered in Hume City with the following services:
- Sunbury RSL's ANZAC Day March and Commemorative Service at the Sunbury War Memorial, Village Green
 - Epping RSL's ANZAC Day March and Commemorative Service at the Craigieburn War Memorial, ANZAC Park
 - 4th Combat Service Support Battalion ANZAC Day Dawn Service at the Maygar Barracks

8. DISCUSSION:

- 8.1 A commemorative service has not been held at the Broadmeadows War Memorial in Broadmeadows Town Park on ANZAC Day in recent years.
- 8.2 While local government is not traditionally an organiser of ANZAC Day services, it is in keeping with Council's role as a "facilitator" for it to stage a commemorative service as a trial and ascertain whether there is broad community interest in a continued annual service at this location.
- 8.3 As part of the planning of the event, Council will undertake a risk assessment to mitigate potential risks to public safety and liaise with Victoria Police to ensure appropriate public safety measures are undertaken.

REPORT NO: GE223 (cont.)

- 8.4 It is proposed that the commemorative service be held at Broadmeadows Town Park memorial on ANZAC Day between 10.30am and 11.30am, and be in keeping with the State Government's ANZAC Centenary Ceremony and Protocols Guide for ANZAC Day Services.
- 8.5 The order of proceedings is proposed to include:
- Lowering flags to half-mast
 - Introduction
 - Reading of hymn, prayer or poem
 - Speech
 - Laying of wreath or poppies
 - 'The Ode'
 - The Last Post
 - One minute silence
 - The Rouse or the Reveille played while flags are raised slowly to the masthead
 - National Anthem
- 8.6 Wreath bearers are proposed to include the Mayor of Hume, a Maygar Barracks representative, the Federal Member for Calwell, Ms Maria Vamvakinou, and State Member for Broadmeadows, Mr Frank Maguire.
- 8.7 It is anticipated that the service will attract at least 100 people through direct invitations and broad promotion in the community, especially within schools and multi-cultural communities.

9. CONCLUSION:

- 9.1 In recent years there has been a resurgence of community interest in ANZAC Day services and in particular, a community aspiration for a local service at the Broadmeadows Town Park memorial.
- 9.2 Hume City Council has supported a range of activities and events to mark the ANZAC Centenary and honour the contribution of Australia's service men and women. As such, it is fitting that Council facilitate a commemorative service to mark the close of the centenary at the Broadmeadows Town Park memorial and encourage participation in the commemoration by the whole of the community.

REPORT NO:	GE224
REPORT TITLE:	Correspondence received from or sent to Government Ministers or Members of Parliament - July 2017
AUTHOR:	Paul White, Coordinator Knowledge Management
DIVISION:	Corporate Services
FILE NO:	HCC04/13
POLICY:	-
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	<ol style="list-style-type: none">1. <i>Koorie Kids Shine at Kindergarten</i>2. <i>Graffiti Prevention Grants 2017/2018</i>3. <i>Appointment to Northern Metropolitan Partnership</i>4. <i>Small Business Festival Victoria</i>5. <i>Growing Suburbs Fund</i>6. <i>Response - Growing Suburbs Fund</i>7. <i>Coalition Government's Decentralisation Program</i>8. <i>Sustainable Funding for Preschools</i>9. <i>Sustainable Funding for Preschools</i>10. <i>Aitken Boulevard North Drinking Water and Non-Drinking Water Mains project</i>11. <i>Banksia Gardens Broadmeadows</i>12. <i>Connection of Bulla to Natural Gas</i>13. <i>Jerilderie Proposition</i>14. <i>Funding for Schools in Hume</i>15. <i>Invitation to Visit Hume City</i>16. <i>Vehicle Registration Renewal Payments</i>17. <i>Support and Safety Hubs</i>

1. SUMMARY OF REPORT:

This report presents a summary of correspondence relating to Council resolutions or correspondence that is considered to be of interest to Councillors received from and sent to State and Federal Government Ministers and Members of Parliament.

2. RECOMMENDATION:

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

3. DISCUSSION:

There is a range of correspondence sent to and received from State and Federal Government Ministers and Members of Parliament during the normal course of Council's operations. Correspondence of this nature registered in the Council recordkeeping system during July 2017 that is considered to be of interest to Councillors are summarised in the table below and copies of the documents are provided as attachments to this report.

REPORT NO: GE224 (cont.)

**CORRESPONDENCE RELATING TO COUNCIL RESOLUTIONS
OR OF INTEREST TO COUNCILLORS**

Direction	Subject	Minister or Member of Parliament	Date Received / Sent	Responsible Officer	Council Minute Reference	Attachment
Inwards	Information regarding the next stage of the State Government's initiative Koorie Kids Shine at Kindergarten	Minister for Families and Children	3/7/2017	Manager Family Youth & Children's Services		1
Inwards	Graffiti Prevention Grants 2017/2018 - Outcome of Application - Rotary Park Project Approved Funding \$13,250.00	Minister for Police	4/07/2017	Manager Waste		2
Inwards	Metropolitan Partnerships - Information Regarding Appointment to Northern Metropolitan Partnership	Minister for Suburban Development	10/07/2017	CEO		3
Inwards	Small Business Festival Victoria - Helping Small Businesses be as Good as they can be	Minister for Small Business, Innovation and Trade	10/07/2017	Manager Economic Development		4
Inwards	Information Regarding Growing Suburbs Fund Open for Applications	Minister for Local Government	10/07/2017	Coordinator Grants		5
Outwards	Response - Information Regarding Growing Suburbs Fund Open for Applications	Minister for Local Government	12/07/2017	Coordinator Grants		6
Inwards	Coalition Government's decentralisation program	Senator Bridget McKenzie - Senator for Victoria	11/07/2017	CEO		7
Inwards	GENERAL BUSINESS – Sustainable Funding for Preschool	Minister for Education & Training (Federal)	12/07/2017	Manager Family Youth & Children's Services	POR121	8
Inwards	GENERAL BUSINESS – Sustainable Funding for Preschool	Assistant Minister To The Prime Minister	14/07/2017	Manager Family Youth & Children's Services	POR121	9
Inwards	Assessment Under The Bilateral (Assessment) Agreement - Aitken Boulevard North Drinking Water and Non-Drinking Water Mains project	Minister for Planning	13/07/2017	Manager Sustainable Environment		10

REPORT NO: GE224 (cont.)

**CORRESPONDENCE RELATING TO COUNCIL RESOLUTIONS
OR OF INTEREST TO COUNCILLORS**

Direction	Subject	Minister or Member of Parliament	Date Received / Sent	Responsible Officer	Council Minute Reference	Attachment
Outwards	GENERAL BUSINESS - Redevelopment of Banksia Gardens Estate	Minister for Housing, Disability and Ageing	14/07/2017	Manager Community & Activity Centre Planning	SHE005	11
Outwards	GENERAL BUSINESS - Connection of Bulla to Natural Gas	Minister for Energy, Environment & Climate Change	14/07/2017	Manager Assets	MED208	12
Inwards	GENERAL BUSINESS - Support of Jerilderie Proposition	Assistant Minister To The Prime Minister	17/07/2017	Manager Communications & Events	SHE004	13
Inwards	GENERAL BUSINESS - Funding for Schools in Hume	Minister for Youth Affairs	19/07/2017	Manager Family Youth & Children's Services	JOH009	14
Outwards	Invitation to the Federal Shadow Minister for Local Government to visit Hume City	Shadow Minister for Local Government	24/07/2017	CEO		15
Inwards	GENERAL BUSINESS - Twice Yearly Car Registration Payments	Minister for Roads and Road Safety	25/07/2017	Manager Assets	JOH011	16
Inwards	GENERAL BUSINESS - Support and Safety Hubs	Premier of Victoria	31/07/2017	Manager Community Development & Learning	SHE003	17



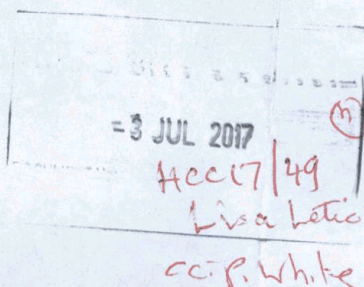
Jenny Mikakos MP

Minister for Families & Children
Minister for Youth Affairs

GPO Box 4057
Melbourne Victoria 3001
DX: 210081
Telephone: 03 9096 0301
www.dhhs.vic.gov.au
www.education.vic.gov.au

BRI12396

Mr Domenic Isola
Chief Executive Officer
Hume City Council
PO Box 119
DALLAS VIC 3047



Dear Mr Isola

I am writing to inform you of the next stage of the State Government's initiative *Koorie Kids Shine at Kindergarten*, which promotes increased kindergarten participation by Koorie children.

The first years of life are crucial to lifelong learning, wellbeing and success. Koorie children can access two years of free kindergarten and the Victorian Government wants to ensure that parents and carers are aware of the benefits of early childhood education.

As part of the 2017-18 Victorian Government Budget, I launched the Education State *Early Childhood Reform Plan* (Reform Plan) that includes reforms to the kindergarten system. This represents a \$202.1 million Victorian Government investment in early childhood, and is the next step in making Victoria the Education State. This includes:

- \$55.3 million in new funding to kindergartens to ensure all children start school ready to learn
- \$6.3 million to meet increased demand for Early Start Kindergarten
- \$5.4 million to support Koorie parents as first educators.

The Education State is about giving every Victorian the opportunity to succeed in life, regardless of background, place or circumstance. In support of this and the *Marrung Aboriginal Education Plan*, I am pleased to circulate updated *Koorie Kids Shine* materials.

I am pleased that during our time in government we have closed the gap for Aboriginal kindergarten participation. Participation rates in four-year-old kindergarten has been increasing, from 79.6 per cent in 2014 to 90.5 per cent in 2016. Three-year-old participation rates have also increased from 37.1 per cent in 2014 to 48.8 per cent in 2016. However, we still have more work to do.

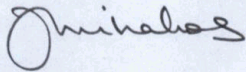
I want to send the message to all Koorie families about the importance of kindergarten participation to give every child the best start in life and that they can enrol anytime.



I seek your support in distributing these materials broadly within your organisation to relevant officers and displayed at key services, such as maternal and child health services, community centres, customer service and leisure centres, and libraries, and to help promote the message.

If you would like more information or to request additional copies of the materials, please contact Melissa D'Agostino, Manager, Best Start, Department of Education and Training, on 8392 5053, or by email: dagostino.melissa.m@edumail.vic.gov.au.

Yours sincerely



Jenny Mikakos MP
Minister for Families & Children
Minister for Youth Affairs

21/6/2017

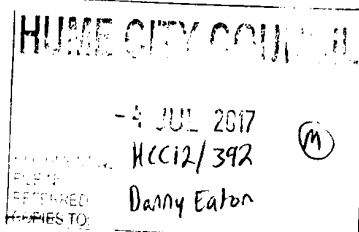


Minister for Police

8 Nicholson Street
East Melbourne Victoria 3002
Telephone: (03) 9637 9654
DX: 210098

30 JUN 2017

Mr Danny Eaton
Manager, Waste
Hume City Council
PO Box 119
DALLAS VIC 3047



Our ref: CD/17/315661

Dear Mr Eaton

cc - Joel Kimber
cc - Paul Wink

Graffiti Prevention Grants 2017/18 - Outcome of Application

Thank you for your application for funding under the Graffiti Prevention Grants Program.

I am very pleased to advise that I have approved your application for funding, conditional upon the terms and conditions of the grant being finalised with the Department of Justice and Regulation.

Reference	Project Title	Approved Funding
39GPG17	Rotary Park Project	\$13,250

I request that you not publicise this approved project funding by issuing media releases or public statements until the funding outcomes have been publicly announced. An officer from the Community Crime Prevention Unit will soon be in contact with you to make arrangements for that announcement.

The Community Crime Prevention Unit will also contact you shortly to finalise the terms and conditions of funding. If you have any questions in the interim, please contact Lee Yates, Project Officer on (03) 8684 1402 or by email to lee.yates@justice.vic.gov.au.

Congratulations on your approval for funding. I look forward to hearing about the outcomes of your project tackling this most important issue.

Yours sincerely

Hon Lisa Neville MP
Minister for Police

CC: Mrs Katie Byrne, Waste and Litter Education Officer





The Hon Lily D'Ambrosio MP

Minister for Energy, Environment and Climate Change
Minister for Suburban Development

HUME CITY COUNCIL

10 JUL 2017

DOCUMENT No:

FILE No:

REFERRED:

COPIES TO:

8 Nicholson Street
East Melbourne, Victoria 3002
Telephone: 03 9637 9504
DX210098

Ref: MBR033329



Mr Domenic Isola
Chief Executive Officer
Hume City Council
PO Box 119
Dallas VIC 3047

Dear Mr Isola

APPOINTMENT TO THE NORTHERN METROPOLITAN PARTNERSHIP

I would like to formally welcome you to the Metropolitan Partnerships. As CEO of Hume City Council you have been appointed to the Northern Metropolitan Partnership as an ex-officio member.

The Metropolitan Partnerships represent a new and exciting opportunity for communities to have a greater say about the issues that matter to them and ensure their needs are heard by government. The contribution of your knowledge and experience will be invaluable to your Partnership.

I was pleased to officially launch the Metropolitan Partnerships at the Induction Day at the Melbourne Town Hall on Friday 9 June, 2017.

Enclosed are the Terms of Reference that govern the work of the Metropolitan Partnerships and provide further information about your specific role and responsibilities.

I look forward to working with you to shape positive community outcomes in your region. Should you have any further questions, please call Sara Harbidge, Director, Partnerships and Delivery, Office for Suburban Development, Department of Environment, Land, Water and Planning on 03 9027 5808 or email sara.harbidge@delwp.vic.gov.au.

Yours sincerely

Hon Lily D'Ambrosio MP
Minister for Energy, Environment and Climate Change
Minister for Suburban Development

30 / 6 / 17

Encl.





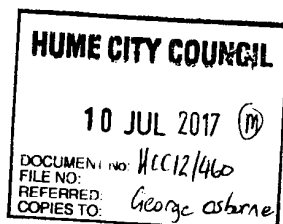
The Hon Philip Dalidakis MP

Minister for Small Business, Innovation and Trade

121 Exhibition Street
Melbourne, Victoria 3000 Australia
Telephone: +61 3 8392 2202
DX 210074

Mr Domenic Isola
Chief Executive Officer
Hume City Council
1079 Pascoe Vale Road
DALLAS VIC 3047

Dear Mr Isola



SMALL BUSINESS FESTIVAL VICTORIA – HELPING SMALL BUSINESSES BE AS GOOD AS THEY CAN BE

As a supporter of Victoria's small business community, I know you will be looking forward to the 2017 Small Business Festival Victoria– Australia's largest small business event which is now in its 12th year.

The festival is a once-a-year experience to offer opportunities that help small business be as good as they can be.

Launching on 1 August and running until early September 2017, the festival has more than 500 events (half of them in regional Victoria) covering 20 topics from business planning to marketing, social media, networking and financial management. The festival gives small businesses access to new ideas and skills to help them improve their productivity and create new jobs.

The Andrews Labor Government has slashed payroll tax for small businesses, doubled its support for the Small Business Bus, expanded the Small Business Commission and created a Fair Payment Code for large corporates to their small business suppliers. I am proud to say that Victoria has had the highest growth of new businesses with more than 15,300 created last year alone. We now have more than 556,000 small businesses in Victoria. That's thousands of examples of small businesses thriving and surviving.

I hope you will join me in encouraging small business operators to participate in this event. I have enclosed the festival program. Event information is available online at festival.business.vic.gov.au or by calling **Small Business Victoria** on 13 22 15.

Yours sincerely

Hon Philip Dalidakis MP
Minister for Small Business, Innovation and Trade
29 / 6 /2017



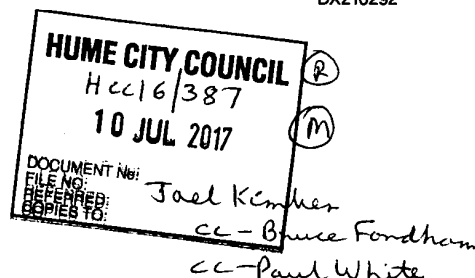


Hon Natalie Hutchins MP

Minister for Local Government
Minister for Aboriginal Affairs
Minister for Industrial Relations

1 Spring Street
Melbourne Victoria 3000
Telephone: +613 8392 6125
DX210292

Cr Drew Jessop
Mayor
Hume City Council
P.O. Box 119
Dallas VIC 3047



Dear Cr Jessop

GROWING SUBURBS FUND – OPEN 23 JUNE 2017

I am delighted to inform you that the 2017-19 Growing Suburbs Fund (GSF), formally opened for applications on 23 June 2017.

The Victorian State Budget has allocated GSF funding of \$50 million, over two years, to continue to bring forward critical infrastructure projects which can make a real difference to the lives of outer suburban families.

Your Council will again be able to bring forward priority local infrastructure projects to better support their communities. The GSF builds on the \$100 million commitment over the past two years which has resulted in 76 local infrastructure projects currently being delivered.

I have attached a link to the GSF Application Guidelines which outline how you can apply for funding, including the program objectives, assessment criteria and application process. The GSF funding round for grant applications is open from 23 June to 10 August 2017.

For further information, please visit www.delwp.vic.gov.au/growing-suburbs-fund.

In addition to your applications, I ask for your Council to send a broad outline of projects which you anticipate will be needed for your community past 2019.

I express my thanks for the opportunity to partner with your Council in the design and delivery of this initiative. I look forward to more great projects coming forward that are timely and deliver positive outcomes for communities.

Yours sincerely

HON NATALIE HUTCHINS MP
Minister for Local Government

4 July 2017

CC: Mr Domenic Isola, Chief Executive Officer, Hume City Council

Your details will be dealt with in accordance with the Public Records Act 1973 and the Privacy and Data Protection Act 2014. Should you have any queries or wish to gain access to your personal information held by this department please contact our Privacy Officer at the above address.



Our File: HCC16/387 (IN2017/26225)
Enquiries: Joel Kimber
Telephone:



1079 PASCOE VALE ROAD
BROADMEADOWS
VICTORIA 3047

Postal Address:
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DALLAS 3047

Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

Wednesday 12 July 2017

The Hon Natalie Hutchins MP
Minister for Local Government
1 Spring Street
MELBOURNE VIC 3000

Dear Minister

RE: GROWING SUBURBS FUND

Thank you for your letter dated 4 July 2017 notifying Council of the opening of the Victorian Government's Growing Suburbs Fund (GSF). Hume City Council has been proud to partner with the Victorian Government in the delivery of nine projects through these funds – which will see over \$27 million worth of community infrastructure constructed in our community.

The Victorian Government's investment in community infrastructure to support rapidly growing communities is vital in ensuring that our residents get access to community facilities they need now, rather than in the years to come. The Growing Suburbs Fund has afforded Council an opportunity to bring forward important projects in our city – which, without your funding, would not have been possible.

Council officers are preparing applications for your department's consideration by the 10 August 2017 deadline. In the interim, I would be pleased to meet with you to talk through Council's priorities beyond 2019 and to highlight some of the great local outcomes that have been achieved with the support of the GSF to date.

Please contact Ms Aida Baptista, CEOPA on [redacted] or email at [redacted] to arrange a mutually convenient time for us to meet. I will be accompanied to the meeting by Council's Chief Executive Officer, Mr Domenic Isola. I request that an invitation to the meeting with you be extended to our Local Members of Parliament for their consideration.

On behalf of Hume City Council, thank you once again for your investment in growing communities. I look forward to meeting with you in the coming weeks and to continuing the mutually beneficial partnership between Council and the Victorian Government through the Growing Suburbs Fund.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Drew Jessop', is written over a circular stamp. The stamp contains the text 'CR DREW JESSOP' and 'MAYOR' in bold, capital letters.

CR DREW JESSOP
MAYOR

cc: Ms Ros Spence MP, Member for Yuroke
Mr Josh Bull MP, Member for Sunbury
Mr Frank McGuire MP, Member for Broadmeadows

Senator Bridget McKenzie

Senator for Victoria

Councillors
Hume City Council
Post Office Box 119
Dallas, Victoria 3047

contactus@hume.vic.gov.au

10/07/2017

Dear Councillors,

Regional people deserve to see the benefits of government departments and the associated growth opportunities that can arise from the Coalition Government's decentralisation agenda. Senator Nash will be responsible for creating a template for government ministers to assess which departments are suitable for decentralisation.

While the Coalition Government embarks on its decentralisation program, and to build on the work of the Senate Inquiry, I am writing to ask for your input. Due to the scale of the inquiry, much information was unable to be examined in the detail that was needed and many regional towns missed out on having their say.

I am asking therefore that you contact me to discuss what type of agencies or services your community would benefit from seeing in your region and what your community can offer towards the decentralisation program.

Please submit your proposal in writing to my office or contact my office to make an appointment to speak to me in person regarding how decentralisation would benefit your community.

Yours sincerely,



Bridget McKenzie
The Nationals Senator for Victoria

senator.mckenzie@aph.gov.au www.bridgetmckenzie.com.au
P.O Box 2047, Delivery Centre Bendigo VIC 3554
ph 03 5441 4251 fax 03 5441 4260



THE NATIONALS for Regional Australia

**Senator the Hon Simon Birmingham**

Minister for Education and Training

Senator for South Australia

Our Ref MC17-003294

Councillor Drew Jessop
Hume City Council
PO Box 119
DALLAS VIC 3047



- 5 JUL 2017

Dear Mayor

Thank you for your letter of 26 May 2017 concerning sustainable funding for preschool. I also acknowledge your letters to the Prime Minister, the Hon Malcolm Turnbull MP, and the Treasurer, The Hon Scott Morrison MP. As the matter you have raised falls within my portfolio responsibilities, your letters have been referred to me for response.

As you are aware, on 4 May 2017, I announced \$428 million to extend the National Partnership Agreement on Universal Access to Early Childhood Education to continue Commonwealth support for preschool throughout 2018. This funding supports participation by all children in a quality preschool program in the year before school, for 15 hours per week, or 600 hours per year.

This announcement takes the level of Commonwealth investment in preschool to over \$3.2 billion since the first National Partnership was agreed in 2008 and provides consistency for preschools and long day care centres as the Australian Government implements school and child care reforms next year.

Under the Federation, preschool is the responsibility of states and territories, with the Commonwealth's funding a contribution to increase participation rates and ensure national consistency in the number of hours available. As such, funding for preschool beyond 2018 is a matter for all governments and will need to be discussed accordingly.

The Government understands how important funding certainty is for the sector, as well as for families who need to make decisions about work and family arrangements, and will ensure that future arrangements are announced well in advance of the 2019 school year.

Yours sincerely

Simon Birmingham**Adelaide**

107 Sir Donald Bradman Drive, Hilton SA 5033

Ph 08 8354 1644

Canberra

Parliament House Canberra ACT 2600

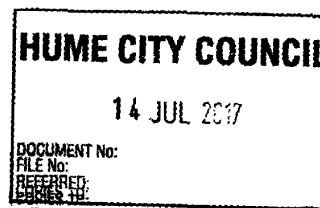
Ph 02 6277 7350



SENATOR THE HON JAMES MCGRATH
ASSISTANT MINISTER TO THE PRIME MINISTER
ASSISTANT MINISTER FOR REGULATORY REFORM

Reference: MC17-052137

Councillor Drew Jessop
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047



Dear Councillor Jessop

Thank you for your letter dated 26 May 2017 to the Prime Minister, the Hon Malcolm Turnbull MP, regarding preschool funding. I have been asked to reply on the Prime Minister's behalf.

The Government is providing \$428 million in the 2017-18 Budget to make sure families can continue to access up to 15 hours of preschool a week in 2018. This extension of funding under the universal access agreement will give certainty to families and preschool providers while we are implementing our child care reforms. It will also allow for discussions with states and territories on how to fairly guarantee 15 hours a week of preschool beyond that, given states and territories' different models of preschool delivery.

I have referred your letter to the Minister for Education and Training, Senator the Hon Simon Birmingham for his consideration, as the issue falls within his portfolio.

Yours sincerely



JAMES MCGRATH
5 / 7 / 2017

Parliament House CANBERRA ACT 2600

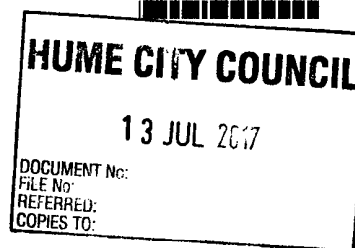


Hon Richard Wynne MP
Minister for Planning

8 Nicholson Street
East Melbourne, Victoria 3002
Telephone: 03 8683 0965
DX210098

Mr Dominic Isola
Chief Executive Officer
Hume City Council
PO Box 119
DALLAS VIC 3047

Ref: MBR033684



Dear Mr Isola

ASSESSMENT UNDER THE BILATERAL (ASSESSMENT) AGREEMENT BETWEEN THE COMMONWEALTH AND STATE (EPBC REF: 2016/7818)

I am writing to provide you with a copy of my assessment of the Aitken Boulevard North Drinking Water and Non-Drinking Water Mains project under the Bilateral Agreement between the Commonwealth and the State under the *Environment Protection and Biodiversity Conservation Act 1999* (section 7, item 2.1(e)).

I have concluded that the environmental effects and risks of the project to matters of national environmental significance are acceptable, provided it is in accordance with my assessment and appropriate mitigation and management measures are implemented.

My assessment fulfils the requirements for the project under the bilateral agreement and enables the Commonwealth to proceed with an approval decision under the Act.

If you require further information on this matter, please contact Geoff Ralphs, Principal Advisor of Impact Assessment, Department of Environment, Land, Water and Planning, on (03) 8392 5475.

Yours sincerely

HON. RICHARD WYNNE
Minister for Planning

10/7/17

Encl.



- OFFICE OF THE MAYOR -

Our File: HCC11/284 (HCC-CM17/383)
Enquiries: Greg McLaren
Telephone:



1079 PASCOE VALE ROAD
BROADMEADOWS
VICTORIA 3047

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DALLAS 3047

Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

Thursday 13 July 2017

The Hon Martin Foley MP
Minister for Housing, Disability and Ageing
Level 22, 50 Lonsdale Street
MELBOURNE VIC 3000

Dear Minister

RE: BANKSIA GARDENS, BROADMEADOWS

Hume City Council at its meeting of 10 July 2017 resolved:

"That Council write to the Minister for Housing, Disability and Ageing, the Hon Martin Foley MP, regarding the Government's commitment to the renewal and redevelopment of Banksia Gardens estate in Broadmeadows and how it contributes to achieving the aspirations of the Greater Broadmeadows Framework Plan."

As you may be aware, in 2010/11 a community development framework was commissioned by the Victorian government that explored the renewal and redevelopment of the Banksia Gardens estate in Broadmeadows. Hume City Council and the community collaborated with the Department of Health and Housing in the preparation of this development framework.

In March 2012 Council adopted the *Broadmeadows Structure Plan* prepared by the State government that identified the Banksia Gardens estate as a 'strategic development site' and confirmed the regeneration aspirations of the development framework.

Since then the relocation and expansion of Dianella Health to the Department's land holdings that encompass the Banksia Gardens estate has been facilitated and is delivering a valuable service to the local and broader community. However beyond this, little progress has been made in implementing the redevelopment of the Banksia Gardens estate.

More recently, the Victorian Planning Authority has prepared, in conjunction with Council, the *Greater Broadmeadow Draft Framework Plan* that reinforces the renewal opportunities in Broadmeadows that will be realised through the application of six key principles, the second of which seeks to deliver:

"New and diverse housing options offering a mix of public, private and social housing developed over time within Greater Broadmeadows, delivering safe and welcoming new neighbourhoods each with their own focus of community activity."

.../2

- 2 -

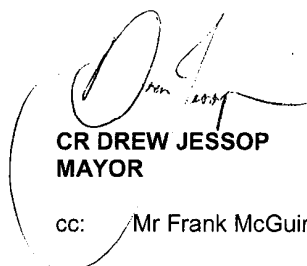
The Department of Health and Human Services were consulted in the preparation of the Draft Plan and further comment and feedback was sought from the Department in the exhibition phase of the Draft Plan.

Council acknowledges that in response, the Department requested that the Framework Plan include a specific action to promote and facilitate renewal of ageing public housing stock with opportunities to be identified including affordable housing on government and private land and the proposed Inclusionary Housing Pilot for the former Broadmeadows Primary School site announced as part of 'Housing for Victorians'.

Whilst this feedback can be incorporated into the final Greater Broadmeadows Framework Plan, Hume City Council would welcome an update from the Minister on the commitment to the renewal and redevelopment of the Banksia Gardens estate and how this site relates to the broader government policy on affordable and social housing and the Government's aspirations for the regeneration and further growth of Broadmeadows.

Should you have any queries in relation to this request or the Greater Broadmeadows Draft Framework Plan, please contact Council's Manager Community and Activity Centre Planning, Mr Greg McLaren on _____ or email _____

Yours sincerely



CR DREW JESSOP
MAYOR

cc: Mr Frank McGuire MP, Member for Broadmeadows

- OFFICE OF THE MAYOR -

Our File: HCC14/66 (HCC-CM17/373)
Enquiries: David Fricke
Telephone:



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BROADMEADOWS
VICTORIA 3047

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DALLAS 3047

Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

Friday 14 July 2017

The Hon Lily D'Ambrosio MP
Minister for Energy, Environment and Climate Change
Level 17, 8 Nicholson Street
EAST MELBOURNE VIC 3002

Dear Minister 

RE: PROVISION OF NATURAL GAS FOR THE TOWNSHIP OF BULLA

Hume City Council at its Meeting on 10 July 2017, resolved:

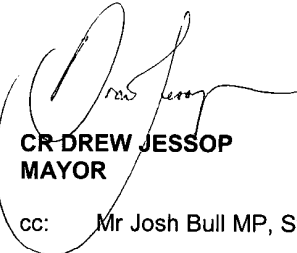
"That Council write to the Minister for Energy, Environment and Climate Change, the Hon. Lily D'Ambrosio, to ask when the township of Bulla will be connected to Natural Gas."

Councillors are concerned that the residents of Bulla are very close to the metropolitan area but do not have the benefits of reticulated natural gas.

Thank you for your consideration and Council looks forward to a favourable response in due course.

In the meantime, should you have any further queries in relation to this matter, please do not hesitate to contact Council's Manager Assets, Mr David Fricke on

Yours sincerely

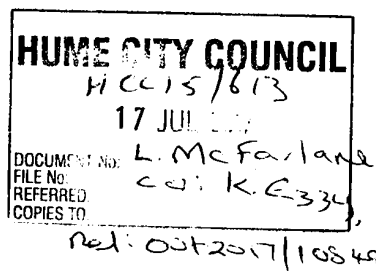

CR DREW JESSOP
MAYOR
cc: Mr Josh Bull MP, State Member for Sunbury



SENATOR THE HON JAMES MCGRATH
ASSISTANT MINISTER TO THE PRIME MINISTER
ASSISTANT MINISTER FOR REGULATORY REFORM

Reference: MS17-002906

Cr Drew Jessop
Mayor
Hume City Council
P.O. Box 119
DALLAS VIC 3027



Dear Cr Jessop,

Thank you for your letter of 15 June 2017 regarding the posthumous promotion of General Sir John Monash GCMG KCB VD to the rank of Field Marshal. The Prime Minister has asked me to respond on his behalf.

General Monash was a remarkable Australian and unquestionably one of the outstanding commanders of the First World War. It is fitting that Australians of the 21st century continue to remember and honour his pivotal leadership of the many thousands of allied soldiers that served under him in that war.

The Government acknowledges the wartime accomplishments of General Monash and is considering its response to proposals concerning the enduring recognition of this great Australian military leader.

Yours sincerely

JAMES MCGRATH

5 / 7 / 2017

Parliament House CANBERRA ACT 2600



Jenny Mikakos MP

Minister for Families and Children
Minister for Youth Affairs

GPO Box 4057
Melbourne Victoria 3001
Telephone: +61 3 9096 0301
www.dhhs.vic.gov.au
www.education.vic.gov.au
DX: 210081

e4543282

Cr Drew Jessop
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047

Dear Councillor Jessop

Thank you for your letter regarding access to services and programs for young people in the City of Hume. I apologise for the delay in responding to your letter.

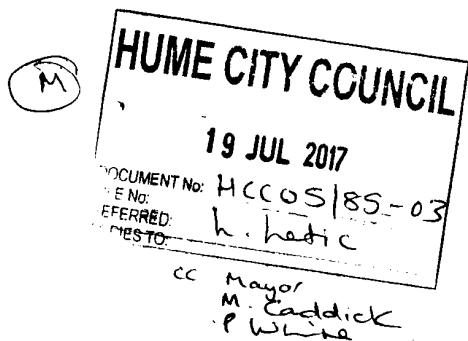
I would like to acknowledge the work being undertaken by the Hume City Council to support young people in the north-west.

Through the Youth Affairs portfolio, the Andrews Labor Government invests in many youth programs that connect young people to their local communities and provide them with increased education, training and career pathways. These programs include Advance, Engage!, FReeZA and the new Empower Youth program which focuses on young people at risk of disengagement.

I understand that Hume City Council currently receives funding to deliver programs under Engage! 2015-17 and FReeZA 2016-18.

Applications for funding for the 2018-2020 Engage! program will open later this year and the Office for Youth will ensure you are provided with information about the program and funding criteria when I announce the opening of this grant round. I encourage Hume City Council to apply for this funding when it becomes available.

The Andrews Labor Government is also investing \$53 million over four years in the Jobs Victoria Employment Network (JVEN) which assists disadvantaged jobseekers to obtain sustainable employment. Young people who are disengaged from education, training and employment are one of the target groups being supported through JVEN.



Further information on JVEN and the location of the JVEN providers in northern Melbourne can be found at www.jobs.vic.gov.au.

Thank you again for writing to me about this important matter.

Yours sincerely



Jenny Mikakos MP
Minister for Families and Children
Minister for Youth Affairs

13/7/2017



Our File: HCC04/40
Enquiries: Domenic Isola
Telephone:



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Facsimile: 03 9309 0109
www.hume.vic.gov.au

Monday 24 July 2017

Mr Stephen Jones MP
Shadow Minister for Local Government
PO Box 6022
House of Representatives
Parliament House
CANBERRA ACT 2600

Dear Mr Jones *Stephen*

RE: INVITATION TO HUME CITY

I read in the 6 July 2017 edition of the Local Government Focus publication that in his address at the recent Australian Local Government (ALGA) 2017 National General Assembly in Canberra, the Hon Bill Shorten MP, Leader of the Opposition has tasked you with visiting every Local Government area in Australia and as such I write to extend an invitation to you to visit Hume City, at your convenience.

Hume City is home to more than 200,000 people. Its population is diverse, with 36% of its residents born overseas in countries like Iraq, India, Turkey, United Kingdom and Lebanon. It has a young community with 26% of persons aged under 18 years compared with 22% for Greater Melbourne.

Hume City is experiencing strong economic and residential growth and its economy is broadening and deepening. It is a community that is proud of its natural and built environment.

I would welcome the opportunity to meet you and to showcase our vibrant and progressive city.

I thank you for your consideration of this invitation and look forward to receiving your favourable response in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Drew Jessop', is written over a circular official stamp.

CR DREW JESSOP
MAYOR

cc: Ms Maria Vamvakinou MP, Federal Member for Calwell
Mr Rob Mitchell MP, Federal Member for McEwen



The Hon Luke Donnellan MP

Minister for Roads and Road Safety
Minister for Ports

1 Spring Street
Melbourne, Victoria 3000 Australia
Telephone: +61 3 8392 6150
DX210292.

CMIN176143
(File No.: PC032736)

Cr Drew Jessop
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047

Dear Cr Jessop

Thank you for your letter dated 16 June 2017, regarding vehicle registration renewal payment options.

VicRoads is currently working to modernise its vehicle registration systems to allow a broader range of payment options.

At this stage, there is no new information that I can provide you. However, the community will be advised when VicRoads has made changes to its payment processes.

Should you require any further information, Ms Vittoria Misurelli, VicRoads Customer Resolution Team Officer (Tel: (03) 8391 3232), would be pleased to assist.

Yours sincerely

Hon Luke Donnellan MP
Minister for Roads and Road Safety

18/1/2017

HUME CITY COUNCIL	
25 JUL 2017	
DOCUMENT NO.	HCC13/80
FILE NO.	
REFERRED	
COPIES TO	Daniel Fyfe

CC - Mary O'Neil
CC - Peter White
CC - Paul White
VICTORIA State Government



The Hon Daniel Andrews MP

Premier of Victoria

1 Treasury Place
Melbourne, Victoria 3002 Australia
Telephone: +613 9651 5000

Cr Drew Jessop
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047

M17/7632

Dear Councillor

Thank you for your letter regarding the Government's commitment to addressing family violence and the establishment of Support and Safety Hubs across Victoria.

As outlined in the *Family Violence Rolling Action Plan 2017 – 2020* we are investing \$448.1 million in the establishment of 17 Support and Safety Hubs (Hubs) across Victoria. As announced in late 2016, the first five areas for establishment are Barwon, Bayside Peninsula, Inner Gippsland, Mallee and North East Melbourne.

These launch sites will help build our understanding of how we can best protect and support families. The progressive rollout of Support and Safety Hubs in the remaining 12 areas across Victoria, including the area of Hume Moreland, will be phased over the next four years.

The process of establishing the Hubs is a large scale, transformational reform which will require sustained and collaborative effort across government, broader services and the community. Family Safety Victoria is the new agency being established to have a dedicated focus and responsibility for leading this work. This will include partnering with local government as part of the local area co-design to ensure the Hubs meet the local needs of Victorians experiencing family violence.

We look forward to working with you towards ending family violence once and for all.

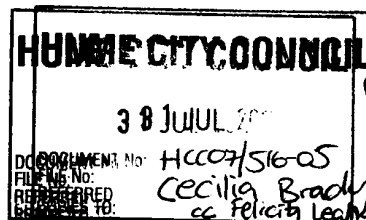
Thank you again for taking the time to write to me.

Yours sincerely

The Hon Daniel Andrews MP
Premier

24 JUL 2017

Your details will be dealt with in accordance with the *Public Records Act 1973* and the *Privacy and Data Protection Act 2014*. Should you have any queries or wish to gain access to your personal information held by this department please contact our Privacy Officer at the above address.



Relates to
OUT1017/09646

cc - Paul White
cc M. Gaddick
cc Mayor

