



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

**MONDAY, 25 SEPTEMBER 2017**

**CONFIRMED - 9 OCTOBER 2017**



# HUME CITY COUNCIL

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**Minutes** of the  
**ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**  
held on Monday, 25 September 2017  
**at 7.00 pm**  
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

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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 Michael Sharp Ms Kylie Ezzy  Mr David Fricke Mr John Monaghan  Mr Patrick Mora  Mr Gavan O'Keefe Mr Brad Mathieson	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Acting Director Community Services Acting Director Planning and Development Director Communications, Engagement and Advocacy Manager Assets Manager Capital Works and Building Maintenance Acting Manager Statutory Planning and Building Control Services Manager Governance Governance Support Officer

## **ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND**

The Mayor read the following:

"I would like to acknowledge that we are meeting on Gunung-Willam-Balluk land. The Gunung-Willam-Balluk of the Wurundjeri are the first and original people of this land. I would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here today."

## **Proceedings to be Recorded**

The Mayor advised Councillors that he had received a request to make a video recording of the meeting. The Mayor asked Councillors if there were any objections to the granting of consent to the request to record proceedings. No Councillors declared any objection to the request. The approval was granted. The Mayor reminded Councillors and members of the Gallery that an audio recording of the Council meeting will be made and published to Council's website within 2 working days of the meeting.

## **Gallery Behaviour**

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

## ORDER OF BUSINESS

## 1. PRAYER

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

Nil

## 3. DISCLOSURE OF INTEREST

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

## 4. CONDOLENCE MOTIONS

Nil.

## 5. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
SU244	350 Konagaderra Road, Oaklands Junction - Two Lot Subdivision and creation of carriageway easement.	3

Ms Helen Majetic, Ms Lizette Grunewald and Mr Gerald Ackroyd addressed Council regarding the Officer's recommendation.

**Moved** Cr Geoff Porter, **Seconded** Cr Jack Medcraft

**That Council, having considered the concerns of the objectors and the merits of the application, resolves to issue a Notice of Refusal to Grant a Planning Permit for a two lot subdivision and creation of carriageway easement at 350 Konagaderra Road, Oaklands Junction on the following grounds:**

1. **The proposal fails to meet the purpose and objectives of the Green Wedge Zone (Clause 35.03).**
2. **The proposal fails to meet the environmental objectives and decision guidelines of the Environmental Significance Overlay No. 1 (Clause 42.01);**
3. **The proposal fails to meet the objective of Agriculture (Clause 14.01-1).**

**Moved** Cr Joseph Haweil, **Seconded** Cr Jana Taylor

**That this item be deferred.**

**LOST**

The substantive motion was then put.

**Moved** Cr Geoff Porter, **Seconded** Cr Jack Medcraft

**That Council, having considered the concerns of the objectors and the merits of the application, resolves to issue a Notice of Refusal to Grant a Planning Permit for a two lot subdivision and creation of carriageway easement at 350 Konagaderra Road, Oaklands Junction on the following grounds:**

1. The proposal fails to meet the purpose and objectives of the Green Wedge Zone (Clause 35.03).
2. The proposal fails to meet the environmental objectives and decision guidelines of the Environmental Significance Overlay No. 1 (Clause 42.01);
3. The proposal fails to meet the objective of Agriculture (Clause 14.01-1).

CARRIED

Report No.	Report	Page in Agenda
SU246	320 Bulla-Diggers Rest Road, Diggers Rest - Buildings and works associated with the construction of a Telecommunications Facility	27

Mr Ian Payne, Mr Domenic Mastrantuono, Mr Roy Agresta, Ms Maria Del Grosso, Mr Matt Evans and Mr Frank Kuringiz addressed Council regarding the Officer's recommendation.

**Moved** Cr Jodi Jackson, **Seconded** Cr Geoff Porter

**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:**
  - 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. **The monopole must be painted in a muted colour in a non-reflective finish appropriate to the landscape to the satisfaction of and approval by the responsible authority. Schedule of all materials and finishes must be submitted to responsible authority for approval.**
4. **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 Crinnon 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 height of 15 metres at maturity.
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. 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.
7. The headwalls must be constructed as driveable endwalls as per VicRoads standards.
8. 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*.
9. 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.
10. 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.
11. 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 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.

**CARRIED**

Report No.	Report	Page in Agenda
SU249	Road Management Plan 2017	70

**Moved** Cr Jana Taylor, **Seconded** Cr Carly Moore

**That Council adopts the Hume City Council Road Management Plan V6 2017 and appendices (Attachment 1) as previously presented to Council at the 26 June 2017 Ordinary Council Meeting with the addition of an extra intervention level for cracking in roads.**

Councillor Jodi Jackson left the meeting after the motion was moved and prior to the vote on item SU249 – *Road Management Plan 2017*, the time being 7:43 pm.

Councillor Ann Potter left the meeting after the motion was moved and prior to the vote on item SU249 – *Road Management Plan 2017*, the time being 7:43 pm.

Councillor Cr Joseph Haweil left the meeting after the motion was moved and prior to the vote on item SU249 – *Road Management Plan 2017*, the time being 7:43 pm.

Councillor Jodi Jackson returned to the meeting during discussion and prior to the vote on item SU249 – *Road Management Plan 2017*, the time being 7:44 pm.

Councillor Ann Potter returned to the meeting during discussion and prior to the vote on item SU249 – *Road Management Plan 2017*, the time being 7:45 pm.

Councillor Cr Joseph Haweil returned to the meeting during discussion and prior to the vote on item SU249 – *Road Management Plan 2017*, the time being 7:45 pm.

**CARRIED**

Report No.	Report	Page in Agenda
GE230	Correspondence received from or sent to Government Ministers or Members of Parliament - August 2017	100

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

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

**CARRIED**

**Reports Not Otherwise Dealt With**

Moved Cr Jack Medcraft, **Seconded** Cr Ann Potter

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
SU245	575G Craigieburn Road, Craigieburn- Multilot Subdivision (of land reserved for a reservoir protection mechanism for the Greenvale Reservoir) and the creation of a restriction	16
SU247	Statutory Planning Monthly Report September 2017	50
SU248	Hume Planning Scheme Amendment C220 - 46 and 48 Macedon Street, Sunbury - Adoption	66

be adopted.

**CARRIED**

Report No.	Report	Page in Agenda
SU245	575G Craigieburn Road, Craigieburn- Multilot Subdivision (of land reserved for a reservoir protection mechanism for the Greenvale Reservoir) and the creation of a restriction	16

Moved Cr Jack Medcraft, **Seconded** Cr Ann Potter

That Council, having considered the application on its merits, resolves to issue a Refusal to Grant a Permit for the Multi lot subdivision and creation of restriction at 575G Craigieburn Road, Craigieburn on the following Grounds:

1. The subdivision proposes residential development within the designated ultimate and interim reservoir protection mechanism, which is inconsistent with the Craigieburn R2 Precinct Structure Plan.
2. The proposed subdivision is not generally in accordance with the Craigieburn R2 Precinct Structure Plan.
3. The subdivision is proposed on land that is set aside for a public purpose and is therefore contrary to the orderly and proper planning of the site and surrounding area.
4. The subdivision represents an unacceptable planning outcome for Council in terms of ongoing management, liability and maintenance of a bund being located across multiple private allotments in separate ownership.

**CARRIED**

Report No.	Report	Page in Agenda
SU247	Statutory Planning Monthly Report September 2017	50

Moved Cr Jack Medcraft, **Seconded** Cr Ann Potter

That the report be noted.

**CARRIED**

Report No.	Report	Page in Agenda
SU248	Hume Planning Scheme Amendment C220 - 46 and 48 Macedon Street, Sunbury - Adoption	66

**Moved** Cr Jack Medcraft, **Seconded** Cr Ann Potter

**That Council, having considered all submissions:**

- 2.1 adopts Hume Planning Scheme Amendment C220 in accordance with Section 29(1) of the *Planning and Environment Act 1987*.
- 2.2 submits Hume Planning Scheme Amendment C220 to the Minister for Planning for approval in accordance with Section 31(1) of the *Planning and Environment Act 1987*.

**CARRIED**

## 6. CONFIDENTIAL MATTERS

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

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

**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
COGE161	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
COHE025	Contract - Construction of New Social Pavilion at Lakeside Drive, Roxburgh Park	(d) contractual matters

**CARRIED**

The meeting was closed to the public at 7:56 PM.

The meeting was reopened to the public at 7:57 PM.

## 7. CLOSURE OF MEETING

The meeting closed at 7:57 PM.

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**COUNCILLOR DREW JESSOP**  
**MAYOR**