



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

MONDAY, 18 DECEMBER 2017

CONFIRMED - 12 FEBRUARY 2018

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 18 December 2017
at 7.07 pm
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

Present:	a: Council	Cr Geoff Porter Cr Carly Moore Cr Joseph Haweil Cr Jodi Jackson Cr Leigh Johnson Cr Naim Kurt Cr Jack Medcraft Cr Ann Potter 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 David Fricke Mr John Monaghan 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 Assets Manager Capital Works And Building Maintenance 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

An apology was received from Cr Drew Jessop.

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
SU270	220 Thompsons Road, Diggers Rest - Use and development of the land for a Restricted Place of Assembly, Caretakers Residence and ancillary Place of Worship and native vegetation removal	4

Mr Syed Zaidi and Mr Peter Heagney addressed Council regarding the Officer's recommendation.

Moved Cr Jodi Jackson, **Seconded** Cr Jack Medcraft

That Council, having considered the application for use and development of the land for a Restricted Place of Assembly, Caretakers Residence and native vegetation removal at 220 Thompsons Road, Diggers Rest on its merits and in context to the objections resolves to advise the Victorian Civil and Administrative Tribunal that Council does not support the proposed use and development on the following grounds:

- 1. The proposed use and development is more appropriately defined as a Place of Worship, Function Centre and Education Centre rather than a Restricted Place of Assembly and it is not clear how the Function Centre conditions of the Green Wedge Zone can be met and an Education Centre is a prohibited use in the Green Wedge Zone.**
- 2. In the event the proposal is considered a Restricted Place of Assembly, the proposed size and scale of the proposal is considered inconsistent with the purposes of the Green Wedge Zone and the surrounding rural character and more appropriately located in the urban growth boundary.**

3. The proposal results in significant removal of native vegetation which is inconsistent with the purposes of the Green Wedge Zone and the purpose of Clause 52.17 Native Vegetation.
4. The proposal has failed to identify if the proposal impacts on habitat for threatened species listed under the Environment Protection and Biodiversity Conservation Act 1999.

CARRIED

Report No.	Report	Page in Agenda
SU271	29-31 Halley Crescent, Campbellfield - use and development of a site for the purpose of materials recycling and transfer station with a dispensation in car parking requirements.	32

Mr Mark Rodda addressed Council regarding the Officer's recommendation.

Moved Cr Jack Medcraft, **Seconded** Cr Carly Moore

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 Permit for the use and development of the land at 29-31 Halley Crescent, Campbellfield for the purpose of materials recycling and transfer station with a reduction in carparking, subject to the following conditions:

1. **Before the development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:**
 - a) **Solid fencing (of uniform material and colour) to a height of 2.1 metres around the entirety of the site (except at access point and building abutments).**
 - b) **Location of external sprinkler systems throughout the site to be employed to minimise dust.**
 - c) **Clear notation on the plans that stockpiles will not exceed 2 metres in height.**
 - d) **All fencing facing Halley Crescent is to be moved a minimum 3 metres off the front boundary and landscaping area introduced.**
2. **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.**
3. **Prior to the use commencing on the site, all boundary fencing (as per condition 1a) is to be constructed to the satisfaction of the responsible authority.**
4. **The stormwater management solutions shown on the approved plans must be installed and maintained to the satisfaction of the responsible authority.**
5. **Once the development permitted by this permit has commenced, it must be continued and completed to the satisfaction of the responsible authority.**

6. The use of the land or of any buildings on the land must not be altered without the prior written consent of the responsible authority.
7. The use permitted under this permit must, at all times, operate in accordance with the Site Environmental Management Plan prepared by Landserv and dated 17 November 2017 including the required management measures set out at Section 4 – Environmental Management Requirements regarding noise, dust sediment and erosion management, waste, chemical, protection of flora/fauna, social, recovered soil stockpile management, except with the written consent of the responsible authority. The approved Environmental Management Plan must be implemented to the satisfaction of the responsible authority.
8. An audit of the operations of the site must be carried out by an independent, professionally qualified body every 6 months from the date of issue of the permit for a period of 3 consecutive years. The report must be submitted to, and approved by, the responsible authority. If such a report is not forthcoming within the prescribed time, or is not approved, the use must cease.
9. New buildings or works must not be constructed or carried out and existing buildings must not be enlarged, rebuilt or extended except with the prior written consent of the responsible authority.
10. Stack of material must not exceed 2 metres in height except with the prior written consent of the responsible authority.
11. Except with the prior written consent of the responsible authority, the approved use may operate only between the following times:
 - 7:00am to 4pm Monday – Friday
 - 8:00am – 12pm Saturday
12. 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.
13. No street or reserve trees are to be removed as part of this development without the prior written approval of the responsible authority. Any street tree or reserve 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.
14. All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
15. All tilt slab or pre-cast concrete buildings must be painted, treated, textured and maintained thereafter to the satisfaction of the responsible authority.
16. The use, development and occupation of the site must be managed so that the amenity of the area is not detrimentally affected, including through the:
 - transportation of materials, goods or commodities to or from the subject land;
 - appearance of any building, works or materials;

- emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - presence of vermin; or
 - in any other way.
17. 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.
 18. Goods or materials must not be offered for sale or sold from the subject land or premises.
 19. The subject land must not be used for the storage of dangerous, hazardous or explosive goods, materials or substances except with the prior written consent of the responsible authority.
 20. Goods, equipment, packaging material or machinery must not be stored or left exposed outside a building so as to be visible from any public road or thoroughfare.
 21. The surface of the land must be treated as to prevent the loss of amenity to the neighbourhood through the dust emission and stormwater drainage discharge to the satisfaction of the responsible authority.
 22. 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.
 23. 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.
 24. 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.
 25. 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.
 26. 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.
 27. 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.
 28. All car parking areas, access aisles and a turning area for loading vehicles are to be sealed with concrete to minimize the depositing of debris on Halley Crescent.
 29. All maneuvering of loading vehicles to be accommodated on site with no maneuvering on the road permitted. A turning area for loading vehicles is to be provided on site.

30. All parking bays to be linemarked including disabled and associated shared area pavement marking.
 31. No on-street parking will be considered as part of this application to satisfy parking requirements. All parking is to be provided on-site.
 32. All vehicles are to enter and exit the site in a forward motion.
 33. The roof drainage from the proposed extension to be connected to the Council nominated legal point of stormwater discharge.
 34. Any water that falls from the roof onto the site must not flow into Council's drainage system and must be treated as per the EPA and Melbourne Water guidelines and requirements.
 35. Protection measures to be put in place to prevent surface water entering Council's drainage system.
 36. All surface flows within the site must flow through the sediment control silt trap pit and triple interceptor pit/detention system as stated in the Stormwater Management Plan. This detention system must have sufficient capacity to accommodate a 1 in 100-year ARI event. The drainage computations to be provided to Council's Civil Design section showing the detention system to have adequate capacity for a 1 in 100 –year ARI event.
 37. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction. Any cut or fill must not interfere with the natural overland stormwater flow.
 38. Erosion and sediment control measures are to be implemented prior to commencement of construction and are to be maintained during construction period.
 39. Stormwater from all paved areas must be retained within the property and drained to the detention system.
 40. Any cut or fill must not interfere with the natural overland stormwater flow.
 41. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
 42. The stormwater management solutions shown on the approved Plans must be installed and maintained to the satisfaction of the responsible authority.
 43. The approved Environmental Management Plan must be implemented to the satisfaction of the responsible authority.
- EPA conditions 44-56 inclusive:
44. Offensive odours must not be discharged beyond the boundaries of the premises.
 45. Nuisance dust must not be discharged beyond the boundaries of the premises. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No.N-1.
 46. Prescribed industrial wastes including asbestos, as defined by the Environment Protection (Industrial Waste Resource) Regulations 2009, must not be accepted at the premises.

47. Pollution control devices must be installed to prevent the transportation of waste to the environment and stormwater system.
48. Stormwater contaminated with waste must not be discharged beyond the boundary of the premises.
49. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347.1 Bunding Guidelines 2015 or as amended.
50. All soil is to be handled in accordance with EPA Publication IWRG621, Soil Hazard Categorisation and Management 2009 or as amended.
51. All trammel operations must be undertaken under a roofed, enclosed premises on hardstand.
52. Vehicles leaving the site must have clay and soil removed from their wheels before entering public roads.
53. All skip bins containing waste must be covered when not being sorted.
54. Water used in the vehicle wash-down area and any other wash-down areas must be collected and disposed of off-site by an EPA approved contractor or sent to sewer under a Trade Waste Agreement.
55. The following areas must be constructed of impervious, concrete or some other durable material, to the satisfaction of the responsible authority:
 - vehicle paths and parking;
 - loading and unloading
 - recycling operation
 - storage
56. The subject site is located to the north of drainage lines that channel to Foden Reserve Wetland, a site of high environmental sensitivity. EPA recommends that during the sealing of the site, the land is graded towards the north of the site to prevent contaminated stormwater and waste from entering drainage lines and wetland areas.
57. Before the commencement of the buildings and works, an amended Site Management Plan which is generally consistent to the plan titled Landserv Environment, prepared for Speedie Waste, dated 17 November 2017, must be submitted to Melbourne Water for our records and approval, modified to include the following additional information:
 - The double row of silt fencing to extend along the full length of the of the site boundaries shared with the National Business Park wetland; and
 - A written note or similar to indicate that all silt fencing along the shared boundaries with the National Business Park wetland will be secured and regularly maintained during the permitted buildings and works.
58. Pollution and sediment laden runoff shall not be discharged directly or indirectly into either Council or Melbourne Water's drains or waterways.

59. All permitted buildings and works are to be undertaken in accordance to the approved Site Management Plan.
60. Prior to the commencement of buildings and works, a separate application direct to Melbourne Water must be made for approval of any new or modified storm water connection to Melbourne Water's drains or watercourses.
61. The storage of plant, equipment, other materials or passage of construction vehicles is not permitted on nor across Melbourne Water's land (the National Business Park wetland).
62. This permit will expire if one of the following circumstances applies:
 - the development and use are 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 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.

NOTE:

- a) 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.
- b) 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.
- c) Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- d) Prior to commencement of any works within the road reserve or require alteration/connection to the Council's drainage assets in the road reserve/easement, an 'Application form for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council to obtain a permit to carry out the works.

CARRIED

Report No.	Report	Page in Agenda
SU272	10 Taronga Court, Campbellfield - The development of a double storey dwelling to the side of the existing dwelling	103

Mr Kon Moutis addressed Council regarding the Officer's recommendation.

Moved Cr Ann Potter, **Seconded** Cr Joseph Haweil

That this item be deferred.

CARRIED

Report No.	Report	Page in Agenda
SU273	Statutory Planning Monthly Report December 2017	123

Moved Cr Joseph Haweil, **Seconded** Cr Leigh Johnson

That the report be noted.

CARRIED

6. CONFIDENTIAL MATTERS

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

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

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
COHE026	Contract No. 30 16 2682 - Construction of a New Pavilion at Aston Open Space in Craigieburn	(d) contractual matters
COSU086	Contract No. 30 17 2772 - Provision of Sprayed Bituminous Surfacing for Road Maintenance Works	(d) contractual matters
COSU087	Contract No. 30 17 2800 - Craigieburn Road, between Oaklands Road and Mickleham Road, Yuroke - Road Side Safety Improvement	(d) contractual matters

Report No.	Title	Reason for Confidential
COSU088	Contract No. 30 17 2757 - Supply and Delivery of Two Road Suction Sweepers	(d) contractual matters
COSU089	Contract No. 30 17 2758 - Supply and Delivery of One High Pressure Drain Cleaning Unit	(d) contractual matters
COSU090	Contract No. 30 17 2759 - Supply and Delivery of Three Side Loading Garbage Trucks	(d) contractual matters
COGE173	Designation of Information provided at Strategy and Policy Briefings as confidential information - November 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 7:28 PM.

The meeting was reopened to the public at 7:32 PM.

7. CLOSURE OF MEETING

The meeting closed at 7:32 PM

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COUNCILLOR GEOFF PORTER
MAYOR