



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

**MONDAY, 23 OCTOBER 2017**

**CONFIRMED - 13 NOVEMBER 2017**



# HUME CITY COUNCIL

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**Minutes** of the  
**ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**  
held on Monday, 23 October 2017  
**at 7.04 pm**  
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

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To: a: Council	Cr Drew Jessop	Mayor
	Cr Ann Potter	Deputy Mayor
	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	
b: Officers	Mr Domenic Isola	Chief Executive Officer
	Mr Peter Waite	Director Sustainable Infrastructure and Services
	Mr Daryl Whitfort	Director Corporate Services
	Ms Margarita Caddick	Director Community Services
	Mr Kelvin Walsh	Director Planning and Development
	Ms Kylie Ezzy	Director Communications, Engagement and Advocacy
	Mr David Fricke	Manager Assets
	Ms Felicity Leahy	Manager Community Development and Learning
	Ms Kirsty Miller	Manager Statutory Planning and Building Control Services
	Ms Bernadette Thomas	Manager Sustainable Environment
	Ms Kirsty Pearce	Senior Governance Officer
	Mr Brad Mathieson	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 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

The Mayor read the Opening 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
CC059	Hume City Council Reconciliation Action Plan 2018-2022	4

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

**2.1 That Council adopts the draft Hume City Council Reconciliation Action Plan (RAP) 2018-2022 and circulate the draft plan for community and stakeholder consultation (Attachment 1).**

**CARRIED**

Report No.	Report	Page in Agenda
CC060	2018 Community Grants Program	17

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

**That Council:**

**2.1 endorses the allocation of \$ 29,440.00 Pre-committed Partnership funding;**

**2.2 approves the allocation of \$160,600.00 under the Community Activity Grant category;**

- 2.3 approves the allocation of \$ 23,570.00 under the Innovation Grant category;
- 2.4 approves the allocation of \$159,020.00 under the Partnership Tier 1 and 2 categories.

CARRIED

Report No.	Report	Page in Agenda
SU252	20 Walsh Street, Broadmeadows - Development of three double storey dwellings.	35

Mr Greg Merritt addressed Council regarding the Officer's recommendation.

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

**That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for the development of three double storey dwellings at 20 Walsh Street, Broadmeadows, on the following grounds:**

1. **The proposal fails to overcome key site constraints and is inconsistent with the following objectives of the Clause 55 of the Hume Planning Scheme;**
  - a. **Clause 55.02-1: Neighbourhood Character – Standard B1**
  - b. **Clause 55.06-1: Design Detail – Standard B31**
  - c. **Clause 55.06-4: Site Services – Standard B34**

Cr Ann Potter left the meeting after the motion was moved on item SU252, the time being 7:26 pm, and returned to the meeting prior to the vote on the item, the time being 7:28 pm.

CARRIED

Report No.	Report	Page in Agenda
SU253	80 St Johns Road, Oaklands Junction - One day music event	52

Mr Kevin O'Sullivan, Mr Warren Jones and Mr Simon Vivian addressed Council regarding the Officer's recommendation.

**Moved** Cr Jack Medcraft, **Seconded** Cr Naim Kurt

**That Council having considered the objections received and provisions of the Hume Planning Scheme resolves to issue a Notice of Refusal to Grant a Planning Permit for the purpose of a one day music event on 2 December 2017 at 80 St Johns Road, Oaklands Junction on the following grounds:**

1. **The proposed use is not an appropriate one for the land because of its effect on the amenity of the locality.**
2. **The proposal is not in keeping with the development of adjoining land and the purpose of the Green Wedge Zone.**
3. **The location of the site is considered unsuitable having regard to traffic considerations.**
4. **The application fails to adequately address several aspects of the proposal relevant to emergency management.**

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

<b>For</b>	<b>Against</b>
Cr Joseph Haweil	
Cr Carly Moore	
Cr Karen Sherry	
Cr Naim Kurt	
Cr Jana Taylor	
Cr Geoff Porter	
Cr Drew Jessop	
Cr Jodi Jackson	
Cr Jack Medcraft	
Cr Leigh Johnson	
Cr Ann Potter	

**CARRIED**

<b>Report No.</b>	<b>Report</b>	<b>Page in Agenda</b>
<b>SU254</b>	<b>790 Sunbury Road, Sunbury</b>	<b>65</b>

Ms Katie Murphy addressed Council regarding the Officer's recommendation.

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

**That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the following:**

- **Staged Use and Development of the land for a Residential Hotel, Group Accommodation, Food and Drinks Premises (Restaurant), Function Centre and Winery;**
- **Demolition and Alteration of Selected Buildings Including the Removal of Selected Vegetation within the Heritage Overlay;**
- **Installation of Floodlit Business Identification Signage;**
- **The Sale and Consumption of Liquor (Variation to the Liquor Sale/Consumption Area and total number of patrons); and**
- **A Reduction in the Required Number of Car Parking Spaces.**

**at 790 Sunbury Road, Sunbury subject to the following conditions:**

1. **Prior to the commencement of works a detailed environmental site assessment prepared by a suitably qualified and EPA accredited professional in accordance with the requirements of the *Potentially Contaminated Land General Practice Note, Department of Sustainability and Environment, June 2005* must be submitted for approval to the responsible authority. The report must:**
  - a) **Identify the nature and extent of any contamination present on the land,**
  - b) **Advise whether or not a separate environmental audit is required pursuant to the Environment Protection Act 1970.**
  - c) **Where no further auditing is required, provide recommendations for any remediation works that may be necessary prior to any sensitive use commencing.**

- In its consideration of the assessment, the responsible authority may require that a peer review of the revised assessment be undertaken with all costs associated with the peer review borne by the permit holder.
2. If the environmental site assessment advises that an environmental audit of all or part of the land is required, then before the commencement of works authorised under this permit planning, the following must be provided to the responsible authority, either:
    - a) A Certificate of Environmental Audit issued for the relevant land in accordance with Part 1XD of the *Environmental Protection Act 1970*, or
    - b) A Statement of Environmental Audit issued for the relevant land in accordance with Part 1XD of the *Environmental Protection Act 1970* stating that the environmental conditions of the relevant site are suitable for a sensitive use (with or without conditions on the use of the site).
  3. Prior to the commencement of works, any remediation works identified in the approved environmental site assessment must be undertaken at the direction and supervision of a suitably qualified and EPA accredited professional. Upon completion of the remedial works, a written report prepared by this suitably qualified and accredited professional must be submitted to the responsible authority. The report must confirm that all works were undertaken in accordance with the relevant provisions of the Environment Protection Act 1970 and that the site is now suitable for sensitive uses.
  4. Before the use and development permitted by this permit commences, amended plans 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 in accordance with the plans submitted but modified to show:
    - a) Revised drawings and design details for Stage 1 that show all doors and windows of the homestead to be repaired or replaced to match existing doors and windows both in materials, scale and profiles. These drawings must be prepared in consultation with a suitably qualified heritage architect.
    - b) Revised drawings and design details for Stage 1 that show the verandah balustrading for the homestead to be constructed from permeable timber and/or wire with the retention of original detailing such as the posts and handrails in a manner that is sympathetic to the heritage building. These drawings must be prepared in consultation with a suitably qualified heritage architect.
    - c) A Heritage Repair and Maintenance Plan prepared by a suitably qualified heritage architect that clearly identifies all ruins, landscaping and historic structures present on the land, including those associated with the Goonawarra Terraces. The report will provide methods for the suitable protection of all historic features during the construction phase of the development along with a detailed repair, alteration and maintenance schedule for all buildings. The schedule must include the following:

- Mortar/crack repairs to bluestone features of the historic wine cellar and homestead building undertaken using lime putty based mortar to match the original mortar as closely as possible.
  - Repairs and replacement of the historic wine cellar and homestead roofing to be undertaken using matching materials and profiles.
- d) Tree Protection Zones (TPZ) for all trees to be retained as identified on Appendix 2 of the Arboricultural Assessment, Tree Logic, 6 September 2016.
- e) The Site Master Plan and Staging Plan (Drawing No. 00.TP.01.04) revised to show contour lines at 1m intervals to the Australian Height Datum (AHD) on the adjoining property to the east up to the highest point of the ridgeline. The plan must highlight the highest (225) contour line as well as the 214 contour line to AHD.
- f) A fully dimensioned business identification signage plan showing the following:
- Location on the land with setbacks from nearest boundaries.
  - Height and structural detail of the sign.
  - Location of floodlights.
  - Signage display details including lettering, colours and finishes.
- g) An Environmental Sensitive Design (ESD) Assessment that identifies sustainable construction, built form and Water Sensitive Urban Design (WSUD) methods to be implemented in the uses and development hereby approved. The ESD Assessment must be consistent with any directives of the Heritage Repair and Maintenance Plan required under condition 1(c) of this permit.
- h) The designated area proposed for the sale and consumption of liquor to be amended to exclude all car parking areas, internal vehicle accessways and the main vehicle entrance onto the site.
- i) The winery and restaurant building in Stage 1 amended to include individual bathroom facilities for all accommodation proposed for seasonal workers and visiting specialist.
- j) The winery and restaurant building in Stage 1 amended to include a unisex accessible toilet for customers and two staff toilets and a staff room facility.
- k) The residential hotel and events building in Stage 2 amended to include:
- A minimum of two shower and staff locker/change room facility in accordance with clause 52.06 of the Hume Planning Scheme (Bicycle Facilities);
  - A staff room facility;
  - A minimum of two staff toilets and a staff room facility with convenient access to the commercial kitchen and service areas for the function centre, private dining and residential hotel restaurant.



- A door that provides convenient access to the plating kitchen from the Private Dining rooms.
- I) The Homestead Villas (group accommodation) in Stage 3 amended to provide stair access to the southernmost villa from the central courtyard.
  5. The use and 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.
  6. The development hereby approved must proceed in the order of the stages shown on the endorsed plans except with the prior written consent of the responsible authority.
  7. Once the development permitted by this permit has commenced, it must be continued, completed and maintained thereafter to the satisfaction of the Responsible Authority.
  8. The building hereby permitted must be designed and constructed in accordance with Australian Standard 1428-1993 "Design Rules for Access by the Disabled".
  9. 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.
  10. The subject land must be maintained in an orderly and neat manner at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
  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. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No N-2.
  13. 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.
  14. 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.
  15. No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the subject land.
  16. The collection of garbage/rubbish from the subject land must only occur between the following times unless as part of a normal municipal rubbish collection services.

17. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm.
18. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
19. 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 colours satisfactory to the Responsible Authority.

#### Hours of Operation

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

##### Winery (Cellar Door Sales)

- Monday to Sunday – 10am to 7pm
- Good Friday and ANZAC Day – 12 noon to 7pm

##### Restaurants

- Monday to Sunday – 10am to 11pm
- Good Friday and ANZAC Day – 12 noon to 11pm

##### Function Centre

- Monday to Thursday – 8am to 11pm
  - Friday - 8am to 1am the following morning
  - Saturday – 10am to 1am the following morning
  - Sunday – 10am to 11pm
  - Good Friday and ANZAC Day – 12 noon to 11pm
21. No more than one function centre room (identified as 'Cellar Event Hall' and 'Great Hall' on the endorsed plans) shall be in operation at any given time. The wedding pavilion may only be used in association with the function centre.

#### Cultural Heritage and Landscape Character

22. Prior to the commencement of any buildings and works associated with any stage of the development hereby approved, all ruins, landscaping and historic structures associated with the Goonawarra Winery and Goonawarra Terraces present on the land must be identified and suitably protected in accordance with the endorsed Heritage Repair and Maintenance Plan. All protective fencing will need to be installed and remain in place prior to and throughout the construction of all three stages of the development as required.
23. The buildings hereby permitted must not be built to a height above the Australian Height Datum (AHD) 214 contour line to the satisfaction of the Responsible Authority.
24. Prior to the commencement of any buildings and works on the land, contractors must be inducted into the Heritage Repair and Maintenance Plan and its requirements by a suitably qualified heritage architect.

**Car Parking, Bicycle Facilities and Vehicle Access**

25. 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 – where required - 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. The lighting of the car park area must be located and designed with suitable baffles so that no direct light is emitted outside the site.
34. Provision must be made on the subject land for the parking of 154 vehicles as shown on the endorsed plans and to the satisfaction of the Responsible Authority.
35. Provision must be made in the parking area on the subject land to the satisfaction of the Responsible Authority for five car parking spaces clearly marked for the disabled.
36. Provision must be made on the subject land for the parking of twenty-eight (28) bicycles in a manner to the satisfaction of the Responsible Authority.

**Site (Environmental) Management Plan**

37. Prior to the commencement of any works on the land, a Construction Site Environmental Management Plan (CSEMP) must be submitted to and approved by the Responsible Authority to address the potential impacts of construction works. The CSEMP must be generally in accordance with 'Environmental Guidelines for Major Construction Sites' EPA 1996 (or an updated version) and address methods for noise, dust, erosion and sediment control, waste and chemical management, flora/fauna protection, weed control and archaeological/heritage impacts.
38. Prior to the commencement of works on the land, contractors must be inducted into the CSEMP and its requirements.

**Soil and Fill Requirements**

39. Prior to the commencement of works on the land, a Soil and Fill Recovery Plan must be submitted to the satisfaction of the responsible authority. This plan must detail the quantity of soil and/or fill to be generated during construction, the reuse options for any excess soil and/or fill generated within the site and the quantity of soil and/or fill to be removed offsite. The contractor is to nominate in writing at the pre-commencement meeting the legal/approved location where the soil and fill will be disposed. Evidence of legal/approved disposal will be required to be submitted to the satisfaction of the responsible authority.

**Landscape Requirements**

40. The development, permitted by this permit must not be commenced until a satisfactory detailed landscaping plan for each stage of the uses and development hereby approved, 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.
41. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained for each stage 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.
42. Before the use allowed by this permit starts or the development is occupied as part of each stage, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.
43. Existing trees on the subject land and identified for retention on the enclosed plan(s) must be retained and protected during construction in accordance with AS 4970-2009 and must not be damaged, removed, destroyed or lopped thereafter without further approval of the Responsible Authority. Such trees must be satisfactorily protected during building and construction works by way of temporary fencing at least 1.8m high set 1 metre outside the designated TPZs.

**Drainage Requirements**

44. 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.
45. 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.
  46. Prior to the commencement of any buildings or works, engineering plans showing a properly prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed areas must be submitted to and approved by the Council's Civil Design Section.
  47. 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.
  48. Provision of litter control at stormwater inlet points within car park area, including side entry pit litter baskets. All stormwater pits to be channel grated or grated as per Council's standard drawing SD 210/215 or SD225 respectively.
  49. No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
  50. Cut or fill must not interfere with the natural overland stormwater flow.

#### Advertising Signage

51. 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.
52. Flashing or intermittent lighting must not be used in the sign(s) permitted by this permit.
53. The sign(s) permitted by this permit must be maintained in good condition to the satisfaction of the Responsible Authority.
54. 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
55. Bunting, streamers, flags, windvanes or similar material must not be displayed except with the prior written consent of the Responsible Authority.

#### Restaurant and Function Centre Requirements

56. Accommodation for patrons must not exceed the following:
  - 100 patrons for the residential hotel restaurant;
  - A total of 30 patrons for the residential hotel private dining area;
  - 60 patrons for the winery restaurant;
  - 110 patrons for the lower level function centre ('Cellar Event Hall'); and

- 150 patrons for the upper level function centre ('Great Hall') except with the written consent of the Responsible Authority.
57. 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.

**VicRoads Conditions (58 to 60)**

58. Before the development start, a functional layout plan for the intersection of Sunbury Road, Sunbury and access to the site, must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the responsible authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally site layout (Figure 3.1 by CADNO Ref: V161155T dated 13 April 2017) but modified to show:
- Channelised right turn treatment into the site.
59. Before the use approved by this permit commences the roadworks required by condition 51 above must be completed at no cost to and to the satisfaction of the Roads Corporation.
60. Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act.

**Permit Expiry**

61. This permit will expire if one of the following circumstances applies:
- a) The development associated with Stage 1 is not commenced and completed within three years of the date of this permit; or
  - b) The uses associated with Stage 1 are not commenced within two years of the development of this stage being completed; or
  - c) The uses associated with Stage 2 are not commenced within two years of the development of this stage being completed; or
  - d) The development associated with Stage 3 is not completed within 10 years of the date of this permit; or
  - e) The uses associated with Stage 3 are not commenced within two years of the development of this stage being completed; or
  - f) The uses are 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 use or development allowed by the permit has not yet started;

or

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

**Notes:**

**Extension of Time**

- 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.

Drainage and Assets

- Application for Legal Point of Stormwater Discharge must be obtained from Council's Assets Department prior to connecting to the legal point of discharge.
- Stormwater from all paved areas must be retained within the property and drained to the site's underground stormwater system, including any paving over easement areas.
- Prior to commencement of any works within the road reserve or require alteration/connection to the Council's drainage assets in the road reserve/easement an 'Application for Consent to Work within a Hume City Council Road Reserve' is required to be submitted to Council to obtain a permit to carry out works.

Health

- Prior to commencing any development on the site associated with this permit, the permit holder must contact Council's Public Health Service Department to determine whether approval for the use or development is required pursuant to the provisions of the Food Act 1984 or any other relevant State Government Act.

Soil and Fill

- The definition of fill for the purposes of the Soil and Fill Recovery Plan condition includes any soil, rock, substrate, clay, sand or other natural material generated through the excavation of the site.

CARRIED

Councillor Ann Potter left the meeting, the time being 8:04 pm, and did not return to the meeting.

Report No.	Report	Page in Agenda
SU256	Sustainability Taskforce Membership and Terms of Reference	125

Councillor Jack Medcraft left the meeting prior to the motion being moved on item SU256, the time being 8:05 pm.

**Moved** Cr Jodi Jackson, **Seconded** Cr Leigh Johnson

**That Council**

**2.1 endorses the proposed nominees for the Hume Sustainability Taskforce for the period November 2017 to November 2018 and**

**2.2 adopts the revised Sustainability Taskforce Terms of Reference with an increase in the number of meetings from four quarterly meetings to five meetings per calendar year.**

Councillor Jack Medcraft returned to the meeting prior to the vote on item SU256, the time being 8:08 pm.

CARRIED

Report No.	Report	Page in Agenda
SU257	Macedon Street, Sunbury - Service Road between Jackson Street and Powlett Street	137

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

**That Council:**

- 2.1 Write to property owners on the sections of service road on the southern side of Macedon Street, Sunbury between Jackson Street and Vaugh Street; and Aitken Street and Powlett Street, to determine their preference for:
  - 2.1.1 Closure of the service road to vehicles,
  - 2.1.2 Construction of the service road through a special charge scheme, or
  - 2.1.3 Do nothing
- 2.2 Write to property owners on the section of service road on the southern side of Macedon Street between Vaughan Street and Aitken Street, to determine their preference between:
  - 2.2.1 Construction of the service road through a special charge scheme, or
  - 2.2.2 Do nothing
- 2.3 Consider a future report on the outcome of the above consultation.

**CARRIED**

Report No.	Report	Page in Agenda
GE236	Correspondence received from or sent to Government Ministers or Members of Parliament - September 2017	193

**Moved** Cr Naim Kurt, **Seconded** Cr Jack Medcraft

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

Cr Leigh Johnson left the meeting after the motion was moved on item GE236, the time being 8:12 pm, and returned to the meeting prior to the vote, the time being 8:13 pm.

**CARRIED**

### **Reports Not Otherwise Dealt With**

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

**THAT the recommendations relating to:**

Report No.	Report	Page in Agenda
SU255	Statutory Planning Monthly Report October 2017	111
GE233	S173 Agreements - Building Over Easement - 1 July - 30 September 2017	144
GE234	Building Control Services Delegations Report - 1 July 2017 - 30 September 2017	147
GE235	Recognition of Former Councillors - Policy Review	158
GE237	Annual Report 2016/17	193

**be adopted.**

**CARRIED**



Report No.	Report	Page in Agenda
SU255	Statutory Planning Monthly Report October 2017  Moved Cr Carly Moore, <b>Seconded</b> Cr Karen Sherry That the report be noted.	111
		<b>CARRIED</b>
Report No.	Report	Page in Agenda
GE233	S173 Agreements - Building Over Easement - 1 July - 30 September 2017  Moved Cr Carly Moore, <b>Seconded</b> Cr Karen Sherry That Council notes the listing of all Agreements under <i>Section 173 of the Planning and Environment Act 1987</i> dealt with under delegation between 1 July 2017 and 30 September 2017 (Attachment 1).	144
		<b>CARRIED</b>
Report No.	Report	Page in Agenda
GE234	Building Control Services Delegations Report - 1 July 2017 - 30 September 2017  Moved Cr Carly Moore, <b>Seconded</b> Cr Karen Sherry 2.1 That this report be received and noted.	147
		<b>CARRIED</b>
Report No.	Report	Page in Agenda
GE235	Recognition of Former Councillors - Policy Review  Moved Cr Carly Moore, <b>Seconded</b> Cr Karen Sherry 2.1 THAT Council revokes the Recognition of Former Councillors Policy which was adopted on 28 July 2014. 2.2 THAT Council adopts the Recognition of Former Councillors Policy which is provided as Attachment 1 to this report.	158
		<b>CARRIED</b>
Report No.	Report	Page in Agenda
GE237	Annual Report 2016/17  Moved Cr Carly Moore, <b>Seconded</b> Cr Karen Sherry 2.1 That in accordance with the <i>Local Government Act 1989</i> , Council adopts the Annual Report (Attachment One) for the year ending 30 June 2017.	
		<b>CARRIED</b>

**6. CONFIDENTIAL MATTERS**

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

**Moved** Cr Jodi Jackson, **Seconded** Cr Jana Taylor

**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
COGE165	Six Month Review of Subsidised Use of Gladstone Park Community Centre by User Group Hume U3A	(d) contractual matters
COGE166	Designation of Information provided at Strategy and Policy Briefings as confidential information - September 2017	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

**CARRIED**

The meeting was closed to the public at 8:20 PM.

The meeting was reopened to the public at 8:25 PM.

**6. CLOSURE OF MEETING**

The meeting closed at 8.25 PM.

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