



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

MONDAY, 27 NOVEMBER 2017

CONFIRMED - 11 DECEMBER 2017

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 27 November 2017
at 7.06 pm
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

To: a: Council	Cr Geoff Porter Cr Carly Moore Cr Joseph Haweil Cr Jodi Jackson Cr Ann Potter Cr Leigh Johnson Cr Jack Medcraft Cr Naim Kurt Cr Drew Jessop Cr Karen Sherry Cr Jana Taylor	Mayor Deputy Mayor
b: Officers	Mr Domenic Isola Mr Peter Waite Mr Daryl Whitfort Ms Margarita Caddick Mr Michael Sharp Ms Kylie Ezzy Ms Kirsty Miller Mr Gavan O'Keefe Mr Brad Mathieson	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Director Community Services Acting Director Planning and Development Director Communications, Engagement and Advocacy 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 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.

No Councillors indicated they had a conflict of interest to declare.

4. CONDOLENCE MOTIONS

Nil

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

Report No.	Report	Page in Agenda
SU259	189-193 Northbourne Road, Campbellfield - Use of land for the purpose of material recycling, bin hire and bin storage.	3

Mr Vito Ceniti and Ms Laney Quinn addressed Council regarding the Officer's recommendation.

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

That Council, having considered the concerns of the objectors and the merits of the application, resolves to issue a Notice of Decision to Grant a Planning Permit for the use of land for the purpose of material recycling, bin hire and bin storage at 189-193 Northbourne Road, Campbellfield, subject to the following conditions:

1. **The layout of the use(s) shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
2. **The use of the land or of any buildings on the land must not be altered for some other use except as may be lawful or with the prior written consent of the responsible authority.**
3. **The stormwater management solutions shown on the approved plans must be installed and maintained to the satisfaction of the responsible authority.**
4. **The use of the site must be in accordance with the Environmental Management Plan prepared by Alpha Environmental Pty Ltd dated 12 May 2017 and endorsed as part of this permit. The approved Environmental Management Plan must be implemented to the satisfaction of the responsible authority.**

5. The approved use may operate only between the following times:
 - 6.00am to 5.00pm from Monday to Friday
 - 6.00am to 2.00pm on Saturday
 6. The use /occupation of the land must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) transportation of materials, goods or commodities to or from the subject land;
 - (b) appearance of any building, works or materials;
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - (d) presence of vermin; or
 - (e) in any other way.
 7. Goods, equipment, materials or machinery must not be stored or left exposed outside a building so as to be visible from any public road or thoroughfare, except with the prior written consent of the responsible authority.
 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. Vehicle paths and parking areas including outdoor storage areas must be sealed with bitumen within three months after the issuing of permit, unless otherwise extended in writing by the responsible authority.
 10. Vehicles and bins must not be washed on the subject site.
 11. Putrescible and/or contaminated waste must not be accepted at the site.
 12. The facility is to be operated in accordance with the Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Conditions (13 - 27) are required by the EPA:
13. No composting and mulching is to occur on site.
 14. All shredding, dismantling and sorting operations must occur indoors.
 15. All trommel operation is to be undertaken under roofed, enclosed premises on a hardstand area.
 16. Nuisance dust must not be discharged beyond the boundaries of the premises.
 17. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policy No N-1 (Control of Noise from Commerce, Industry and Trade).
 18. All soil is to be handled in accordance with EPA Publication IWRG621, Soil Hazard Categorisation and Management 2009 or as amended.
 19. All materials must be stored in covered containers or bins.
 20. The stockpile of materials must not exceed the height of any walls or barriers on site to manage dust and litter.

21. The applicant must ensure that vehicles leaving the site have clay and soil removed from their wheels before entering public roads.
22. Side and rear boundary fences must be constructed of metal sheet fences or similar solid material extending from the ground, to the satisfaction of the responsible authority.
23. All vehicles removing waste from the premises must have fully secured, covered and contained loads so that no wastes are spilled.
24. The following areas must be constructed of concrete or similar sealed with durable material, to the satisfaction of the responsible authority:
 - a) Vehicle paths and parking;
 - b) Loading and unloading;
 - c) Recycling/ sorting operation, and;
 - d) Indoor and outdoor storage.
25. Sediment traps or similar, must be installed to prevent the transportation of sediment, litter and waste grease to the stormwater system.
26. There must be no discharge or seepage of fuel or oil from the premises to the land or water (including stormwater) environments.
27. Offensive odours must not be discharged beyond the boundary of premises.

Expiry:

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

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

CARRIED

Report No.	Report	Page in Agenda
SU260	15 Hillcrest Drive Westmeadows - Development of 12 double storey dwellings	52

Ms Helen Franks addressed Council regarding the Officer's recommendation.

Moved Cr Leigh Johnson, **Seconded** Cr Jana Taylor

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Refusal to Grant a Planning Permit for the construction of 12 double storey dwellings at 15 Hillcrest Drive, Westmeadows, for the following reasons:

1. The proposal is inconsistent with Clause 55.02-1 of the *Hume Planning Scheme* –Neighbourhood Character Objectives.
2. The proposal is inconsistent with Clause 55.04-1 of the *Hume Planning Scheme*- side and rear setback objectives.

3. The proposal is inconsistent with Clause 55.04-5 of the *Hume Planning Scheme* – overshadowing open space objectives.
4. The proposal is inconsistent with Clause 55.06-1 of the *Hume Planning Scheme* – design detail objective.
5. The proposal fails to comply with Clause 52.06-9 of the *Hume Planning Scheme*- Design Standard 1 – Accessway.

CARRIED

Report No.	Report	Page in Agenda
SU261	11 Hillcrest Drive Westmeadows - development of 14 double storey dwellings	68

Moved Cr Drew Jessop, Seconded Cr Ann Potter

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Refusal to Grant a Planning Permit for the construction of 14 double storey dwellings at 11 Hillcrest Drive, Westmeadows, for the following reasons:

1. The proposal is inconsistent with Clause 55.02-1 of the *Hume Planning Scheme* –Neighbourhood Character Objectives.
2. The proposal is inconsistent with Clause 55.03-9 of the *Hume Planning Scheme* – access objective
3. The proposal is inconsistent with Clause 55.04-1 of the *Hume Planning Scheme*- side and rear setback objectives.
4. The proposal is inconsistent with Clause 55.04-6 of the *Hume Planning Scheme*- overlooking objective.
5. The proposal is inconsistent with Clause 55.06-1 of the *Hume Planning Scheme* – design detail objective.
6. The proposal fails to comply with Clause 52.06-9 of the *Hume Planning Scheme*- Design Standard 1 – Accessway.

CARRIED

Report No.	Report	Page in Agenda
SU262	17 Henderson Road - Development of five double storey dwellings and two single storey dwellings	82

Mr Luke Mooney addressed Council regarding the Officer's recommendation.

Moved Cr Jack Medcraft, Seconded Cr Drew Jessop

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of four double storey dwellings and two single storey dwellings at 17 Henderson Road, Tullamarine subject to the following conditions:

1. Before development starts, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plans dated June 2017 but modified to show:

- a) Removal of Dwelling 7 and replace with two visitor car parking spaces and a waste collection area consistent with the Waste Management Plan required by Condition 9.
 - b) Removal of existing visitor car parking space.
 - c) Provision of a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage.
 - d) The mailboxes for dwellings 1-6 relocated to along the southern boundary.
 - e) An elevation of the mailboxes in condition 1(e) ensuring the visibility splays in condition 1(b) are met.
 - f) The expanse of hard surface in front of the garages for dwellings 2 & 3 and 6 reduced in area a/or a variation of materials/colour.
 - g) The visitor car parking spaces must be clearly delineated by a different material and/or colour to ensure it is clearly delineated and must be signed accordingly.
 - h) Where parking spaces are provided in tandem (one space behind the other) for dwellings 1 and 2, an additional 500 mm in length must be provided between each space.
 - i) The southern boundary of the secluded private open space of dwelling 6 set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where h' is the height of the wall.
 - j) The sheds and clotheslines of dwellings 1-6 relocated to the rear of their respective garages.
 - k) Lighting at the entrances of each of the proposed dwellings and along the internal access way.
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 external cladding and roofing of the approved building must be non-reflective and coloured or painted in muted shades to the satisfaction of the responsible authority.
 5. Before the development starts, a schedule of external building materials and colours, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Once approved, the schedule will be endorsed and will then form part of the permit.
 6. Before the use/occupation of the building starts, all piping and ducting above the ground floor storey of the building must be concealed to the satisfaction of the responsible authority.
 7. The waste collection area introduced in condition 1(a) suitably screened from public view and must not occupy or obstruct access to any car parking area shown on the endorsed plans.

8. **Odour must not emit from any waste collection area so as to cause unreasonable offence to any persons outside the land.**
9. **Before the development starts, a Waste Management Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. Before the use starts/development is occupied, the approved Waste Management Plan must be implemented and thereafter complied with at all times to the satisfaction of the Responsible Authority. The Waste Management Plan must include:**
 - a) **calculations showing that all occupiers will be sufficiently catered for with the proposed number of garbage and recycling bins;**
 - b) **details of the size and location for the storage of general waste and recyclables on the ground/basement floor and details of screening from view;**
 - c) **a plan showing that the storage area is sufficient to cater for the number of bins;**
 - d) **details of the size and location for the storage of recyclables on each floor;**
 - e) **details of ventilation if garbage bins are in enclosed areas;**
 - f) **details providing dual bins in cupboards in each dwelling to encourage separating recyclables from garbage;**
 - g) **details of private contractor options, if applicable, detailing the methods of collection and road network constraints and the potential requirement to manoeuvre garbage trucks, including a collection plan approved by the proposed collection agencies that meets Council's Waste Management Plan;**
 - h) **the hours and frequency of pick-up for general and recyclable waste having regard to potential noise impacts to the surrounding neighbourhood; and**
details providing maintenance of the waste collection area.
10. **All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.**
11. **Car spaces, access lanes and driveways shown on the endorsed plans must be kept available for these purposes at all times to the satisfaction of the responsible authority.**
12. **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.**
13. **Before the development is occupied, a sign or signs must be provided to the satisfaction of the responsible authority to direct drivers to the on-site visitor's car parking space. Such sign(s) must be located in the frontage of the land and maintained to the satisfaction of the responsible authority.**

14. Before the development is occupied, areas set aside for parking, protective kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent damage to fences or landscaped areas
15. 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.
16. Before the development starts, a landscape plan prepared by a suitably qualified person to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The 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) a minimum of one canopy trees (minimum two metres tall when planted) in the front setback of dwelling 1;
 - g) an in-ground irrigation system to all landscaped areas;
 - h) a tree protection zone and structural root zone for each tree on an adjoining property within three metres of the subject site and for street trees located within the road reserve in front of the site; and
 - i) the location and details of root control barriers.
17. Before the use starts or the development is occupied (whichever occurs first), the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
18. Unless with the prior written consent of the responsible authority, the following must not occur within a Tree Protection Zone:
 - a) vehicular or pedestrian access;
 - b) trenching or soil excavation;
 - c) storage or dumping of materials, tools, equipment or waste; or
19. Any development within a Tree Protection Zone must be undertaken to the satisfaction of the responsible authority and supervised by a suitably qualified arborist
20. Approval is required from Council and other responsible authorities, for the sheds to be built over an easement.

21. Drainage investigation is required for this development (fees apply). Plans to be submitted to Council's Civil Design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
22. Following the Drainage Investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
23. Stormwater from all paved area has to be drained to underground stormwater system.
24. Any cut or fill must not interfere with the natural overland stormwater flow.
25. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
26. The proposed crossover must have a minimum clearance of 2.5m to any tree or consultation with parks department is required.
27. This permit will expire if one of the following circumstances applies:
 - a) the development is not commenced within two years of the date of this permit; or
 - b) the development is not completed within *four* years of the date of this permit.

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

Notes:

Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.

Prior to commencement of any works within the road reserve, an 'Application form for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council to obtain a permit to carry out the works.

Any modifications to existing vehicle crossings require an application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application. Any service relocations are to the approval of the service authority and at the owners cost.

As the development shares a cross over with a neighbouring property, the developer is required to take reasonable measures to ensure the works and development do not affect the amenity of these neighbours.

CARRIED

Report No.	Report	Page in Agenda
SU265	Adoption of CCTV Camera Policy	131

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

- A. That Council adopt the Closed Circuit Television Camera Policy.**
- B. That point 3.2 be removed from the CCTV Camera Policy and new point 3.1.6 be added to read: Enhance community safety and prevent crime. CCTV cameras can play a role in successful Victoria Police prosecutions when capturing data in public places.**

CARRIED

Report No.	Report	Page in Agenda
GE244	Correspondence received from or sent to Government Ministers or Members of Parliament - October 2017	143

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

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 Drew Jessop, **Seconded** Cr Ann Potter

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
SU263	Statutory Planning Monthly Report November 2017	104
SU264	Agricultural Land Use Rebate Policy Amendment	116
GE243	Councillor's Adherence to the Code of Conduct - Review 2016/2017	131

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU263	Statutory Planning Monthly Report November 2017	104

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

That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
SU264	Agricultural Land Use Rebate Policy Amendment	116

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

That Council

- 2.1 Notes the update on the program review and timeframes for 2018.
- 2.2 Approves an interim change as shown in Attachment 1 in the Agricultural Land Use Rebate Policy to align with the completion of the program review.

CARRIED

Report No.	Report	Page in Agenda
GE243	Councillor's Adherence to the Code of Conduct - Review 2016/2017	140

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

That Council adopts the following self-assessment as its performance against the Code of Conduct for Councillors.

	Self-rating	Whole of Council rating
Council meetings	4.18	3.92
Councillor Behaviour	4.55	4.06
Communications	4.44	4.17
TOTAL	4.42	4.06

CARRIED

6. CONFIDENTIAL MATTERS

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

Moved Cr Jodi Jackson, **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
COGE171	Organisational Matter	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

CARRIED

The meeting was closed to the public at 7:51 PM.

The meeting was reopened to the public at 7:53 PM.

7. CLOSURE OF MEETING

The meeting closed at 7:53 PM.

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COUNCILLOR GEOFF PORTER
MAYOR