



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

MONDAY, 24 SEPTEMBER 2018

7.00 PM

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

OUR VISION:

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

This meeting of the Hume City Council will be recorded and published in accordance with Council's Audio Recordings of Council Meetings Policy.

HUME CITY COUNCIL

**Notice of an
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**
to be held on Monday, 24 September 2018
at 7.00 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 Drew Jessop 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 Mr Hector Gaston Mr Michael Sharp Ms Kylie Ezzy	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy

ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND

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

ORDER OF BUSINESS

1. PRAYER

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Council. Direct and prosper its deliberations to the advancement of Thy glory and the true welfare of the people of the Hume City.

Amen

2. APOLOGIES

3. DISCLOSURE OF INTEREST

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

4. CONDOLENCE MOTIONS

5. OFFICER'S REPORTS

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

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6. CONFIDENTIAL MATTERS

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

RECOMMENDATION:

THAT the Council close the meeting to the public pursuant to Section 89(2) (sub sections as listed), of the Local Government Act 1989 to consider the following items, which are confidential for the reasons indicated:

Report No.	Title	Reason for Confidential
COSU105	Chestnut Street, Campbellfield - Road Reconstruction	(d) contractual matters
COSU106	Provision of Concrete Indented Parking Bays and Kerb and Channel Rehabilitation for Hume City Council	(d) contractual matters
COGE208	Designation of Information provided at Strategy and Policy Briefings as confidential information - September 2018	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

7. CLOSURE OF MEETING

**DOMENIC ISOLA
CHIEF EXECUTIVE OFFICER**

20/09/2018

REPORT NO:	HE085
REPORT TITLE:	Sports Aid Grants - September 2018
SOURCE:	Bruce Fordham, Manager Leisure Centres and Sports; Jarrod Smith, Sports Development & Inclusion Officer
DIVISION:	Corporate Services
FILE NO:	HCC07/110
POLICY:	-
STRATEGIC OBJECTIVE:	2.1 Foster a community which is active and healthy.
ATTACHMENTS:	1. <i>Sports Aid Grants - Guidelines</i> 2. <i>Recommended Applicant Details - September 2018</i>

1. SUMMARY OF REPORT:

It is proposed that Council award nine individual Hume City Council Sports Aid Grants to the recipients listed in this report. It is proposed that a presentation of the Sports Aid Grants will be made at the beginning of the Council meeting on Monday 8 October 2018.

2. RECOMMENDATION:

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

Name	Sport	Travel Category	Amount
Amor Jasika	Tennis	International	\$750.00
Breanna Cerasa	Tennis	International	\$750.00
Kayla Sidzimovska	Soccer	Interstate	\$400.00
Ivana Tuafuti	Rugby League	Interstate	\$400.00
Monson Vaovasa	Rugby Union	Interstate	\$400.00
Leann Serna	Tennis	Interstate	\$400.00
Aimee Mifsud	Gymnastics	Interstate	\$400.00
Ashley Barden	Gymnastics	Interstate	\$400.00
Kataraina Hetaraka-Kelly	Softball	Interstate	\$400.00

3. LEGISLATIVE POWERS:

Not applicable to this report.

4. FINANCIAL IMPLICATIONS:

4.1 The funding of \$4,300 for the Sports Aid Grants - September is allocated from the 2018/2019 Leisure Centres and Sport Department recurrent operating budget.

4.2 A total of \$21,115 has been allocated to the 2018/2019 Sports Aid Grants program. The proposed grants fall within the budget allocated for this program.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

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

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

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

REPORT NO: HE085 (cont.)

7. CHARTER OF HUMAN RIGHTS APPLICATION:

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

8. COMMUNITY CONSULTATION:

The Sports Aid Grants are advertised on Council's Web site and also through information provided to sports clubs and schools in Hume.

9. DISCUSSION:

9.1 All applicants recommended for a Sports Aid Grant met eligibility criteria as detailed in the Sports Aid Grant Program Application Guidelines (attachment 1). Further details on the recommended applicants are attached (attachment 2).

9.2 Two applications received are not recommended for funding. One applicant withdrew their application and the other has been funded in the category applied for previously. Further details on these applications are below:

Sport	Funding sought for	Reason application is not eligible
Futsal	U12 FFV Vic Futsal Team competing in Sydney	Athlete has previously received a Sports Aid Grant in this category. 'State Representation with Interstate Travel' he is ineligible for further funding in this category under section four of the application guidelines – <i>'4.8 Athletes will be funded by Council only once in each category.'</i>
Soccer	2018 School Sport Victoria (SSV) 18 Years and Under Girls Football (soccer)	Application withdrawn

10. CONCLUSION:

It is proposed that the successful Sports Aid Grant recipients will be presented with their award and a certificate of achievement at the beginning of the Council Meeting scheduled for Monday 8 October 2018.



APPLICATION GUIDELINES AND INFORMATION

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

1. Objectives:

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

2. What will be funded:

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

3. What will not be funded:

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

4. Eligibility Criteria:

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



5. Funding Available:

National Representation with International Travel - Maximum grant \$750

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

State Representation with Interstate Travel - Maximum grant \$400

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

Regional Representation - Maximum grant \$150

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

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

6. Celebration Evening

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

7. Closing Dates:

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

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

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

8. Application Procedure:

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

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

FURTHER INFORMATION

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

2018/19 SPORTS AID GRANTS - RECOMMENDED APPLICANTS - SEPTEMBER 2018									
FIRST NAME	SURNAME	AGE	SPORT	POST CODE	COMPETITION DETAILS	TRAVEL ANALYSIS	TOTAL EXPENSES	AMOUNT RECOMMENDED	
Amor	Jasika	14	Tennis	3059	Tennis Australia U14 European Tour - Europe - Travel and equipment expenses.	International	\$6,690.00	\$750.00	
Breanna	Cerasa	14	Tennis	3059	Trofeo Carlo Stagno D'Alcontres International Tennis Tournament - Messina Italy - Travel and competition expenses.	International	\$3,400.00	\$750.00	
Kayla	Sicizimovska	15	Soccer	3064	Victorian State Team - 2018 National Youth Championships - Coffs Harbour NSW - Travel and competition expenses	Interstate	\$2,000.00	\$400.00	
Ivana	Tuafuti	12	Rugby	3061	School Sport Victoria U12 Rugby League Team - National Schools Championships - Adelaide Australia - Travel and Competition expenses.	Interstate	\$2,600.00	\$400.00	
Monson	Vaovasa	17	Rugby Union	3064	Victorian State team - 2018 Australian Schools Rugby Union - Sydney NSW - Travel and Competition expenses	Interstate	\$1,000.00	\$400.00	
Leann	Serna	14	Tennis	3064	Queensland Junior Tennis Championships & Maple Junior International - Gold Coast Australia	Interstate	\$1,337.00	\$400.00	
Aimee	Mifsud	18	Gymnastics	3049	Australian AeroSchools Championships - Gold Coast Australia - Travel and Competition Expenses.	Interstate	\$889.00	\$400.00	
Ashley	Barden	17	Gymnastics	3047	Australian AeroSchools Championships - Gold Coast Australia - Travel and Competition Expenses.	Interstate	\$861.00	\$400.00	
Kataraina	Hetarakakelly	16	Softball	3064	Victorian State Softball Team - 2019 National Championships Adelaide South Australia - Travel and Competition expenses.	Interstate	\$3,500.00	\$400.00	
							\$22,277.00	\$4,300.00	

REPORT NO:	SU340
REPORT TITLE:	885 Riddell Road Sunbury - Variation of Restrictive Covenant
SOURCE:	Chris Bryce, Senior Town Planner
DIVISION:	Planning and Development
FILE NO:	P20487
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Plan</i> 2. <i>Plan of Variation of Restriction</i>

Application No:	P20487
Proposal:	Variation of Restrictive Covenant
Location:	885 Riddell Road, Sunbury
Zoning:	Green Wedge Zone
Applicant:	Peyton Waite Pty Ltd
Date Received:	5 May 2017

1. SUMMARY OF REPORT:

An application has been received to vary restrictive Covenant L093998E dated 15 June 1984 at 885 Riddell Road, Sunbury. The covenant restricts (amongst other things) the use of the land for poultry trade and maintenance for commercial purposes. The application has been advertised, including a notice in the local paper, and four objections have been received. The proposal has been assessed against the relevant provisions of the Hume Planning Scheme including Clauses 52.02 (Easements, Restrictions, Reserves) and Section 60(5) of the *Planning and Environment Act 1987* and does not satisfy these provisions. Accordingly it is recommended that the application be refused.

2. RECOMMENDATION:

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 variation of restrictive Covenant L093998E at 885 Riddell Road, Sunbury for the following reasons:

- 1. The proposal fails to satisfy Clause 52.02 (Easements, Restrictions, Reserves) of the Hume Planning Scheme.**
- 2. The proposal fails to satisfy Section 60(5) of the *Planning and Environment Act 1987*.**

3. PROPOSAL:

- 3.1** Covenant L093998E dated 15 June 1984 encumbers the subject land. The restriction provides the following prohibition (relevant to the application) and states that the owners of the land “... shall not at any time use or cause to be used or suffer or otherwise allow to be used the lot hereby transferred or any part thereof for the purposes of carrying on any noxious or offensive trade or keeping or maintenance thereon of poultry for commercial purposes or for pig husbandry or for dog kennels of any description...”.

REPORT NO: SU340 (cont.)

- 3.2 The proposal seeks to vary restrictive Covenant L093998E by way of removal of the words *‘of poultry for commercial purposes or’*. The variation would retain all other prohibitions on the title but allow for the potential of commercial levels of poultry on site.

4. **SITE AND SURROUNDS:**

Site and Surrounds

- 4.1 The subject site is commonly known as 885 Riddell Road, Sunbury. The site is situated on the west side of Riddell Road and is an irregular shaped allotment with a total site area of approximately 11ha.
- 4.2 The site contains a dwelling and associated outbuildings in the south-east corner of the lot with paddocked grazing land over the remainder of the site.
- 4.3 Access to the site is achieved off Riddell Road in the south-east corner of the land and is flanked by substantial tree planting and a dam. The remainder of the site remains clear of trees.
- 4.4 Surrounding land is a mix of rural/residential and agricultural allotments.

Restrictions on Title

- 4.5 Covenant L093998E dated 15 June 1984 encumbers the subject land. The restriction provides the following prohibition (relevant to the application) and states that the owners of the land *“... shall not at any time use or cause to be used or suffer or otherwise allow to be used the lot hereby transferred or any part thereof for the purposes of carrying on any noxious or offensive trade or keeping or maintenance thereon of poultry for commercial purposes or for pig husbandry or for dog kennels of any description...”*.
- 4.6 The restriction on title further prohibits the erection of a house having a floor area of less than 101.486 meters square, any building being constructed unless and until the design of the building has been approved by Redolent Park Pty. Ltd or in the absence of an approval within 14 days compliance with the restrictions contained on title and compliance with *the landscaping plan for the subdivision*.
- 4.7 No further restrictions encumber the title.

Planning History

- 4.8 Planning Permit P11232 was approved on the 26 September 2006 in relation to buildings and works associated with the development of a shed ancillary to the existing dwelling on the land.
- 4.9 Planning Permit P15044 was approved on the 15 March 2011 for the use and development of a rural store.
- 4.10 No previous planning permit approval impacts on the subject application.

5. **PLANNING CONTROLS:**

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

State Policies:	Clause 14.01:	Agriculture
	Clause 17:	Economic Development
Municipal Strategies:	Clause 21.06:	Economic Development
	Clause 21.02-4:	Non-Urban Land
Local Planning Policies:	Clause 22.02	Rural Land Character and Urban Design
Zoning Provisions:	Clause 35.04	Green Wedge Zone

REPORT NO: SU340 (cont.)

Overlay Provisions:	Nil	
Particular Provisions:	Clause 52.05:	Easements Restrictions and Reserves
General Provisions:	Clause 65:	Decision Guidelines

- 5.2 State and Local Planning Policies along with the municipal strategies listed in relation to agriculture and economic development are relevant to the application in so far as they consider economic activity on rural land holdings. Clause 52.05 is relevant to the application in relation to its consideration of dealing with restrictions impacting land.

Aboriginal Cultural Heritage

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

Major electricity Transmission Line

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

Planning Permit Trigger/s

- 5.5 The mechanism for a variation to a covenant is contained at Clause 52.02 – Easements, Restrictions and Reserves. The mechanics of this are covered in greater detail in the assessment section of this report.

6. REFERRALS:

- 6.1 An application for variation of a restriction does not trigger referral under any of the provisions of the Hume Planning Scheme.

7. ADVERTISING:

- 7.1 The application was advertised under Section 52 of the Act by way of letters to adjoining land owners, occupiers and beneficiaries of the covenant along with placement of a notice board of site and placement of a notice in the Sunbury Leader on two occasions corresponding with the 14 day advertising period for which the sign board was erected on site.
- 7.2 At the conclusion of the advertising period four objections were received, three of whom are beneficiaries of the covenant siting the following grounds:
- Loss of amenity
 - Animal welfare concerns
 - Increase in vermin
 - Negative environmental impacts
 - Loss of land value
 - Increase application to vary/remove covenant from other beneficiaries and cumulative impacts resulting.
 - Property devaluation

8. OBJECTIONS:

- 8.1 In addition to the decision guidelines of the Hume Planning Scheme, the responsible authority is required before deciding on an application, to consider the interests of affected people. Section 60(5) of the Act further requires the responsible authority to not grant a permit which allows the removal or variation of a restriction unless it is satisfied that the owner of any land benefited by the restriction will be unlikely to suffer any detriment of any kind (including any perceived detriment) as a consequence of the removal or variation of the restriction.
- 8.2 The grounds of objections are addressed below:

REPORT NO: SU340 (cont.)

8.3 Loss of amenity

Concerns in relation to environmental impacts have been raised. As the variation of the restriction seeks to permit a commercial level of poultry on the site there is the potential for perceived detrimental loss of amenity. Actual detriment is often able to be ameliorated through design of buildings to minimize noise and sound impacts on adjoining neighbours. Without an application or specific details in relation to how the poultry operation will operate, determination that perceived or actual detriment will not occur is unable to be established.

8.4 Increase in vermin and other animals

Concern has been raised that permitting commercial poultry on site will result in an increase for rats, snakes and foxes. While vermin and other animal animals have the potential to increase with a commercial poultry operation these incidences are able to be minimized through management regimes undertaken as part of any business, this is not something that has been detailed in the application and therefore an adequate determination is unable to prove otherwise.

8.5 Animal welfare

Concern has been raised in relation to animal welfare. If a commercial poultry operation was to occur on the site, its operations would be governed by local and state laws and expected standards of animal treatment and welfare without adequate consideration of these issues in application documentation, perceived detriment is not able to be countered as an objection point.

8.6 Allowing the covenant to be broken may result in others doing the same

While each and every covenant variation or removal is considered on its own merits, allowing the restriction to be removed on one property has the potential to compromise the original integrity of an unbroken restriction.

8.7 Additional traffic will interfere with the country lifestyle

Concern has been raised that allowing the restriction to be varied to permit a commercial poultry operation on the land has the potential to create additional traffic. While an operation may be anything from a small to large scale, it has the potential to create additional vehicle movements on to Riddell Road whether actual or perceived and is a difficult consideration to prove otherwise.

8.8 Property Devaluation

Property devaluation is not a valid planning ground.

9. ASSESSMENT:

Legislation

9.1 There are three main ways to remove or vary a covenant:

- Apply to the Supreme Court for an order under Section 84 of the Property Law Act 1958,
- Amend the planning scheme under Part 3 of the Planning and Environment Act 1987; or
- Apply for a planning permit under Part 4 of the Planning and Environment Act 1987.

9.2 The applicant has applied to remove the covenant by a planning permit under Part 4 of the Planning and Environment Act 1987 (Section 47 - Applications for Permits).

9.3 *If a planning scheme requires a permit to be obtained for a use or development of land or in any of the circumstances mentioned in section 6A(2) (proceeding under Sections 23, 24A or 36 of the Subdivision Act 1988) or for any combination of use, development and any of those circumstances, the application for the permit must —*

REPORT NO: SU340 (cont.)

- (a) *be made to the responsible authority in accordance with the regulations; and*
- (d) *if the land is burdened by a registered restrictive covenant, be accompanied by a copy of the covenant; and*
- (e) *if the application is for a permit to allow the removal or variation of a registered restrictive covenant or if anything authorised by the permit would result in a breach of a registered restrictive covenant, be accompanied by—*
 - (i) *information clearly identifying each allotment or lot benefited by the registered restrictive covenant; and*
 - (ii) *any other information that is required by the regulations.*

9.1 The application has been submitted with the required application documentation which identified 15 benefiting allotments.

Matters for the Responsible Authority to consider

9.2 Section 60(5) of the Act relates to those covenants created before 25 June 1991 and states:

60(5) *The responsible authority must not grant a permit which allows the removal or variation of a restriction referred to in subsection (4) unless it is satisfied that:*

- (a) *The owner of any land benefited by the restriction (other than an owner who, before or after making of the application for the permit but not more than three months before its making, has consented in writing to the grant of the permit) will be unlikely to suffer any detriment of any kind (including any perceived detriment) as a consequence of the removal or variation of the restriction; and*
- (b) *If that owner has objected to the grant of the permit, the objection is vexatious or not made in good faith.*

9.3 Therefore, if the restrictive covenant was created before 25 June 1991, as is the case, the Responsible Authority must not grant a permit to remove or vary it unless it is satisfied the owner of the benefiting land will be unlikely to suffer detriment of any kind, including perceived detriment and if a benefiting owner makes an objection to the granting of the permit, the objection is vexatious or not made in good faith.

9.4 In this case, four objections have been received, three from owners of benefiting allotments of the restriction following the advertising process as required by Section 52 (1) (1AA) of the *Planning and Environment Act 1987*. As objections are genuine and have raised valid grounds of actual and perceived detriment and no substantiated evidence for how detriment will be mitigated has been provided, Council is therefore obliged to refuse to grant a planning permit.

10. CONCLUSION

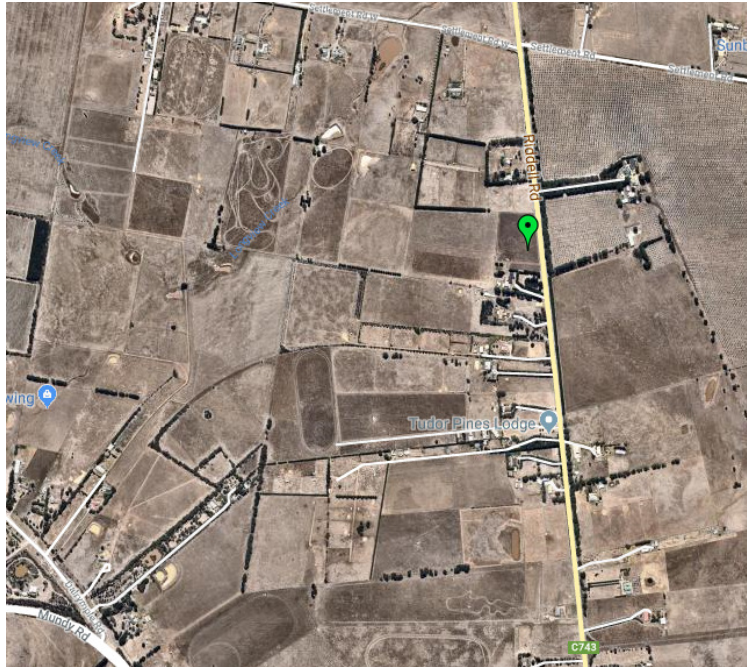
The application has been considered against Clause 52.02 of the Hume Planning Scheme and Section 60(5) of the *Planning and Environment Act 1987* and does not satisfy the provisions of these requirements in that actual or perceived detriment may result if the variation of restriction to no longer prohibit commercial levels of poultry on the subject land were to be removed from the title. Refusal of the application is therefore recommended.

LOCALITY PLAN

Permit Application: P20487

Site Address: 885 Riddell Road Sunbury

Subject Site



Subject Site



<p>PLAN OF VARIATION OF RESTRICTION</p>	<p>EDITION I</p>	
<p>Location of Land</p> <p>Postal Address: 885 Riddell Road (at time of subdivision) Sunbury Vic 3429</p> <p>Title Reference: Vol 9473 Fol 405</p> <p>Last Plan Reference: LPI37647 Lot II</p>	<p>Council Name: Hume City Council</p> <p>EXPLANATORY NOTE Warning: This plan is unregistered. This plan was prepared to be certified by Council and to be registered by the Registrar of Titles. As alterations may be required by Council and the Registrar of Titles prior to registration, Peyton Waite Pty. Ltd. accepts no responsibility whatsoever for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan for any other reason. This plan must not be reproduced except: a) From the original held by Peyton Waite Pty. Ltd. and b) Unless the reproduction includes this note.</p>	
<p>NOTATIONS</p>	<p>NOTATIONS</p>	
<p>Upon registration of this plan the following restriction is to be varied.</p> <p>This variation is regulated or authorised by Hume City Council Planning Permit no.</p> <p>Land over which the restriction is to be varied: C/T Vol 9473 Fol 405.</p> <p>Identity of restriction: The restrictive covenant contained in Certificate of Title Vol 9473 Fol 405.</p> <p>Description of Variation : Vary the restrictive covenant contained in lot II on LPI37647 by the removal of the words "poultry for commercial purposes or for"</p>		
<p>SURVEYORS NAME: MALCOLM JOHN PERRIAM SURVEYORS FILE REF: 10713/01 Version No: 1 1071301vl.lcd</p>		
<p>PEYTON WAITE <i>CONSULTING LAND SURVEYORS & TOWN PLANNERS</i> 353 PLENTY ROAD PRESTON 3072 PHONE 94784933 FAX 94706992 A.C.N. 004 963 884</p>	<p>ORIGINAL SHEET SIZE: A3</p>	<p>SHEET 1 OF 1</p>

REPORT NO:	SU341
REPORT TITLE:	26 Fidge Court Jacana - Development of three double storey dwellings
SOURCE:	Brydon King, Senior Town Planner
DIVISION:	Planning and Development
FILE NO:	P21371
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Plan</i> 2. <i>Plans 26 Fidge Street</i>

Application No:	P21371
Proposal:	Development of three double storey dwellings
Location:	26 Fidge Court Jacana
Zoning:	General Residential Zone Schedule 1
Applicant:	Planning & Design Pty Ltd
Date Received:	15 May 2018

1. SUMMARY OF REPORT:

Planning approval is sought for the construction of three double storey dwellings on land at 26 Fidge Court, Jacana. A previous application sought approval for two double storey dwellings to the rear of the existing dwelling (P20095) was refused pursuant to the Council resolution of 26 March 2018. No appeal to the Victorian Civil and Administrative Tribunal (VCAT) was lodged. The current application was advertised and nine objections were received. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme*, including consideration of the issues raised in the objections. On balance, the proposal is considered acceptable and it is recommended that a Notice of Decision to grant a permit be issued subject to conditions.

2. RECOMMENDATION:

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of three double storey dwellings at 26 Fidge Court, Jacana subject to the following conditions:

- 1. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
Transport for Victoria Conditions
- 2. Before the development starts, or other time agreed in writing with the Head, Transport for Victoria, amended plans to the satisfaction of the Head, Transport for Victoria 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 the dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:**

REPORT NO: SU341 (cont.)

- a) All details of the relocated bus stop (including associated infrastructure) to the proposed location nominated in the “Design Response” plan dated May 2018 and Revision DR (in accordance with STD_0062, STD_0063, STD_0064, STD_0065, STD_0066 or STD_0067 (where relevant))
 - b) Details of the connection of the relocated bus stop to the existing footpath
 - c) Details of the design compliant with Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.
3. Before the commencement of the access works along Bliburg Street the bus stop, including all associated infrastructure, must be relocated or replaced (if necessary) at a cost borne by the permit holder to the satisfaction of Public Transport Victoria and deemed compliant with the Disability Discrimination Act – Disability Standard for Accessible Public Transport 2002.
 4. Any alterations to the bus stop including temporary works or damage during construction must be rectified to the satisfaction of the Public Transport Victoria and at the cost of the permit holder.
 5. The permit holder must provide GPS co-ordinates and high-resolution photos (300dpi) capturing the arrival and departure side (where relevant) of the stop and include the pole, flag, timetable case and Braille ID case to the satisfaction of Public Transport Victoria.
 6. The permit holder must notify PTV a minimum of 8 weeks prior to any bus stop relocation /or temporary works approved under this permit. The permit holder must notify PTV by either calling 1800 800 007 or email customerservice@ptv.vic.gov.au.
 7. 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.
 8. All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.
 9. 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.
 10. 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
 11. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council’s guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
 12. Before the development is occupied, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
 13. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that it is well presented to neighbouring properties in a manner to the satisfaction of the responsible authority.

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14. Outdoor lighting must be provided to the entrances of all dwellings and designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on neighbouring land.
15. All mailboxes are to be located abutting the front property boundary and designed to relevant Australian Post Standards.
16. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
17. Stormwater from all paved area must be drained to underground stormwater system.
18. Any cut or fill must not interfere with the natural overland stormwater flow.
19. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
20. This permit will expire if one of the following circumstances applies:
 - d) the development is not commenced within three years of the date of this permit; or
 - e) 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 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.
- Approval is required from Council and other responsible authorities, for the sheds to be built over an easement
- 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.
- Following the Drainage Investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
- 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.

3. PROPOSAL:

3.1 The proposal seeks to develop the site with three double storey dwellings on the land. The details of the proposal as advertised relate to plans by Planning & Design Pty Ltd received by Council on 14 May 2018. Details of the proposal is as follows:

- Dwelling 1 is to be orientated to Fidge Court and Dwelling 2 and 3 are to be orientated to front Bliburg Street. The dwellings are attached at ground level with Dwelling 2 and 3 separated by garages fronting Bliburg Street. The upper level of Dwelling 1 and 2 are separated by a distance of 2.1 metres and the upper level of Dwelling 2 and 3 are separated by 1.8 metres.

REPORT NO: SU341 (cont.)

- Dwelling 1 has a proposed setback of nine metres to Fidge Court and a side setback of three metres to Bliburg Street. Dwelling 1 relies on a garage located on the eastern boundary with access from Fidge Court via a new crossover. The upper level of Dwelling 1 is set back two metres from the eastern boundary and 3.4 metres from Bliburg Street.
- Dwelling 2 and 3 have a proposed setback of three metres from Bliburg Street. The dwelling forms are separated by single car garage forms setback six metres from Bliburg Street with accessed via a new double crossover to Bliburg Street.
- Dwelling 2 is set back 3.2 metres from the eastern boundary. Dwelling 3 has a setback of 1.5 metres to the eastern boundary at the closet point and three metres from the northern boundary. The upper level of Dwelling 2 is set back 3.4 metres from the eastern and the upper level of Dwelling 3 is set back 2.1 metres from the eastern boundary and 3.1 metres from the northern boundary.
- The dwellings all have the main living areas at ground level and Dwelling 1 includes a bedroom at ground level. Each of the three dwellings contains three bedrooms at the upper level.
- Dwelling 1 has secluded private open space of 28 square metres on the western side, Dwelling 2 has secluded private open space of 38 square metres on the eastern side and Dwelling 3 has secluded private open space of 36 square metres on the northern side.
- The new dwellings are proposed to have a maximum height of 7.3 metres.
- The new dwellings are of a traditional design and constructed in brick with a lightweight cladding at the upper level and pitched tiled roofs.

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

Site Area:	599 square metres
Dwelling Density:	1:199 square metres
Site Coverage:	46% (60% max)
Permeability:	43% (20% min)

3.3 Pursuant to Clause 32.08-4 of the General Residential Zone a garden area of 30% is required. The proposal provides for 35% of the site as garden area.

4. SITE AND SURROUNDS:

- 4.1 The subject site is located on the north east corner of Fidge Court and Bliburg Street, Jacana. The site has a frontage of 12.1 metres to Fidge Court and 36.5 metres to Bliburg Street with an overall area of 599 square metres.
- 4.2 The site is currently occupied \ng approvals have seen some double storey elements being introduced into the neighbourhood by way of medium density dwelling developments (eg: Sunset Boulevard) as well as some recent single dwelling developments. Land to the north east of the site at 19 Emu Parade has an additional two storey dwelling to the rear of the existing dwelling.
- 4.5 Land to the east of the site contains an existing single storey brick dwelling set back nine metres from Fidge Court. Land to the north of the site contains the backyard of a property fronting Emu Parade to the north. Land on the south side of Fidge Court and the west side of Bliburg Street have similar forms of existing development.
- 4.6 There is an existing bus stop on Bliburg Street, located 29 metres north of Fidge Court, that is proposed to be relocated to provide access to the proposed dwellings. The bus stop is to be relocated to be 15 metres north of Fidge Court on Bliburg Street as shown on the Design Response plan and plan TP01.

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- 4.7 The site is close to local services such as schools and public open space. The local Jacana shopping centre is 150 metres to the north of the site and the Broadmeadows Shopping Centre and adjacent community facilities are within a two kilometres radius from the site.

Planning History

- 4.8 Planning application P20095 has previously been determined for the site. P20095 proposed the retention of the existing single storey dwelling on the site and construction of two double storey dwellings to the rear of the site fronting Bliburg Street. The application generated three objections and was reported to the Council meeting on 26 March 2018. Council resolved to refuse to grant a permit for the application and no appeal was lodged to VCAT.

5. PLANNING CONTROLS:

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

State Policies: Clause 11.01-1R1: Settlement – Metropolitan Melbourne

Clause 15.01-1S: Urban Design

Clause 15.01-2S: Building design

Clause 16.01-2S: Location of Residential Housing

Clause 16.01-3S: Housing Diversity

Municipal Strategies: Clause 21.02-1: Managing Growth and Increasing Choice

Clause 21.03-1: Liveable Communities

Clause 21.03-2: Housing

Zones: Clause 32.08: General Residential Zone

Overlays: Nil

Particular Provisions: Clause 52.06: Car Parking

Clause 55: Two or more dwellings on a lot

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

- 5.2 The State and Local Planning Policy Frameworks aim to provide housing diversity within urban settlements that are sustained by supporting infrastructure while ensuring development responds to the landscape and urban character of areas.
- 5.3 New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space. Planning for housing should include the provision of land for affordable housing that is close to jobs, transport and services.
- 5.4 Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through appropriately located uses and developments and quality urban design.
- 5.5 Local policies in the *Hume Planning Scheme* identify the single detached dwelling as the most common type of housing throughout the municipality. It forecasts this will remain for some years even though the size and type of households is gradually changing. One of the challenges for Council is to increase the range of housing types available to meet the changing accommodation and lifestyle needs of the community.

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5.6 In order to address this, the *Hume Planning Scheme* recognises the following relevant objectives:

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

Aboriginal Cultural Heritage

5.7 The land is not located within an area identified as having Aboriginal cultural heritage sensitivity and a Cultural Heritage Management Plan is not required.

Major Electricity Transmission Line

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

Planning Permit Triggers

5.9 A planning permit is required under the provisions of the General Residential Zone Schedule 1 for the development of more than one dwelling on a lot pursuant to Clause 32.08-6 of the *Hume Planning Scheme*.

6. REFERRALS:

6.1 The application was referred externally to Transport for Victoria in relation to the proposed relocation of the bus stop in Bliburg Street. Transport for Victoria provided a response confirming no objection to the relocation of the bus stop with appropriate conditions that have been included in the recommendation.

6.2 The application was referred to Council's Assets (Engineering and Traffic) Department.

6.3 The Assets Department advised that they have no objection to the application and that the traffic generation anticipated could be accommodated by the surrounding road network. Standard conditions related to vehicle access and drainage were suggested and these have been included as conditions or notes in the recommendation.

7. ADVERTISING:

7.1 The application was advertised under Section 52 of the *Planning and Environment Act 1987* (the Act) by way of letters to adjoining owners and occupiers and sign was placed on the site for a minimum of 14 days as prescribed under the Act.

7.2 A total of nine objections were received in response and the grounds of objection are summarised as follows:

- The development will exacerbate the demand for increased on-street car parking, and traffic
- Two storey scale out of character with the area
- Devaluation of properties
- Overlooking into adjoining property
- Overshadowing to adjacent property
- Impact on garden of adjoining property
- Overdevelopment of area with multi dwelling development occurring on a number of sites in immediate area

8. OBJECTIONS

8.1 The grounds of objections above concerns are addressed below:

8.2 The development will exacerbate the demand for increased on-street car parking and traffic.

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The three dwellings are all proposed to have at least three bedrooms each. Clause 52.06 of the *Hume Planning Scheme* outlines that a three bedroom dwelling is required to have two car parking spaces. Dwelling 1 is proposed to have a single garage and tandem parking space accessed from Fidge Court. Dwelling 2 and 3 are proposed to have single car garages and tandem spaces accessed from Bliburg Street. Based on the above parking provision for the dwellings is consistent with Clause 52.06.

Whilst the development will generate additional vehicle movements, the increase in traffic movements arising from a net increase of two dwellings is considered to be an acceptable increment in vehicle movements which can be absorbed by the local street network. Council's Assets Department (traffic) is satisfied that the street can reasonably manage the additional traffic.

The proposal will be required to relocate the bus stop in Bliburg Street further to the south closer to Fidge Court at the expense of the developer. This has been supported by Transport for Victoria.

8.3 Two storey scale out of character with the area.

The land is located in the General Residential Zone which allows a height of 11 metres. In this context two storey development is considered a reasonable expectation within the area. The additional two storey dwellings proposed have upper level footprints that are smaller than the ground level footprints and allow for separation between the upper level forms of between 1.8 and 2.1 metres, as well as separation from the side and rear boundaries. Other two storey forms exist in the broader area and in this regard it is considered the two storey element proposed is a reasonable outcome for the area.

8.4 Devaluation of properties

Concerns have been raised that the proposed development will impact property values in the area. VCAT have regularly confirmed that devaluation issues can be influenced by many factors and are not a relevant planning consideration.

8.5 Overlooking into adjoining property

The issue of overlooking has been raised in relation to the adjoining property to the east. An existing 1.8 metres high paling fence exists along the common boundary. One upper level habitable room window (Bedroom 2 in Dwelling 2) is orientated to the east and is to be treated with fixed obscure glazing to 1.7 metres above floor level. Similar treatments are also proposed for the upper level habitable room windows to the north in Dwelling 3.

Based on the above the proposal is considered consistent with Clause 55.04-6 of the *Hume Planning Scheme* related to overlooking.

8.6 Overshadowing to adjacent property

Shadow plans submitted with the application outline that no overshadowing will occur in conflict with the requirements of Clause 55.04-5 of the *Hume Planning Scheme*. The adjoining property to the east will not be impacted by shadow until later afternoon at the Equinox. At 3pm shadows to the open space of the dwelling to the east will be minimal beyond shadows from the existing boundary fencing and the majority of the rear open space will not be impacted by shadow.

8.7 Impact on garden of adjoining property

Concerns have been raised by the adjoining land to the east that the proposal may impact the garden on the property. The proposal relies on the garage wall for Dwelling 1 abutting the southern boundary adjacent the driveway to the south. No walls on the boundary are proposed to the rear open space of the land to the east. The majority the rear garden space will retain access to sunlight and only a small portion will be impacted from shadow at 3pm marginally beyond that already cast from the western boundary fence. As the result it is not considered the proposal will have any direct impact on the existing garden area of the property to the east.

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8.8 Overdevelopment and out of character with the area with multi dwelling development occurring on a number of sites in immediate area.

It is noted that a number of multi dwelling developments have been approved and constructed in the area in recent times including:

- Land to the north at 19 Emu Parade which has a two storey dwelling to the rear abutting the north east corner of the subject land (P14522).
- Land at 15 Bliburg Street is developed with four, two storey dwellings (P19044).
- Land to the south at 17 Fidge Court which was granted permission for two, double storey dwellings and one single storey dwelling on the lot (P20028).
- Land at 8 Fidge Court to the east of the site has a permit for four, double storey dwellings (P18711).

Double storey medium density development is not an uncommon occurrence in this neighbourhood and is part of the urban fabric of Melbourne's suburbs. Policy exists in the Planning Policy Framework and Local Planning Policy Framework to increase density of dwellings in established areas with good access to services and transport, to provide for housing diversity and choice. The location of the subject land and surrounding areas is in a positive location to provide for such density outcomes.

The VCAT have long held the belief that for a development to be 'respectful' of the neighbourhood character, it is not about replicating what already exists. Rather, the notion of 'respectful' development must embrace the need for change and diversity in the type of dwellings that are provided and an increase in the intensity of development (Iloray Pty Ltd v Darebin CC and Ors [2003] VCAT 692).

It is noted that VCAT have recently supported Council's refusal of the development of 9 double storey dwellings and 3 single storey dwellings at 6-10 Bliburg Street to the south of the subject site being *U Property Australia v Hume CC 2018*. In that decision the Tribunal noted that without more restrictive planning controls change will continue to occur in the area however how a particular development responded to the site context was important. The Tribunal made the following comments at paragraph 30 concerning the elements of the proposed development at 6- 10 Bliburg Street:

"I find that the double storey built form of the proposed dwellings will be unacceptably dominant within the streetscape. This is because—

There are no double storey dwellings within this section of Bliburg Street and the east-west section of Fidge Court at the intersection of which the land is located. The streetscape is distinctly low scale.

All six of the proposed dwellings that front Bliburg Street (dwellings 1, 2, 7, 8, 11 and 12) are double-storey.

The upper storeys of these dwellings are not recessive due to their minimal setbacks from the front walls at ground floor level and will be visually dominant. For example,

- *dwellings 1, 8, 12, are set back only 1-1.5m behind the front walls at ground level*
- *the balconies to dwellings 7 and 11 are not set back from the front line of the ground level porches and sit forward of the front walls of those dwellings.*

The visual dominance of dwellings 1 and 2 will be accentuated by those dwellings being set substantially further forward than the dwelling on the adjoining lot to the south-west, 4 Bliburg Street. The front wall of the upper storey of unit 1 will be approximately 6m forward of the front wall of the single storey dwelling at 4 Bliburg Street.

The effect of the double storey dwellings extending across the wide Bliburg Street frontage of the land, combined with the visual dominance of the individual dwellings, will result in the six double-storey dwellings being prominent and dominant within the streetscape."

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The Tribunal also made comments about the detailed design of the dwellings at 6-10 Bliburg and the level of open space provided on the site.

The Tribunal's findings in the above case are noted however it is considered the proposed dwellings on the subject land respond to the issues raised by the Tribunal as follows:

- Two storey development is located at 15 Bliburg Street and in Emu Parade behind the subject land and a permit exists for two storey development on land to the south of the site at 17 Fidge Court.
- Two storey dwellings have been supported for 6-8 Bliburg Street under P21262 as resolved at the August 2018 Council meeting.
- The two storey forms for the dwellings have a small footprint relative to the ground level and the upper levels are separated with distances ranging from 1.8 metres to 2.1 metres.
- The upper levels are also setback behind the side and front setbacks of the proposed dwellings.

The density and scale of proposed dwellings for the site are considered consistent with the strategic objectives identified in the *Hume Planning Scheme*. The dwellings proposed will provide a variation from the prevailing single dwelling density and will provide housing variety and choice in the area particularly with respect to increasing the availability of low maintenance housing options as well as increasing two bedroom dwelling stock to accommodate single person households and smaller family units. The location of the site in relation to existing services and facilities will also ensure a higher and more efficient level of service patronage within the immediate residential catchment. The proposed building form has responded to the surrounding context, including recent development and the VCAT decision on 6-10 Bliburg Street.

On the basis of the above the proposal is considered consistent with the overall policy intent for the area.

9. ASSESSMENT:

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

9.2 The proposal allows for 35% of the site as garden area which exceeds the 30% required under Clause 32.08-4.

Clause 52.06 – Car Parking

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

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

9.4 The three dwellings are all proposed to contain at least three bedrooms and are therefore required to provide two car spaces per dwelling.

9.5 Each dwelling will be provided with a single car garage and tandem space satisfying the provision of Clause 52.06.

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

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

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

- 9.7 Neighbourhood character objectives seek to ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character and that the development responds to the features of the site and the surrounding area.
- 9.8 The concept of two storey development is generally acceptable in principle. The proposed development appropriately manages its bulk by breaking up the extent of two storey form and providing generous upper level setbacks from side and rear boundaries. Overall it has appropriate regard for the expected broader pattern of residential development.
- 9.9 The dwellings have a traditional design with pitched roof forms, eaves, large windows, porches and utilise materials common to this locality (brick, render and roof tiles).
- 9.10 The proposed dwellings have been appropriately located in the context of an established urban environment. The site is connected to all relevant services and utilities within an area where infill residential development is considered appropriate. The design provides an appropriate response demonstrating consistency with relevant housing policy objectives. The development provides meaningful dwelling diversity to the area with points of difference in terms of dwelling size, number of bedrooms and affordability.
- 9.11 The proposed dwellings are appropriately set back, designed and laid out contributing positively to the enhancement of the local urban environment. The site will also have convenient access to the relevant services and utilities present in the area.

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

- 9.12 The proposed development will comply with the relevant front street setback requirements through a nine metre street setback to Fidge Court for Dwelling 1 and a three metre setback for Dwelling 2 and 3 to Bliburg Street, consistent with the requirement of Standard B6.
- 9.13 The proposed development has a maximum height of 7.3 metres to the roof pitch of the Dwelling 1. This is compliant within the height restrictions of Standard B7 which allows a maximum height of nine metres.
- 9.14 The development will result in a site coverage of 46% which is within the maximum 60% specified under Standard B8. Site permeability is noted as being 43% which exceeds the minimum 20% required under Standard B9.
- 9.15 The new dwellings proposed on the site have been designed in a manner that takes advantage of the northern orientation where practicable and private open space areas to have access to northern sunlight.
- 9.16 The layout of the development provides suitable safety and security to residents of the property. This has been achieved by ensuring that the entrances of the dwellings are not obscured or isolated and that they are clearly visible from the street frontages.
- 9.17 Submission of a detailed landscape plan to the satisfaction of the responsible authority will be included as a condition on any permit issued to ensure that the development provides appropriate landscaping and contributes to the landscape character of the surrounding area.
- 9.18 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14. The crossings proposed to Bliburg Street are less than 33% of the frontage as required under Standard B14.

Clause 55.04 – Amenity Impacts (Standards B17 to B24)

- 9.19 The setback from boundaries for the new dwellings will satisfy setbacks required under Standard B17.

REPORT NO: SU341 (cont.)

- 9.20 Dwelling 1 has a proposed garage wall located on the southern boundary. The length of wall along the southern boundary is seven metres and a height of 3.2 metres which is consistent with the requirements of B18.
- 9.21 Dwellings will be constructed within proximity of any existing dwelling on an abutting property and will be sufficiently set back to ensure appropriate daylight is received in accordance with Standard B19. Standard B20 is not applicable.
- 9.22 Shadowing is within acceptable limits and complies with Standard B21. No shadowing will occur to adjoining land to the north and minimal shadow impacts to land to the east will be in accordance with the standard.
- 9.23 All upper level habitable room windows to the north and east have been designed or screened to achieve the requirements of Standard B22 with highlight windows of a sill height of 1.7m to finished floor level or fixed obscure glazing proposed to a height of 1.7 metres.
- 9.24 No internal overlooking will occur between the proposed dwellings consistent with Standard B23.
- 9.25 There will be no unreasonable noise impacts generated from the proposed development. It is anticipated that the only additional noise generated by the proposed dwellings will be consistent with the residential use of the land.

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

- 9.26 The dwelling entries are potentially accessible or can be easily modified for people with limited mobility due to minimal steps at the entries. Internal modifications could also be easily accommodated in the future if the need arises, consistent with Standard B25.
- 9.27 Each dwelling is generally visible and easily identifiable from the street frontages. Each dwelling is provided with a sense of personal address and a transitional space around each of the entries, consistent with Standard B26.
- 9.28 All proposed habitable rooms are provided with windows that have the required dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.
- 9.29 The secluded private open space areas of the dwellings have good northern orientation to allow ample solar access into these spaces. Dwelling 1 has a secluded private space area of 28 square metres on the western side, Dwelling 2 has 38 square metres on the eastern side and Dwelling 3 has 36 square metres on the northern side. The spaces meet the minimum size and dimension requirements, and will be directly accessible from the living spaces, meeting the requirements of Standard B29. The southern boundary of the secluded open space for Dwelling 2 is setback with the wall to the north in accordance with Standard B29.
- 9.30 Each dwelling has been allocated a storage shed or storage in a garage that accords with Standard B30.

Clause 55.06 – Detailed Design (Standards B31 to B34)

- 9.31 The proposed design of the dwellings, including the proposed hipped roof profiles and the use of brick, weatherboard and render, as well as the contemporary fenestration, are all suitable in the context of the existing character of the area.
- 9.32 No front fencing is proposed and Standard B32 is therefore not relevant.
- 9.33 There are no areas of common property identified in relation to Standard B33.
- 9.34 The plans suitably demonstrate the location of bin storage, mailboxes and clotheslines.

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10. CONCLUSION

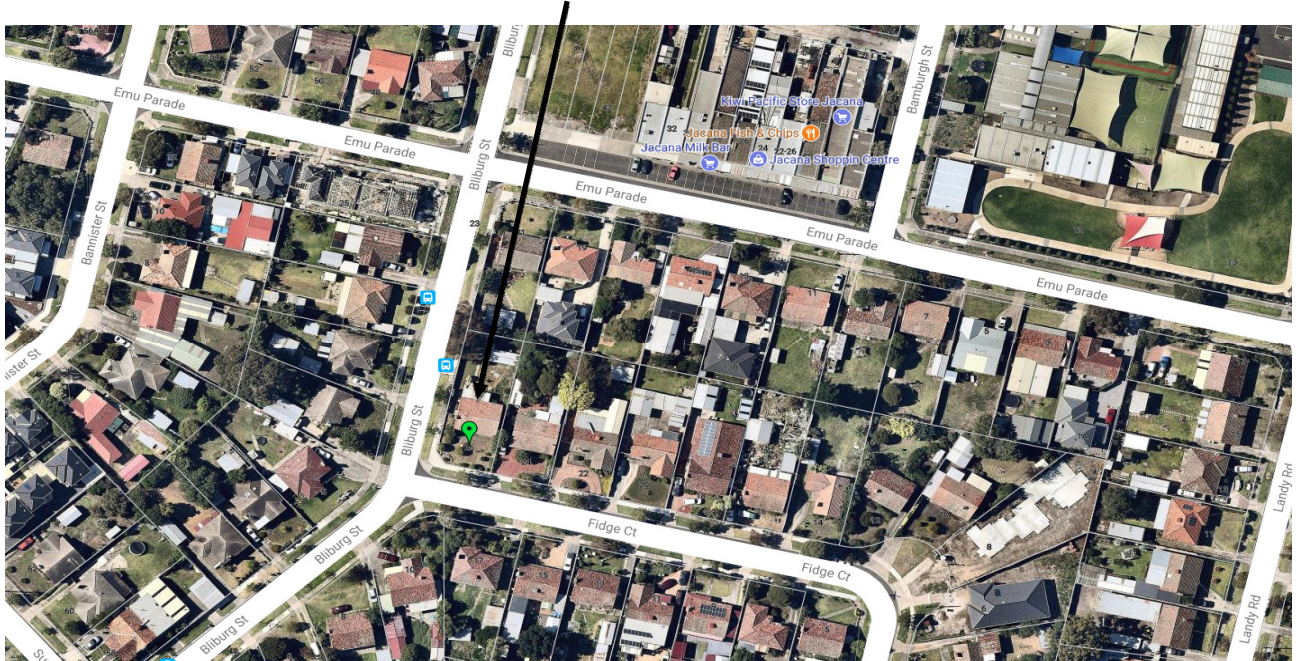
- 10.1 The proposed development is considered appropriate for the site and surrounding area and generally complies with the provisions of the *Hume Planning Scheme* and in particular the provisions of Clause 52.06 and Clause 55. The objections have been given due regard, and it is considered that the application will provide an increase in a diversity of housing choice within this area of Jacana while respecting the established amenity and neighbourhood character of the surrounds.
- 10.2 For these reasons, it is recommended that a Notice of Decision to Grant a Permit be issued.

LOCALITY PLAN

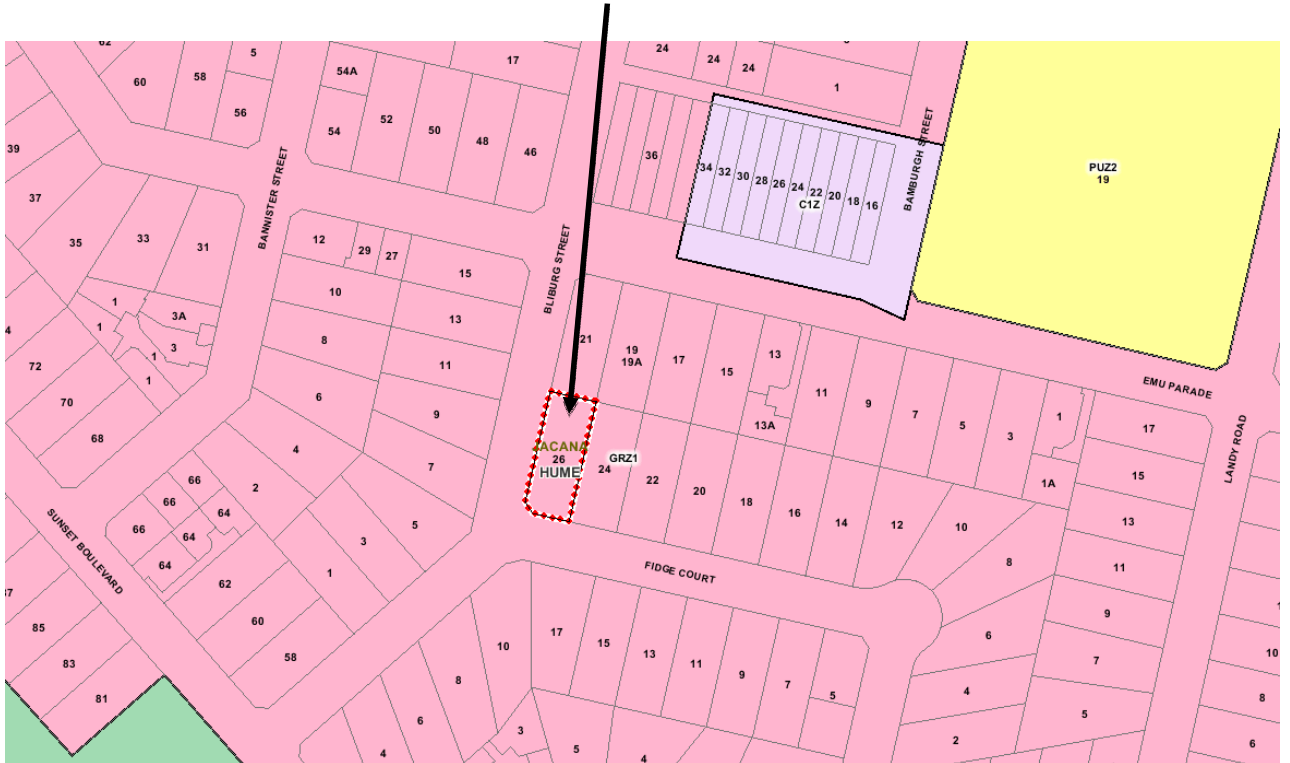
Permit Application: P21371

Site Address: 26 Fidge Court, Jacana

Subject Site



Subject Site



SITE PHOTOS

PROJECT ADDRESS: 26 FIDGE COURT, JACANA

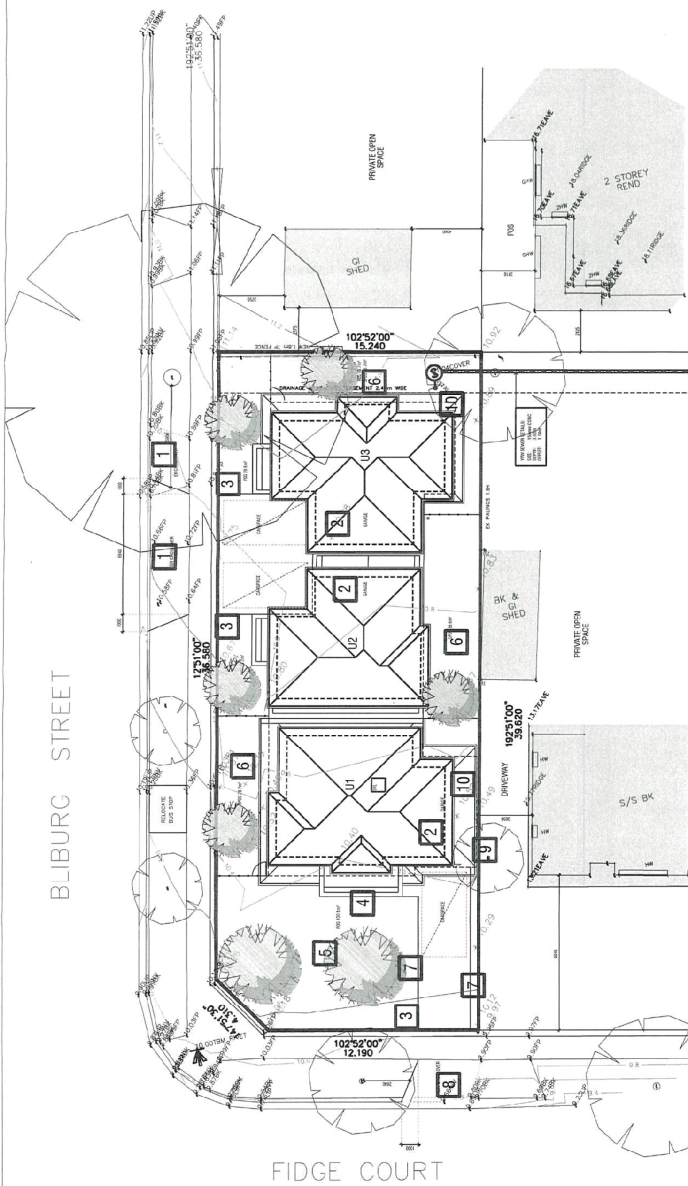


PLEASE REFER TO NEIGHBOURHOOD AND SITE DESCRIPTION PLAN FOR PHOTO VIEW REFERENCES V01-V12

ADDRESS: 31 ENFIELD AVE, PRESTON VIC 3072 PH:03 9018 1529 FAX: 03 9014 7197 EMAIL: mai@planninganddesign.com.au

DESIGN RESPONSE

- 1 EXISTING CROSSOVER ALONG BLIBURG STREET TO BE RELOCATED AND MODIFIED TO SERVICE UNIT 2 & 3.
- 2 PROPOSED VEHICLE STORAGE FOR ALL UNITS ARE LOCATED BEHIND THE LINE OF THE FRONT FOOTPRINT OF DWELLINGS AND ARE SEPARATED FROM PARKING STRUCTURES FROM THE STREET-SCOPE.
- 3 NEW MAILBOXES FOR ALL UNITS.
- 4 PROPOSED FRONT STREET SETBACK TO BE RELOCATED AND ADJUSTED TO BE SYMMETRIC TO THE ADJOINING NEIGHBOURS.
- 5 LARGER LAUNDRY AREA PROVIDES SPACE FOR LAUNDRYING.
- 6 OPEN SPACES TO UNITS ARE ORIENTED TOWARDS NORTH PROVIDING FUTURE RESIDENCES WITH EXCELLENT SOLAR ACCESS AND NORTH LIGHT. OPEN SPACE ON SITE FOR EACH DWELLING IS DISTRIBUTED TO THE REAR AND THROUGHOUT THE UNIT PROVIDING PRIVATE OPEN SPACE FOR THE REASONABLE RECREATION, SERVICE AND STORAGE NEEDS OF RESIDENTS. THE PRIVATE OPEN SPACES FOR ALL DWELLINGS ARE LOCATED OFF-ROADWAYS.
- 7 PARKING LOCATION TO PROVIDE SOFT LANDSCAPING BETWEEN THE ADJOINING PROPERTIES.
- 8 PROPOSED CROSSOVER ALONG FIDGE COURT TO PROVIDE VEHICLE ACCESS TO UNIT 1.
- 9 ANY PROPOSED WALLS TO BE BUILT TO THE BOUNDARY ARE LOCATED AWAY FROM EXISTING HABITABLE ROOM WINDOWS AND OPEN SPACES.
- 10 UPPER FLOOR LEVEL OF DWELLINGS SETBACK FROM SIDE BOUNDARIES TO REDUCE OVERSHADOWING AND VISUAL BULK TO ADJOINING PROPERTIES. UPPER LEVEL FOOTPRINT OF DWELLINGS IS SETBACK FROM BOUNDARIES TO REDUCE VISUAL BULK AND CREATE A GRADUAL TRANSITION BETWEEN THE SINGLE STOREY AND TWO-STOREY BUILDING FORM.



DATE	SCALE	DRAWN BY	PROJECT NO.
MAY 2018	1:250@A3	CJM	5484

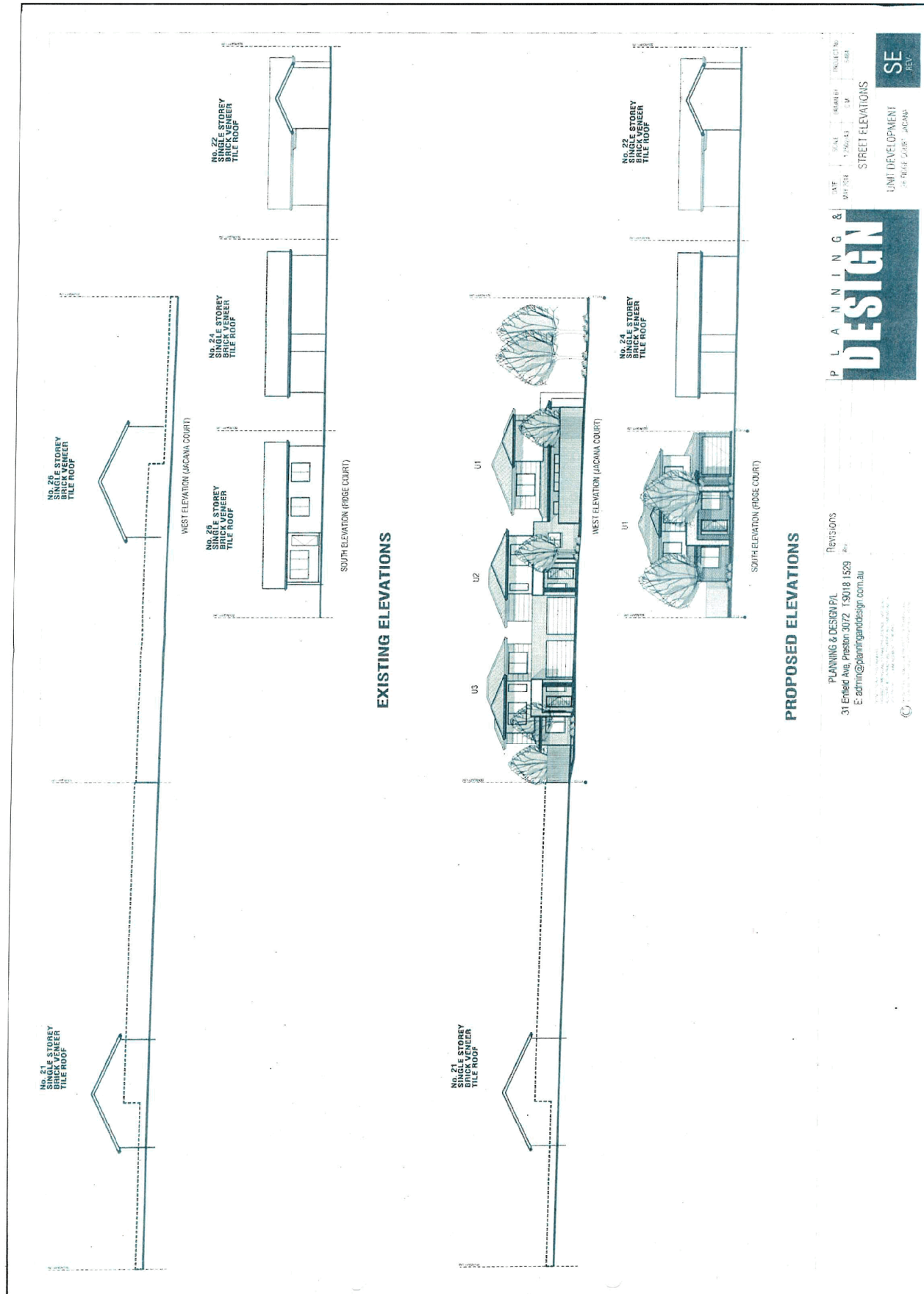
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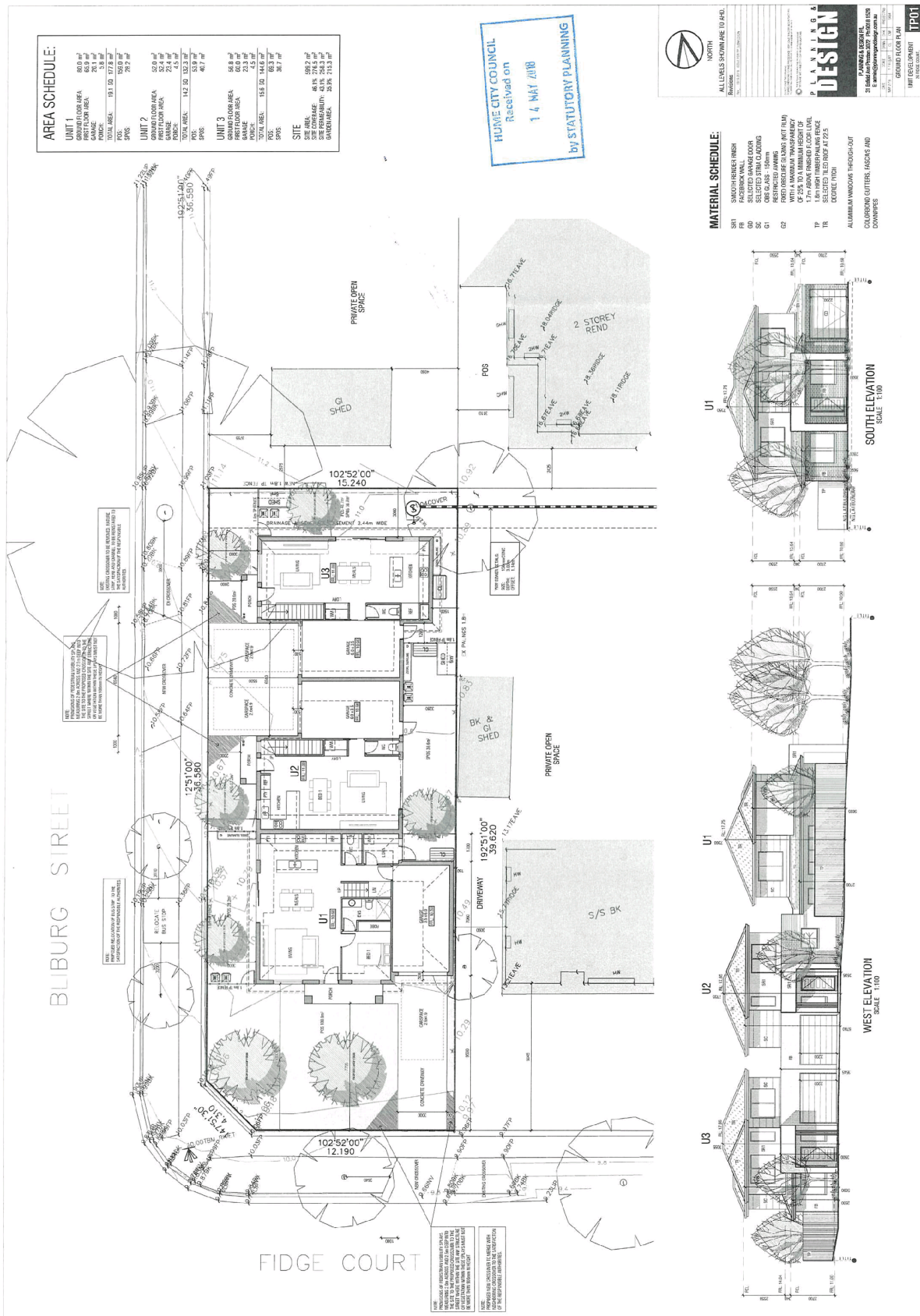
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REPORT NO:	SU342
REPORT TITLE:	3 Milton Place, Gladstone Park - The development of three double storey dwellings
SOURCE:	Najla Toma, Town Planner
DIVISION:	Planning and Development
FILE NO:	P21017
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Map</i> 2. <i>Development Plans</i>

Application No:	P21017
Proposal:	The development of three double storey dwellings
Location:	3 Milton Place, Gladstone Park
Zoning:	General Residential Zone – Schedule 1
Applicant:	Archsign Pty Ltd Michael Guizzo
Date Received:	8 December 2017

1. SUMMARY OF REPORT:

Planning approval is sought to develop three double storey dwellings at 3 Milton Place, Gladstone Park. The application was advertised and twenty objections received. Pursuant to Section 79 of the *Planning & Environment Act 1987* the applicant has lodged with the Victorian Civil and Administrative Tribunal (VCAT) an application for review of the responsible authority's failure to grant a permit within the prescribed time. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* including consideration of issues raised in the objections. On balance, the proposal is considered to be unacceptable and it is recommended Council not support the application.

2. RECOMMENDATION:

That Council, having considered the application on its merits and the objections received, resolves to advise VCAT that Council has formed the view to not support the application for the development of three double storey dwellings at 3 Milton Place, Gladstone Park for the following reasons:

1. The proposal does not comply with the following objectives and/or standards of Clause 55 of the *Hume Planning Scheme*:
 - a. Clause 55.02-1: Neighbourhood character objective and standard.
 - b. Clause 55.03-5: Energy efficiency objective and standard.
 - c. Clause 55.03-6: Open space objective and standard.
 - d. Clause 55.03-7: Safety objective and standard.
 - e. Clause 55.03-9: Access objective and standard.
 - f. Clause 55.05-2: Dwelling entry objective and standard.
 - g. Clause 55.05-5: Solar access to open space objective.
 - h. Clause 55.06-1: Design detail objective.
2. The proposal does not adequately satisfy the design standards 1 and 2 as outlined at Clause 52.06-9 of the *Hume Planning Scheme*.
3. The proposal constitutes an overdevelopment of the site.

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3. PROPOSAL:

The proposal seeks to demolish the existing single storey dwelling with the associated shed to the rear and develop three double storey dwellings on the subject land as follows:

- 3.1 Dwelling 1 would comprise an open plan living/dining/kitchen area, laundry and powder room at the ground floor level, with access from the living room to the secluded private open space which is 34 square metres in size. The upper floor level will contain three bedrooms (one with ensuite and walk in robe) and a bathroom. This dwelling will be provided with a single garage and a tandem car space to be located to its rear.
- 3.2 Dwelling 2 would comprise an open plan living/dining/kitchen area, a european style 'in cupboard' laundry and a powder room at the ground level, with access from the living room to the secluded private open space which is 30 square metres in size. The upper floor will contain two bedrooms (one with ensuite) and a bathroom. This dwelling will be provided with a single garage located to its south-west.
- 3.3 Dwelling 3 would comprise an open plan living/dining/kitchen area, a laundry and powder room at the ground level, with an access from the living room to the secluded private open space which is 43 square metres in size. The upper floor will contain three bedrooms (one with ensuite) and a bathroom. This dwelling will be provided with a double garage located to its south-east.
- 3.4 Parking facilities for each of the dwellings would be accessed via the existing shared crossover located south-east of the site frontage.
- 3.5 The proposed development has a maximum height of 7.8 metres. It generally adopts a modern take on a traditional architectural form, featuring hipped roofs with concrete roof tiles and eaves provided at the upper level.
- 3.6 The following table provides a summary of the proposed development:

Site Area	690 square metres
Site Coverage	40% (maximum 60%)
Permeability	42% (minimum 20%)
Garden Area	37% (minimum 35%)

- 3.7 The plans to be read in conjunction with this report were plans received by Council on 12 April 2018.

4. SITE AND SURROUNDS:

- 4.1 The subject site is located to the eastern side of Milton Place, Gladstone Park. The site has a frontage of approximately 14 metres to Milton Place, with an approximate depth of 33.5 metres and an angled rear boundary adjacent to the Jacana Reserve, totalling a site area of 690 square metres.
- 4.2 The site currently contains a single storey brick veneer dwelling with a hipped, tiled roof form and attached carport on its south-eastern side. The private open space is located to the north and east of the dwelling and contains a small shed. Access is provided via a crossing shared with the abutting residential property to the south-east. The site does not contain any significant vegetation.
- 4.3 There is a 2.44 metres wide drainage and sewerage easement running along the entire angled rear boundary.
- 4.4 The abutting property to the north-west of the site at No. 1 Milton Place contains a single storey brick dwelling with hipped roof. Vehicle access is provided via a single width crossover from Katrina Drive leading to a carport, and the private open space is located on the south-eastern side, abutting the common boundary.

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- 4.5 The abutting property to the south-east at No. 5 Milton Place contains a single storey brick dwelling with hipped roof. Vehicle access is provided via the shared crossover with the subject site, leading to a carport along the common boundary and the secluded private open space is located to the south-eastern side of dwelling.
- 4.6 The immediate area is characterised predominantly by single storey, brick veneer dwellings circa 1960s and 70s situated around a curvilinear road network. There are some examples of double storey form and recent medium density developments in the wider area. Immediately east of the site is the Jacana Reserve.
- 4.7 The surrounding area is residential with similar lot sizes with roof form being generally tiled hipped roofs with eaves. The subject site is located in proximity to a range of community services, facilities and infrastructure including public transport networks, education, retail and shopping facilities.

Restrictions on Title

- 4.8 A title search produced on 24 November 2017 reveals that the site is encumbered by restrictive covenant E353345. The covenant instrument relates to restricting the construction of fencing on the front property boundary or within twenty-five feet of same on the side boundaries, any fence more than three feet above ground level. The proposed development will be provided with 900mm 'three feet' high front fence. Therefore, the proposal is not considered in breach of the covenant requirements.

Planning History

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

5. PLANNING CONTROLS:

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

<i>Planning Policy Framework:</i>	Clause 11.01-1S: Settlement
	Clause 11.02: Managing Growth
	Clause 11.02-1S: Supply of urban land
	Clause 15.01-1S: Urban design
	Clause 15.01-2S: Building design
	Clause 16.01-1S: Integrated housing
	Clause 16.01-2S: Location of residential development
	Clause 16.01-3S: Housing diversity
	Clause 18: Transport
	Clause 19: Infrastructure
<i>Municipal Strategies:</i>	Clause 21: Hume Municipal Strategic Statement
	Clause 21.01-3: Vision and Strategic Framework Plan
	Clause 21.02: Urban Structure and Settlement
	Clause 21.02-1: Managing Growth and Increasing Housing Choice
	Clause 21.03: Liveable Neighbourhoods and Housing
	Clause 21.03-1: Liveable Communities
	Clause 21.03-2: Housing
	Clause 21.04: Built Environment & Heritage
	Clause 21.04-1: Urban Design
	Clause 21.04-2: Environmentally Sustainable Design and Development
<i>Local Policies:</i>	Not applicable
<i>Zones:</i>	Clause 32.08: General Residential Zone Schedule 1

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Overlays: Nil

Particular Clause 52.06: Car Parking

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

General Clause 65.01: Approval of an Application or Plan

Provisions: Clause 66: Referral and Notice Provisions

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

Aboriginal Cultural Heritage

- 5.7 The land is not located within an area identified as having Aboriginal cultural heritage sensitivity and therefore a Cultural Heritage Management Plan is not required.

Major Electricity Transmission Line

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

Planning Permit Trigger/s

- 5.9 Pursuant to Clause 32.08-6 of the *Hume Planning Scheme*, a planning permit is required under the provisions of the General Residential Zone Schedule 1 for the development of more than one dwelling on a lot.

6. REFERRALS:

- 6.1 The application was referred to Council's Assets (Civil Engineering and Traffic) Department.
- 6.2 Civil Engineering advised that they have no objection to the application subject to standard conditions and notations placed on permit should one issue.

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- 6.3 Traffic advised of some initial concerns with the proposal relating to the provision of a turning area to enable vehicles from the double garage of dwelling 3 to drive out in a forward motion, and the provision of a 4 metre radius for the internal accessway.
- 6.4 The development plans were amended in response to the above traffic concerns and were received by Council on 12 April 2018. The application was re-referred to Traffic for comment who did not object to the proposal. However, further discussions were undertaken with Council's Traffic engineer who raised additional concerns regarding the tandem car space for dwelling 1 and on-site vehicular movement. In particular, the engineer advised that the access way must have a minimum accessway width of 6.4 metres behind the dwelling 1 car space, to enable vehicles to manoeuvre and exit the site in a forward motion. The submitted plans showed a distance of approximately 4.2 metres between the car space and the landscaping beds. The plans therefore fail to respond appropriately to the design standards for car parking pursuant to Clause 52.06-9 of the *Hume Planning Scheme*, and this forms one of the recommended reasons for not supporting the application.

7. ADVERTISING:

- 7.1 The application was advertised under Section 52 of the Planning and Environment Act 1987 (the Act) by way of letters to adjoining owners and occupiers and one sign was placed on the site for a minimum of 14 days as prescribed under the Act. A total of twenty objections were received.
- 7.2 The grounds of objection are summarised as follows:
- Increased on-street parking demand and traffic
 - Overshadowing to adjoining property number 1 Milton Place
 - Inadequate parking provision
 - Increased traffic volumes on Milton Place
 - Visual bulk, inappropriate building height and mass
 - Insufficient private open space
 - Increased noise
 - The proposed development of three dwellings is considered to be excessive for the site and inappropriate to the neighbourhood character
 - Decreased value of the existing properties
 - Safety Concerns

8. OBJECTIONS

- 8.1 A response to the objections is provided below.
- 8.2 Increased on-street parking demand and traffic
In response to this objection, Council's traffic department did not raise any concerns in relation to the increase in on-street parking or traffic. However, it should be noted that considering the proposed development has not been provided with adequate on-site parking arrangement for dwelling 1, this may result in reliance for on-street parking. There is no evidence that the potential increase in traffic cannot be accommodated within the existing road network.
- 8.3 Overshadowing to adjoining property number 1 Milton Place
In response to this objection, the proposed development creates minimal overshadowing to the adjoining property at No. 1 Milton Place. The shadow diagrams submitted with the application identify some overshadowing at 9am. From midday, overshadowing moves to the south and no longer affects the adjoining property. Consequently, at least 75% of the adjoining private open space with minimum dimension of 3 metres would receive a minimum of 5 hours of sunlight between 9am and 3pm, in accordance with the relevant requirements of Clause 55 – Standard B21 (overshadowing open space) of the *Hume Planning Scheme*.

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8.4 Inadequate parking provision

This objection raises concerns whether on-site parking provision is adequate considering the proposal is provided with a tandem car space for dwelling 1 instead of an undercover space. It is noted that the proposed development complies with the number of car spaces required pursuant to clause 52.06-5 of the *Hume Planning Scheme*; and meets the necessary minimum dimensions for car spaces. However, as discussed, on-site vehicle maneuverability appears to be inappropriate from a traffic engineering perspective and is a valid concern.

8.5 Increased traffic volumes on Milton Place

As discussed in point 8.2, Council's traffic department did not raise any concerns regarding increased traffic volumes as a result of the development. It is considered that the existing road network can adequately accommodate these traffic increases.

8.6 Visual bulk, inappropriate building height and mass

This objection was raised by the owners/occupiers of all of the abutting properties of the subject site, and reflects a concern that the open rear garden character adjacent to Jacana Reserve would be compromised. The overall bulk and massing of the proposed dwellings combined with the blank sheer walls and limited articulation represents an unacceptable development outcome. The visual bulk issues of the development are discussed in great detail in points 8.7 to 8.11 (Standard B1 – Neighbourhood character) of the assessment section of this report.

8.7 Insufficient private open space

The objections states that the new dwellings have not been provided with sufficient secluded private open spaces. The submitted plans show in the development summary that each dwelling will be provided with over 25 square metres secluded private open space, and over 40 square metres of total private open space. There is no evidence that the areas provided are less than the minimum requirements of Clause 55 - Standard B28 (private open space) of the Scheme.

8.8 Increased noise

It is acknowledged that the proposed development has the potential to generate an increase in noise. However, this is part of residential living and it is only where noise becomes a nuisance that appropriate measures outside of the remit of planning are to be taken. It is noted that the location of external noise sources such as air-conditioning for dwellings 1 and 2 have not located appropriately within the development to reduce the spillage of external noise sources to the adjoining property. Nonetheless, this matter is not considered a reason to not support the proposal as it can be resolved via a standard condition on any permit.

8.9 The proposed development of three dwellings is considered to be excessive for the site and inappropriate to the neighbourhood character

This ground of objection is considered to have a valid merit and is discussed in great detail in the assessment section of this report, particularly in points 8.7 to 8.11.

8.10 Decreased value of the existing properties

This is outside the remit of the *Planning and Environment Act 1987* and therefore is not a matter for consideration as part of this assessment.

8.11 Safety concerns

This objection was raised in relation to children's safety on Milton Place being compromised by the increased traffic volumes. As discussed in previous points, there were no concerns raised by the Traffic department in relation to any increase in traffic volumes generated by the proposed development. The anticipated traffic volumes by the development were considered reasonable and would not have a significant impact on the amenity of Milton Place.

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9. ASSESSMENT:

- 9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 is provided below. In short, the proposal does not comply with some of the key relevant objectives and/or standards of the clauses of the *Scheme*, which will be discussed further in this report.

Clause 52.06 – Car Parking:

The proposal complies with Clause 52.06 provisions with the exception of Clause 52.06-9 of the *Scheme*.

- 9.2 Clause 52.06-5 requires car parking at the following rates:
- *One car space for each one or two bedroom dwelling.*
 - *Two car spaces for each three or more bedroom dwellings, with one space under cover.*
 - *One car space for visitors for developments of five or more dwellings.*
- 9.3 Each dwelling will be provided with the required number of car spaces and are dimensioned in accordance with the minimum requirements of Clause 52.06-9 of the *Scheme*.
- 9.4 Visibility splays have been annotated on the plans in accordance with the requirements Clause 52.06-9 of the *Hume Planning Scheme*.
- 9.5 As discussed previously in the referral section, Council's Traffic Engineer raised concerns in relation to not providing an accessway width which accords to the minimum accessways design standard requirements of Clause 52.06-9 of the *Scheme*. Pursuant to Clause 52.06-9 (design standard 2 – car parking spaces), a minimum accessway width of 6.4 metres is required for a 90 degree car space which measures 2.6 metres in width and 4.9 metres in length. The plans submitted show less than the minimum accessway width requirement. Therefore, the internal accessway vehicle movements of dwelling 1 car space are considered inappropriate.

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

- 9.6 A satisfactory neighbourhood and site description and design response plan have been provided for consideration. Assessment of the proposal against the requirements of Clause 55 of the *Scheme* is provided below. In summary, the proposal generally does not satisfy some of the objectives and/or standards of the Clause.

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

The proposal complies with the objectives and standards of Clause 55.02 with the exception of Standards B1 and B5.

Standard B1 – Neighbourhood Character

- 9.7 The key concern related to the proposal is whether it is considered respectful to the existing or preferred neighbourhood character. The surrounding area has a consistent detached single-storey character interspersed with the occasional two-storey dwellings and an emerging character of multiple dwellings on the lot evident within the wider area of Gladstone Park. Nonetheless, the streetscape is typically characterised with open style front gardens and mostly low or no front fencing. As such, the existing setting of the immediate neighbourhood can be described as a low to medium scale feel with low wall and roof heights, resulting in an open and spacious front and backyard character indicative of the surrounding area.
- 9.8 The principle of medium density residential development is generally supported from a local policy perspective, which seeks... *“to increase the diversity of housing in Hume”* (Clause 21.03 – Objective 4). Notwithstanding this, all new development is subject to the requirement that it must achieve an appropriate design solution from a neighbourhood character context. From a design perspective, Clause 21.04 seeks

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to.... “enable well designed medium and higher density residential development that protects the amenity of existing residents and sensitively responds to identified preferred neighbourhood character”. Importantly, the policy seeks to.... “encourage and support well designed infill residential development in areas characterised by single and double storey detached dwellings”.

- 9.9 Whilst double storey dwellings can be an acceptable design outcome in a low scale single-storey environment, the proposal represents a poor design which would likely result in an intrusive development that is not respectful of the existing character of the area. The proposed development is attached at the ground level and at the first floor levels of dwellings 2 and 3. The upper floor levels of dwellings have not been recessed appropriately from the ground floor footprint, particularly when viewed from the south-east elevation of dwelling 1 and north-west elevation of dwelling 2. The upper floors in this instance do little to alleviate the visual bulk of the built form which is exacerbated by the sheer walls that would be directly visible from the adjoining properties. Additionally, the backyard character of immediate neighbourhood is not one characterised by double storey built form set within close proximity to the respective side and rear boundaries.
- 9.10 In this case, the design does not provide an appropriate response which demonstrates consistency with the relevant housing policy objectives pertaining to character. The design and layout does not contribute positively to the enhancement of the local urban environment. The impact of the bulk of the development and lack of backyard character is at odds with the existing neighbourhood and would be of significant detriment to the adjoining properties and the existing or preferred neighbourhood character. It is therefore considered to be justified grounds to oppose the development.

Standard B2 – Residential Policy

- 9.11 The proposal includes an appropriate written response conveying an assessment of the relevant housing policy objectives.

Standard B3 – Dwelling Diversity

- 9.12 The development would comprise fewer than ten dwellings and therefore this standard does not apply.

Standard B4 – Infrastructure

- 9.13 The proposed dwellings are appropriately located in the context of an established urban environment and infrastructure, with the ability to be connected to all relevant services and utilities.

Standard B5 – Integration with the Street

- 9.14 Dwelling 1 would have a direct street interface through the provision of front entry porch, as well as living room windows providing passive surveillance of the street. However, this dwelling lacks a pedestrian link from the street and does not maintain the local accessibility, as per the standard requirement.

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

The proposal complies with the objectives and standards of Clause 55.03 with the exception of Standards B10, B11, B12 and B14.

Standard B6 – Street Setback

- 9.15 The proposed development will be setback 7.58 metres from the road frontage and meets the requirements of Standard B6.

Standard B7 – Building Height

- 9.16 The new dwellings will have a maximum building height of approximately 7.8 metres, below the maximum height threshold requirement of Standard B7.

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Standards B8 – Site Coverage and B9 – Site Permeability

- 9.17 The proposed site coverage and permeability satisfy Standards B8 and B9, with 40% and 42% respectively.

Standard B10 – Energy Efficiency

- 9.18 The development orientation and layouts have not been designed to maximise the use of solar energy. The southern orientation of dwelling 1 limits the amount of sunlight which can enter the dwelling except for the afternoon sunlight from the west. Similarly, the solar access to the eastern facing living area of dwelling 3 will be reduced in the afternoon. It is also noted that north-facing windows to dwelling 2 have not been maximised. Therefore, it is considered that the design response fails to meet the requirements of Standard B10.

Standard B11 – Open Space

- 9.19 This standard requires that developments should integrate with adjacent public open spaces. As discussed previously, the development abuts the Jacana reserve to the north and east; however, the design and layout of dwelling 2 and 3 represent a lost opportunity to integrate with the reserve. In particular, the first floors of dwelling 2 and 3 do not provide an outlook to the reserve. This is considered a poor design outcome given the opportunities presented by adjacent open space.

Standard B12 - Safety

- 9.20 This standard requires that the development layout provides for the safety and security for the residents and the property. The submitted plans show that the dwelling 2 entry is isolated from the accessway and lacks appropriate surveillance. This dwelling has not been designed to provide good visibility and surveillance of the car park and internal access way. This is another example of a compromised design outcome which limits passive surveillance of the common property area, reducing both the actual and perceived safety of residents living within the development. Therefore, the requirements of Standard B12 have not been met.

Standard B13 – Landscaping

- 9.21 There is an opportunity for planting within each of the private open space areas. Similarly, the front setback areas can accommodate appropriate landscaping opportunities including the addition of canopy trees.

Standard B14 – Access

- 9.22 This standard requires vehicle access to be generally safe, manageable, and convenient throughout the development. As discussed in previous points, the internal accessway has not been designed to ensure the convenient vehicle movement from dwelling 1 car space. This standard has not been satisfactorily met.

Standard B15 – Parking Location

- 9.23 There are no foreseeable amenity impacts as a result of vehicular noise in the development. This standard has been met.

Clause 55.04 – Amenity Impacts (Standards B17 to B24)

The proposal generally complies with the objectives and standards of Clause 55.04 of the Scheme.

Standard B17 - Side and Rear Setbacks

- 9.24 All walls have been setback in accordance with Standard B17.

Standard B18 – Walls on Boundaries

- 9.25 The proposed dwelling 3 garage walls on boundaries would not exceed the specified average requirements of Standard B18.

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Standard B19 – Daylight to Existing Windows

- 9.26 The proposal allows for the adequate separation of the proposed built form in relation to all existing windows on neighbouring properties, with the required lightcourts provided.

Standard B20 – North Facing Windows

- 9.27 There are no existing north facing habitable room windows affected by the proposal.

Standard B21 – Overshadowing

- 9.28 This standard ensures that developments do not significantly overshadow existing secluded private open space. The submitted shadow diagrams show minor overshadowing onto the private open space of the adjoining property No. 1 Milton Place during the morning. However, the remainder of the private open space will receive the required 5 hours of daylight over a minimum area of 40 square metres in accordance with the requirements of the standard. All other overshadowing meets the requirements of this standard.

Standard B22 – Overlooking

- 9.29 The 2 metres high side and rear boundary fencing notated on the design response plan as ‘palings’ would appropriately mitigate ground floor level overlooking opportunities. In relation to the elevated perspectives, all upper level windows appear to have suitable sill heights of 1.7m above floor level in accordance with the requirements of the Standard.

Standard B23 – Internal Views

- 9.30 All internal perspectives have been suitably managed to accord with the requirements of this standard.

Standard B24 – Noise

- 9.31 The proposal is unlikely to give rise to additional noise beyond what would normally be expected from residential properties. However, external noise sources i.e. air conditioning units have not been located appropriately to limit noise impacts to the adjacent dwelling at No. 1 Milton Place. If approval was recommended, this would form a standard condition on permit.

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

The proposal complies with the objectives and standards of Clause 55.05 with the exception of Standard B26 and B29.

Standard B25 – Accessibility

- 9.32 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be accommodated in the future should the need arise.

Standard B26 – Dwelling Entry

- 9.33 As discussed previously, the dwelling 1 entry is not accessed directly from the road frontage and only from the accessway. The close proximity of the entries to dwelling 2 and 3 would create an unnecessarily cramped area which would reduce the sense of personal address and the transitional space for these dwellings. Therefore, this Standard has not been satisfactorily met.

Standard B27 – Daylight to New Windows

- 9.34 All proposed habitable rooms are provided with windows that have the requisite dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.

Standard B28 – Private Open Space

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- 9.35 The areas of secluded and private open space appear to be provided with the minimum size and dimensions requirements of the standard.

Standard B29 – Solar Access to Open Space

- 9.36 The objective of this standard is to allow solar access into the secluded private open space of new dwellings. The submitted shadow diagrams received on 12 April 2018 did not show the shadow effects of boundary fencing and structures on abutting properties onto the new secluded private open spaces. A few attempts were made requesting the applicant to submit the accurate shadow diagrams which were submitted on 8 August 2018.
- 9.37 The amended shadow diagrams reveal the lack of appropriate solar access to the new secluded private open spaces of all dwellings. In particular, dwelling 1 secluded private open space appears to be completely overshadowed by the development during the morning (9am to 12pm) and will be overshadowed by the existing north-west boundary fence and the adjoining verandah from 3pm onwards.
- 9.38 As for the secluded private open spaces of dwelling 2 and 3, they will also be largely overshadowed by the existing boundary fence and the development (dwelling 2) during the morning, and will only be receiving sufficient solar access at midday. Meanwhile, the secluded private open space of dwelling 2 will be largely overshadowed by the boundary fence and the existing garage and shed to the north-west of the site from 3pm onwards.
- 9.39 It is evident from the above that the objective of Standard B29 has not been satisfactorily met. This inadequate design response undermines the functionality and amenity of the secluded private open spaces for the new dwellings.

Standard B30 – Storage

- 9.40 Storage has been provided in the form of an external shed to each of dwellings; however, it should be noted that the sheds dimensions provided on plans appear to be less than those required to provide a minimum size of 6 cubic metres.

Clause 55.06 – Detailed Design (Standards B31 to B34)

The proposal complies with the objectives and standards of Clause 55.06 with the exception of Standard B31.

Standard B31 - Design Detail

- 9.41 The proposed bulk of the development, combined with the sheer blank walls along the south-east and north-west elevations and the inappropriate entry arrangement for dwelling 2, suggest that the proposal fails to provide an adequate design detail that is suitable in the context of the existing and emerging character of the area.

Standard B32 – Front Fence

- 9.42 It is considered that the proposed 900 millimetres aluminium slat front fence is considered reasonable to the existing neighbourhood. The majority of immediate properties have a front fence and provided with different low front fencing materials.

Standard B33 – Common Property

- 9.43 The proposed layout is unlikely to give rise to any future management problems should the land be subdivided in the future.

Standard B34 – Site Services

- 9.44 The plans suitably demonstrate the location of bin storage and clotheslines as per Standard B34. However, the location of mailboxes has not been identified on any plans.

REPORT NO: SU342 (cont.)

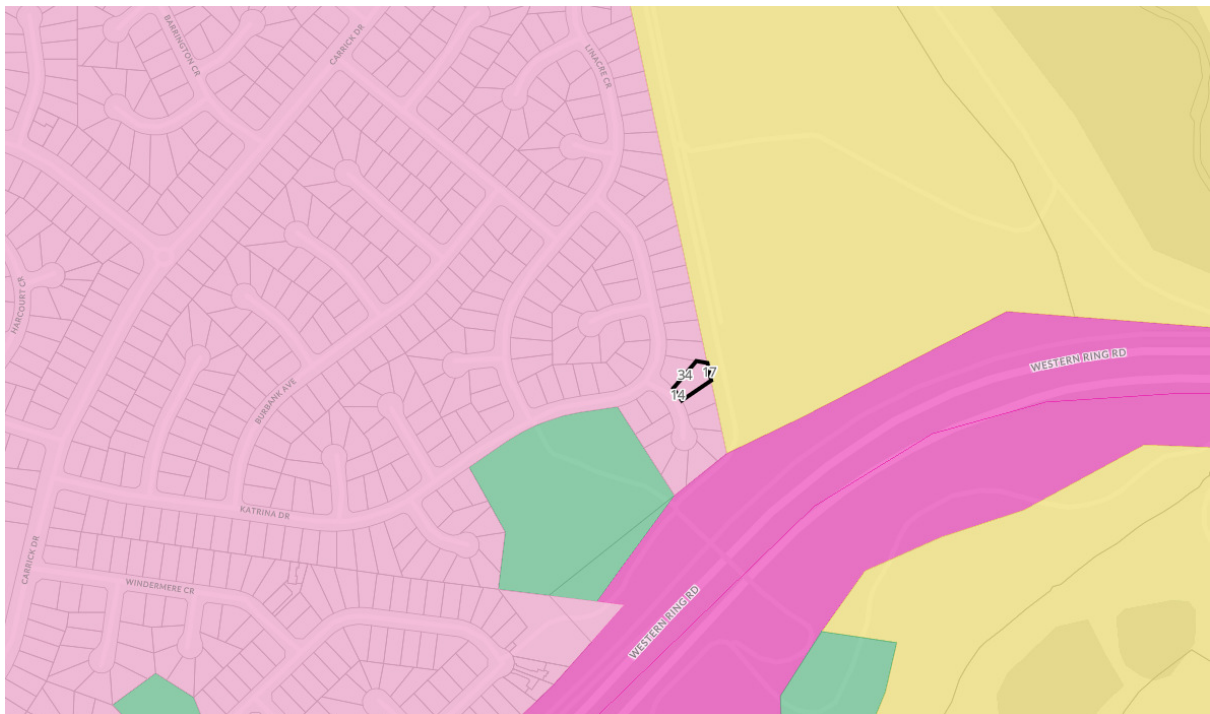
10. CONCLUSION

- 10.1 The application has been considered against the relevant policies and provisions of the *Hume Planning Scheme* and is considered to represent a poor design response to respond positively to the features of the site and surrounding context.
- 10.2 Whilst the proposal seeks to provide for additional residential accommodation, it does so at the expense of urban design principles and other basic and fundamental requirements of Clause 55. The proposal fails to consider and suitably address neighbourhood character attributes within Milton Place and the surrounding area. The design layout results in a lack of passive surveillance to the internal accessway and restricts vehicle movement within the site, and when combined with the lack of appropriate solar access to the secluded private open spaces; are evidence of an inadequate design response and an overdevelopment of the site. The result is a development which when viewed from adjoining and surrounding lots appears visually bulky and lacks articulation.
- 10.3 On balance, the development fails to satisfy the requirements of Clause 52.06 and Clause 55 of the *Hume Planning Scheme* and presents an overdevelopment of the site and therefore it is recommended not to support the application at VCAT.

LOCALITY PLAN

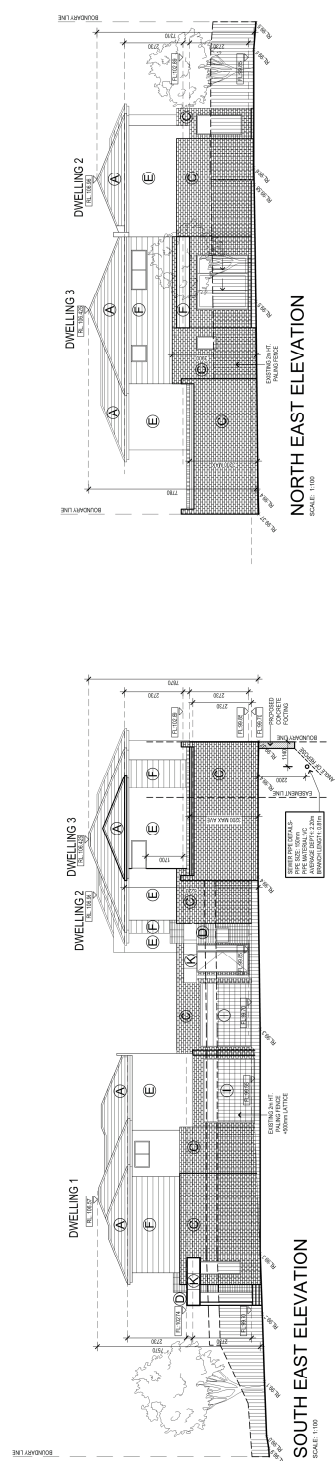
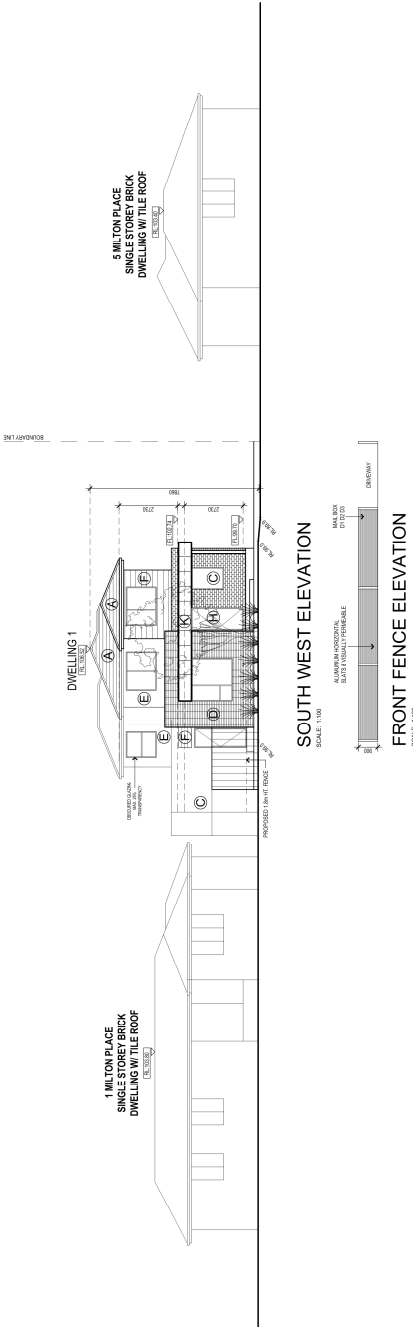
P21017

3 Milton Place, Gladstone Park



EXTERIOR COLOUR & FINISHES SCHEDULE

REF ITEM	COLOUR/FINISH	SUPPLIER
A	CONCRETE / EXTERIOR PAINT	ARTILE
B	FACE BRICKWORK	COORONG
C	FACE BRICKWORK	PO
D	FRONT DOOR FINISH	PO
E	FRONT DOOR FINISH	DAIK
F	FRONT DOOR FINISH	DAIK
G	FRONT DOOR FINISH	DAIK
H	FRONT DOOR FINISH	DAIK
I	FRONT DOOR FINISH	COORONG
J	FRONT DOOR FINISH	DAIK
K	FRONT DOOR FINISH	DAIK

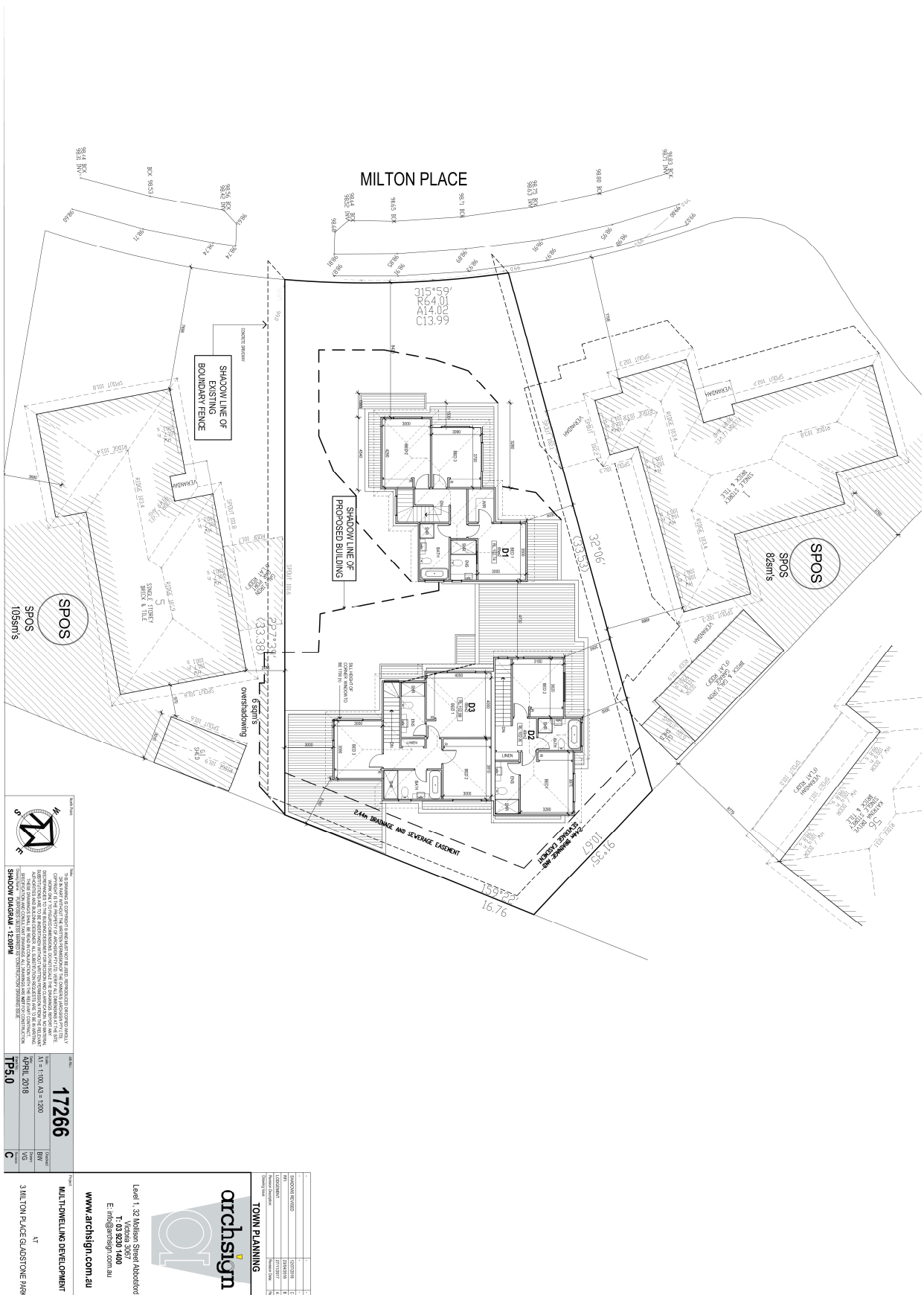


TOWN PLANNING
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MULTI-DWELLING DEVELOPMENT
17266
APRIL 2018
TP3.0

3 MILTON PLACE GLADSTONE PARK



17266
 APRIL 2018
 TP5.0
 C

MULTI-TOWN PLANNING DEVELOPMENT
 3 MILTON PLACE GLADSTONE PARK

Level 1, 32 Milson Street Adelaide
 Victoria 5007
 T: 03 8239 4400
 E: info@archsign.com.au
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TOWN PLANNING

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	17/04/2018
2	REVISED	17/04/2018
3	REVISED	17/04/2018
4	REVISED	17/04/2018
5	REVISED	17/04/2018
6	REVISED	17/04/2018
7	REVISED	17/04/2018
8	REVISED	17/04/2018
9	REVISED	17/04/2018
10	REVISED	17/04/2018

REPORT NO:	SU343
REPORT TITLE:	7 Oldbury Avenue Sunbury - Two Lot Subdivision
SOURCE:	Chris Bryce, Senior Town Planner
DIVISION:	Planning and Development
FILE NO:	P20411
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Plan</i> 2. <i>Subdivision Plan</i>

Application No:	P20411
Proposal:	Two Lot Subdivision
Location:	7 Oldbury Avenue, Sunbury
Zoning:	Comprehensive Development Zone
Applicant:	Alfred Schembri
Date Received:	14 March 2017

1. SUMMARY OF REPORT:

An application has been received for a two lot subdivision at 7 Oldbury Avenue, Sunbury. The application originally sought the removal of a single dwelling covenant from the title. Following public notice the application was undertaken and 38 objections were received. The application was amended pursuant to section 57A of the *Planning and Environment Act 1987* to remove reference to the covenant removal and now seeks approval for a two lot subdivision only. The proposal has been assessed against the relevant provisions of the Hume Planning Scheme as well as the planning considerations associated with Planning Scheme Amendment C217 and on balance the proposal fails to comply with the Hume Planning Scheme and proposed Planning Scheme Amendment C217. Accordingly it is recommended a Notice of Refusal be issued.

2. RECOMMENDATION:

That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for the two lot subdivision at 7 Oldbury Avenue Sunbury for the following reasons:

- 1. Planning Amendment C217 is a seriously entertained amendment which (as proposed) will prohibit the further subdivision of the land as proposed under this planning application.**
- 2. Approval of the two lot subdivision, without variation of the restriction on title, is not a good and orderly planning outcome and has the potential to sterilise future development on a newly created allotment.**
- 3. Approval of a two lot subdivision in a battle axe arrangement is not characteristic of the area's subdivision pattern within the Rolling Meadows estate and would be the only allotment of its type.**
- 4. The Rolling Meadows Estate has been serviced to a rural standard with swale drains and rural standard roads. The subdivision would set a precedent for further subdivision in the immediate area, placing strain on local infrastructure without a considered and strategic approach to service implementation.**

REPORT NO: SU343 (cont.)

3. PROPOSAL:

- 3.1 The proposal seeks the approval of a two lot subdivision. The original application sought the removal of a restriction from the title which (amongst other things) prevents a second dwelling on site. During the assessment of the application, following the public notice process, the applicant withdrew the removal of restriction from the planning application. The applicant now only seeks approval for the subdivision of the land.
- 3.2 The subdivision proposes the creation of a 'battle axe' arrangement for the new allotment that will be located at the rear of the existing allotment and accessed via a 6.24m wide entry running along the western boundary of the site. Each of the allotments is intended to be 4000sqm.
- 3.3 Lot 1 will be a rectangular shaped allotment with a depth of approximately 67 metres and a width of approximately 59.4m. This lot will contain the existing dwelling on the land.
- 3.4 Lot 2 is irregular in shape and is to contain an existing two metre easement along its rear boundary. Building envelopes have not been proposed for the new lot.

4. SITE AND SURROUNDS:

- 4.1 The site is located on the southern side of Olbdney Avenue. The land is situated approximately 228m west of Highgrove Drive and approximately 168m east of Rupertsdale Road.
- 4.2 The land is rectangular in shape with a width of approximately 67m and a depth of approximately 118m. The site is encumbered by a 2m wide drainage easement running along the southern (rear) boundary.
- 4.3 A single storey homestead style dwelling is situated within the northern portion of the land, approximately 20m from the front boundary.
- 4.4 The subject site is relatively flat with a gentle fall of one metre from the north-western to south-eastern corner of the land.
- 4.5 The area is serviced with reticulated water, however, reticulated sewerage is not available to the property.
- 4.6 The boundaries of the subject site are planted with windrow vegetation and ornamental landscaping in front and rear yards immediately adjacent to the dwelling. All vegetation on site appears to be planted.
- 4.7 The immediate area is characterised predominantly by single storey dwellings on low density, semi-rural land holdings. Some double storey dwellings are present within the wider neighbourhood.
- 4.8 Within the Rolling Meadows Estate the original subdivision pattern remains intact with no evidence of further subdivision having occurred. With the exception of a small number of dependent persons units (which do not require a planning permit under the Comprehensive Development Zone), the estate is predominantly characterised by single dwellings.

Restrictions on Title

- 4.9 Covenant AB33939S dated 23 January 2002 burdens the subject allotment by indicating that the '*... Transferees shall not construct any structure on the land unless:*
 - (1) *Such structure is no more than 10 metres in height measured from existing ground level to the roof ridge line at any one point; and*
 - (2) *Such structure to the extent that it is a dwelling has an enclosed floor area of no less than 240 square metres including all internal living areas and lock-up garages; and*

REPORT NO: SU343 (cont.)

- (3) *Such structures has a permitted site coverage not exceeding 30% of the area of the Lot.*

And further the Transferee shall not construct or build on the land more than one dwelling house (including for the purpose of this Special Condition any flats units or other dwellings) together with the usual outbuildings.

And this Covenant shall be noted and appear on the Certificate of Title to the land as an encumbrance.'

- 4.10 Section 173 Agreement (Reference: W317499E) dated 29 September 1999 encumbers the titles of a number of properties on Oldbury Avenue and Highgrove Drive. This restriction burdened two properties on Highgrove Drive with building envelopes. The subject site is not impacted by the relevant requirements relating to building envelopes.
- 4.11 The Agreement also incorporates the Rolling Meadows Local Structure Plan 1999 which stipulates lot yields and a number of servicing and subdivision design obligations for the developers of the land during the original subdivision process.

5. PLANNING CONTROLS:

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

State Policies:	Clause 11.01-1R1:	Settlement– Metropolitan Melbourne
	Clause 16.01-3S:	Housing Diversity
Municipal Strategies:	Clause 21.02-1:	Managing Growth and Increasing Choice
	Clause 21.03-1:	Liveable Communities
	Clause 21.03-2:	Housing
Zoning Provisions:	Clause 37.02:	Comprehensive Development Zone
Overlay Provisions:	Clause 43.04:	Development Plan Overlay
Particular Provisions:	Clause 52.05:	Easements Restrictions and Reserves
General Provisions:	Clause 65:	Decision Guidelines

- 5.2 The above planning controls are general policies, provisions and strategies considered in relation to the zoning of the subject land. Of key importance is Clause 52.05 pertaining to consideration around restrictions.

Aboriginal Cultural Heritage

- 5.3 The land is not located within an area of Aboriginal cultural heritage sensitivity as described in the Aboriginal Heritage Regulation 2007.

Major Electricity Transmission Line

- 5.4 No major electricity transmission line is located within 60 metres of the subject site.

Planning Permit Trigger/s

- 5.5 The permit trigger in this instance is Clause 37.02-3 of the Comprehensive Development Zone which stipulates that a permit is required to subdivide land.
- 5.6 An application was originally triggered under Clause 52.02 of the Planning Scheme which considers variation for easements, restrictions and reserves. The applicant has since lodged a declaration to amend application form under Section 57A of the *Planning and Environment Act 1987* (The Act) to delete reference to the removal of restriction component of the application. The ramifications and further consideration of this on the proposal will be dealt with further within this report.

REPORT NO: SU343 (cont.)

6. REFERRALS:

- 6.1 The application does not require referral to any statutory authorities under Section 55 of the Act as this is a two lot subdivision that, if approved, would incorporate standard service obligations under Clause 66 of the Planning Scheme.
- 6.2 Internally, Council's Strategic Planning Department was referred the application. Strategic Planning was not supportive of the application as it would conflict with Council's planning position regarding Rolling Meadows as part of Planning Scheme Amendment C217.

7. ADVERTISING:

- 7.1 A two lot subdivision, on its own, under the provision Schedule 1 to the Comprehensive Development Zone (CDZ) is exempt from advertising. Clause 3.1 of the schedule states that *'An application for subdivision which is generally consistent with the relevant local structure plan is exempt from the notice requirements of Section 52(1)(a) (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82 (1) of the Act'*.
- 7.2 The site is covered by a Development Plan Overlay that contains, at Clause 43.04-3 of the Planning Scheme, exemption from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.
- 7.3 As the originally submitted application was also for the removal of restriction, the application was advertised under Section 52 of the Act by way of notices mailed to adjoining land owners, occupiers and covenant beneficiaries, along with the display of a notice board on site and the placement of a notice in the Sunbury Leader. These notices corresponded with the advertising period as set out in the Act.
- 7.4 At the conclusion of the advertising period 38 objections were received, all of whom are beneficiaries of the covenant. With the withdrawal of the restrictive covenant removal, the application would now be technically exempt from third party notice and review as stipulated under Schedule 1 of the CDZ.
- 7.5 A number of the objections raised issues relating to the subdivision as well as the covenant removal. For completeness and for Council's consideration, the issues raised in the objections are provided below:
 - Residents moved into the area for the uniqueness provided by the covenant and the inability to increase the number of properties in the area.
 - Removal of covenant would impact on the form and feel of the estate and has the potential to change the neighborhood character as per clause 56.3-5 of the Scheme.
 - The applicant would have been aware of the covenant and on purchase would have signed documents in agreeance.
 - Subdivision may result in further development not in keeping with the estate in its current form.
 - The estate is currently in the process of removing the CDZ under Planning Scheme Amendment C217. The current application would not meet the new criteria and acceptance of the application will set a precedent for other potential applications within the estate after decisions on zoning changes are made.
 - Other estates within Sunbury provide for a diversity of housing estates to meet community needs.
 - Allowing the proposal will result in decreases to property values.
 - The infrastructure of the area will be unable to cope with further development.
 - The covenant allows for one dwelling per block, retaining a lifestyle and feel to the character that was the reason for moving into the estate.

REPORT NO: SU343 (cont.)

- The estate is serviced by open drains, there are already flooding problems and further development will add to this.
- Traffic volumes will increase in the area.
- The Rolling Meadows concept was for larger blocks, with single dwellings.
- Immediately abutting lots are 6000sqm and above, therefore creating smaller lots is inappropriate.
- All surrounding lots on PS432115X have a frontage of 46m or above. This application seeks a battle axe allotment with a frontage of 8m, which is not in keeping with surrounding lots.
- The proposal is detrimental to the open feel of the neighborhood.
- The allotments of this size do not have reticulated sewerage and with additional septic systems, the amount of black water on existing lots would prove detrimental to adjoining owners with greater possibility of this entering the drainage system.
- Lots within Rolling Meadows have minimum setback. The application fails to show these and allows the potential to build on a boundary.
- The covenant removal should not remove dwelling design requirements.
- There are significant changes to the surrounding environment and further change to this estate should not occur.
- Large costs have been incurred to comply with the restriction in the first place and it was believed that these restrictions could not be changed.
- The clay soils of the area struggle with current drainage issues and will be further impacted with additional lots.
- The proposal fails to meet the criteria of Section 60(2) of the *Planning and Environment Act 1987*.
- A one-off two lot subdivision does nothing to contribute to the amenity of the estate.
- Any removal of covenant should be undertaken through a Planning Scheme Amendment where strategic justification for increasing densities and costings associated with development to fund infrastructure upgrades.
- The subdivision would not just potentially allow single dwellings but multiple dwellings to be built.

7.6 With the recent amendment to the planning application, third party notice and review rights have been removed. However, a number of the grounds of objection have been considered in the assessment of the application in context with the application's compliance with the Hume Planning Scheme and the proposed Planning Scheme Amendment C217.

8. ASSESSMENT:

8.1 A detailed assessment of the application has been undertaken against the relevant provisions of the Planning Scheme and the seriously entertained Planning Scheme Amendment proposed on the land. Consideration of the key issues impacting on the application is provided below.

Amendment C217

8.2 Council at its meeting of the 12 June 2018 agreed to adopt C217 and to submit the adopted Planning Scheme amendment to the Minister for Planning for approval in accordance with Section 31(1) of the Planning and Environment Act 1987.

REPORT NO: SU343 (cont.)

- 8.3 The Planning Scheme amendment upon approval by the Minister for Planning will result in the rezoning of the land to Low Density Residential Zoning. The proposed Zone will create a new schedule with a minimum subdivision area of 0.6Ha. The outcome of this amendment will result in no further change to the number of allotments or additional dwellings within the estate. Once in place, applications such as this would be prohibited.

Good and Orderly Planning

- 8.4 Approval of a two lot subdivision, while not technically breaching the restriction on title, would have the potential to sterilise future development on a newly created allotment. Allowing the subdivision of land within a proposed Low Density Residential Zone where the additional lot would not be able to be used or developed for a dwelling because of the title restriction, is not considered a positive planning outcome.
- 8.5 Approving a subdivision would create uncertainty for future purchasers of the additional allotment. This has the potential to create future allotment with very limited development potential. An approved subdivision would create an unfair expectation for these purchasers that the construction of a dwelling on the land could be possible even when referencing the single dwelling covenant affecting the land. The lay person could wrongly interpret the covenant as meaning that a single dwelling could be constructed on the newly title lot when, in fact, the restriction would prevent it based on its applicability to both the 'parent' and 'child' title.
- 8.6 A further consideration in the orderly planning of the area is that the Rolling Meadows Estate has been serviced to a rural standard with swale drains and rural standard roads. Approving the subdivision would establish a negative precedent within the wider area, placing undue strain on service capacity within the area without a considered and strategic approach to service implementation.
- 8.7 In scenarios where semi-rural areas are to be transitioned to more conventional residential densities, Precinct Structure Plans or the like, are required to implement comprehensive infrastructure strategies that aim to deliver service provision in a holistic and sequential manner to meet future community needs. A drainage strategy has not been considered for Rolling Meadows as part of the Planning Scheme Amendment for the reason that the amendment will be policy neutral and will retain current subdivision sizes and development potential for the estate.

Subdivision Pattern

- 8.8 Approval of a two lot subdivision in a battle axe arrangement is not characteristic of the area's subdivision pattern within the Rolling Meadows estate and would be the only allotment of this type. A review of the subdivision from an aerial mapping perspective, indicates that the original subdivision pattern has remained intact since its inception in 1999. This provides further evidence that restriction has been consistently adhered to and recognised by property owners within the Rolling Meadows Estate.

9. CONCLUSION

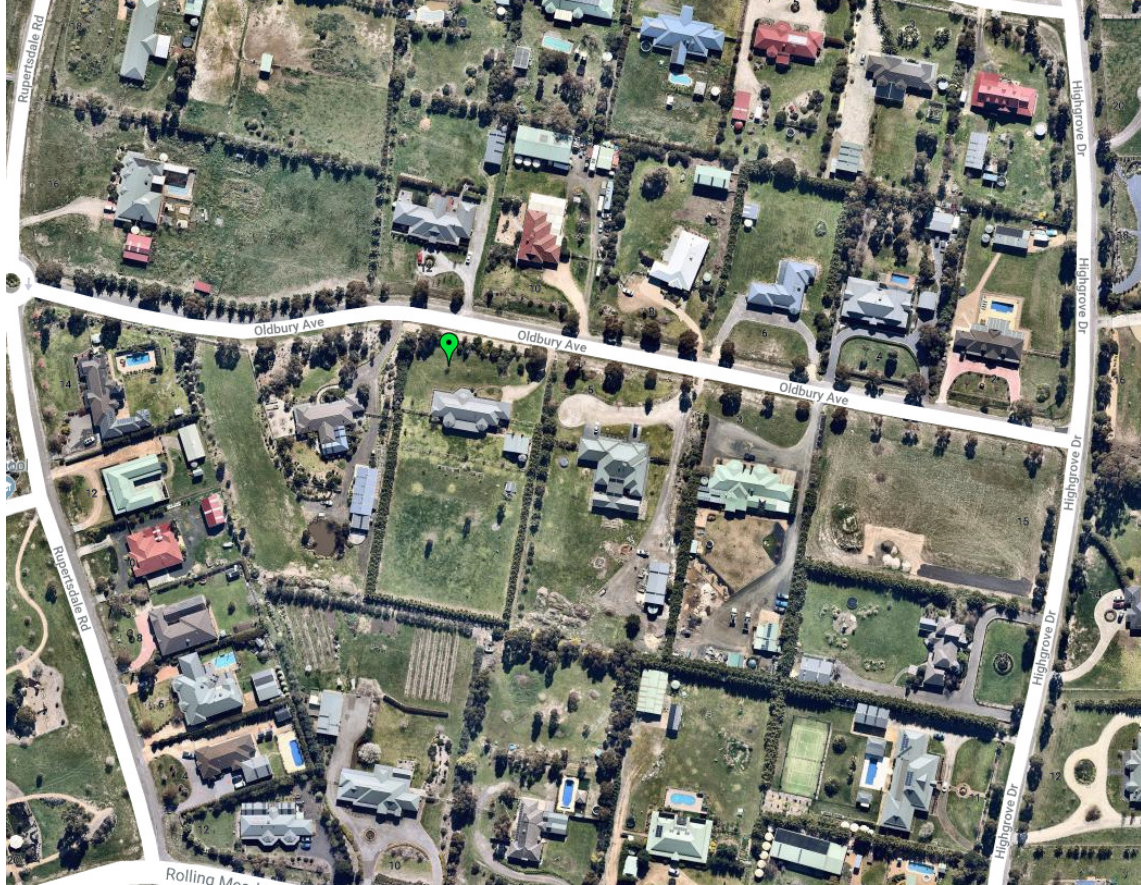
- 9.1 The proposal to subdivide land into two lots is considered inappropriate in light of the seriously entertained Planning Scheme Amendment C217 and the uncertainty around the ability to construct a dwelling on any newly created allotment due to the restriction on title. Refusal is therefore recommended.
- 9.2 As a result of the amendment to the planning application, it is recommended that all objectors to the original application be advised of Council's determination of the application.

LOCALITY PLAN

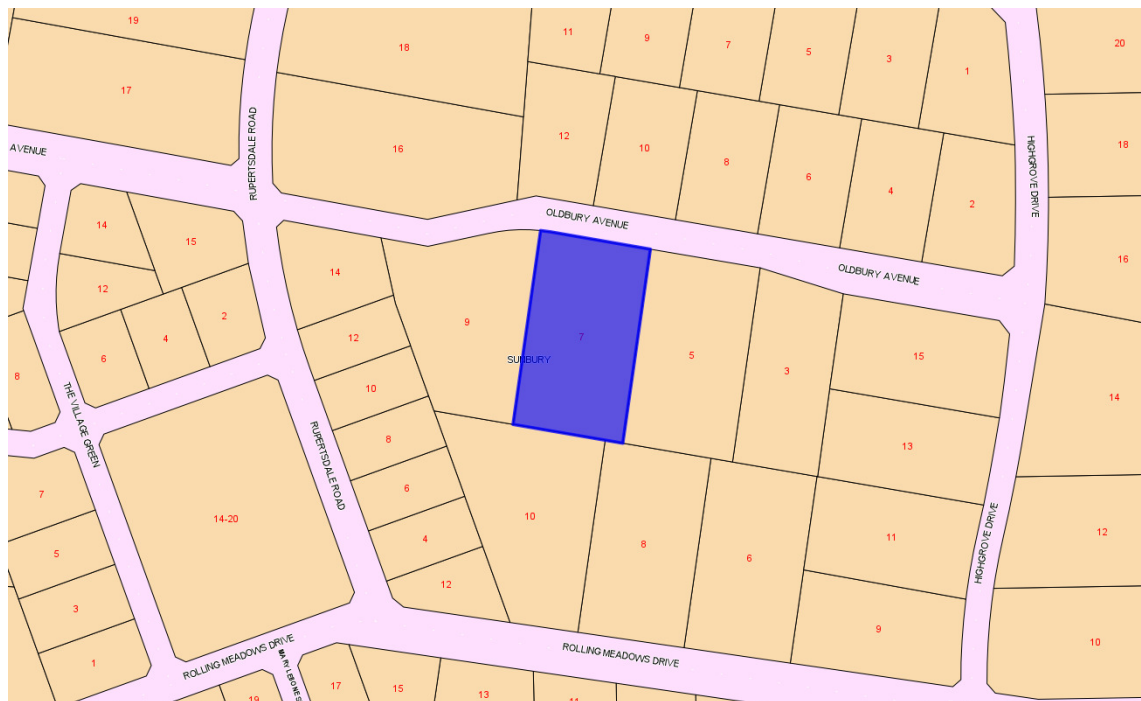
Permit Application: P20411


Site Address: 7 Oldbury Avenue, Sunbury

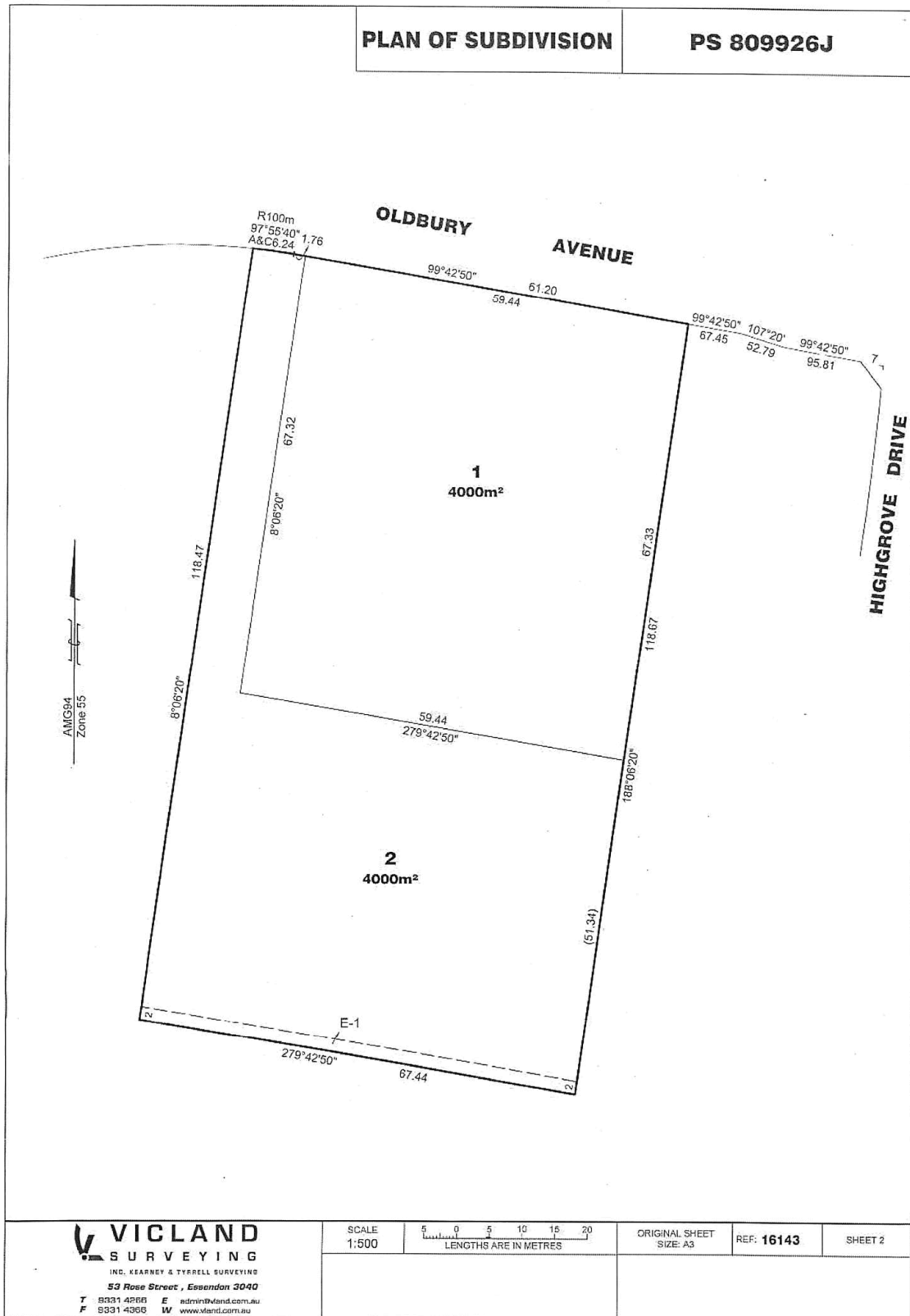
Subject Site



Subject Site



PLAN OF SUBDIVISION		EDITION 1	PS 809926J	
<p>LOCATION OF LAND</p> <p>COUNTY OF BOURKE PARISH: BULLA BULLA SECTION: 21 CROWN ALLOTMENT: 2 (PART)</p> <p>TITLE REFERENCE: VOL.10603 FOL.099</p> <p>LAST PLAN REFERENCE: LOT 113 ON PS432115X</p> <p>POSTAL ADDRESS: 7 OLDBURY AVENUE (at time of subdivision) SUNBURY, 3429</p> <p>MGA CO-ORDINATES: (of approx centre of land in plan) E: 301 806 ZONE: 55 N: 5 839 603 GDA 94</p>		COUNCIL NAME: HUME CITY COUNCIL		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON			
NOTATIONS				
<p>DEPTH LIMITATION: Does not apply</p> <p>SURVEY: This plan is based on survey.</p> <p>STAGING: This is not a staged subdivision. Planning Permit No.</p> <p>This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No.</p>				
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
SECTION 12(2) APPLIES TO ALL THE LAND IN THIS PLAN.				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of
E-1	DRAINAGE	2	PS432115X	HUME CITY COUNCIL
 <p>VICLAND SURVEYING INC. KEARNEY & TYRELL SURVEYING 53 Rose Street, Essendon 3040 T 8331 4288 E admin@vland.com.au F 8331 4368 W www.vland.com.au</p>		SURVEYORS FILE REF: 16143 VERSION 1		ORIGINAL SHEET SIZE: A3
				SHEET 1 OF 2 SHEETS



REPORT NO:	SU344
REPORT TITLE:	16 Rupertsdale Road Sunbury - Two lot subdivision and variation of restriction on title
SOURCE:	Chris Bryce, Senior Town Planner
DIVISION:	Planning and Development
FILE NO:	P20583
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Layout Plan</i> 2. <i>Proposed Subdivision</i>

Application No:	P20583
Proposal:	Two lot subdivision and variation of restriction on title
Location:	16 Rupertsdale Road, Sunbury
Zoning:	Comprehensive Development Zone
Applicant:	Urban Design and Management Pty Ltd
Date Received:	16 June 2017

1. SUMMARY OF REPORT:

An application has been received for a two lot subdivision and variation of a restriction on title. The application will facilitate the construction of a second dwelling on site within a designated building envelope. The proposal has been assessed against the relevant provisions of the Hume Planning Scheme as well as the planning considerations associated with Planning Scheme Amendment C217 and on balance the proposal fails to comply with the Hume Planning Scheme and proposed Planning Scheme Amendment C217. Accordingly it is recommended a Notice of Refusal be issued.

2. RECOMMENDATION:

That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for the two lot subdivision and variation of restriction on title at 16 Rupertsdale Road Sunbury for the following reasons:

- 1. Amendment C217 to the Hume Planning Scheme is a seriously entertained amendment which (as proposed) will prohibit the subdivision of land as proposed under this planning application.**
- 2. Approval of the subdivision and variation of restriction are not good and orderly planning outcomes and have the potential to sterilise future development on a newly created allotment.**
- 3. The inability to undertake public notice of the variation of restriction has not allowed matters of detriment to be assessed in accordance with the requirements of Section 52 of the Planning and Environment Act 1987.**
- 4. The estate has been serviced to a rural standard with swale drains and rural standard roads. The subdivision would set precedence for further subdivision in the immediate area, placing strain on local infrastructure without a considered and strategic approach to service implementation.**

REPORT NO: SU344 (cont.)

3. PROPOSAL:

- 3.1 The proposal seeks the approval of a two lot subdivision and variation of restriction.
- 3.2 The subdivision proposes the creation of a new allotment fronting Oldbury Avenue, containing an area of 4,010sqm and a building envelope set back 20m from the front boundary and 10m from side and rear boundaries. The intended building envelope will contain an area of 1,395sqm. A designated effluent envelope has not been proposed for the existing dwelling.
- 3.3 The existing dwelling will be contained within an allotment measuring 6,200sqm. Access to this allotment will be retained off Rupertsdale Road.

4. SITE AND SURROUNDS:

- 4.1 The site is located on the north-eastern corner of Oldbury Avenue and Rupertsdale Road.
- 4.2 The land is regular in dimension with a total area of 1.02Ha, a width of 67.17m on its Rupertsdale Road frontage and 50.45m along the rear (eastern) boundary, owing to the irregular alignment of Oldbury Avenue. The northern site boundary measures approximately 151.8m and the southern boundary (along Oldbury Avenue) 153.3m.
- 4.3 The immediate area is characterised predominantly by single storey dwellings on low density, semi-rural land holdings. Some double storey dwellings are present within the wider neighbourhood.
- 4.4 Within the Rolling Meadows Estate the original subdivision pattern remains intact with no evidence of further subdivision having occurred. With the exception of a small number of dependent persons units (which do not require a planning permit under the Comprehensive Development Zone), the estate is predominantly characterised by single dwellings.

Restrictions on Title

- 4.5 Covenant W977714R dated 15 August 2000 burdens the subject allotment by indicating that the '*... Transferees shall not construct any structure on the land unless:*
 - (1) *Such structure is no more than 10 metres in height measured from existing ground level to the roof ridge line at any one point; and*
 - (2) *Such structure to the extent that it is a dwelling has an enclosed floor area of no less than 240 square metres including all internal living areas and lock-up garages; and*
 - (3) *Such structures have a permitted site coverage not exceeding 30% of the area of the Lot.*

And further the Transferee shall not construct or build on the land more than one dwelling house (including for the purpose of this Special Condition any flats units or other dwellings) together with the usual outbuildings.

And this Covenant shall be noted and appear on the Certificate of Title to the land as an encumbrance.'
- 4.6 Section 173 Agreement (Reference: W317499E) dated 29 September 1999 encumbers the titles of a number of properties on Oldbury Avenue and Highgrove Drive. This restriction burdened two properties on Highgrove Drive with building envelopes. The subject site is not impacted by the relevant requirements relating to building envelopes.
- 4.7 The Agreement also incorporates the Rolling Meadows Local Structure Plan 1999 which stipulates lot yields and a number of servicing and subdivision design obligations for the developers of the land during the original subdivision process.

REPORT NO: SU344 (cont.)

5. PLANNING CONTROLS:

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

State Policies:	Clause 11.01-1R1:	Settlement– Metropolitan Melbourne
	Clause 16.01-3S:	Housing Diversity
Municipal Strategies:	Clause 21.02-1:	Managing Growth and Increasing Choice
	Clause 21.03-1:	Liveable Communities
	Clause 21.03-2:	Housing
Zoning Provisions:	Clause 37.02:	Comprehensive Development Zone
Overlay Provisions:	Clause 43.04:	Development Plan Overlay
Particular Provisions:	Clause 52.05:	Easements Restrictions and Reserves
General Provisions:	Clause 65:	Decision Guidelines

5.2 The above planning controls are general policies, provisions and strategies considered in relation to the zoning of the subject land. Of key importance is Clause 52.05 pertaining to consideration around restrictions on title.

Aboriginal Cultural Heritage

5.3 The land is not located within an area of Aboriginal cultural heritage sensitivity as described in the Aboriginal Heritage Regulation 2007.

Major Electricity Transmission Line

5.4 The land is not located within 60m of a major transmission line.

Planning Permit Trigger/s

5.5 The permit trigger in this instance is Clause 37.02-3 of the Comprehensive Development Zone which stipulates that a permit is required to subdivide land.

5.6 The mechanism for a variation to a restriction on title is contained at Clause 52.02 – Easements, Restrictions and Reserves.

6. REFERRALS:

6.1 The application for variation of a restriction and subdivision of land into two lots is not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987* (The Act). Section 66 of the Hume Planning Scheme stipulates standard servicing requirements for two lot subdivisions.

6.2 Internally, Council's Strategic Planning Department was referred the application. Strategic Planning was not supportive of the application as it would conflict with Council's planning position regarding Rolling Meadows as part of Planning Scheme Amendment C217.

7. ADVERTISING:

7.1 A two lot subdivision, on its own, under the provision Schedule 1 to the Comprehensive Development Zone is exempt from advertising. Clause 3.1 of the schedule states that '*An application for subdivision which is generally consistent with the relevant local structure plan is exempt from the notice requirements of Section 52(1)(a) (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82 (1) of the Act*'.

REPORT NO: SU344 (cont.)

- 7.2 The site is covered by a Development Plan Overlay that contains, at Clause 43.04-3, exemption from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.
- 7.3 Where it relates to the variation of the restriction on title, the application is required to be placed on public notice under Section 52 of the Act. Public notice must be undertaken by way of a notice mailed out to adjoining land owners, occupiers and beneficiaries of the covenant along with placement of a notice board on site and notification in the local newspaper distributed to the area.
- 7.4 The applicant originally agreed to undertake public notice but then rescinded from carrying out this requirement after the outcome of the nearby property at 7 Oldbury Avenue. The response following public notice to that application contributed to the applicant's decision on public notice.
- 7.5 Notwithstanding, under the decision guidelines of the Hume Planning Scheme, the responsible authority is required before deciding on an application, to consider the interests of affected people. Section 60(5) of the Act further requires the responsible authority to not grant a permit which allows the removal or variation of a restriction unless it is satisfied that the owner of any land benefited by the restriction will be unlikely to suffer any detriment as a consequence of the removal or variation of the restriction. Only by advertising the application is the responsible authority able to adequately and completely ensure that a beneficiary of the restriction will be unlikely to suffer detriment of any kind.

8. ASSESSMENT:

- 8.1 A detailed assessment of the application has been undertaken against the relevant provisions of the Hume Planning Scheme and the current seriously entertained Planning Scheme Amendment proposed on the land. Consideration of the key issues impacting on the application is provided below.

Amendment C217

- 8.2 Council, at its meeting of the 12 June 2018, voted to adopt Planning Scheme Amendment C217 and to submit the adopted amendment to the Minister for Planning for approval in accordance with Section 31(1) of the Act.
- 8.3 The Planning Scheme amendment, upon approval by the Minister for Planning, will result in the rezoning of the land to the Low Density Residential Zone. The proposed zone will create a new schedule with a minimum subdivision area of 0.6Ha. The outcome of this amendment will result in no further change to the number of allotments or additional dwellings within the estate. Once in place, applications such as this would be prohibited.

Good and Orderly Planning

- 8.4 Approval of a two lot subdivision, while not technically beaching the restriction on title, would have the potential to sterilise the future development of the newly created allotment. Consideration of benefiting allotment has not been undertaken, resulting in Council being unable to factor in the position of beneficiaries towards the implications of the proposal with respect to the restriction, in its decision making.
- 8.5 Approving a subdivision would create uncertainty for future purchasers of the additional allotment. This has the potential to create an allotment with very limited development potential. An approved subdivision would create an unfair expectation for these purchasers that the construction of a dwelling on the land could be possible - even when referencing the single dwelling covenant affecting the land. The lay person could (wrongly) interpret the covenant as meaning that a single dwelling could be constructed on the newly title lot when, in fact, the restriction would prevent it based on its applicability to the parent and any 'child' titles.

REPORT NO: SU344 (cont.)

- 8.6 A further consideration in the orderly planning of the area is that the Rolling Meadows Estate has been serviced to a rural standard with swale drains and rural standard roads. Approving the subdivision would establish a negative precedent within the wider area, placing undue strain on service capacity within the area without a considered and strategic approach to service implementation.
- 8.7 In scenarios where semi-rural areas are to be transitioned to more conventional residential densities, Precinct Structure Plans or the like, are required to implement comprehensive infrastructure strategies that aim to deliver service provision in a holistic and sequential manner to meet future community needs. A drainage strategy has not been considered for Rolling Meadows as part of the Planning Scheme Amendment for the reason that the amendment will be policy neutral and will retain current subdivision sizes and development potential for the estate.

9. CONCLUSION

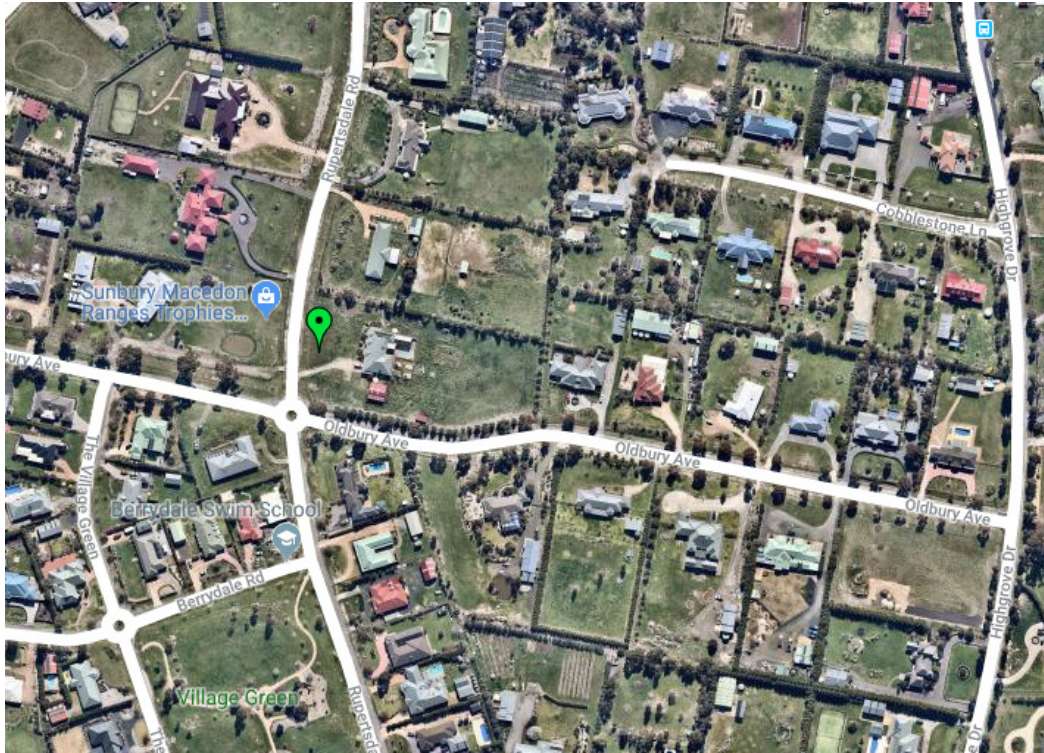
The proposal to subdivide land into two lots and vary the restriction on title is considered inappropriate in light of the seriously entertained Planning Scheme Amendment C217 and the uncertainty around the ability to construct a dwelling on any newly created allotment without adequate consideration of beneficiary input. Refusal is therefore recommended.

LOCALITY PLAN

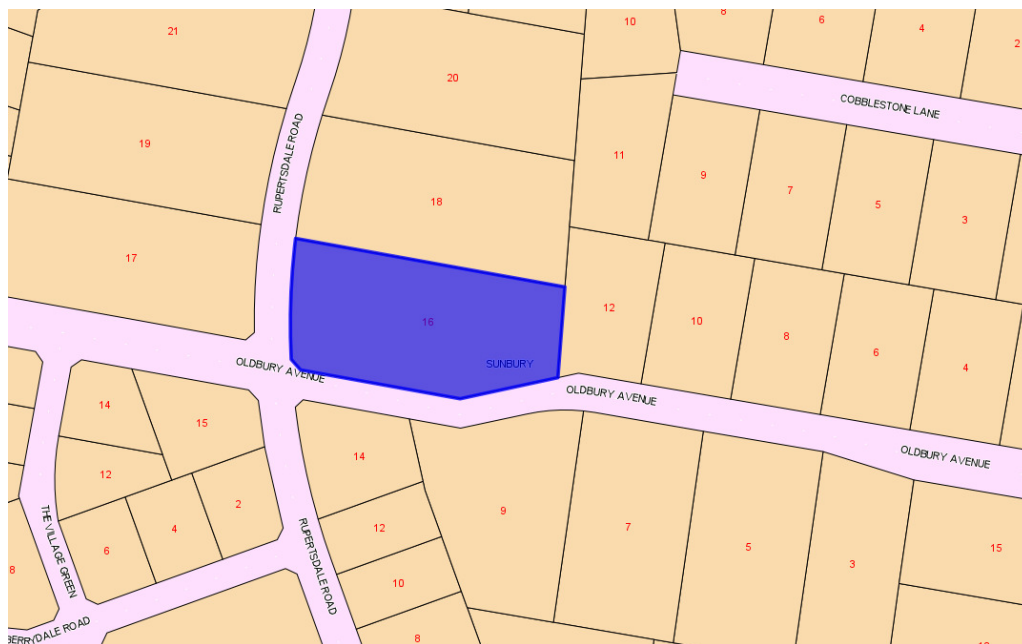
Permit Application: P20583

Site Address: 16 Rupertsdale Road, Sunbury

Subject Site



Subject Site





NOTE: The plan has been prepared based on preliminary information. Detailed site and related information will need to be confirmed by the client. The plan is subject to review and approval by relevant authorities and is subject to change. Aerial imagery sourced from Google Earth.

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Scale 1:750 @ A3

0 7.5 15 22.5m

N

Subdivision Concept Plan
 16 Rupertsdale Road - Sunbury

Plan Ref: 16022_SCP Rev. A Date 21 July 2016 Drawn: MH
 © Urban Design and Management Pty Ltd

REPORT NO:	SU345
REPORT TITLE:	13 Burbank Avenue Gladstone Park - Variation of Restrictive Covenant Contained in Instrument of Transfer E293228
SOURCE:	Natalie Calleja, Town Planner
DIVISION:	Planning and Development
FILE NO:	P21333
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Plan</i> 2. <i>Covenant</i>

Application No:	P21333
Proposal:	Variation of Restrictive Covenant Contained in Instrument of Transfer E293228.
Location:	13 Burbank Avenue Gladstone Park
Zoning:	General Residential 1
Applicant:	ARG Planning
Date Received:	26 April 2018

1. SUMMARY OF REPORT:

Planning approval is sought to vary the restrictive covenant as it applies to Lot 914, PS082298 (Vol. 08826 Fol. 011) contained in the Transfer of Land with dealing number E293228 dated 2 February 1972 by way of the deletion of Clause (a) in its entirety on the land commonly known as 13 Burbank Avenue, Gladstone Park. The application was advertised and 12 objections were received. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* and the relevant clauses of the *Planning & Environment Act 1987* including the issues raised in the objections and a Notice of Decision to Refuse to Grant a Permit is recommended.

2. RECOMMENDATION:

That Council, having considered the application on its merits and the objection received, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit to vary the restrictive covenant as it applies to Lot 914, PS082298 (Vol. 08826 Fol. 011) contained in the Transfer of Land with dealing number E293228 dated 2 February 1972 by way of the deletion of Clause (a) in its entirety at 13 Burbank Avenue, Gladstone Park on the following grounds:

- 1. The proposal fails to satisfy Clause 52.02 (Easements, Reserves & Restrictions) of the *Hume Planning Scheme*.**
- 2. The proposal fails to satisfy Section 60(5) of the *Planning and Environment Act 1987*.**

3. PROPOSAL:

- 3.1** The proposal seeks to vary the restrictive covenant as it applies to Lot 914, PS082298 (Vol. 08826 Fol. 011) contained in the Transfer of Land with dealing number E293228 dated 2 February 1972 by way of the deletion of Clause (a) in its entirety. Details of the Clause (a) are as follows:

REPORT NO: SU345 (cont.)

...the registered proprietor or proprietors of the land hereby transferred will not at any time

- (a) *Commence the erection or construction of any building (other than fencing) on the lot hereby transferred unless and until the design thereof and the proposed specifications of construction have been approved by Costain Developments (Australia) Proprietary Limited;...*

Clause (a) of the restrictive covenant as it currently stands requires the approval of Costain Developments (Australia) Pty Ltd prior to the commencement of the construction of any building (other than fencing) on the subject land.

The owner of the land has a current application with Hume City Council for the development of three dwellings, being two single storey dwellings to the rear of a double storey dwelling (P20910). This application is currently on hold in accordance with Section 64(4) of the *Planning & Environment Act 1987* which prevents the responsible authority from issuing any permit that would breach a restrictive covenant.

Costain Developments (Australia) Pty Ltd were deregistered on 15 December 1994. Therefore in order for the requirements of Clause (a) to be met, the owner requested ASIC to use its discretion to consent to the proposal, however ASIC in their letter of 14 March 2018 advised the following:

... Unfortunately, in the circumstances the Commonwealth/ASIC is not able to provide a consent regarding this specific encumbrance. Such an application would require an ASIC Delegate to approve a particular design and construction of a proposed building, in circumstances where ASIC has limited knowledge about the property, and where ASIC is not in a position (and would be inappropriate) to be able to properly assess a proposed building plan and make a determination (without the requisite expertise or knowledge) as to whether a particular building design and/or construction should be consented to in adherence with the encumbrance...

4. SITE AND SURROUNDS:

- 4.1 The subject site commonly known as 13 Burbank Avenue, Gladstone Park and formally described on Certificate of Title as Lot 914 on PS 082298. The site is located on the northwest side of Burbank Avenue, north of Katrina Drive.
- 4.2 The irregular shaped site has a frontage of 15.82 metres and a depth of 41.94 metres along the side north boundary with an overall site area of 655.55 square metres.
- 4.3 The site is generally flat and does not contain any significant vegetation.
- 4.4 The allotment currently contains a single storey, double fronted, brick veneer dwelling with a tiled hipped roof and eaves.
- 4.5 The built form of the subject site and the surrounding is residential constructed circa 1970s-1980s.
- 4.6 The neighbourhood character generally comprise the following characteristics:
 - Brick dwellings.
 - Predominantly single storey
 - Tiled hipped roofs with eaves.
 - Predominantly double fronted dwellings.
 - Dwellings setback off a minimum of one side boundary.
 - Garage or carport located along one side boundary.
 - If front fencing occurs it is generally low, yet eclectic in materials.
 - Landscaping is minimal and open; typically one canopy tree is planted and/or shrubs and lawn.
 - There are a limited number of medium density developments in proximity of the site.

REPORT NO: SU345 (cont.)

- 4.7 The site is located within proximity and has convenient access to a range of infrastructure including but not limited to Gladstone Park Shopping Centre, Good Shepherd Catholic School, Gladstone Park Primary School and Secondary College, Broadmeadows Valley Park, John Coutts Reserve and major roads such as the Western Ring and Mickleham Roads.

Restrictions on Title/Restrictive Covenants

- 4.8 A title search produced on 13 April 2018 reveals that the land is encumbered with Covenant E293228.

- 4.9 The Covenant states as follows:

...the registered proprietor or proprietors of the land hereby transferred will not at any time

- (a) Commence the erection or construction of any building (other than fencing) on the lot hereby transferred unless and until the design thereof and the proposed specifications of construction have been approved by Costain Developments (Australia) Proprietary Limited;*
- (b) Erect any fencing on the front boundary of the Lot hereby transferred or within twenty-five feet of such front boundary on the side boundaries or in the case of corner allotments within 10 feet of the front boundary on the side street boundary other than a fence of not more than three feet above ground level;*
- (c) Erect or display on the lot hereby transferred until after the 21st day of February One Thousand nine hundred and seventy-two any advertisement or hoarding notifying or advertising to the effect that the Lot hereby transferred or any other Lot on the said Plan of Subdivision is for sale...*

- 4.10 The land is affected by a 2.44 metre wide easement along the rear west boundary.

5. PLANNING CONTROLS:

- 5.1 The Minister for Planning has recently approved the second package of changes to the VPP gazetted on 31 July 2018. The amendment implements part of the Victorian Government's Smart Planning Program reforms to simplify and modernise Victoria's planning policy and rules.

- 5.2 The amendment focuses on changes to the VPP and planning schemes, including improvements to the structure and operation of specific zones, overlays and particular provisions.

- 5.3 There are no changes to the Municipal Strategic Statement and the Local Planning Policies.

- 5.4 The following policies and provisions of the *Hume Planning Scheme* ("the Scheme") are relevant in the consideration of the application and include the recently approved amendments:

Planning Policy

Framework: Not Applicable

Municipal:

Strategies: Not Applicable

Local Policies: Not applicable

Zones: Clause 32.08: General Residential Zone Schedule 1

Overlays: Nil

Particular

REPORT NO: SU345 (cont.)

<i>Provisions:</i>	Clause 52.02:	Easements Restrictions and Reserves
<i>General Provisions:</i>	Clause 65.01: Clause 66:	Approval of an Application or Plan Referral and Notice Provisions

Aboriginal Cultural Heritage

5.5 The land is not located within an area identified as having Aboriginal cultural heritage sensitivity and therefore a Cultural Heritage Management Plan is not required.

Major Electricity Transmission Line

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

Planning Permit Triggers

5.7 Pursuant to Clause 52.02 of the *Hume Planning Scheme*, a planning permit is required to vary a restriction.

6. REFERRALS:

6.1 An application for the variation of a restriction does not trigger any referrals under the provisions of the *Hume Planning Scheme*.

7. ADVERTISING:

7.1 Pursuant to Section 47 (Applications for Permits) of the *Planning & Environment Act 1987*:

(1) If a planning scheme requires a permit to be obtained for a use or development of land or in any of the circumstances mentioned in section 6A(2) or for any combination of use, development and any of those circumstances, the application for the permit must—

(a) if the land is burdened by a registered restrictive covenant, be accompanied by a copy of the covenant; and

(b) if the application is for a permit to allow the removal or variation of a registered restrictive covenant or if anything authorised by the permit would result in a breach of a registered restrictive covenant, be accompanied by—

(i) information clearly identifying each allotment or lot benefited by the registered restrictive covenant; and

(ii) any other information that is required by the regulations.

The application has provided the applicable information as required with the above.

7.2 Section 52 (Notice of Application) of the *Planning & Environment Act 1987*

(1) Unless the responsible authority requires the applicant to give notice, the responsible authority must give notice of an application in a prescribed form—

(cb) to the owners (except persons entitled to be registered under the Transfer of Land Act 1958 as proprietor of an estate in fee simple) and occupiers of land benefited by a registered restrictive covenant, if the application is to remove or vary the covenant;

(1AA) If an application is made for a permit to remove or vary a registered restrictive covenant or for a permit which would authorise anything which would result in a breach of a registered restrictive covenant, then unless the responsible authority requires the applicant to give notice, the responsible authority must give notice of the application in a prescribed form—

(a) by placing a sign on the land which is the subject of the application; and

REPORT NO: SU345 (cont.)

- (b) *by publishing a notice in a newspaper generally circulating in the area in which that land is situated.*

The application was advertised under Section 52 of the *Planning and Environment Act 1987* (the Act) by way of letters to adjoining owners and occupiers, a notice in the Hume Leader newspaper and one sign was placed on the site for a minimum of 14 days as prescribed under the Act.

- 7.3 A total of 12 objections were received in response and the grounds of objection are summarised as follows:
- Allowing a variation of the covenant will be a detriment to the character of the area, particularly the single dwelling residential character of the area. The clause continues to serve a purpose to maintain the neighbourhood character of single dwellings.
 - Loss of privacy and overlooking.
 - Loss of large spacious family homes and established gardens.
 - Overshadowing/loss of sunlight.
 - Additional traffic.
 - Additional noise.
 - Parking, access and safety issues.
 - Devaluation of surrounding properties.
- 7.4 The consideration of these objections in reaching a recommendation to not support the proposal is outlined in the main body of the report below.

8. OBJECTIONS:

- 8.1 There have been previous VCAT decisions (*Grujovska v Brimbank CC & Ors* and *Vivarini v Whittlesea CC*) that have acknowledged that a development application running concurrently with the variation of a covenant application would assist in enabling Council and beneficiaries of the covenant understand the development proposed and any perceived or actual detriment that may result. However, the relevant test in this instance is Section 60(5) of the Act, which is solely based on whether the owner is likely to suffer any detriment of any kind by virtue of the covenant removal.
- 8.2 A planning application has been lodged with Council under a separate application (P20910) with a set of plans for a medium density development being the construction of two attached single storey dwellings to the rear of a double storey dwelling; however whilst these plans do not form part of this application and will not be assessed in this report, that application is on hold pending the determination of this proposal, it is proposed to issue a notice of refusal under delegation on that application if the recommendation on this matter is supported.
- 8.3 An assessment of the objections is found in section 9 below.

9. ASSESSMENT:

Legislation

- 9.1 There are three main ways to remove or vary a covenant:
- Apply to the Supreme Court for an order under Section 84 of the Property Law Act 1958,
 - Amend the planning scheme under Part 3 of the Planning and Environment Act 1987; or
 - Apply for a planning permit under Part 4 of the Planning and Environment Act 1987.

REPORT NO: SU345 (cont.)

The applicant has applied to remove the covenant by a planning permit under Part 4 of the Planning and Environment Act 1987 (Section 47 - Applications for Permits).

- 9.2 A detailed discussion of the proposal against the particular requirements of Clause 52.02 of the *Hume Planning Scheme* and Section 60(5) of the *Planning & Environment Act 1987* is provided below. The proposal is not able to satisfy a number of the requirements of the respective provisions.

Matters for the Responsible Authority to consider (*Planning & Environment Act 1987*)

- 9.3 Section 60 (What Matters Must a Responsible Authority Consider) of the *Planning & Environment Act 1987* and in particular Section 60(5) of the Act relates specifically to those covenants created before 25 June 1991 and it states:

- (5) *The responsible authority must not grant a permit which allows the removal or variation of a restriction referred to in subsection (4) unless it is satisfied that—*
- (a) *the owner of any land benefited by the restriction (other than an owner who, before or after the making of the application for the permit but not more than three months before its making, has consented in writing to the grant of the permit) will be unlikely to suffer any detriment of any kind (including any perceived detriment) as a consequence of the removal or variation of the restriction; and*
- (b) *if that owner has objected to the grant of the permit, the objection is vexatious or not made in good faith.*

- 9.4 As the covenant subject of this application was created prior to 25 June 1991 (16 December 1991) the stringent tests of Section 60(5) of the Act apply.

- 9.5 In assessing applications under Section 60(5) of the Act, the responsible authority must not grant a permit to remove or vary a covenant it unless it is satisfied the owners of benefiting land will be unlikely to suffer detriment of any kind, including perceived detriment and if a benefiting owner makes an objection to the granting of the permit, the objection is vexatious or not made in good faith. In other words, if a benefiting owner makes a bona fide objection to the granting of the permit, a permit generally cannot be issued.

In determining what constitutes 'detriment' for the purposes of Section 60(5), it is necessary to identify the purpose of the Covenant in question. It is considered that the purpose of this section of the Covenant to be varied is to establish and maintain a neighbourhood of a particular character, albeit the Covenant does so by conferring on Costain a right to regulate development in the neighbourhood and the deregistration of Costain does not affect the above. It is also considered that the Covenant regulates both the initial development of lots within the subdivision and any subsequent redevelopment.

- 9.6 Contrary to the above, the applicant has provided legal advice which states that *the purpose of the covenant is to prevent the development of any building on the land without Costain's approval...this development does not limit the scale or type of development – for example, it does not restrict development to a single dwelling or to only residential development. Rather, the covenant has the purpose of limiting development to that approved by the subdivider...*
- 9.7 Notwithstanding the applicant's advice, it is Council's position that the Covenant is to establish and maintain a neighbourhood of a particular character, therefore it is considered that a potential wide range of impacts (amenity, neighbourhood character, built form) can constitute relevant detriment for the purposes of Section 60(5) of the Act.
- 9.8 Therefore given the objections raised particularly regarding neighbourhood character, Council is not satisfied that the beneficiaries of the Covenant would not suffer any detriment (including perceived detriment). Council cannot be satisfied that there will be no detriment to a beneficiary as a consequence of varying the covenant.

REPORT NO: SU345 (cont.)

9.9 The fact that Costain has been deregistered does not affect the requirements of Section 60(5). Section 60(5) does not require or permit Council to consider whether restrictions imposed by a covenant are sensible or appropriate but rather determine whether the beneficiaries of that covenant are likely to suffer a relevant detriment and whether any objections are in good faith.

9.10 In *Aldemir V Hume CC [2015] VCAT 1889 (30 November 2015)* a planning permit was sought for the retrospective approval of a balcony constructed to the rear of the dwelling on that review site. The principle issue for the Tribunal in this matter was whether the requirements of the Covenant were satisfied, as both Costain Australia Limited and Costain Developments (Australia) Pty Ltd were to approve the design and the proposed specifications of construction. ASIC acting on behalf of Costain Developments (Australia) Pty Ltd advised as the company had been deregistered ASIC would not provide their approval. The Tribunal noted at paragraph 20 the following:

Despite that, in accordance with the covenant consent is required from both ASIC and CNA; and as ASIC has refused to consent, the Tribunal must refuse the matter.

Matters for the Responsible Authority to consider (*Hume Planning Scheme*):

9.11 *The purpose of Clause 52.02 (Easements Restrictions and Reserves) is to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.*

9.12 The interests of affected people have been considered and it is Council's opinion that having regard to the terms of Section 60 (5) and the matters required to be considered in Clause 52.02 that Council is not satisfied that the variation of the Covenant would not create any detriment or perceived detriment to beneficiaries of the Covenant.

Aldemir V Hume CC [2015] VCAT 1889 (30 November 2015):

9.13 A planning permit was sought for the retrospective approval of a balcony constructed to the rear of the dwelling on the review site. The principle issue for the Tribunal in this matter was whether the requirements of the Covenant were satisfied as both Costain Australia Limited and Costain Developments (Australia) Pty Ltd were to approve the design thereof and the proposed specifications of construction. ASIC acting on behalf of Costain Developments (Australia) Pty Ltd as they had been deregistered would not provide their approval. The Tribunal noted at paragraph 20 the following:

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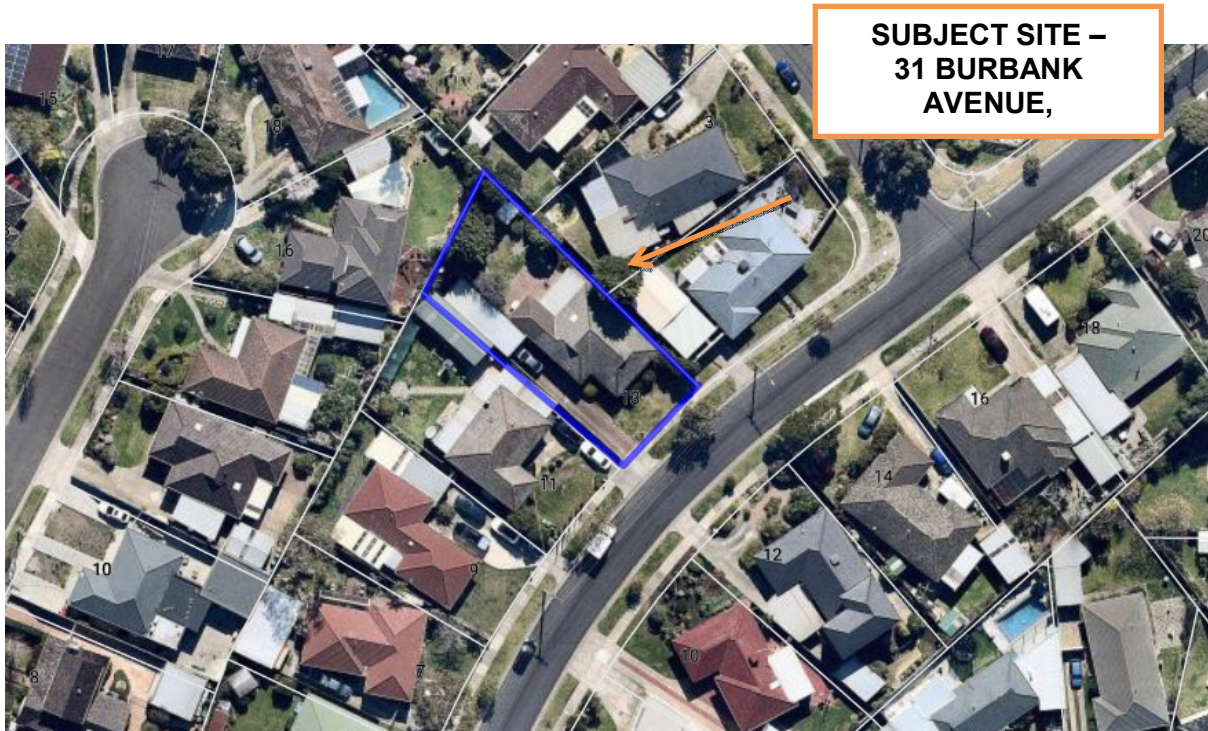
10. CONCLUSION

An assessment against the particular requirements of Clause 52.02 of the *Hume Planning Scheme* and Section 60(5) of the *Planning & Environment Act 1987* has been undertaken. In summary, the proposal is not able to satisfy the requirements of the respective provisions. In particular Council has determined that the beneficiaries of the Covenant are likely to suffer a relevant detriment (including perceived detriment) and that the objections are not vexatious and have been made in good faith.

LOCALITY MAP

P21333

31 BURBANK AVENUE, GLADSTONE PARK





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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 10465 FOLIO 182

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LAND DESCRIPTION

Lot 80 on Plan of Subdivision 422139P.
PARENT TITLE Volume 10456 Folio 394
Created by instrument PS422139P Stage 2 30/08/1999

ADVERTISED PLAN
Page 2 of 13
Date: 24/9/18
(inclusion)

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
AMAL HILMI of 6 ROSS STREET RESERVOIR VIC 3073
AE041037P 05/12/2005

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ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE041038M 05/12/2005
PERMANENT CUSTODIANS LTD
COVENANT W612588N 21/02/2000

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS422139P FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 14 WHARTON AVENUE BROADMEADOWS VIC 3047

DOCUMENT END



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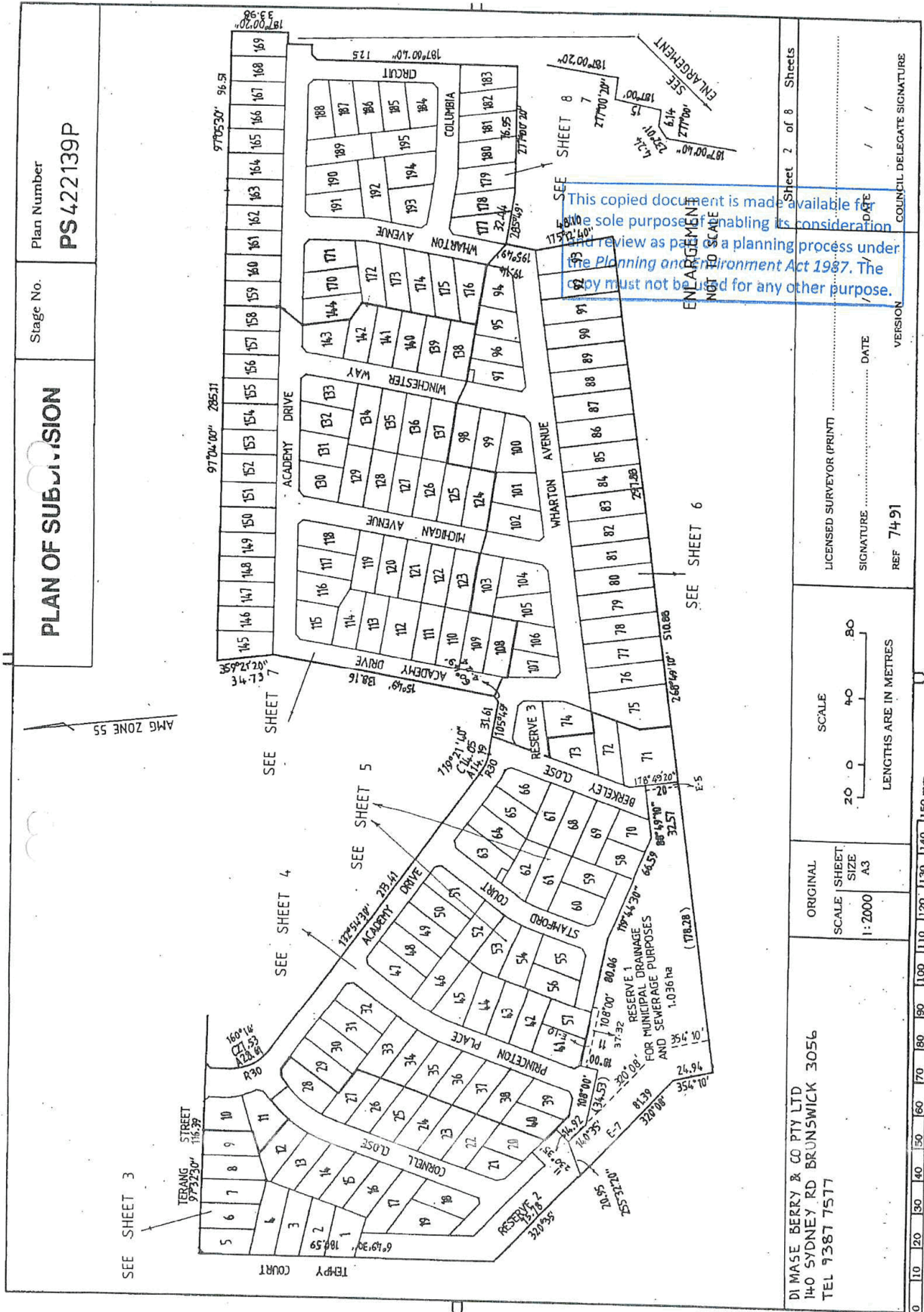
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PLAN OF SUBDIVISION	STAGE NO. 1	LTO use only EDITION 5	Plan Number PS 422139P																																																												
Location of Land Parish: WILL WILL ROOK Township: — Section: 11 (Part) & 12 (Part) Crown Allotment: — Crown Portion: C (Part) LTO Base Record: WILL WILL ROOK (3831) Title Reference: VOL. 10433 FOL. 904 VOL. 10438 FOL. 855 Lot C on PS 42234 U Lot A on PS 412942 X Last Plan Reference: Postal Address: KING STREET BROADMEADOWS 3047 (at time of subdivision) AMG Co-ordinates E 318 700 Zone: 55 N 5 828 000 (of approx. centre of land in plan)		Council Certification and Endorsement Council Name: HUME CITY COUNCIL Ref: 82-02-2978 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 19 / 11 / 98 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/have been made a part of a planning process under the Planning and Environment Act 1987. The requirements are to be satisfied in Staged for any other purpose. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Staged. (iv) The requirement is to be satisfied in Staged. Council delegate Council seal Date Re-certified under section 11(7) of the Subdivision Act 1988 Council delegate Council seal Date 24 / 11 / 98																																																													
Vesting of Roads or Reserves <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">Identifier</th> <th>Council/Body/Person</th> </tr> </thead> <tbody> <tr> <td>R1 (ROAD)</td> <td>HUME CITY COUNCIL</td> </tr> <tr> <td>RESERVE 1</td> <td>HUME CITY COUNCIL</td> </tr> <tr> <td>RESERVE 5</td> <td>AGL ELECTRICITY LIMITED</td> </tr> <tr> <td>ROAD R2 TO R5</td> <td>HUME CITY COUNCIL</td> </tr> <tr> <td>RESERVE No 2+3</td> <td>HUME CITY COUNCIL</td> </tr> <tr> <td>RESERVE 4</td> <td>AGL ELECTRICITY LIMITED</td> </tr> </tbody> </table>		Identifier	Council/Body/Person	R1 (ROAD)	HUME CITY COUNCIL	RESERVE 1	HUME CITY COUNCIL	RESERVE 5	AGL ELECTRICITY LIMITED	ROAD R2 TO R5	HUME CITY COUNCIL	RESERVE No 2+3	HUME CITY COUNCIL	RESERVE 4	AGL ELECTRICITY LIMITED	Notations Staging This is/is not a staged subdivision Planning Permit No. Depth Limitation																																															
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Plan Number
PS 422139P

Stage No.

PLAN OF SUBDIVISION

Sheet 2 of 8 Sheets

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COUNCIL DELEGATE SIGNATURE

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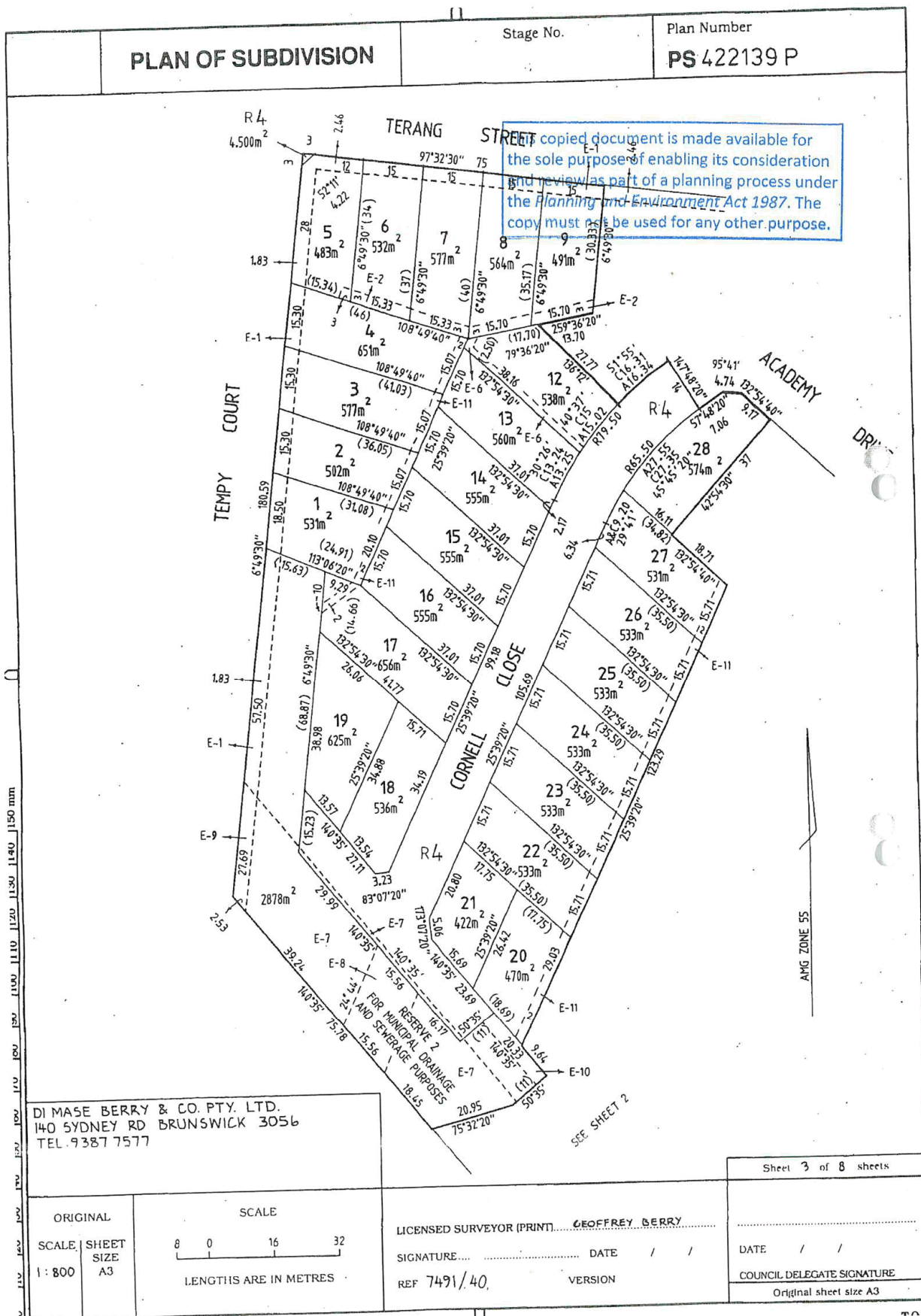
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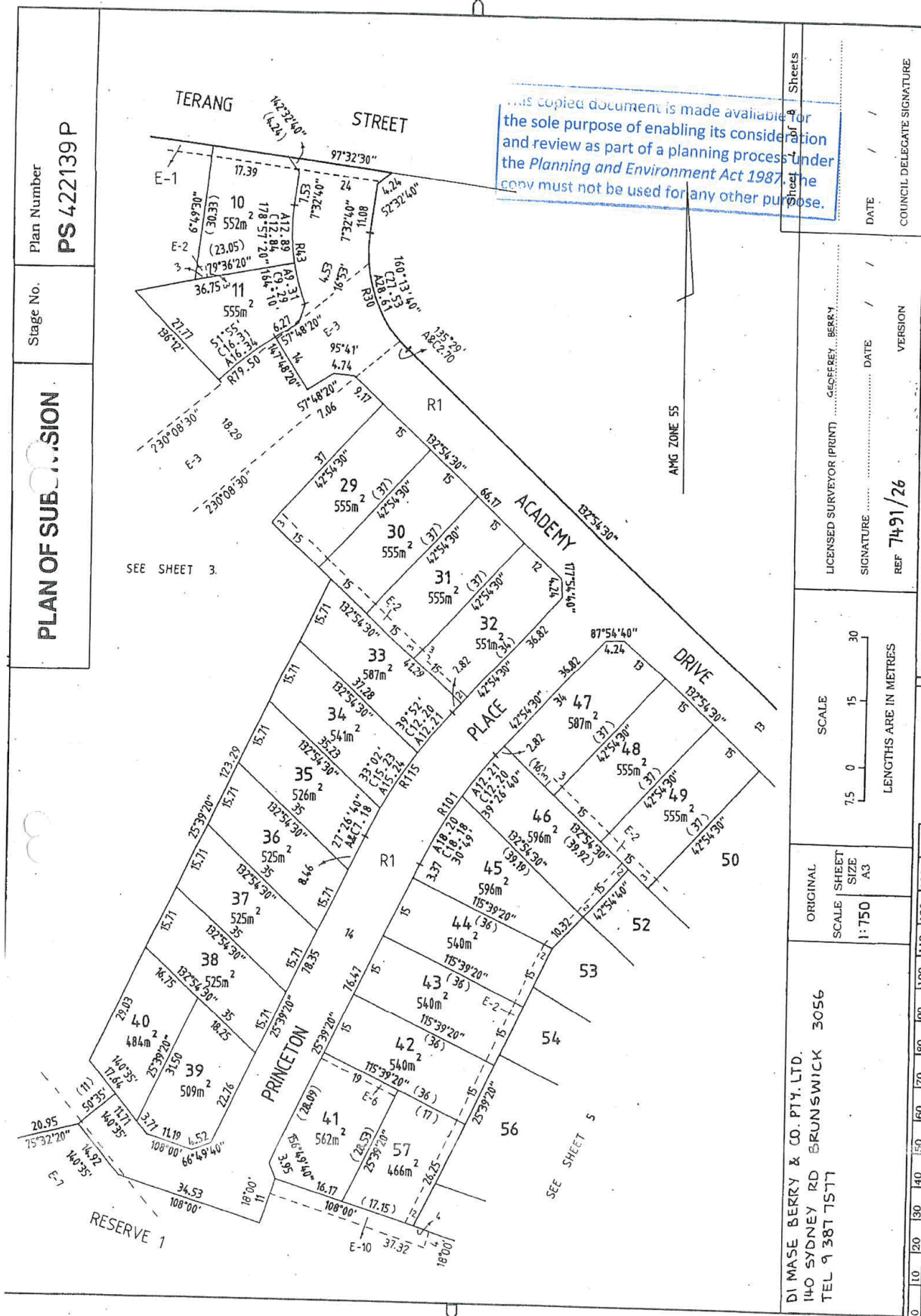
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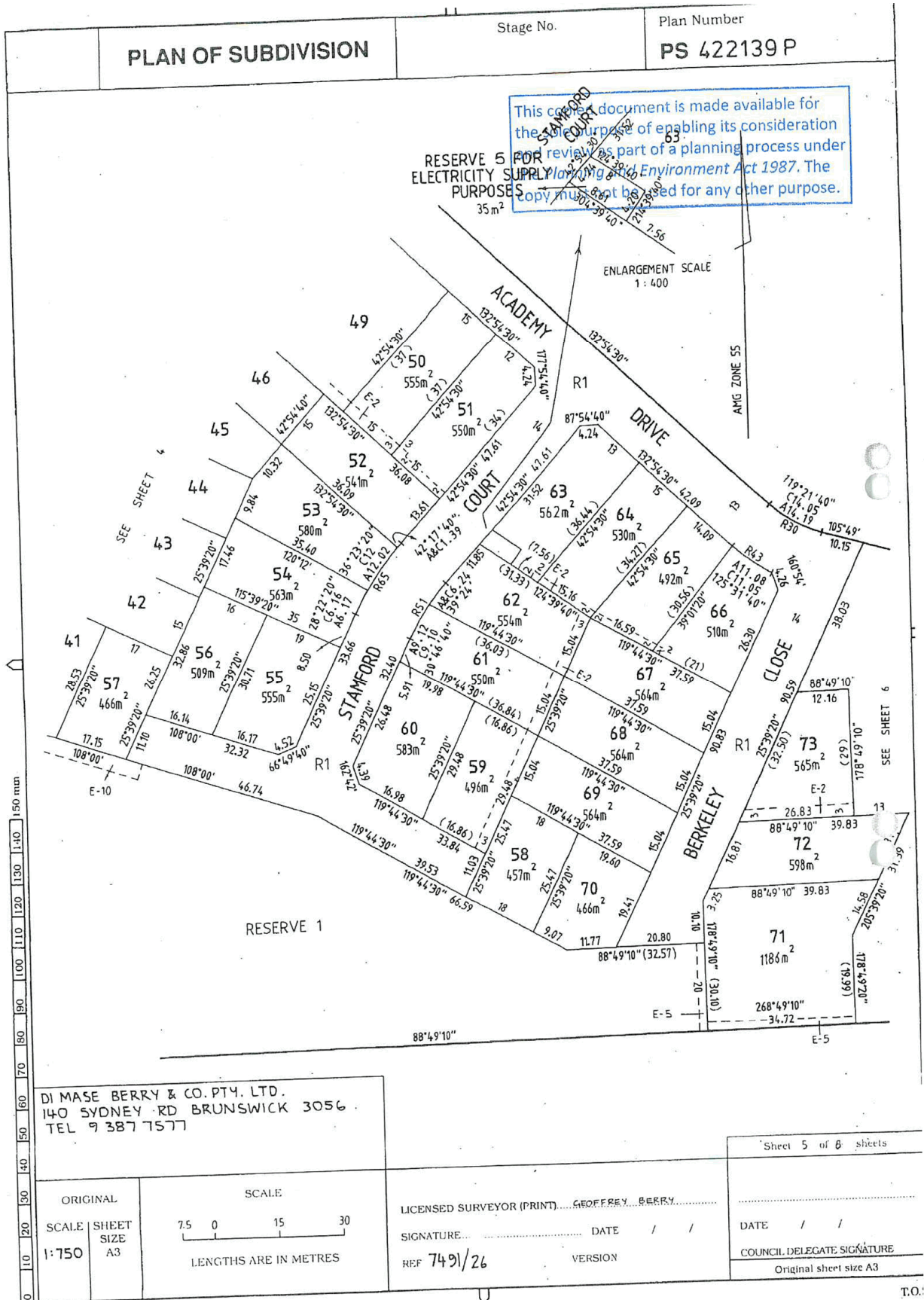
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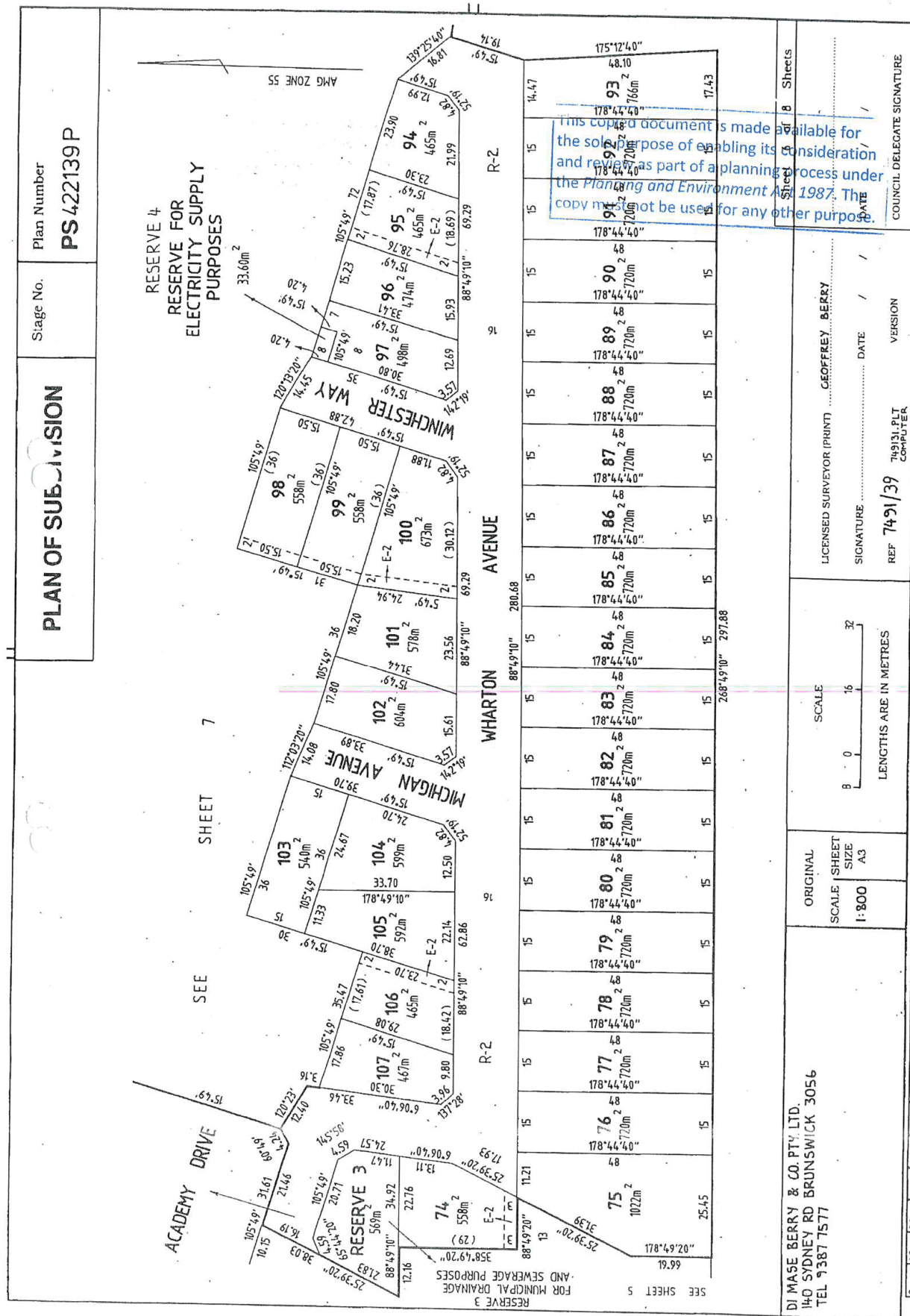
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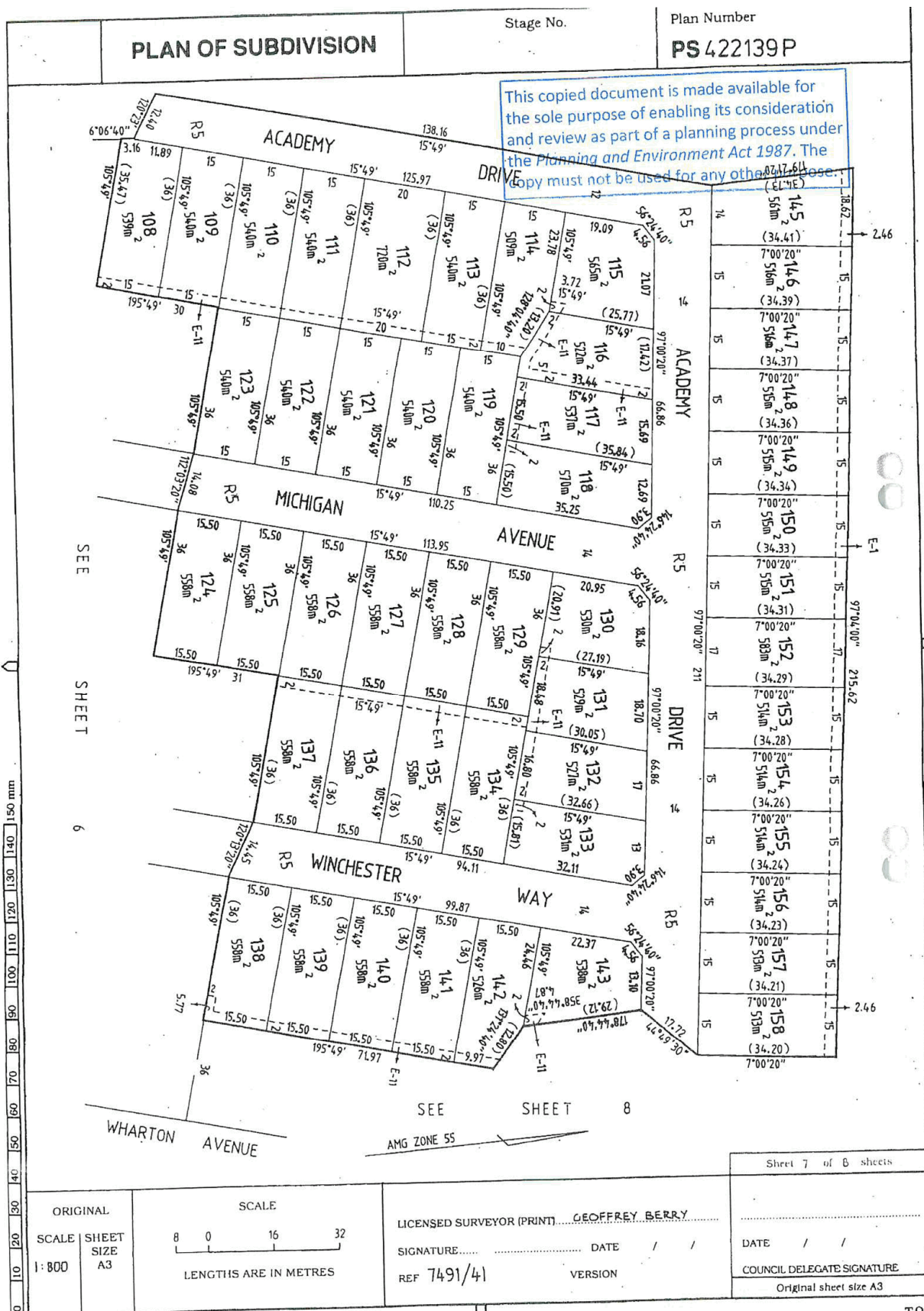
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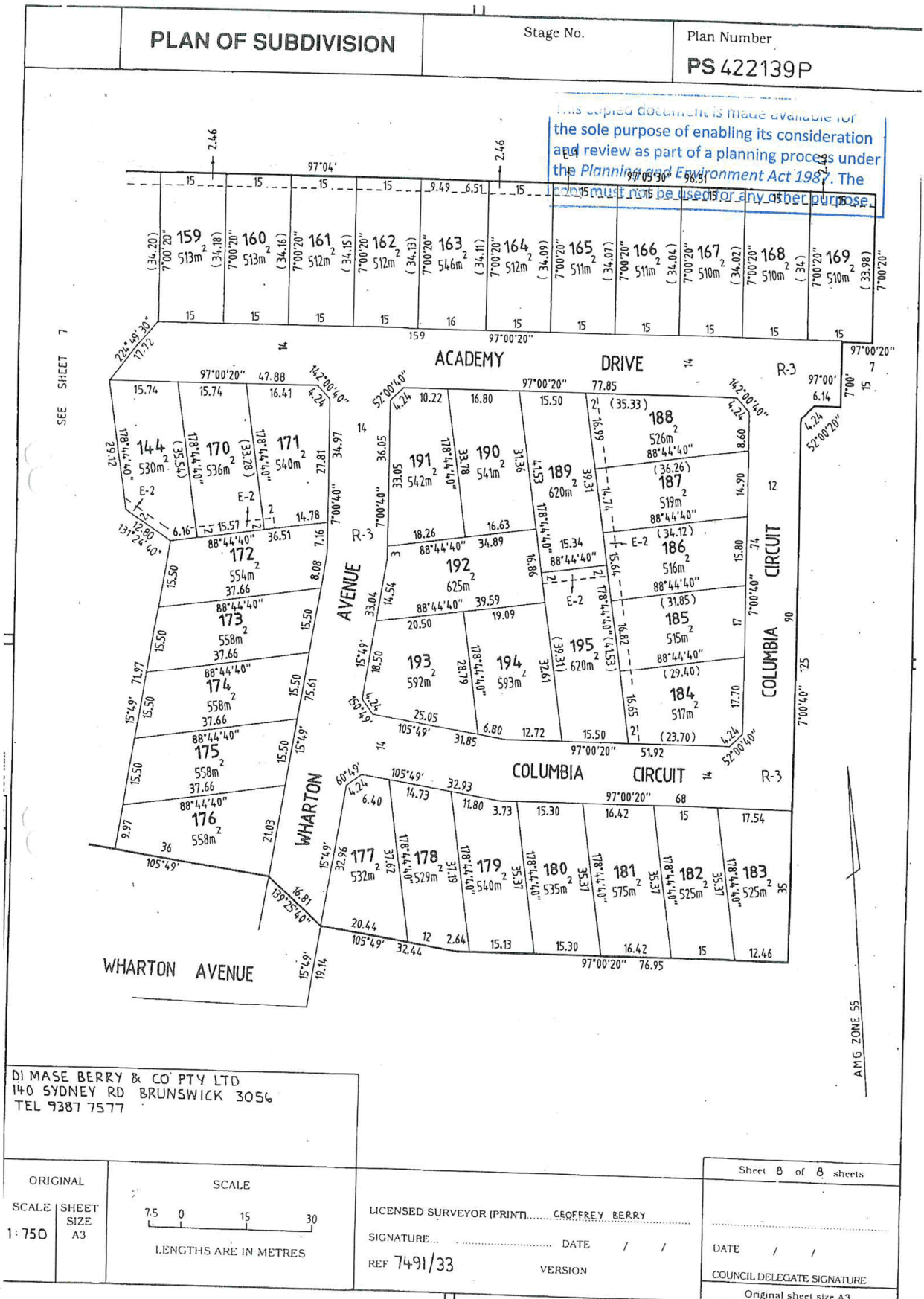








T.O.2



DI MASE BERRY & CO PTY LTD
 140 SYDNEY RD BRUNSWICK 3056
 TEL 9387 7577

PLAN NUMBER
PS 422139P

MODIFICATION TABLE
RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

MASTER PLAN (STAGE 1) REGISTERED DATE: 14/7/99 TIME: 2:30 PM

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
RESERVE 5		RECTIFICATION	V979924X			2	GSN
LOT S2	LOTS 74 TO 107 (B.I), LOT S3, ROAD R2 & RESERVES 3 & 4.	STAGE 2	W91062R	30/8/99	11.00am	3	GSN
LOT S3	LOTS 144, 159 TO 195, S4 & ROAD R3	STAGE 3	W138219V	19/10/99	9.40AM	4	GSN
LOT S4	LOTS 1 TO 9, 12 TO 28, S5 RESERVE No. 2 & ROAD R4	STAGE 4 & VARIATION OF EASEMENT	W711213Y	14/6/00	12.00PM	5	GSN
LOT S5	LOTS 108 TO 143, 145 TO 158 & ROAD R5.	STAGE 5	W750580N	14/6/00	12.00PM	5	GSN

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TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by: *Perskull Conway*

Name:

Phone:

Address:

Ref:

Customer Code: *4312G*

MADE AVAILABLE/CHANGE CONTROL

Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed - together with any easements created by this transfer; - subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and - subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land:

Volume 10465 Folio 182

Estate and Interest:

All our estate in fee simple

Consideration:

\$51,500.00

Transferor:

Burgundy Bridge Pty Ltd (ACN 006 697 927)

Transferee:

Schlager Nominees Pty Ltd (ACN 005 378 871) & Global Development & Construction Co. Pty Ltd (ACN 082 245 690) of 308 Little Collins Street MELBOURNE 3000

Directing Party:

nil

Creation and/or Reservation of easement and/or Covenant

“AND the Purchaser with the intent that the benefit of this covenant shall be attached to and run at law and in equity with every lot on the said Plan of Subdivision other than the lot hereby transferred and that the burden of this covenant shall be annexed to and run at law and in equity with the lot hereby transferred to hereby for themselves and their transferees, executors, administrators and assigns and as separate covenant with the vendor and other the registered proprietor or proprietors for the time being of every lot comprised in the said Plan of Subdivision or any part or parts thereof other than the lot hereby transferred that the

Approval No. 7679704A

ORDER TO REGISTER

Please register and issue title to

STAMP DUTY USE ONLY

T2

Page 1 of 2

Signed

Cust. Code



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Stamp box containing: ORIGINAL / COUNTERPART / COLLATERAL, SUBURBAN TITLE SEARCHERS STAMP ACT 1958, VICTORIAN STAMP DUTY \$ 51500, CONSID / ADVANCE \$ 1030, TRANSACTION No 00102194, DATE 18/02/00, Phone 9602 3117, AP No 375 Signature

PR
29/12/00

Purchaser shall not at any time hereafter erect or build or cause or suffer to be erected on the lot hereby transferred or any part thereof any dwelling house unless 80% of the external walls (excluding windows) shall be constructed of brick, brick veneer, stone or like material and unless the roof of such dwelling house and of any such outbuildings shall be constructed of cement tiles, terracotta tiles, slate or other like materials or of colourbond metal or unless the said dwelling shall have a living area of not less than 120 square meters;

AND it is intended that these covenants shall be set out as encumbrances on the Certificate of Title issued or to issue for the said lot hereby transferred and shall run with the land.

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DATED: 17/2/00

The COMMON SEAL of BURGUNDY BRIDGE PTY LTD (ACN 006 697 927) was hereunto affixed in accordance with its Articles of Association in the presence of:



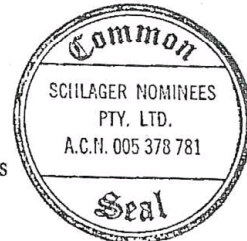
B. Wansborough Director *Gay Mann* Secretary
S. Wansborough Full Name *George Mann* Full Name



20 MONOMEATH AVE Usual Address *706 CANEJLO ST* Usual Address
CANTERBURY, VIC. 3126 *MALACCA 7183*

The COMMON SEAL of SCHLAGER NOMINEES PTY LTD (ACN 005 378 871) was hereunto affixed in accordance with its Articles of Association in the presence of:

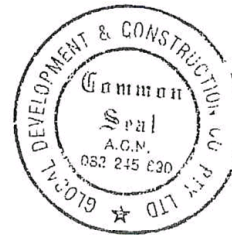
Raymond Schlager Director *Carol Anne Schlager* Secretary



Raymond Alan Schlager Full Name *Carol Anne Schlager* Full Name
308 Little Collins St Usual Address *27 WINDLEY ST* Usual Address
Melb. 3000 *CAMBERWELL 3124*

The COMMON SEAL of GLOBAL DEVELOPMENT & CONSTRUCTION CO. PTY LTD (ACN 082 245 690) was hereunto affixed in accordance with its Articles of Association in the presence of:

Michael P Lyons Sole Director/Secretary
Michael P Lyons Full Name
315 GRIMSHAW ST Usual Address
BUNDOORA VIC



Approval No. 7679704A

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Page 2 of 2



Customised Databases

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REPORT NO:	SU346
REPORT TITLE:	272-276 Rex Road Campbellfield - Removal of native Vegetation
SOURCE:	Natalie Calleja, Town Planner
DIVISION:	Planning and Development
FILE NO:	P21623
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Plan</i> 2. <i>Removal of Native Vegetation Plan</i>

Application No:	P21623
Proposal:	Removal of Native Vegetation
Location:	272-276 Rex Road, Campbellfield
Zoning:	Industrial 1
Applicant:	SJB Town Planning
Date Received:	10 August 2018

1. SUMMARY OF REPORT:

Planning approval is sought for the removal of all native vegetation on Lot 278, LP 99927 (Vol. 9006 Fol. 592) at 272-276 Rex Road, Campbellfield. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* and a Notice of Decision to Refuse to Grant a Permit is recommended.

2. RECOMMENDATION:

That Council, having considered the application on its merits and the objection received, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the removal of native vegetation at 272-276 Rex Road, Campbellfield on the following grounds:

- 1. The proposal fails to satisfy Clause 52.17 (Native Vegetation) of the *Hume Planning Scheme*.**
- 2. The proposal fails to satisfy the Planning Provisions Framework and in particular Clause 12.01 Biodiversity of the *Hume Planning Scheme*.**
- 3. The proposal fails to satisfy the Local Planning Policy Framework and in particular Clause 21.08 Natural Environment and Environmental Risk of the *Hume Planning Scheme*.**

3. PROPOSAL:

3.1 The proposal seeks the removal of all native vegetation on the site. The native vegetation to be removed includes the following:

- 2.488 hectare patch of native vegetation.
- The patch of native vegetation is representative of the Plains Grassy Woodland Ecological Vegetation Class (EVC55).

REPORT NO: SU346 (cont.)

- The patch includes one (1) species protected under the EPBC Act, four species protected under the FFG Act and four species listed under the *Advisory list of rare or threatened plants in Victoria*.
- A Biodiversity Assessment was prepared by Abzeco (Dated August 2018) and was submitted as part of the application. The report states that the *survey was conducted at a sub-optimal time for the identification of many flora species, it is likely that the site may support additional species diversity and threatened species, including individual specimens of Matted Flax-lily. Development on a site with this many individuals is likely to require an EPBC Act referral and may be considered a 'controlled action' under the Act and require approval from the responsible Commonwealth Minister.*

3.2 A pre-application meeting with the applicant on 7 August 2018, where an application to build a large industrial building on the land was discussed. Preliminary plans provided at the meeting indicated that native vegetation occurred across the site and that the entirety of native vegetation on the site was proposed for removal to facilitate the development of the industrial building and associated car parking and accessways.

4. SITE AND SURROUNDS:

- 4.1 The subject site commonly known as 272-276 Rex Road, Campbellfield and formally described on Certificate of Title as Lot 278 on LP 99927. The site is located on the east side of Rex Road, south of Cooper Street.
- 4.2 The irregular shaped site has a frontage of approximately 94 metres and a depth of approximately 316 metres along the side north boundary with an overall site area of approximately 29,700 square metres.
- 4.3 The site has a slight fall and contains significant native vegetation.
- 4.4 The allotment is void of any building and works.
- 4.5 The built form of the surrounding area is industrial, consistent with the industrial zoning.
- 4.6 The site is located within proximity and has convenient access to a range of infrastructure including but not limited to Cooper Street and the Hume Freeway, Cooper Street Grasslands and Merri Creek are located within 400 metres to the east and the Craigieburn Grasslands are located 1.7 kilometres to the north of the site.
- 4.7 Habitat for many rare and threatened species and vegetation communities of commonwealth, state and local significance are located nearby the site.

Restrictions on Title/Restrictive Covenants

- 4.8 A title search produced on 6 August 2018 reveals that the land is encumbered with Covenant G992750 created on 7 March 1978.
- 4.9 The Covenant relates essentially to design guidelines for built form and the storage of materials.
- 4.10 The removal of the native vegetation does not affect the restrictions in the Covenant.
- 4.11 The land is affected by a 4.8 metre wide easement along the front west boundary.

5. PLANNING CONTROLS:

- 5.1 The Minister for Planning has recently approved the second package of changes to the VPP gazetted on 31 July 2018. The amendment implements part of the Victorian Government's Smart Planning Program reforms to simplify and modernise Victoria's planning policy and rules.
- 5.2 The amendment focuses on changes to the VPP and planning schemes, including improvements to the structure and operation of specific zones, overlays and particular provisions.

REPORT NO: SU346 (cont.)

- 5.3 There are no changes to the Municipal Strategic Statement and the Local Planning Policies.
- 5.4 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application and include the recently approved amendments:

Planning Policy

Framework: Clause 12.01: Biodiversity
Clause 12.01-2S: Native Vegetation Management

Municipal:

Strategies: Clause 21.08: Natural Environment and Environmental Risk

Local Policies: Clause 22.01: Industrial Local Policy

Zones: Clause 33.01: Industrial 1 Zone

Overlays: Nil

Particular

Provisions: Clause 52.17: Native Vegetation

General

Provisions: Clause 65.01: Approval of an Application or Plan
Clause 66: Referral and Notice Provisions

Aboriginal Cultural Heritage

- 5.5 The land is not located within an area identified as having Aboriginal cultural heritage sensitivity and therefore a Cultural Heritage Management Plan is not required.

Major Electricity Transmission Line

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

Planning Permit Triggers

- 5.7 Pursuant to Clause 52.17-1 of the *Hume Planning Scheme*, a planning permit is required to remove native vegetation.

6. REFERRALS:

External

- 6.1 An application for the removal of native vegetation triggers referral under Section 66.02-2 of the *Hume Planning Scheme* to the *Department of Environment, Land, water and Planning* (DEWLP). DEWLP is deemed a recommending referral authority.
- 6.2 DEWLP requested additional information from the applicant; this has since been provided to DELP however their referral response to this additional information had not been received at the time of the writing of this report. The applicant is aware of this and has advised that irrespective of whether they have or have not responded, they have asked Council to proceed in preparing the report for the 24 September 2018 Council meeting.
- 6.3 Referral under the *EPBC Act* is a requirement of the owner/applicant and should be undertaken by the owner/applicant separately to the planning permit process. There is no requirement for Council to undertake such a referral.

Internal

- 6.4 The application was referred internally to Council's Sustainable Environment Department (SED) who does not support the removal of all the native vegetation. The site supports a patch of remnant vegetation considered to be a critically endangered ecological community under the Commonwealth Environment Protection Biodiversity Conservation (EPBC) Act, species listed as Endangered under the EPBC Act and 5 large old trees.

REPORT NO: SU346 (cont.)

7. ADVERTISING:

7.1 The application is exempt from advertising under Section 52 of the *Planning and Environment Act 1987* pursuant to Section 52.17 of the Hume Planning Scheme.

8. ASSESSMENT:

8.1 The following is an assessment with the provisions of the *Hume Planning Scheme*:

Planning Policy Framework

8.2 The strategies at Clause 12.01 (Biodiversity of the Hume Planning Scheme states:

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):

- 1) *Avoid the removal, destruction or lopping of native vegetation.*
- 2) *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- 3) *Provide an offset to compensate for the biodiversity impact from the removal.*

8.3 In addition, Clause 12.01 includes the following strategy:

Avoid impacts of land use and development on important areas of biodiversity.

8.4 This clause has not been satisfactorily addressed in the application. This is a large site and no attempt has been made to address the avoid or minimise steps with regard to native vegetation removal.

Local Planning Policy Framework

8.5 Objective 1 of Clause 21.08 Natural Environment and Environmental Risk of the Hume Planning Scheme states:

To protect, conserve and enhance natural heritage for biodiversity, amenity and landscape character purposes.

8.6 The following strategies have been disregarded:

- 1.1 *Ensure development seeks to preserve the diversity and long term security of terrestrial and aquatic species and their environments.*
- 1.2 *Ensure development seeks to retain native vegetation, including scattered indigenous trees.*
- 1.6 *Ensure conservation assets in existing and future urban areas are well integrated with the built environment and incorporate opportunities for the public to access and enjoy these spaces.*

8.7 Hume supports a rich natural heritage which contributes to the municipality's character and provides the community with a range of social, economic, ecological and health benefits. Hume's landscape is characterised by undulating basalt plains punctuated by volcanic hilltops and deep incised valleys and waterways.

8.8 Hume's remnant vegetation is amongst the most endangered in Victoria. This vegetation exists as scattered trees, woodlands, grasslands, scrub-lands and riparian vegetation. Hume's remnant landscape continues to support both common and threatened native plants and animals.

8.9 This provision further supports the retention of existing native vegetation, with strategies supporting native vegetation retention in development. The *Hume Planning Scheme* is clear in its support of the retention and protection of the natural values within the Hume municipality.

REPORT NO: SU346 (cont.)

- 8.10 The applicant has indicated that they will not be willing to remove less vegetation on the property in exchange for avoiding and minimising the removal in other areas.
- 8.11 The number of species and listed communities under the EPBC Act show that this site is of national significance. This highlights that this is the type of ecosystem that should be avoided.

Zoning

- 8.12 There are no provisions in the zoning for the removal of native vegetation.
- 8.13 Abzeco in their report state that the reason for the removal of the native vegetation is:
Given that the development is for an industrial complex within in an industrial zone and that the development requires suitable truck turning areas, loading bays, warehouse and office space and car parking, there is little scope for either avoidance and mitigation or retention of native vegetation.
- 8.14 The applicant has suggested that the zoning of the land should outweigh the requirements of Clause 52.17 of the *Hume Planning Scheme*. Case Law *Reeve v Hume CC & Ors (includes Summary) (Red Dot) [2009] VCAT 65 (16 January 2009)* states that *“In recognising such a shift, the starting point when contemplating a subdivision (or development) proposal, should be to ask the question why such vegetation should be lost rather than how can the loss be offset. The latter approach has more often than not been adopted for infill urban subdivisions and developments. More particularly, the zoning of the land is not the starting point in considering the suitability of a subdivision proposal. The proposition that a residential zoning carries with it an overriding or automatic expectation that conventional subdivision can or should occur, with all its subsequent consequences for loss of native vegetation, is not accepted. What is called for on such land is innovation that enables the retention of significant native vegetation on the land”*.
- 8.15 There are multiple examples of the retention of native vegetation within Industrial Precincts across Hume. These areas continue to support populations of rare and threatened species many years after the parent subdivisions placed them into conservation reserves. The Sustainable Environment Department has confidence that the values on this site can be preserves and maintained into the future.

Particular Provisions

- 8.16 The purpose of Clause 52.17 Native Vegetation of the *Hume Planning Scheme* is to ensure there is *no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation*. In order to achieve this, there is a clear process outlined both within Clause 52.17 and the incorporated document “the Guidelines”, which states the following steps:
- 1) *Avoid the removal, destruction or lopping of native vegetation.*
 - 2) *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 - 3) *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation. To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*
- 8.17 The decision guidelines for Clause 52.17 indicate that avoidance and minimisation effort should focus on areas of higher value. Given that this site supports an EPBC Act listed ecological community and multiple rare and threatened species and an intact rock cover and understory avoidance and minimisation is therefore an essential step.
- 8.18 Further to the above, the native vegetation Guidelines within Clause 52.17 of the *Hume Planning Scheme* state than an application to remove native vegetation requires demonstration of avoidance and minimisation *“An application to remove native vegetation must demonstrate or provide appropriate evidence to show that no options*

REPORT NO: SU346 (cont.)

exist to avoid native vegetation removal that will not undermine the objectives of the proposed use or development.” An application to remove native vegetation must demonstrate or provide appropriate evidence to show that no options exist to further minimise the impacts of native vegetation removal that will not undermine the objectives of the proposed use or development.

- 8.19 The Biodiversity Assessment prepared by Abzeco states that the scale of a future development is the reason that native vegetation cannot be avoided. The Biodiversity Assessment is made on the assumption that the application for the removal of native vegetation is also for the construction of the industrial building and associated development. This statement has no bearing on the application that has been submitted, as that application is not the application before council. An application to remove native vegetation without a development proposal is considered premature.
- 8.20 The applicant has indicated that they will not be willing to remove less vegetation on the property in exchange for avoiding and minimising the removal in other areas. The number of species and listed communities under the EPBC Act show that this site is of national significance. This highlights that this is the type of ecosystem that should be avoided.
- 8.21 The proposal fails to satisfy the requirements of Clause 52.17, particularly providing an insufficient response to the three step approach requirements of avoid and minimise and the overall objectives of the Framework. The proposal fails to justify ‘exceptional circumstances’ for the removal of all native vegetation.

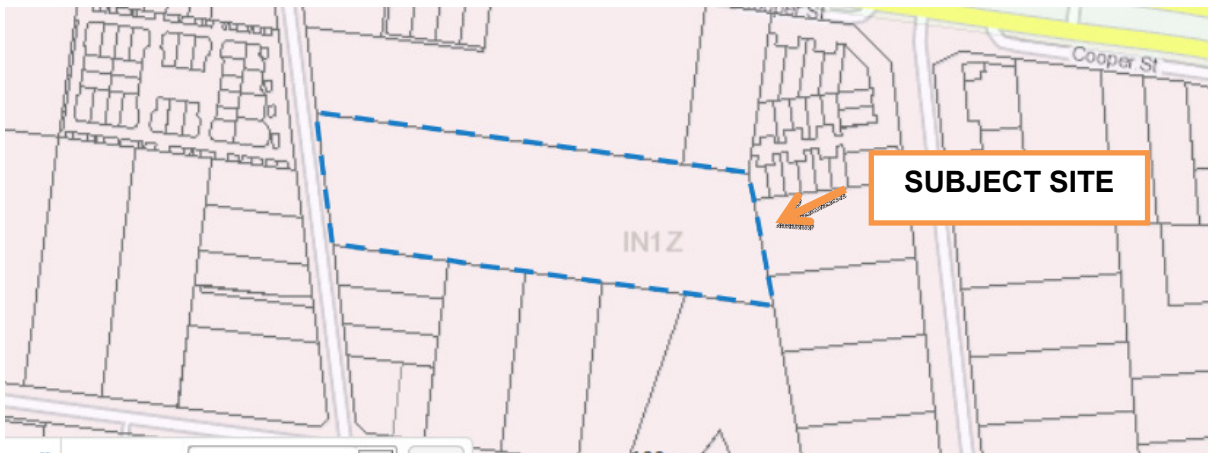
9. CONCLUSION

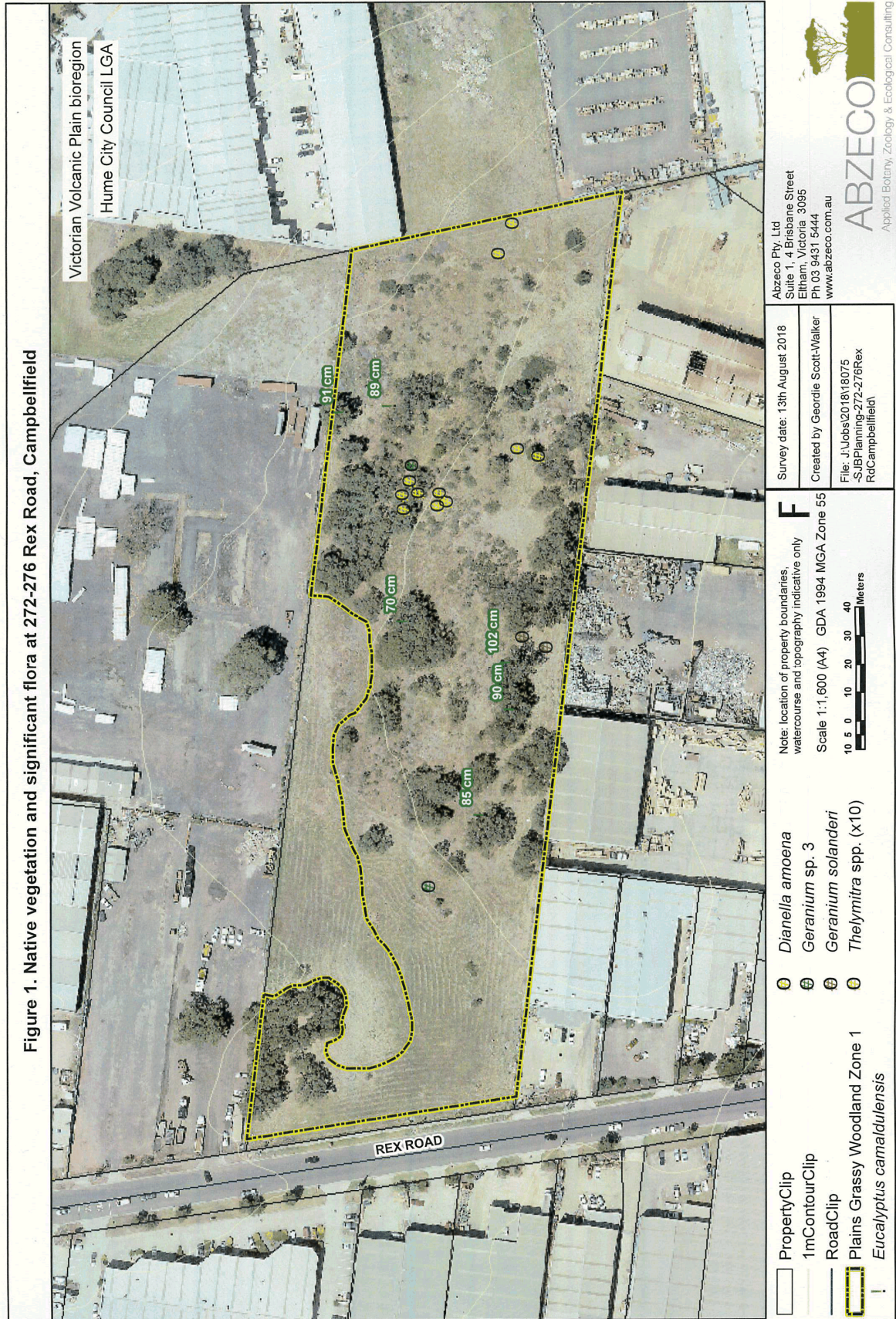
- 9.1 An assessment with the Planning Policy Framework and the particular provisions of Clause 52.17 of the *Hume Planning Scheme* has been provided. In summary, the total removal of all (2.5ha) native vegetation on site is an unacceptable situation for avoidance and minimisation of the removal of native vegetation. The site supports a patch of remnant vegetation considered to be a critically endangered ecological community under the *Commonwealth Environment Protection Biodiversity Conservation (EPBC) Act*, species listed as Endangered under the EPBC Act and 5 large old trees.
- 9.2 The *Hume Planning Scheme* is clear in the requirement to address the three step approach of avoid, minimise and offset the removal of native vegetation. There is nothing in the *Hume Planning Scheme* that suggests that the objectives of the three step approach are not to be followed, because of the underlying zoning.

LOCALITY MAP

P21623

272-276 REX ROAD,
CAMPBELLFIELD





REPORT NO:	SU347
REPORT TITLE:	Statutory Planning Monthly Report September 2018
SOURCE:	Blake Hogarth-Angus, Town Planner (Growth Areas)
DIVISION:	Planning and Development
FILE NO:	-
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

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

1.1 Performance

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

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

101 permit applications were received in August, an increase of 26 from those received in July. The number of permits issued in August was higher than the number issued in July with 82 permits issued compared with the July total of 76. 8 applications were closed off, compared to 5 in the previous month. The number of total outstanding applications increased from 581 last month to 594 in August.

The percentage of applications decided in 60 days or less decreased by 4% in August. The average number of gross days taken to determine planning applications decreased by 9% in July. Since December 2017, the average number of gross days taken to determine planning applications has fallen by 55% and remains significantly below the average days taken by other growth and metropolitan Councils.

The percentage of simple applications issued in 60 days or less decreased by 13% in August and the percentage of average applications issued in 60 days or less increased by 3% from the previous month. 43% of complex applications were issued in August, up from no complex applications being issued in July.

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

1.2 Delegated matters

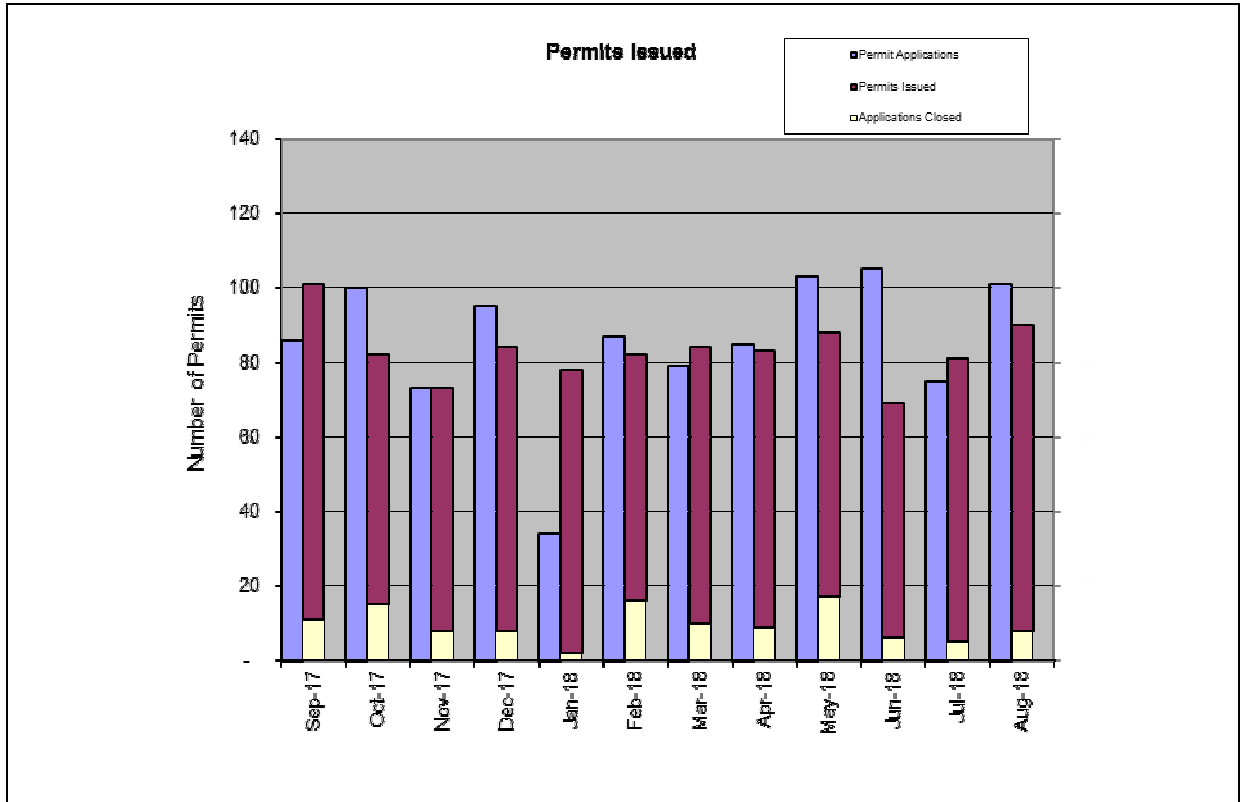
The table within Section 4 of this report further details applications that have been determined under delegated authority including planning applications that receive two objections or less, applications to amend planning permits or plans, applications to extend planning permits, applications to certify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

2. RECOMMENDATION:

That the report be noted.

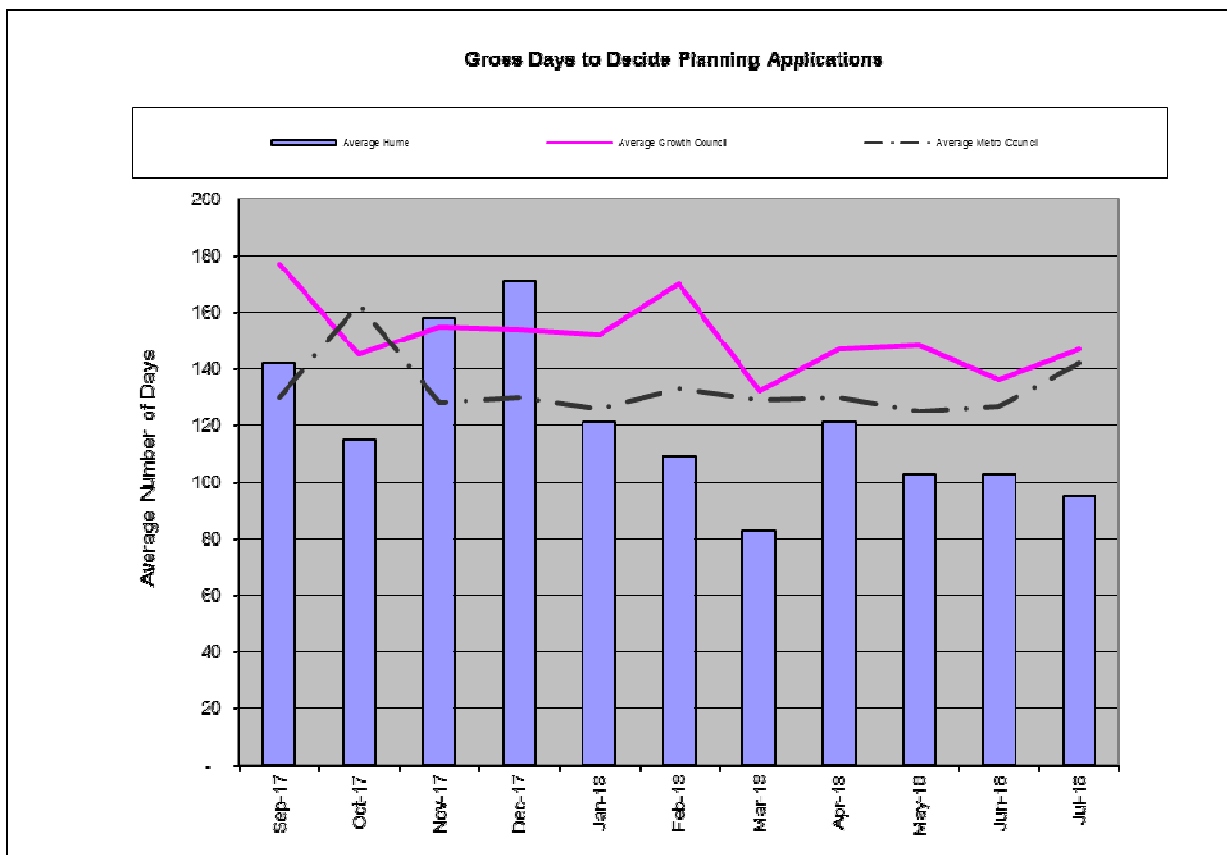
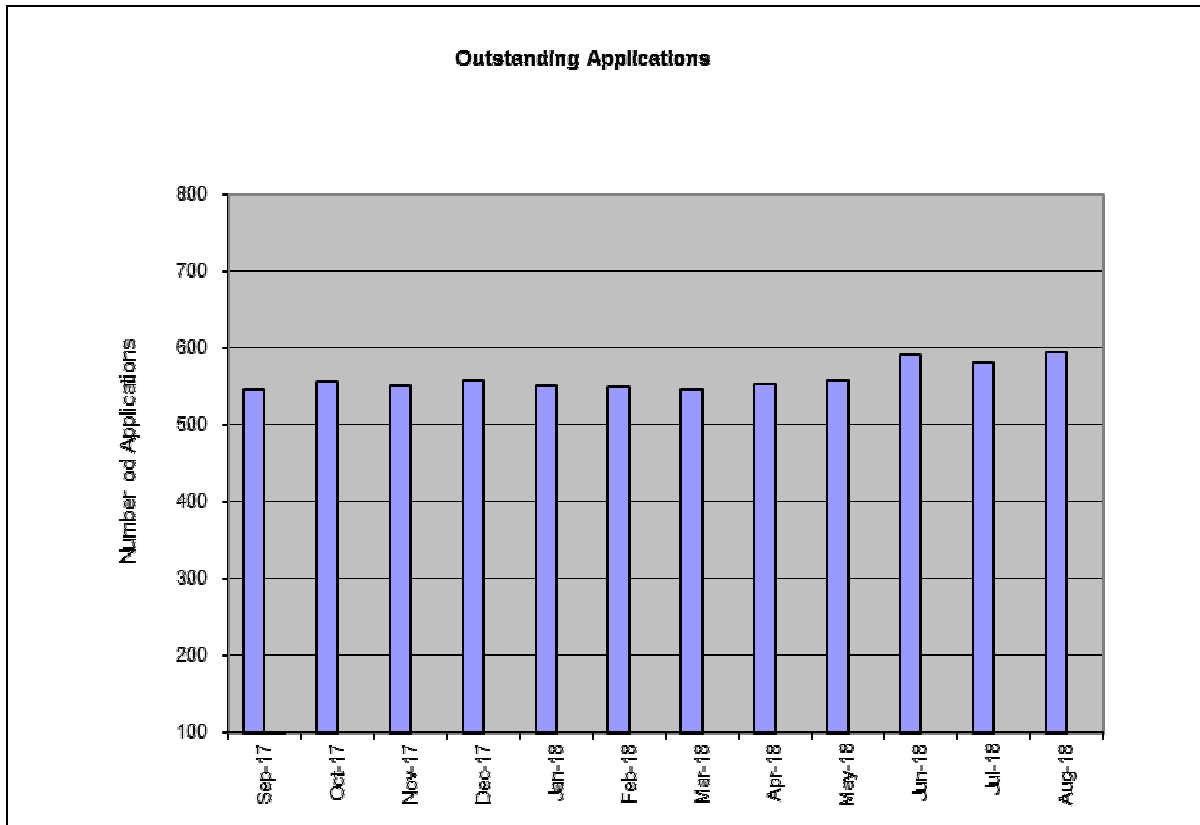
REPORT NO: SU347 (cont.)

August 2018	
Permit Applications	101
Permits Issued	82
Applications Closed	8

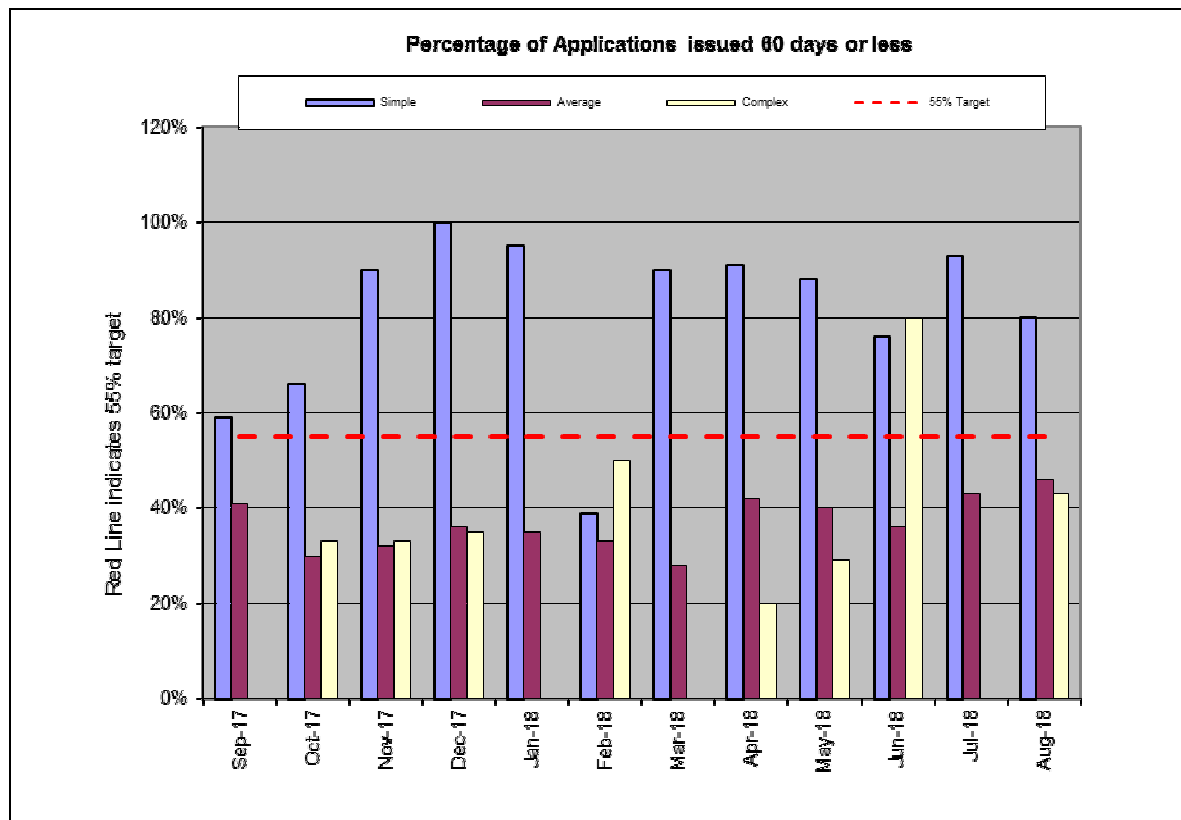
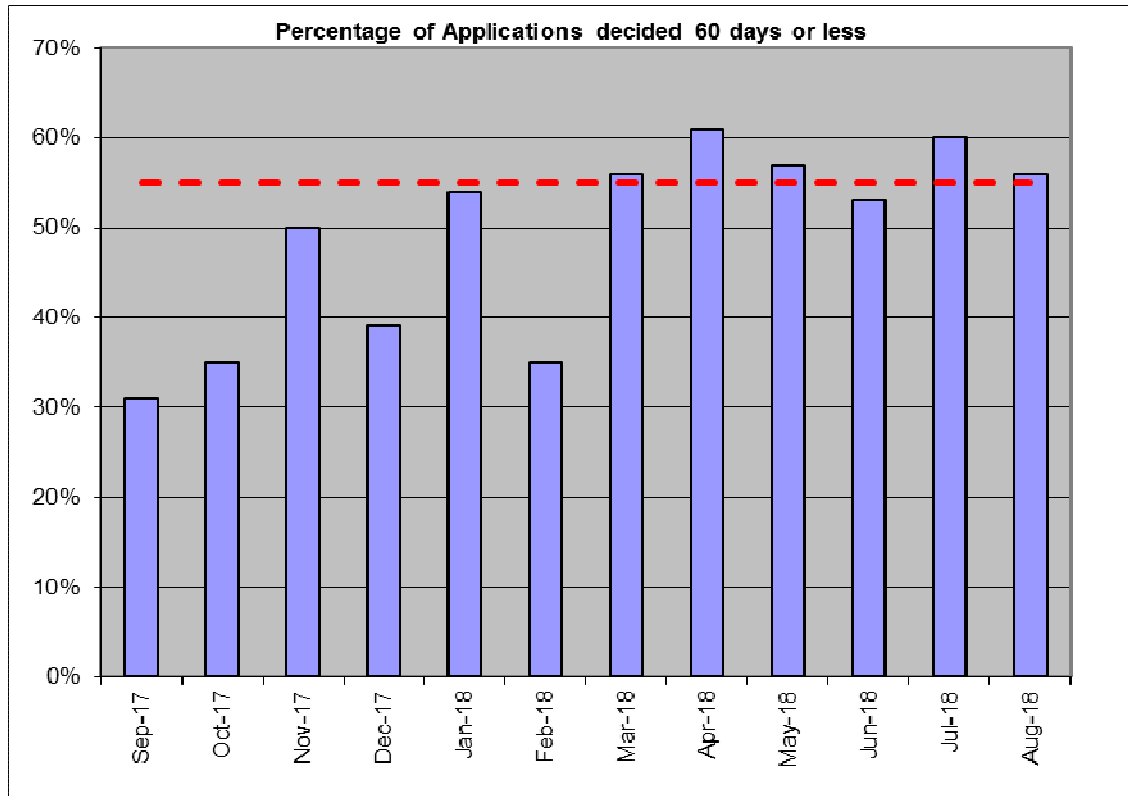


*Permits issued include: Permits, VicSmart, permit from NOD, VCAT Permit (including S72)
 *Applications closed includes: prohibited, no permit required, withdrawn, cancelled, lapsed and, failure to determine (including S72)
 (not included are Notices Of Decisions and Notices of Refusals)

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REPORT NO: SU347 (cont.)



REPORT NO: SU347 (cont.)

3. APPEAL DECISIONS TO DATE:

- 3.1 This report includes all VCAT decisions received in the month of August 2018 and further includes the current month prior to the Council meeting to give Council a more up to date report on VCAT decisions. One initiating order and one order granting an extension of time for an applicant to submit a statement of grounds were received by Council in August. Two VCAT decisions have been received since the last Council meeting and are summarised below.
- 3.2 An appeal was brought by the applicant against Council’s refusal to grant a permit for a two lot subdivision and creation of carriageway easement at 350 Konagaderra Road, Oaklands Junction. The decision of the responsible authority was set aside and the Tribunal order dated 25 July 2018 directed the issue of the permit.
- 3.3 An appeal was brought against a number of conditions on a permit issued by Council on 16 March 2018 allowing for the use and development of an education centre and removal of native vegetation at 145-177 Mitchells Lane, Sunbury. The decision of the responsible authority is set aside and VCAT ordered on 31 August 2018 for an amended permit to be issued.

WARD	APP. NUMBER	PROPOSAL	ADDRESS	DECISION	APPEAL TYPE	DATE	STATUS
Jacksons Creek Ward	P19995	Six storey serviced apartments with gym and cafe	1-3 Freight Drive, Tullamarine.	Notice of Decision to Grant a Permit	Appeal by objector	Practice day hearing on 11/05 /2018 Full hearing on 3/07/2018	Awaiting Decision
Aitken Ward	P20276	Two lot subdivision and carriageway easement	350 Konagaderra Road, Oaklands Junction	Notice of Refusal to Grant a Permit	Appeal by applicant	18/04/2018 Full hearing.	Decision of the responsible authority set aside- permit granted
Jacksons Creek Ward	P13310	Stone extraction without permit	40 Batey Court, Bulla	Enforcement Order	Submitted by Council	Date to be set down	To be heard
Meadow Valley Ward	P20326	Fourteen double storey dwellings.	11 Hillcrest Avenue, Westmeadows	Notice of Refusal to grant a permit	Appeal by applicant.	3/08/2018	To be heard
Meadow Valley Ward	P20608	Twelve double storey dwellings.	15 Hillcrest Avenue, Westmeadows	Appeal seeking costs against Council	Appeal by applicant	3/8/2018	To be heard
Jacksons Creek Ward	P20799	Use and development of the land as a primary school and removal of native vegetation	145-177 Mitchells Lane, Sunbury	Appeal against Conditions on permit	Appeal by applicant	Compulsory conference 31/08/2018. Hearing date of 8/10/2018 vacated	Decision of the responsible authority varied- amended permit issued.
Aitken Ward	P21405	Buildings and works to construct a carport	1/36 Kyabram Street, Coolaroo	Appeal for failure to determine	Appeal by applicant	11/02/2019	To be heard
Jackson Creek Ward	P19725	Buildings and works for the construction of a retaining walls and earthworks	40 McNabs Road, Keilor	Notice of decision to grant a permit	Appeal by objector	3/12/2018	To be heard

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REPORT NO: SU347 (cont.)

4. MATTERS DETERMINED UNDER DELEGATION:

The following table lists all matters dealt with under delegation between 31 July 2018 and 3 September 2018.

MATTERS DEALT WITH UNDER DELEGATION			
P15342	3 double storey dwellings	20 Gibson St, Broadmeadows	Amended plans endorsed (Secondary Consent)
P15607	3 double storey dwellings & 1 single storey dwelling	31 Johnstone St, Jacana	Extension of Time issued
P15830	2 double storey dwellings	1 Pershore Ct, Westmeadows	Extension of Time issued
P16124	Alterations associated with the refurbishment of existing convenience restaurant	205 Melrose Dr, Tullamarine	Amended plans endorsed (Secondary Consent)
P16738	2 double storey dwellings & 1 single storey dwelling	36 Congram St, Broadmeadows	Amended plans endorsed (Secondary Consent)
P17493	Multi lot staged subdivision, creation of road reserves & dwelling on lot less than 300m ²	175 Donald Dr, Roxburgh Park	Amended plans endorsed (Secondary Consent)
P17506	10 dwellings in double storey building above basement car park & creation of access to Road Zone Category 1	59-61 Macedon St, Sunbury	Extension of Time issued
P18075	Demolition of existing front dwelling & 2 double storey dwellings on Lot 1	110 Ripplebrook Dr, Broadmeadows	Extension of Time issued
P18085	Double storey dwelling at rear of existing dwelling	6 Kemp Pl, Sunbury	Extension of Time issued
P18352	2 double storey dwellings & 2 single storey dwelling	21 Ernest St, Broadmeadows	Extension of Time issued
P18545	12 warehouses/factories, ancillary office spaces, dispensation car parking, erection & display of signage	130 Hume Hwy, Somerton	Amended plans endorsed (Secondary Consent)
P18814	2 double storey dwellings & 1 single storey dwelling	125 Graham St, Broadmeadows	Extension of Time issued
P18851	Construction of dwelling	11 Excelsior Hts, Craigieburn	Amended plans endorsed (Secondary Consent)
P17952.01	4 double storey dwellings	1 Thistle Ct, Meadow Heights	Amended plans endorsed (Secondary Consent)
P19372	Childcare centre	765 Mickleham Rd, Greenvale	Amended plans endorsed (Secondary Consent)
P19426	2 single storey dwellings	114 Kitchener St, Broadmeadows	Amended plans endorsed (Secondary Consent)
P19531	3 double storey dwellings & 1 single storey dwelling	16 Meredith St, Broadmeadows	Extension of Time issued
P19966	2 double storey dwellings & 6 single storey dwellings	4 Wills St, Westmeadows	Amended plans endorsed (Secondary Consent)
P19990	2 double storey dwellings	29 Metropolitan Ave, Craigieburn	Amended plans endorsed (Secondary Consent)
P14924.04	Convenience restaurant, take away food premises, convenience shop, service station, medical centre & indoor recreation facility (gym) with business signage & reduction in	3/1350 Pascoe Vale Rd, Coolaroo	Amended plans endorsed (Secondary Consent)

REPORT NO: SU347 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
	loading bay requirements		
P18003.01	Disposal of clean fill & earthworks (clean fill) & creation of access to road in Road Zone Category 1	765-785 Mt Ridley Rd, Yuroke	Amended plans endorsed (Secondary Consent)
P20542	Rural shed	205 Glencoe Dr, Diggers Rest	Amended plans endorsed (Secondary Consent)
P20660	Material recycling & transfer station	42-80 Maffra St, Coolaroo	Amended plans endorsed (Secondary Consent)
P20879	12 warehouses with car parking & reduction in car parking	15-23 The Gateway, Broadmeadows	Amended plans endorsed (Secondary Consent)
P21042	Fence associated with dwelling on lot less than 300m ²	27 Forman St, Westmeadows	Amended plans endorsed (Secondary Consent)
P21121	Shed & removal of native vegetation	20 Karinya Ct, Sunbury	Amended plans endorsed (Secondary Consent)
P21194	Place of assembly (men's shed) & reduction in car parking	3/151A Craigieburn Rd, Craigieburn	Amended plans endorsed (Secondary Consent)
P21196	Research & development centre & alterations to Road Zone 1 access	121-209 Camp Rd, Broadmeadows	Amended plans endorsed (Secondary Consent)
P21213	Dwelling on lot less than 300m ²	27 Nightingale Rd, Mickleham	Amended plans endorsed (Secondary Consent)
P7526.01	Use of existing buildings for purpose of medical facility including ancillary dispensary, alterations & additions to buildings & signage	230 Mickleham Rd, Gladstone Park	Amended permit issued & amended plans endorsed
P16522.01	Extensions to existing education facility	2-16 Cuthbert St, Broadmeadows	Amended permit issued
P10552.01	Buildings & works associated with an industry	30-62 Encore Ave, Somerton	Amended permit issued & amended plans endorsed
P19890.02	52 dwellings, child care centre, retail centre & licensed premises (packaged liquor)	73-97 Belleview Dr, Sunbury	Amended plans endorsed
P18513.01	Buildings & works associated with rest quarters on first floor level	27 Fleet St, Somerton	Amended plans endorsed
P19990.01	2 double storey dwellings	29 Metropolitan Ave., Craigieburn	Amended plans endorsed
P16684.03	Medical centre & dispensary	38-40 Gap Rd, Sunbury	Amended plans endorsed
P19382.01	7 double storey dwellings & 2 single storey dwellings	6 Meredith St, Broadmeadows	Amended permit issued
P20317.01	Display of business identification signage	1500 Pascoe Vale Rd, Coolaroo	Amended permit issued
P19844	3 double storey dwellings	24 Wattleglen St, Craigieburn	Permit issued
P20111	3 double storey dwellings & 1 single storey dwelling	28 Pascoe St, Westmeadows	Permit issued
P20455	Double storey dwelling to rear of existing dwelling	15 Stawell Ave, Dallas	Permit issued
P20499	Change of use to licensed restaurant (wine bar) & reduction car parking	57 O'Shanassy St, Sunbury	Permit issued

REPORT NO: SU347 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
P20500	4 double storey dwellings	85 Kennedy Pde, Roxburgh Park	Permit issued
P20574	Single storey dwelling to rear of existing dwelling	65 Keith Ave, Sunbury	Permit issued
P20735	8 warehouses including offices & showrooms	1805-1825 Sydney Rd, Campbellfield	Permit issued
P20751	Double storey dwelling to rear of existing dwelling	6 Bembridge Mews, Craigieburn	Permit issued
P20765	Ancillary office & showroom (restricted retail premises) to existing factory & reduction in car parking	235 Hume Hwy, Somerton	Permit issued
P20791	Use of existing offices for purpose of education centre	1C/1-13 The Gateway, Broadmeadows	Permit issued
P20837	2 lot subdivision	10 Barrington Lane, Sunbury	Permit issued
P20843	1 double storey dwelling & 1 single storey dwelling (10 Distinction Ave)	575L Craigieburn Rd, Craigieburn	Permit issued
P20856	2 lot subdivision	11 Metrolink Cct, Campbellfield	Permit issued
P20905	Removal of native vegetation for purpose of road safety upgrade	Between Oaklands Rd & Mickleham Rd, Craigieburn	Permit issued
P20930	2 lot subdivision	45 Keith Ave, Sunbury	Permit issued
P20946	Single storey dwelling to rear of existing dwelling & alterations to existing dwelling	3 Balliol Cmmn, Sunbury	Permit issued
P20951	Place of worship	7 Nova Ct, Craigieburn	Permit issued
P20952	3 double storey dwellings	30 Bainbridge Cl, Craigieburn	Permit issued
P20980	Dual occupancy	2 Parkfront Cres, Roxburgh Park	Permit issued
P20999	Extension & addition of first floor to existing dwelling in Melbourne Airport Environs Overlay No. 2	17 Snaefell Cres, Gladstone Park	Permit issued
P21060	2 double storey dwellings & 1 single storey dwelling	12 Ellam Ct, Meadow Heights	Permit issued
P21082	3 lot subdivision	1 Glencara Cl, Westmeadows	Permit issued
P21086	Child care centre	11 Barrymore Rd, Greenvale	Permit issued
P21093	51 dwellings	2-24 King William St, Broadmeadows	Permit issued
P21123	78 lot subdivision	Malkari Lodge, 920 Mickleham Rd, Greenvale	Permit issued
P21139	3 double storey dwellings & 1 single storey dwelling	42 Pascoe St, Westmeadows	Permit issued
P21141	Double storey dwelling to rear of existing dwelling	14 Gunbower Cres, Meadow Heights	Permit issued
P21162	2 double storey dwellings & 1 single storey dwelling	177 Widford St, Broadmeadows	Permit issued
P21182	Licensed premises (restaurant & care license)	71B Hamilton St, Craigieburn	Permit issued
P21205	Warehouse with ancillary office & car park	23 Flight Dr, Tullamarine	Permit issued
P21241	1 double storey dwelling adjacent to existing dwelling & alterations to existing dwelling	35 Medway Rd, Craigieburn	Permit issued

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MATTERS DEALT WITH UNDER DELEGATION			
P21252	Removal of restrictive covenant	41 Dorchester St, Craigieburn	Permit issued
P21254	7 double storey dwellings each on a lot under 300m ²	2 Attain Walk, Roxburgh Park	Permit issued
P21255	Single storey dwelling at rear of existing dwelling	28 Wilsons Lane, Sunbury	Permit issued
P21279	8 lot subdivision	4 Wills St, Westmeadows	Permit issued
P21303	4 lot subdivision	1 Gwilt St, Westmeadows	Permit issued
P21306	Single storey dwelling on land under 300m ² (reinstatement of fire damaged dwelling on existing concrete slab)	19/45-47 Derby St, Tullamarine	Permit issued
P21308	Warehouse & office	28 Colbert Rd, Campbellfield	Permit issued
P21312	Single storey dwelling with garage within an MAEO1	443 Barry Rd, Dallas	Permit issued
P21358	24 hour restricted recreation facility (gymnasium) & advertising signage	203A Melrose Dr, Tullamarine	Permit issued
P21359	Change of use for purpose of industry (bread manufacturing)	9/334 Hume Hwy, Craigieburn	Permit issued
P21365	Single storey dwelling & garage on lot under 300m ²	4 Oscar Cct, Roxburgh Park	Permit issued
P21366	12 warehouses & reduction in car parking	14 Lara Way, Campbellfield	Permit issued
P21411	Double storey dwelling on lot under 300m ²	16 Docker Cct, Mickleham	Permit issued
P21412	Double storey dwelling on lot under 300m ²	18 Docker Cct, Mickleham	Permit issued
P21413	Double storey dwelling on lot under 300m ²	10 Docker Cct, Mickleham	Permit issued
P21414	Change of use to allow for storage of used motor vehicles in association with on-line motor vehicles sales	16A Kurrle Rd, Sunbury	Permit issued
P21422	6 lot subdivision	6 Dunn St, Broadmeadows	Permit issued
P21431	Double storey dwelling on lot under 300m ²	12 Docker Cct, Mickleham	Permit issued
P21439	3 lot subdivision	3 Bubeck St, Sunbury	Permit issued
P21445	Food & drink premises (café & catering business) & reduction car parking	3/1-3 Frederick St, Sunbury	Permit issued
P21449	Electronic major promotional panel sign attached to existing gantry located over Tullamarine freeway	Road Reserve Tullamarine Fwy, Westmeadows	Permit issued
P21451	Pruning & removal of native vegetation within Council road reserve	Road Reserve Racecourse Rd, Sunbury	Permit issued
P21454	Removal of easement	450-500 Donnybrook Rd, Mickleham	Permit issued
P21459	Store ancillary to existing shop (bakery)	Shop 4/126 Hothlyn Dr, Craigieburn	Permit issued
P21465	Alterations & additions to existing equestrian sales & auditorium building	285 Oaklands Rd, Oaklands Junction	Permit issued
P21477	Double storey dwelling, garage & underground water tanks	140 Vineyard Rd, Sunbury	Permit issued
P21480	Use of part of site & existing buildings for advanced polymer identification & processing (materials recycling of plastic product) & works including 2	235 Hume Hwy, Somerton	Permit issued

REPORT NO: SU347 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
	weighbridges, hard stand area & reduction car parking		
P21496	Creation of easement	38-40 Gap Rd, Sunbury	Permit issued
P21497	Erection & display of electronic sign	1/1350 Pascoe Vale Rd, Coolaroo	Permit issued
P21501	Erection & display of electronic sign	61-63 Mickleham Rd, Tullamarine	Permit issued
P21503	4 lot subdivision	27 Eyre St, Westmeadows	Permit issued
P21515	3 lot subdivision	72 Jackson St, Sunbury	Permit issued
P21523	4 lot subdivision	56 Broadmeadows Rd, Tullamarine	Permit issued
P21524	Removal of native vegetation (road reserve)	112 Mitchell St, Kalkallo	Permit issued
P21541	Extension to existing warehouse	130 Northcorp Bvd, Broadmeadows	Permit issued
P21542	4 lot subdivision	1 Clyne Ct, Tullamarine	Permit issued
P21554	3 lot subdivision	11 Abercarn Ave, Craigieburn	Permit issued
P21555	1 warehouse & ancillary office, ancillary office to existing warehouse & reduction car parking	67 Merola Way, Campbellfield	Permit issued
P21571	2 lot subdivision	46 Riggall St, Dallas	Permit issued
P21573	3 lot subdivision	76 Mackellar Dr, Roxburgh Park	Permit issued
P21574	Display of signage	58 McDougall Rd, Sunbury	Permit issued
P21579	2 lot subdivision	140 Hume Hwy, Somerton	Permit issued
P21588	2 lot subdivision	23 Mountaineer Dr, Roxburgh Park	Permit issued
P21617	4 lot subdivision	18 Walsh St, Broadmeadows	Permit issued
P21640	2 lot subdivision	15 Sheoak Ct, Meadow Heights	Permit issued
P21644	3 lot subdivision	9 Kraft Ct, Broadmeadows	Permit issued
S008296	2 lot subdivision - industrial	51A The Gateway, Broadmeadows	Statement of Compliance 31 July 2018
S008372	2 lot subdivision - dual occupancy	18 Calivil Street, Dallas	Plan Certified 1 August 2018
S007875	2 lot subdivision - dual occupancy	71 Ashleigh Crescent, Meadow Heights	Statement of Compliance 1 August 2018
S008448	Variation of Restriction	87 Spavin Drive, Sunbury	Plan Certified with Statement of Compliance 1 August 2018
S008443	3 lot subdivision - multi unit	25 Stewarts Lane, Sunbury	Plan Certified 2 August 2018
S008051	17 lot subdivision - Roxburgh Park Central Estate - Stage 4	2 Truscott Avenue, Roxburgh Park	Statement of Compliance 3 August 2018
S008052	33 lot subdivision - Roxburgh Park Central Estate - Stage 5	2 Truscott Avenue, Roxburgh Park	Statement of Compliance 3 August

REPORT NO: SU347 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
			2018
S007813	Creation of Reserve - Waratah Estate - Stage 2A	425 Donnybrook Road, Mickleham	Plan Re-Certified 3 August 2018
S008269	23 lot subdivision - Eastside Estate - Stage 1	90 Central Park Avenue, Craigieburn	Plan Certified 3 August 2018
S008462	2 lot subdivision - dual occupancy	125 South Circular Road, Gladstone Park	Plan Certified with Statement of Compliance 14 August 2018
S008372	2 lot subdivision - dual occupancy	18 Calivil Street, Dallas	Plan Re-Certified 14 August 2018
S008535	2 lot subdivision - dual occupancy	23 Aitken Street, Sunbury	Plan Certified 14 August 2018
S008600	3 lot subdivision - multi unit	17 Murtoa Street, Dallas	Statement of Compliance 14 August 2018
S008265	17 lot subdivision - Aston Estate - Stage 32	575L Craigieburn Road, Craigieburn	Statement of Compliance 15 August 2018
S008011	39 lot subdivision - Rosenthal Estate - Stage W3	111-143 Mitchells lane, Sunbury	Statement of Compliance 15 August 2018
S008526	2 lot subdivision - dual occupancy	8 Gabbo Court, Sunbury	Plan Certified with Statement of Compliance 15 August 2018
S008498	3 lot subdivision - multi unit	36 Congram Street, Broadmeadows	Plan Certified 16 August 2018
S008073	41 lot subdivision - Highlands Estate - Stage 302	550C Craigieburn Road, Craigieburn	Plan Re-Certified 16 August 2018
S008621	3 lot subdivision - industrial	161 Northbourne Road, Campbellfield	Plan Certified 16 August 2018
S007997	2 lot subdivision - dual occupancy	165 Greenvale Drive, Greenvale	Plan Certified 16 August 2018
S008243	65 lot subdivision - Highlands Estate - Stage 303	1440 Hume Freeway, kalkallo	Plan Re-Certified 17 August 2018
S008073	41 lot subdivision - Highlands Estate - Stage 302	550C Craigieburn Road, Craigieburn	Statement of Compliance 22 August 2018
S008348	87 lot subdivision - Botanical Estate - Stage 1	2090 Mickleham Road, Mickleham	Plan Re-Certified 22 August 2018
S008603	10 lot subdivision - multi unit	27A Geach Street, Dallas	Statement of Compliance 22 August 2018
S008281	55 lot subdivision - Cloverton Estate - Stage 305	1440 Hume Freeway, kalkallo	Plan Re-Certified 23 August 2018
S008393	3 lot subdivision - industrial	18 Burnett Street, Somerton	Plan Certified 23 August 2018
S008506	2 lot subdivision - dual occupancy	125 Dallas Drive, Dallas	Statement of Compliance 24 August 2018
S008668	Plan of Consolidation	1 Cuthbert Street, Broadmeadows	Plan Certified with Statement of Compliance 24 August 2018
S008435	4 lot subdivision - multi unit	48 Mitchells Lane, Sunbury	Plan Certified 27 August 2018
S008673	2 lot subdivision - dual occupancy	46 Riggall Street, Dallas	Plan Certified 27 August 2018

REPORT NO: SU347 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
S008335	49 lot subdivision - True North Estate - Stage 14	30-98 Lysterfield Drive, Greenvale	Plan Certified 27 August 2018
S008286	27 lot subdivision - Highlands Estate - Stage 321	165 Mt Ridley Road, Craigieburn	Plan Re-Certified 27 August 2018
S008627	2 lot subdivision - dual occupancy	18 Woods Close, Meadow Heights	Plan Certified with Statement of Compliance 28 August 2018
S008426	31 lot subdivision - Rosenthal Estate - Stage 13	100 Vineyard Road, Sunbury	Plan Certified 28 August 2018
S007813	Creation of Reserve - Waratah Estate - Stage 2A	425 Donnybrook Road, Mickleham	Statement of Compliance 30 August 2018
S008261	4 lot subdivision - multi unit	63 Eumarella Street, Tullamarine	Statement of Compliance 30 August 2018
S008217	40 lot subdivision - Waratah Estate - Stage 8	425 Donnybrook Road, Mickleham	Statement of Compliance 31 August 2018
S008530	3 lot subdivision - multi unit	20 Waranga Crescent, Broadmeadows	Plan Certified 3 September 2018
S008443	3 lot subdivision - multi unit	25 Stewarts Lane, Sunbury	Statement of Compliance 3 September 2018
S008435	4 lot subdivision - multi unit	48 Mitchells Lane, Sunbury	Plan Certified 27 August 2018

MATTERS DEALT WITH UNDER DELEGATION WITH OBJECTIONS			
FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P19550	Single storey dwelling to rear of existing dwelling	4 Forbes Ct, Attwood	Notice of Decision to Grant a Permit
P20488	4 double storey dwellings	13 Colin Ct, Broadmeadows	Notice of Decision to Grant a Permit
P20904	2 double storey dwellings	1 Aurora Pl, Roxburgh Park	Notice of Decision to Grant a Permit
P21156	3 double storey dwellings	21 Sunset Bvd, Jacana	Notice of Decision to Grant a Permit
P21376	3 double storey dwellings	3 Humevale Ct, Meadow Heights	Notice of Decision to Grant a Permit
P20661.01	Double storey dwelling to rear of existing dwelling & alterations & additions to existing dwelling	1027 Pascoe Vale Rd, Jacana	Notice of Decision to Grant a Permit

SECTION 173 AGREEMENTS SIGNED UNDER DELEGATION			
FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P21231	2 lot subdivision	2 Hesse Ct, Westmeadows	Agreement signed on 7 August 2018
P20296	1 dwelling, earthworks, variation to restriction & removal of native vegetation	2 Stringer Ct, Sunbury	Agreement signed on 16 August 2018

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VICSMART PERMITS SIGNED UNDER DELEGATION			
FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P21486	2 lot subdivision	1/21 Lahinch St, Broadmeadows	Permit issued
P21530	Buildings & works associated with mezzanine level	18 Kurrle Rd, Sunbury	Permit issued
P21552	2 lot subdivision	5 Molland Ct, Craigieburn	Permit issued
P21567	2 lot subdivision	13 Burnett St, Somerton	Permit issued
P21578	2 lot subdivision	40 Fortitude Dr, Craigieburn	Permit issued
P21594	2 lot subdivision	33 Gunbower Cres, Meadow Heights	Permit issued
P21595	2 lot subdivision with each lot containing an existing dwelling	1/12 Hogan St, Sunbury	Permit issued
P21624	2 lot subdivision	90 Wilsons Lane, Sunbury	Permit issued

REPORT NO:	SU348
REPORT TITLE:	Preliminary Draft Melbourne Airport Master Plan 2018 - Hume Submission
SOURCE:	David Hajzler, Strategic Land Use Planner
DIVISION:	Planning and Development
FILE NO:	HCC13/225
POLICY:	-
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENT:	1. <i>Hume City Council Submission to the Preliminary Draft Melbourne Airport Master Plan 2018</i>

1. SUMMARY OF REPORT:

The *Airports Act 1996* requires the operators of Melbourne Airport to prepare a Master Plan for development of the Airport every five years. Melbourne Airport has released their Preliminary Draft Master Plan 2018 for public comment. Submissions to the Draft 2018 Master Plan close on 8 October 2018. The Master Plan outlines Australia Pacific Airports Pty Ltd's (Melbourne Airport's) vision for development of the Airport for the next 20 years and beyond. It is recommended that Council forwards a submission to the Preliminary Draft Melbourne Airport Master Plan 2018 (Attachment 1).

2. RECOMMENDATION:

That Council forwards a submission to the Preliminary Draft Melbourne Airport Master Plan 2018, outlining the matters discussed in this report, in accordance with the submission included as Attachment 1.

3. LEGISLATIVE POWERS:

The Preliminary Draft Melbourne Airport Master Plan 2018 (Draft 2018 Master Plan) was prepared in accordance with the *Airports Act 1996* that requires a formal exhibition process to allow for public submissions.

4. FINANCIAL IMPLICATIONS:

There are no direct financial implications to Council from lodging a submission to the Draft 2018 Master Plan.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

Melbourne Airport is subject to its own environmental obligations under Commonwealth legislation. An Environment Strategy has been prepared as part of the Draft 2018 Master Plan and it is proposed that Council make a submission suggesting changes to the Strategy to improve its environmental performance.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

Climate change adaptation is considered within the Draft 2018 Master Plan Environment Strategy.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

The Hume *Social Justice Charter* seeks to advance a fair and just society and to promote respect for every citizen. It is considered that this proposal meets the objectives of the *Social Justice Charter*.

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8. COMMUNITY CONSULTATION:

- 8.1 The Draft 2018 Master Plan is prepared by the operators of Melbourne Airport. They are required to exhibit the Draft 2018 Master Plan for community comment.
- 8.2 Melbourne Airport ran information sessions in Sunbury on 28 July 2018 and Broadmeadows on 11 August 2018. This provided residents an opportunity to ask questions of Melbourne Airport staff on key aspects of the Draft 2018 Master Plan.

9. DISCUSSION:

Background

- 9.1 Melbourne Airport lies on land owned by the Commonwealth Government that is leased to the Australia Pacific Airports (Melbourne Airport) Pty Ltd who manages the site.
- 9.2 The *Airports Act 1996* requires Melbourne Airport to prepare a Master Plan for the Airport every five years. That Act requires the master plan to outline a development vision for the Airport over the next 20 years.
- 9.3 The Master Plan is assessed and approved by the Federal Minister for Infrastructure and Transport.
- 9.4 Melbourne Airport released their Draft 2018 Master Plan for public comment on 16 July 2018. Submissions to the Draft 2018 Master Plan close on 8 October 2018.

The Draft 2018 Master Plan

- 9.5 The Draft 2018 Master Plan is largely consistent with the 2013 Master Plan and the preceding approved Master Plans, which are based on the *Melbourne Airport Strategy* approved in 1990. The 1990 Strategy itself was based on the original Strategy which was prepared in the 1960s. In essence the Draft 2018 Master Plan is the reflection of planning for the Airport which began over 50 years ago.
- 9.6 The long-term development concept for the Airport remains consistent with the previous Plans which Council has supported. This broadly includes:
 - The four runway configuration.
 - The location and expansion of terminals and supporting uses.
 - The internal road network.
 - The extent and area of non-aeronautical development.
- 9.7 Key developments in the Draft 2018 Master Plan that are anticipated to be completed in the next five years include:
 - Construction of the third runway following an east-west orientation.
 - Extension of the existing east-west runway.
 - Extensions of the apron/taxiway area to support the above.
 - Expansion of the existing Terminal Precinct.
 - Extension and Improvement to the internal road network.

Council's Submission

- 9.8 Council's draft submission is attached (refer Attachment 1). The content of the submission is structured around the following headings:
- 9.9 2023 Development Concept Plan

- 9.9.1 The submission notes the developments proposed for the Airport over the 2018 Master Plan period.

The Proposed Third Runway

- 9.9.2 The submission notes that it is the preference of Melbourne Airport to construct the third runway following an east-west orientation.

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- 9.9.3 The submission acknowledges that the approval of the 2018 Master Plan by the Federal Minister for Transport and Infrastructure does not constitute approval for the development of the third runway.
- 9.9.4 The submission iterates that Council expects the Major Development Plan (MDP) for the Runway Development Plan, which is the approval process for the construction of the third runway, will involve a robust consultation process with the Hume community when the MDP is available for comment in December 2018.
- 9.9.5 Council is gravely concerned about the potential impacts the third runway could have on the Hume community through increased noise exposure and considerable resources need to be expended by Melbourne Airport to ensure that all treatments/measures are identified and implemented to reduce any adverse amenity impact.

9.10 The Long-Term Development Concept Plan

- 9.10.1 Council's submission iterates continued support of the overall development concept reflected in the Draft 2018 Master Plan.
- 9.10.2 The submission raises concern over the implementation and delivery of the developments outlined in Section 9.6, particularly around the planning for and development of Terminal 6.

9.11 2018 Australian Noise Exposure Forecast (ANEF) and Noise Abatement

- 9.11.1 The submission acknowledges the new ANEF contours and that it is Council's expectation that Melbourne Airport continues to work proactively with the community to minimise noise impacts, particularly given the proposed construction of a third runway.
- 9.11.2 Additionally, Council reaffirms its commitment to the Noise Abatement Committee and encourages Melbourne Airport to strengthen the role of the Committee.

9.12 Economic Benefits and Airport Land Use

- 9.12.1 Council's submission acknowledges the important economic role played by Melbourne Airport to the State and Hume, particularly for the employment of Hume residents.
- 9.12.2 The submission suggests that the finalised 2018 Master Plan be used to strengthen the collaborative relationship with Council and the Airport, including the addition of a statement committing to a process of consultation on investment attraction and land use planning matters.

Aircraft Viewing Area

- 9.12.3 The submission proposes that Melbourne Airport take an active role in the management of aircraft viewing areas, such as the one located on the corner of Sunbury Road and Oaklands Road.

9.13 Ground Transport Plan

- 9.13.1 Council's submission supports the objectives that have guided the development of the Ground Transport Plan.

Internal Road Network

- 9.13.2 The submission acknowledges and supports the efforts made by Melbourne Airport to meet the demand on the internal transport network.

External Road Network

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9.13.3 The submission highlights concern that Melbourne Airport will not be able to accommodate the traffic increase that is forecasted over the next five to 20 year period. It urges that the Airport assume a proactive role in advocating all levels of government for improvement to the external road network needed to meet these demands.

9.13.4 The submission also advocates for the identification of the Attwood Connector to improve connectivity between the Hume Corridor area and the Airport.

Public Transport

9.13.5 The submission acknowledges commitment of Melbourne Airport to encourage a shift towards mass transit and acknowledges the recently proposed Airport Rail Link and the Suburban Rail Loop projects.

9.13.6 The submission also provides suggestions to increase bus links to the Airport given the high percentage of Airport employees that reside in Hume.

Active Transport

9.13.7 The submission welcomes the commitment from Melbourne Airport to implement practical measures to make active travel a viable transport alternative and provides suggestions on how to achieve this goal.

9.14 Environment Strategy

9.14.1 Council's submission commends the Airport in meeting 56 out of the 58 targets set in the 2013 Environment Strategy and their increased aspirations of environmental management in the Draft 2018 Master Plan.

9.14.2 The submission suggested that a buffer zone be created along Deep Creek to the west of the Airport to ensure the future development of Terminal 6 has minimal impact on the creek escarpment and habitat of the Growling Grass Frog.

Environmental Action Plans and Targets

9.14.3 The submission offers suggestions on how Melbourne Airport might improve its environmental targets and requests that further investigation be undertaken into Per- and Poly-Fluorinated Alkyl Substances and its management on Airport land.

9.15 Safeguarding Strategy

9.15.1 Council's submission offers support to safeguarding the Airport's operation and growth, including continued commitment to the Noise Abatement Committee.

9.15.2 The submission also comments on the Airport's proposal to provide clarity on controls that guide appropriate development on land surrounding the Airport that might intrude into the Airport's Prescribed Airspace.

10. CONCLUSION:

The ongoing operation and development of Melbourne Airport is a major source of activity and economic development for Melbourne and Hume. It is a major source of employment for Hume residents and supports many Hume based businesses on and off the Airport site. At the same time it is also a major source of noise and traffic congestion that affects many residents. As such, it is recommended that Council forwards a submission to the Preliminary Draft 2018 Master Plan that supports the development of the Airport in a manner which limits these adverse effects on surrounding communities.



HUME CITY COUNCIL
**SUBMISSION TO
THE PRELIMINARY
DRAFT MELBOURNE
AIRPORT MASTER
PLAN 2018**

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Introduction

The Preliminary Draft Melbourne Airport Master Plan 2018 will determine the future development of the Airport. The long term development proposals outlined in the Draft 2018 Master Plan highlight the importance of Melbourne Airport to the development of the region and Hume City.

Council recognises and supports the economic benefits and opportunities Melbourne Airport provides to Hume and supports its growth and development, including its ongoing curfew free operation. Council also believes that this development can and must occur in a manner which minimises any adverse effects on the community. It is in this context that Council provides the following comments on the draft Master Plan.

The Draft 2018 Master Plan

Council is largely supportive of the Draft 2018 Master Plan and acknowledges the extensive work undertaken by Melbourne Airport in its preparation.

Council is supportive of the development objectives of the Draft 2018 Master Plan, particularly ensuring the ongoing protection of Melbourne Airport's 24 hour curfew free status. Council will continue to work with Melbourne Airport to achieve this objective.

Many of the areas that Council believes Melbourne Airport should address are those Council highlighted in its submission to the Draft 2013 Master Plan, particularly regarding the Ground Transport Plan and the third runway. Council's position is unchanged on these issues and will reiterate its position in the hope that these issues are addressed in the final 2018 Master Plan.

The 2023 Development Concept Plan

Council notes the developments proposed for Melbourne Airport over the 2018 Master Plan period, including the intention to build a new east-west runway, extend the current north-south and east-west runways and expand the existing terminal precinct, as well as all the works and infrastructure updates required to accommodate these.

The Third Runway

Council acknowledges the need to develop an additional runway to cater for the projected growth in air traffic.

It is acknowledged that, as indicated in the 2013 Master Plan, it is the preference of Melbourne Airport that the third runway be constructed in the east-west orientation. Council also acknowledges that the approval of the 2018 Master Plan does not constitute approval for the development of the third runway and that the Major Development Plan (MDP) process under the *Airports Act 1996* for the Runway Development Program (RDP) will commence late 2018. Council looks forward to the opportunity to make a submission to the RDP MDP at this time.

Council does note however, that the preference for the east-west runway will result in Hume residents in areas such as Westmeadows, Jacana and Gladstone Park be subject to aircraft noise sooner than if the north-south runway was chosen.

As discussed in Council's submission to the Draft 2013 Master Plan, it is reiterated that given the impact on Hume residents in the decision to preference the east-west runway option, Council expects the assessment and approval process for the RDP MDP will be rigorous in its detail and in the community consultation process. Furthermore, included in the RDP MDP should be detail that explores the benefits and impacts of both the east-west and north-south orientation. Detailed consideration should be given to community impacts and the operational requirements of both the orientations and should explore all opportunities to minimise community impact.

It is again reiterated that Council expects that both Melbourne Airport and the Commonwealth Government will undertake comprehensive and ongoing consultation with the Hume community on the RDP MDP. This should include proposed noise abatement measures along with the relative benefits and impacts of the north-south and east-west runway alignments in the lead up to, and as part of, the subsequent Airports Act and Environment Protection and Biodiversity Conservation Act assessment processes.

Council notes that the operation of parallel east-west runways will assume the majority of aircraft movements during peak times.

Council cannot over emphasise the importance of Melbourne Airport engaging the community surrounding the Airport in their consideration of the third runway. The ongoing commitment from Melbourne Airport to a transparent, communicative and thorough assessment of runway options would give greater comfort to Council and the wider community. Council remains concerned of the impacts the third runway will have on the community and considers that the relative community impacts of each runway alignment should have been considered as part of the 2013 Master Plan. Council however acknowledges that following approval of the 2013 Master Plan, decisions have been made that the environmental (including community) impacts will be considered and addressed as part of the future MDP process. It is Council's expectation that the impacts and measures to avoid and minimise these impacts are addressed as part of this process.

The Long Term Development Concept Plan

Council is generally supportive of the Long Term Development Plan shown in the Draft 2018 Master Plan. Council recognises that elements such as the location and alignment of the future runways first identified in 1990 have not changed.

Council acknowledges that the finer details of the Long Term Development Concept Plan are yet to be determined and will be subject to thorough planning processes over the next twenty years, however there are several areas of concern Council wishes to highlight.

Council is supportive of the construction of a new terminal area and its potential to relieve traffic pressures on Airport Drive and the Tullamarine Freeway. It is acknowledged that a key feature of the 2018 Implantation Plan will include planning for the fourth runway and the second terminal precinct to commence over the next five to 20 year period. There is a lack of detail however, of the key projects/elements in the staging/implementation plan that are required to ensure Terminal 6 is

operational within the 20 year period it is forecasted it will be required. Given that Section 18.3 details key projects/elements that will be undertaken in the next six to 20 year period, further attention should be given to the projects required to meet this target. Particularly, attention should be given to the new ground transport links and projects and investigations that will be required.

The western portion of the Future Aviation Development Precinct and its interface with Deep Creek are also a concern for Council. This development precinct does not provide a buffer to Deep Creek and shows a potential road alignment along Deep Creek and its escarpment. While it is noted that this is an indicative plan, this proposed development will remove Growling Grass Frog and Australian Grayling habitat, and impact on significant escarpment and creek-line landscape. Additional proposed impervious surfaces between the runways will result in the removal of Natural Temperate Grassland of the Victorian Volcanic Plain. Council has significant concerns about the impact of this development on threatened species and significant landscapes.

Council strongly encourages the creation of a buffer zone along the length of Deep Creek. This would create a contiguous green link along the length of Deep Creek, should allow for public recreation links and the protection of significant environmental and landscape values. Additionally, this would enable a contiguous public open space area, broadly in line with defined objectives within the Hume Planning Scheme.

2018 Australian Noise Exposure Forecast (ANEF) and Noise Abatement

The 2018 ANEF have been prepared by Melbourne Airport and endorsed for accuracy by Air Services. Council continues to support this approach to the development of the ANEF.

Council notes that the 2018 ANEF shows an increase in the contours to the east proposed third runway and north into Hume's green wedge areas compared to the 2013 ANEF.

Council continues to support the inclusion of N-contours to complement the ANEF. The N-contours produced should be readily available to the community and be proactively used by Melbourne Airport's interactions with the community to assist in the understanding of noise exposure and its relationship to the ANEF.

Council welcomes the opportunity that would be offered under an updated ruleset for the operation of parallel runways that would allow for more refined flight tracks that would allow for a reduction in noise exposure to areas such as Greenvale, Roxburgh Park, Meadow Heights, West Meadows and Coolaroo.

Council will continue to support Melbourne Airport in strengthening the role of the Melbourne Airport Noise Abatement Committee (NAC). Council continues to believe that to strengthen the role of the NAC their role needs to extend beyond simply identifying an aircraft that may have prompted a noise complaint toward making the users of the new runway more responsible for minimising the amount of noise experienced by residents under the flight path. Airlines in particular need to recognise that in order for the Airport to grow and to protect the Airport's curfew free status, they need to proactively work with the community to minimise noise impacts.

Council also encourages the use of the NAC to explore best practice and innovative solutions to noise abatement.

Economic Benefits and Airport Land Use

Council acknowledges the significant contribution that Melbourne Airport currently makes and will make to the State, Melbourne and Hume economies and supports its growth and development including its ongoing curfew free operation. It particularly notes the importance of the Airport in providing jobs for Hume residents and the competitive advantage that the Airport provides to businesses located within the municipality.

Council recognises that the airport precinct supports more than 20,600 full-time equivalent jobs and with the possibility of a third runway being built, employment may increase to 35,000 jobs by 2038. With the high unemployment rate in Hume, Council welcomes these job projections and realises the significant role Melbourne Airport will play in creating local jobs for local people.

Council supports Melbourne Airport's role as an important and major employment and activity centre within Hume City and is committed to working closely with Melbourne Airport to maintain this. It also encourages the development and evolution of the Landside Main Precinct, Landside Business Precinct and Elite Park to facilitate the establishment/investment in both aviation and non-aviation facilities/businesses including:

- Aviation-related services including aircraft maintenance and servicing and freight terminals; and
- Non-aviation related uses/investment including industrial, commercial, medical, retail, office, recreational/leisure, manufacturing, warehousing and associated activities.

Council recognises that airports are becoming much more than places to fly in and out from. They are also destinations that provide visitors/passengers, employees with places to shop, spend leisure time and do business.

With the Visitor Economy (tourism) being Hume's fourth largest industry sector, the proposed Master Plan, including uses complementary to aviation such as retail, hotels, sport, leisure, cafes, bars and restaurants, further supports this sector and supplements Council's role in the growth of tourism in the region and positioning Hume City as a visitor destination.

Notwithstanding the above, Council requests that in the interest of strengthening the collaboration between Council and the Airport, that the final 2018 Master Plan expressly state a commitment to collaboration and consultation with Hume City Council on land use matters. Council does note that we are given opportunity to comment on matters that require a MDP, however on investment attraction and land use matters that fall below this threshold, Council would appreciate a commitment to a transparent and collaborative process defined in the Master Plan. Council's position explicitly corresponds with the local policy at Clause 21.05-1, Strategy 1.8 that seeks to:

"Ensure that land uses within the Melbourne Airport Transport Gateway do not adversely impact on the viability of nearby activity centres".

Aircraft Viewing Area

It is understood that the aircraft viewing area that is located on Airport land on Sunbury Road and Oakland Road is not officially managed by Melbourne Airport. Council recommends that given the

popularity of this viewing area, that the Airport assumes an active role in the management and use of this area, which should be acknowledged within the 2018 Master Plan. Additionally, consideration should be given to a new aircraft viewing area to allow the public to view the east-west runway given the increased aircraft movements that will come from the operation of the third runway.

Ground Transport Plan

Council supports the objectives that have guided the development of the Ground Transport Plan and details below suggestions on how Melbourne Airport might further achieve the objective to “manage travel demand, particularly for employee travel”.

Council notes that the Ground Transport Plan in the Draft 2018 Master Plan provides significantly less detail than that prepared for the 2013 Master Plan.

Council acknowledges that it is not the responsibility of Melbourne Airport to deliver infrastructure beyond the Airport’s boundaries, however Council is concerned that there appears to be a lack of planning and leadership on the part of Melbourne Airport to facilitate the construction of key transport infrastructure projects.

Internal Road Network

Council recognises and supports the efforts made by Melbourne Airport to meet the demand on the internal transport network and particularly the future financial commitment required to deliver the expansion and reconfiguration of the internal road infrastructure. Council believes these plans and scale of investment demonstrates the level of foresight and commitment needed to ensure that the Airport can meet the projected growth in demand and fulfil its role in the continued growth of Melbourne.

Council welcomes the measures to improve the safety and experience of passengers by increasing the terminal’s access and egress capacity, expanding the forecourt capacity and reducing the pedestrian-vehicle conflicts between the transport hubs and the main terminal buildings.

External Road Network

Council notes the forecasted significant increases in passenger, employee and commercial vehicle trips to Melbourne Airport in the next 20 years, with the Tullamarine Freeway continuing to serve as the main traffic route. Council welcomes the commitment made by Melbourne Airport to reduce the reliance on the Tullamarine Freeway and the effort to redistribute the traffic to Airport Drive.

Transport System Capacity and Demand

Council recognises that the recent delivery of the Tullamarine Freeway widening project will significantly reduce congestion and improve travel times in peak periods to and from the Airport in the next five years. Council is concerned however, that no further improvements to the external road network are identified to be required during this period.

The transport modelling undertaken by Council shows that the surrounding arterial network, particularly the area formed by Sunbury Road, Oaklands Road, Wildwood Road and Somerton Road, forms a bottleneck for traffic movements between Sunbury and the rural areas of Hume. The model results also show that given the forecast growth in Sunbury and the Hume Corridor in the next 20 years, the congestion in this area is expected to worsen until the Bulla Bypass and the Melbourne Airport Link are delivered.

Council therefore believes that the external long term road network initiatives identified to address future demand beyond the five year period will need to be delivered earlier in order to support not only the passenger growth of the Airport but also the population growth of the northern metro region.

Council also believes that Melbourne Airport needs to show stronger leadership in its interactions with all levels of government to identify and deliver solutions to meet the increase in demand for travel to and around Melbourne Airport. The final 2018 Master Plan must include greater recognition of the critical nature of the long term external transport improvements that if not delivered Council believe will compromise the realisation of the 2018 Master Plan.

Council submits that more work needs to be done by Melbourne Airport and State Government to determine the appropriate timing of delivery of the external road network projects identified in the period six to 20 years in Section 14.5.1 of the Draft 2018 Master Plan.

Bulla-Bypass and Melbourne Airport Link

Bulla Bypass and Melbourne Airport Link are crucial to provide access to Sunbury and the Airport and commitment needs to be given to its construction now so that the planning, design and construction process can be undertaken to have it delivered by 2023.

Council strongly encourages Melbourne Airport to examine closely the implications of not delivering these road network improvements in the next five years.

Council submits that before the Master Plan is completed that Melbourne Airport should seek to request more clarity, certainty and commitment to the timing of the delivery of Bulla Bypass and Airport Link from State Government.

Attwood-Connector

Council has advocated for some time for the identification of the Attwood Connector to improve connectivity between the Hume Corridor area and Melbourne Airport. Council believes that this road and dedicated bus service provides an excellent opportunity to better connect passengers, employees, workers and other businesses in the Hume and wider Northern Growth Area to Melbourne Airport. In particular, it considers it provides an opportunity to connect to Aitken Boulevard and provide a dedicated rapid bus service that could ultimately be accessible to over 200,000 people (Council's estimate).

Public Transport

Council welcomes the recognition by Melbourne Airport of the need to provide a range of transport options for passengers and employees to access Melbourne Airport, particularly the commitment of Melbourne Airport to encourage a shift towards mass transit.

Rail

Council welcomes the support of Melbourne Airport to the Airport Rail Link and the commitment to provide land reservation to allow the construction of a rail connection to the terminal and a station close to the terminal buildings.

Council is supportive of a Craigieburn link to Melbourne Airport, however it is acknowledged that during the development of this Draft Master Plan the current State Government has pledged to deliver the Airport Rail Link following the Sunshine alignment. It is also noted that the opposition government also has announced their support to this project and the Sunshine alignment.

Council also acknowledges that during the exhibition period for this Draft 2018 Master Plan the current State Government announced the Suburban Rail Loop project. Council is supportive of the Suburban Rail Loop that would link Broadmeadows Station to the Airport. Council suggests that this project be incorporated into the Draft Master Plan.

Local Bus Services

Council notes that the majority of existing metropolitan (PTV) bus routes servicing the Airport have poor frequencies and span of hours. Significant Improvements need to be done to the bus network in order to make buses a feasible option for passengers and employees travelling to and from the Airport.

Council believes that Melbourne Airport must advocate to State Government for improvements to the Smart Bus route 901 stop and facilities at the Broadmeadows Train Station. This bus service is currently used by passengers and employees travelling to and from Melbourne Airport and connecting to the Broadmeadows Train Station. This option is also very popular due to its good frequency and low cost which make it an attractive public transport option to travel to the Airport until the Airport Rail Link is constructed.

Council notes that two-thirds of employees live within 15 kilometres of the Airport with a strong representation of employees that live in Sunbury. Council also notes the high percentage of employee trips currently undertaken by car (88%) which account for over 30,000 trips per day. Council strongly suggests that this proximity and this number of trips represent a very real opportunity to change the mode share of employees in the short term by providing local bus services with high frequencies, during Airport working hours and target employees places of residence.

Council submits that Melbourne Airport needs to work with Transport for Victoria to identify and deliver a broader range of public transport improvements in the next five years, particularly the funding and implementation of an efficient and reliable local bus network that matches the Airport's employees travel patterns.

Potential Public Transport Improvements

Council believes that the Draft 2018 Master Plan should include the following two bus routes. These routes would place a large proportion of the Hume community within easy reach of a good quality public transport service to Melbourne Airport:

1. A smart bus service from Sunbury to Melbourne Airport to Broadmeadows – transport modelling has shown that this would attract good patronage (5,000 boardings a day) reflecting the strong demand for access to Melbourne Airport from Sunbury (currently a large number of workers at Melbourne Airport come from Sunbury).

2. A smart or rapid bus service from the northern area of Hume to Melbourne Airport via Aitken Boulevard and either Somerton Road/Mickleham Road or via the Attwood connector (as discussed before). Both options achieve good patronage (3,000-3,500 boardings a day).

Active Transport

Council welcomes the commitment from Melbourne Airport to implement practical measures to make active travel a viable transport alternative by extending the internal walking and cycling path networks and by developing the Airport's Urban Design Strategy for landside developments in order to implement end-of-trip facilities.

Council acknowledges the recognition of the need to extend the walking and cycling path networks in the vicinity of the Airport to improve safety and provide better connections to the Airport's internal walking and cycling paths.

Council believes there are opportunities to improve walking and cycling connections to the Hume Corridor via the Moonee Ponds Creek shared path and Attwood Connector. There are also opportunities to connect to a future shared path along the Maribyrnong River via Deep Creek, Steele Creek and Arundel Creek.

Council submits that Melbourne Airport should work closely with Transport for Victoria and Hume Council to support the implementation of the Strategic Cycling Corridors and the Hume Bicycle Network Plan in order to achieve a higher participation of cycling in the mode share.

Environment Strategy

Council commends the goal of the Airport’s environmental policy “to be an environmental leader for transport and logistics sites in Australia”. Additionally, Council commends Melbourne Airport’s achievement of 56 out of the 58 targets detailed in the 2013 Environment Strategy and supports the increased aspirations for environmental management detailed in the Draft 2018 Master Plan. To this end, Council recommends the specific inclusion of “environmental sustainability” to Section 2.2 – 2018 Master Plan Development Objectives to appropriately reflect the importance of environmental sustainability throughout the master planning process.

As recommended in the Long Term Development Concept Plan section above, Council reiterates that the 2038 development footprint, indicated in Figure 16.3, will encroach to Deep Creek and the habitat of the Growling Grass Frog without providing a protective buffer. Council again stresses that a buffer zone along Deep Creek should be created.

Environmental Action Plans and Targets

Council supports the development and implementation of an Integrated Water Plan, as discussed in Table 16-6. While it is acknowledged that Victorian and local planning provisions are not directly applicable to the Airport site, Council strongly suggests that the Integrated Water Plan draw on policies such as the State Environment Protection Policy (Waters of Victoria) to set objectives and targets around best practice water management.

Section 16.4.1.1 sets the target of the action plan that 100% of Operational Environmental Management Plans (OEMPs) are received and reviewed. Council recommends that there should also be a corresponding compliance target for these OEMPs.

One of the targets listed in Section 16.4.7.1 states that Melbourne Airport will ‘Meet or exceed Melbourne Airport’s annual target 12-month average wildlife strike rate.’ While it is understood that it is not the intent of the target, the word ‘exceed’ implies that the Airport is aiming for a higher than average wildlife strike rate. Council recommends that the wording for this target be changed throughout the document, aiming instead for a reduction in wildlife strike rates or no net increase in wildlife strike rates.

In Section 16.4.6.1 Melbourne Airport propose a site-wide Per- and Poly-Fluorinated Alkyl Substances (PFAS) investigation and associated risk assessments, in addition to other monitoring and management strategies. Council strongly supports further investigation into PFAS and its management on the subject land.

Safeguarding Strategy

Council supports the long-term safeguarding of Melbourne Airport to maintain the social and economic benefits the Airport offers Hume residents.

Council is committed to a collaborative approach to safeguarding the Airport and continuing to work with Melbourne Airport on the Noise Abatement Committee.

Council supports the Airport in managing the risk of airspace intrusions and will continue to work with the Airport to ensure that the Airport's Prescribed Airspace continues to be protected. Council also notes that the Airport proposes to update the Prescribed Airspace in accordance with those in the Draft 2018 Master Plan.

Council acknowledges the Airport's intention to explore additional methods to communicate the existing Prescribed Airspace regulations, particularly regarding structure heights and land use proposals impacting the Airport's airspace. Council does not believe that an alteration to the Victorian Planning Provisions, through the introduction of a new overlay or particular provision, is the only or most the appropriate response to this. Instead, this issue and potential solutions should be explored as part of the fundamental review of Airport safeguarding that is incorporated into the Melbourne Airport Safeguarding Strategy that will form part of the finalised 2018 Master Plan.

Conclusion

Council acknowledges the significance of Melbourne Airport to the State and to Hume. It is therefore considered paramount that the Airport can grow and expand to meet the forecasted demands over the next 20 years and beyond.

The Preliminary Draft 2018 Master Plan outlines Melbourne Airport's vision for the Airport site which then enables consideration of what is required outside the Airport to achieve this outcome. Council looks forward to working with Melbourne Airport to plan and advocate to State and Commonwealth Governments for the delivery of the infrastructure necessary to support both the development of the Airport and the surrounding community.

Council's response to the Preliminary Draft 2018 Master Plan reiterates many concerns that were raised in response to the Draft 2013 Master Plan. Council urges careful consideration of the issues raised and endeavours to work collaboratively with Melbourne Airport to ensure these concerns are resolved.

REPORT NO:	GE294
REPORT TITLE:	Correspondence received from or sent to Government Ministers or Members of Parliament - August 2018
AUTHOR:	Yuri Guzman, Manager Information and Technology; Paul White, Coordinator Knowledge Management
DIVISION:	Corporate Services
FILE NO:	HCC04/13
POLICY:	-
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	<ol style="list-style-type: none">1. <i>2-16 Nicholas Street Broadmeadows</i>2. <i>Jacksons Hill & Sunbury Road Upgrade</i>3. <i>Bulla Bridge Duplication Viability</i>4. <i>Proposed Valley Park Community Centre</i>5. <i>Melbournes Northern Councils</i>6. <i>Kaufland stores in Victoria</i>7. <i>Australian National Flag Day</i>8. <i>Australia's First Gender Equality Bill</i>9. <i>Best practice guide for gender equity in local government</i>10. <i>Health Services in Yuroke</i>11. <i>Successful Grant Applications</i>12. <i>Grant Opportunities</i>

1. SUMMARY OF REPORT:

This report presents a summary of correspondence relating to Council resolutions or correspondence that is considered to be of interest to Councillors received from and sent to State and Federal Government Ministers and Members of Parliament.

2. RECOMMENDATION:

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

3. DISCUSSION:

There is a range of correspondence sent to and received from State and Federal Government Ministers and Members of Parliament during the normal course of Council's operations. Correspondence of this nature registered in the Council recordkeeping system during August 2018 are summarised below in three tables:

Table 1	Correspondence in relation to General Business and Report items from Council meetings
Table 2	Correspondence that may be of interest to Councillors
Table 3	Correspondence in relation to grant / funding opportunities from State and Commonwealth government.

Copies of the documents are provided as attachments to this report.

REPORT NO: GE294 (cont.)

TABLE 1 CORRESPONDENCE IN RELATION TO COUNCIL GENERAL BUSINESS ITEMS

	Subject	Minister or Member of Parliament	Date Received / Sent	Responsible Officer	Council Minute Reference	Attachment
Outwards	Committee of Management - 2-16 Nicholas Street, Broadmeadows	Minister for Planning CC: Member for Broadmeadows	14/08/2018	Manager Urban & Open Space Planning	1. U324	1
Inwards	Jackson's Hill and Sunbury Road upgrade projects	Premier of Victoria	14/08/2018	Manager Communications & Events	2. ED234	2
Outwards	Bulla Bridge Duplication Viability	Minister for Roads and Road Safety	16/08/2018	Director Planning and Development	3. ED241	3
Outwards	Update on proposed Valley Park Community Centre Broadmeadows	Member for Broadmeadows	16/08/2018	Director Community Services	4. HE013	4

TABLE 2 GENERAL CORRESPONDENCE THAT MAY BE OF INTEREST TO COUNCILLORS

Outwards	Melbourne's Northern Councils - 2017-18 School Crossing Supervisor Subsidy Scheme	Minister for Roads and Road Safety	21/12/2017	Mayor		5
Inwards	Kaufland Stores in Victoria Advisory Committee	Minister for Planning	24/07/2018	Director Planning and Development		6
Inwards	Australian National Flag Day 3 September 2018 - Further Information	Assistant Minister to The Prime Minister	8/08/2018	Manager Governance		7
Inwards	Australia's First Gender Equality Bill - Have Your Say	Minister for Local Government	21/08/2018	Manager Community Strengthening		8
Inwards	Best Practice Guide for Gender Equity in Local Government (Guide not attached)	Minister for Local Government	27/08/2018	Manager Community Strengthening		9
Inwards	Health Services in Yuroke Electorate – Parliament Constituency Question	Member for Yuroke	27/08/2018	Director City Communities		10

REPORT NO: GE294 (cont.)

TABLE 3 CORRESPONDENCE ANNOUNCING GRANT / FUNDING OPPORTUNITIES FROM STATE AND COMMONWEALTH GOVERNMENT.

Inwards	<p>Successful Grant Applications:</p> <ul style="list-style-type: none"> • Children’s Facilities Capital Program Minor Grant - McEwen Drive Preschool • Children’s Facilities Capital Program Minor Grant - Dawson Street Preschool • Children’s Facilities Capital Program Minor Grant - Learmouth Street Preschool • Hume FReeZA Project Grant • Minor Kinder Grants Program - Attwood Child Care Centre and Goodstart Early Learning Centre • Local Projects - Sunbury West Primary School - Tullamarine Tennis Club - Sunbury Memorial Hall • Community Safety Fund Grant - Outcome of application - Meadow Heights Education Centre 	<p>Minister for Early Childhood Education</p> <p>Minister for Youth Affairs Member for Yuroke</p> <p>Member for Yuroke</p> <p>Member for Sunbury</p> <p>Minister for Police</p>	<p>1/08/2018</p> <p>9/08/2018</p> <p>9/08/2018</p> <p>9/08/2018</p> <p>24/08/2018</p>	Coordinator Grants and Advocacy		11
Inwards	<p>Grant Opportunities Available:</p> <ul style="list-style-type: none"> • Change our Game Scholarship Program – Round 2 • Stronger Communities Grants Round 4 	<p>Member for Yuroke</p> <p>Member for McEwen</p>	<p>8/08/2018</p> <p>15/08/2018</p>	Coordinator Grants and Advocacy		12

– OFFICE OF THE MAYOR –



Our File: 513511 (HCC-CM18/374)
Enquiries: Gren McLaren
Telephone:

1079 PASCOE VALE ROAD
BROADMEADOWS
VICTORIA 3047

Postal Address:
PO BOX 119
DALLAS 3047

Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

Tuesday, 14 August 2018

The Hon Richard Wynne, MP
Minister of Planning
8 Nicholson Street
EAST MELBOURNE VIC 3002

Dear Minister

**RE: COMMITTEE OF MANAGEMENT – NEIGHBOURHOOD PARK, 2-16
NICHOLAS STREET, BROADMEADOWS**

I wish to thank you for the recent opportunity to meet with you and the Member for Broadmeadows, Mr Frank McGuire MP regarding 2-16 Nicholas Street, Broadmeadows. Hume City Council appreciates the State Government's commitment to the revitalisation of Broadmeadows and the community benefits that will be generated by the renewal of the former Broadmeadows Primary School site for housing and open space purposes.

At its meeting of 13 August 2018, it was resolved that Council:

- 2.1 *writes to the Minister for Planning to seek to have 0.75 hectare of land on the 2-16 Nicholas Street, Broadmeadows site provided to Council as a neighbourhood park under a Committee of Management arrangement.*
- 2.2 *resolves to take on care and management of a 0.75 hectare neighbourhood park, on 2-16 Nicholas Street, Broadmeadows, adjoining and linking into the Meadowlink linear reserve if Council is appointed as Committee of Management in accordance with the **Crown Land Reserves Act 1978**.*
- 2.3 *refer up to \$1million to develop this land as a high quality neighbourhood park for the local community to a future budget process."*

A copy of the Council Report *SU114: Committee of Management - Neighbourhood Open Space, Nicholas Street, Broadmeadows* is attached for your information.

Your approval of Amendment C223 rezones this site to Residential Growth Zone and includes Development Plan Schedule 30 which requires the inclusion of useable public open space and the provision of a park adjoining, and linking into, the adjacent Meadowlink Linear Reserve. Council strongly recommends that the future neighbourhood park should be located as shown in the attached concept plan.

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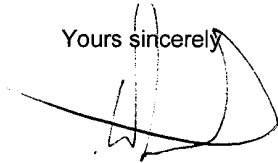
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I look forward to receiving further advice on this opportunity as the Inclusionary Housing Pilot and developer appointment for redevelopment of this site progresses.

Once again thank you for agreeing to the arrangements for the much needed open space that will be developed by Council for the enjoyment and benefit of the Hume community.

In the meantime, should you have any queries or require further information in relation to this matter please do not hesitate to contact Council's Manager Urban and Open Space Planning, Mr Greg McLaren on _____ or via email at _____

Yours sincerely



**CR GEOFF PORTER
MAYOR**

Encl

cc: Mr Frank McGuire MP, Member for Broadmeadows
Mr Andrew Widdicombe, Manager Land, State Project Facilitation - Department of Environment, Land, Water and Planning



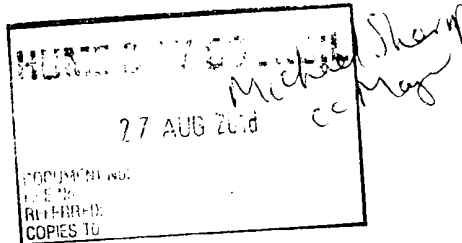
The Hon Daniel Andrews MP

14 AUG 2018

Premier of Victoria

1 Treasury Place
Melbourne, Victoria 3002 Australia
Telephone: +613 9651 5000

Cr Geoff Porter
Mayor
Hume City Council
PO BOX 119
DALLAS VIC 3047



M18/5306

Dear Cr Porter

Thank you for your kind feedback on behalf of Hume City Council and the Hume community regarding the Jacksons Hill and Sunbury Road upgrade projects.

Josh Bull MP has been a strong advocate for these projects, and we are excited about what they will bring to the local community.

The Jacksons Hill project, developed by the Victorian Planning Authority in consultation with Hume City Council, Victoria University, Heritage Victoria and the local community, will ensure that the heritage values of the beautiful site remain while the land is developed to support a diverse range of uses.

We hope the site becomes a vibrant hub of activity for the community to enjoy. This is why we invested \$10.8 million to upgrade the Sunbury campus of the Sunbury and Macedon Ranges Specialist School, \$3.5 million to upgrade the Sunbury Primary School, and \$3 million to support a new Community Arts and Creative Industries Precinct on the site.

The widening of Sunbury Road between Powlett Street and Bulla-Diggers Rest Road, and upgrade to the intersection of Lancefield Road and Francis Boulevard, will reduce congestion and travel times for more than 24,000 drivers who use Sunbury Road each day. The upgrades will also improve the linkages between local communities, local services and employment hubs, while boosting the reliability of bus services between Sunbury and Melbourne Airport.

We look forward to continuing to work with you on these initiatives.

Yours sincerely

The Hon Daniel Andrews MP
Premier

cc: Josh Bull MP

– OFFICE OF THE MAYOR –



Our File: HCC18/447 [HCC-CM18/397]
Enquiries: Michael Sharp
Telephone:

1079 PASCOE VALE ROAD
BROADMEADOWS
VICTORIA 3047

Postal Address:
PO BOX 119
DALLAS 3047

Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

Thursday 16 August 2018

The Hon Luke Donnellan MP
Minister for Roads and Road Safety
1 Spring Street
MELBOURNE VIC 3000

Dear Minister

RE: BULLA BRIDGE DUPLICATION VIABILITY

Hume City Council at its meeting of 13 August 2018 resolved:

"That Council write to the Hon Luke Donnellan MP, Minister for Roads and Road Safety; VicRoads; and Mr Josh Bull MP, Member for Sunbury asking for a detailed report on why duplication of the Bulla Bridge would not be viable."

Council welcomes the funding provided by the State Government to improve the safety and operation of Sunbury Road.

Whilst Council acknowledges the safety improvements on Sunbury Road between Tullamarine Freeway and Oaklands Road and the funding commitment for the duplication of Sunbury Road between Powlett Street and Sunbury Bulla-Diggers Rest Road, Council is still concerned with road safety and congestion in the vicinity of the Bulla Bridge and would like to receive a detailed report why the duplication of the bridge would not be viable.

Should you require further information in relation to this matter, please contact Mr Michael Sharp, Director Planning and Development on _____ or email _____

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Porter', written over a dotted line.

**CR GEOFF PORTER
MAYOR**

cc: Mr Josh Bull MP, Member for Sunbury
Mr Michael Malouf, Chief Executive Officer - VicRoads

– OFFICE OF THE MAYOR –



File No: HCC11/188-02 (HCC-CM18/387)
Enquiries: Hector Gaston
Telephone:

1079 PASCOE VALE ROAD
BROADMEADOWS
VICTORIA 3047

Postal Address:
PO BOX 119
DALLAS 3047

Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

Thursday 16 August 2018

Mr Frank McGuire MP
State Member for Broadmeadows
PO Box 3213
BROADMEADOWS VIC 3047

Dear Mr McGuire *Frank,*

**RE: UPDATE ON PROPOSED VALLEY PARK COMMUNITY CENTRE,
BROADMEADOWS**

Hume City Council at its meeting of 13 August 2018 resolved that:

'Council writes to the local member for Broadmeadows, Mr Frank McGuire MP, asking for an update on the advocacy to the State Government for a community centre at Valley Park, Broadmeadows.'

You would be aware that the proposed community centre was part of the 2012 Land Exchange Agreement between Council and the former Department of Human Services. The agreement included the transfer of Council's Westmeadows Maternal and Child Health Centre site to the Department in return for the Department to provide and maintain a new multipurpose community facility, including a dedicated Maternal and Child Health care component.

In March this year, the Department of Health and Human Services advised Council that it was no longer using Place Management in housing developments and as such it would not be in a position to honour the above agreement.

Whilst the Department has agreed to work with Council to facilitate an alternate facility, such as consideration being given to the provision of property for maternal and child health services or associated uses, there have been no tangible outcomes achieved to date.

Council seeks your support in advocating to the Victorian State Government for a community centre at Valley Park.

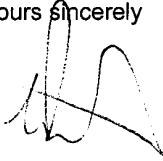
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- 2 -

The matter takes on a degree of urgency in light of the Department's advice that the development is anticipated to be completed by 2020. Council is keen to resolve this matter by 2019.

Should you have any further queries in relation to this matter, please contact Council's Director Community Services, Mr Hector Gaston on

Yours sincerely

A handwritten signature in black ink, appearing to read 'CR Geoff Porter', written over a dotted line.

CR GEOFF PORTER
MAYHOR



21 December 2017

The Hon Luke Donnellan MP
Minister for Roads and Road Safety
Level 22, 1 Spring Street
MELBOURNE VIC 3000

Dear Minister

RE: 2017-18 CHILDREN'S CROSSING SUPERVISOR SUBSIDY SCHEME

I write this letter on behalf of the seven Councils that represent Melbourne's Northern Councils (Northern Group) to seek your urgent intervention into the 2017-18 and ongoing funding of the Children's Crossing Supervisor Subsidy Scheme.

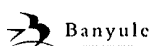
The Northern Group was extremely appreciative of the State Governments' announcement on 16 December 2016 (attached) of a 50/50 funding model between the State Government and Councils from 1 July 2017. In July, all Councils received advice from Vic Roads of the 2017/18 funding and the increase provided over 2016/17.

The Northern Group understands that the increase was based on the assumption by Vic Roads that the 2016/17 School Crossing Supervisor Program funding was split 35% State Government and 65% Councils, due to the approximation of the 2015/16 State-wide program cost of \$32m with a total subsidy of \$11m. The advised increase in funding for 2017/18 to the Northern Group was \$777,337 or 42.86%, being 50% divided by 35%.

The Northern Group has a number of issues with this assumption:

- The actual subsidy for 2016/17 was not 35% and has been less than this for more than 10 years;
- The increase was based on two-year old program costs; and
- The program costs included in the subsidy only includes the employment costs of supervisors and does not include administration, monitoring or maintenance of school crossing infrastructure.

As an example, in Hume City Council the subsidy has decreased from 48% in 2001/02 to 35% in 2005/06 and 26% in 2016/17. Over this 15 year period whilst Council's



2

funding has increased by 4% per annum, population growth and subsequent School Crossing supervisor growth of 2.85% per annum has absorbed most of this increase. In 2015/16 the State-wide program funded 2,795 supervisors and based on the Northern Groups actual experience, Council estimates the 2015/16 program cost was \$35.2m with a subsidy of \$9.7m, or 27.6%.

The actual funding of the 2017/18 School Crossing Supervisor Program for the Northern Group is **37.7%** (attached) creating a shortfall of **\$840,366** to achieve 50%, based on 505 Supervisors and direct employment costs only.

Further, the Northern Group is aware of the State-wide Review of the School Crossing Supervisor Program that Transport for Victoria is currently undertaking and due to be completed in early 2018, however whilst this review may alter the operation and or location of some crossings, it is not expected to address the current and ongoing funding shortfall to 50% that was committed to by the State Government from 1 July 2017.

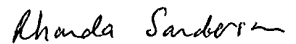
The program is highly valued and Council partners with the State Government in good faith and understanding of a 50/50 funding split. We therefore seek your urgent intervention and a meeting to discuss the significant issue outlined above.

To make an appointment to discuss this matter please contact Bronwen Clark on 0448 401 257 or bronwen.clark@whittlesea.vic.gov.au

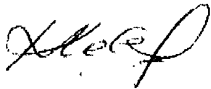
Yours sincerely



Cr Mark Di Pasquale
Mayor, Banyule City Council



Cr Rhonda Sanderson
Mayor, Mitchell Shire Council



Cr Kim Le Cerf
Mayor, Darebin City Council



Cr John Kavanagh
Mayor, Moreland City Council



Cr Geoff Porter
Mayor, Hume City Council



Cr Peter Clarke
Mayor, Nillumbik Shire Council



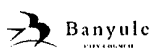
Cr Kris Pavlidis
Mayor, City of Whittlesea

Attachments:

1. Media Release (16 December 2016) *Better School Crossings to keep kids safe*
2. 2017-18 Northern Group Subsidy Summary

cc.

Ms Marlene Kairouz, MP Minister for Local Government
Mr Vince Punaro, Vic Roads Regional Director – Metropolitan North West Region
Mr Mal Kersting – Vic Roads Regional Director Northern Victoria
Mr Rob Spence, CEO MAV



Media Release

The Hon Luke Donnellan MP
Minister for Roads & Road Safety
Minister for Ports



Friday, 16 December, 2016

BETTER SCHOOL CROSSINGS TO KEEP KIDS SAFE

The Andrews Labor Government is keeping children safe while travelling to and from school with a new funding model for the School Crossing Program.

Minister for Roads and Road Safety Luke Donnellan announced that the School Crossing Program would have certainty with 50/50 funding between the Labor Government and local councils from 1 July 2017.

School crossing supervisors are highly valued and respected members of our community and this funding will ensure that they can continue to do their job and keep kids safe as they travel to and from school.

School crossing supervisors also provide road safety support for students walking or riding to school, helping with traffic congestion issues around the school gate.

Transport for Victoria will lead a broader strategic review into the movement and safety of school students, including potential safety improvements, the effectiveness of the built environment and alternative travel options.

The review findings will be delivered in early 2018.

Quotes attributable to Minister for Roads and Road Safety Luke Donnellan

"Children are some of our most vulnerable road users and we're making it safe for them when travelling to and from school."

"Safety of children around schools is paramount and school crossing supervisors are some of our most recognised road safety ambassadors."

"We're delivering a funding model that will continue to support school crossing supervisors and keep kids safe."

MELBOURNES NORTHERN METROPOLITAN GROUP
VicRoads 2017-18 Children's Crossing Subsidy

Council	Vic Roads Supervisors / Sites	Council Supervisors / Sites	2017/18 Budget	2017/18 Budget	2017/18 Subsidy	%	Budget / Supervisor	Subsidy / Supervisor	% Increase	Vic Roads Region	Notes
Hume	97		\$ 1,252,385		\$ 459,913	36.7%	\$ 12,911	\$ 4,741	42.86%	Metro North West	
Mitchell	23		\$ 290,783		\$ 108,233	37.2%	\$ 12,643	\$ 4,706	44.06%	Northern Region	20 sites (28 supervisors incl. 5 relievers)
Nilumbik	40		\$ 507,009		\$ 225,977	44.6%	\$ 12,675	\$ 5,649	42.86%	Metro North West	
Whittlesea	121		\$ 1,635,436		\$ 623,559	38.1%	\$ 13,516	\$ 5,153	42.86%	Metro North West	Team leader position not included
Whittlesea		39		\$ 527,124			\$ 13,516				
Darebin	90		\$ 1,283,787		\$ 473,940	36.9%	\$ 14,264	\$ 5,266	42.86%	Metro North West	
Moreland	73		\$ 1,015,881		\$ 386,781	38.1%	\$ 13,916	\$ 5,298	42.86%	Metro North West	
Banyule	61		\$ 873,488		\$ 310,616	35.6%	\$ 14,319	\$ 5,092	42.86%	Metro North West	Team leader position not included
Banyule		39	\$ 6,858,769	\$ 527,124	\$ 2,589,019	37.7%	\$ 13,582	\$ 5,127	42.91%		
Expected Subsidy					\$ 3,429,385	50%					
Gap in 2017-18 Subsidy					\$ 840,366						



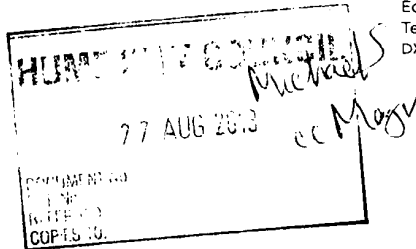


Hon Richard Wynne MP

Minister for Planning

8 Nicholson Street
East Melbourne, Victoria 3002
Telephone 03 8683 0964
DX210098

Cr Geoff Porter
Mayor
Hume City Council
P.O. Box 119
DALLAS VIC 3047



Ref: MBR037107



Dear Mayor

KAUFLAND STORES IN VICTORIA ADVISORY COMMITTEE

I am writing to advise you that I have decided to appoint an advisory committee to provide advice and recommendations on the proposed roll-out of six supermarket based stores and an associated national headquarters in metropolitan Melbourne by Kaufland Australia Pty Ltd. I consider an advisory committee will provide a consistent, timely and transparent process for assessing the planning merits of each of the proposed stores.

The proposed sites for stores are on land at:

- 1550 Pascoe Vale Road, Coolaroo
- 1 – 5 Gladstone Road, Dandenong
- 592 – 694 High Street, Epping
- 1126 Centre Road, Oakleigh South (to be co-located with Kaufland Australia National Headquarters)
- 266 Maroondah Highway, Chirnside Park
- 1158 Nepean Highway, Mornington

Kaufland's consultants have proposed an amendment to each relevant planning scheme to allow the use and development of the land in accordance with a site-specific control as detailed in a proposed incorporated document. The incorporated document is proposed to be included in the schedules to Clause 52.03 and 81.01 of the respective planning schemes.

The Department of Environment, Land, Water and Planning (DELWP) will work with Planning Panels Victoria to determine timeframes for exhibition and public hearings, and their location. DELWP will shortly liaise with your council about the information required to provide appropriate notice about the proposals.

If you would like more information, please contact Jane Homewood, Executive Director, of Statutory Planning Services, DELWP, on (03) 8683 0975 or email on jane.homewood@delwp.vic.gov.au.

Yours sincerely

HON RICHARD WYNNE MP
Minister for Planning

24/7/18

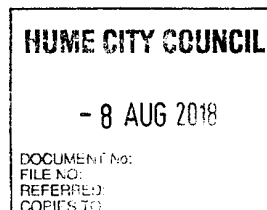




SENATOR THE HON JAMES MCGRATH
ASSISTANT MINISTER TO THE PRIME MINISTER

Reference: MS18-002358

Councillor Geoff Porter
Mayor of the Hume City Council
PO Box 119
DALLAS VIC 3047



Dear Councillor Porter

I am writing to advise you about Australian National Flag Day, on 3 September 2018. Australian National Flag Day celebrates the occasion the Australian National Flag was first flown, on 3 September 1901, at the Royal Exhibition Building in Melbourne.

To celebrate Australian National Flag Day, I encourage you to work with schools, businesses and community groups to host flag raising ceremonies on, or about, 3 September 2018.

To assist you with promoting Australian National Flag Day, the Department of the Prime Minister and Cabinet has a Flag Kit with fact sheets containing information and activities about the Australian National Flag and other ways to celebrate the day. These resources are available in a digital format on the Department's website (www.pmc.gov.au/flag) which also provides the protocols for flying the flag, information on how to subscribe to the Commonwealth Flag Network and resources for teachers and students on Australia's national symbols.

Your local Federal Parliamentarian is able to help with providing Australian National Flags to constituents, local councils and other eligible recipients. I encourage you to contact your Federal Senator or Member of Parliament if your Council is in need of a new Australian Flag.

For further assistance please contact the Department of the Prime Minister and Cabinet via email at nationalsymbols@pmc.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. McGrath'.

JAMES MCGRATH

2 / 8 / 2018
CC Chief Executive Officer, Hume City Council

Flag Kit for Flag Day

Australian National Flag Day celebrates the first time the flag was flown on 3 September 1901. On 28 August 1996, the then Governor-General, Sir William Deane, issued a proclamation that officially established 3 September as Australian National Flag Day.

Flag Day is an opportunity to remind all Australians of the importance and significance of Australia's foremost national symbol. The Flag features in the national curriculum under civics and citizenship. The Department of the Prime Minister and Cabinet provides a flag kit which can be used to help promote an understanding of Australia's democratic heritage and traditions, and the shared values of freedom, tolerance, respect, responsibility and inclusion.

The flag kit consists of the following resources:

- Flag Day Fact Sheet
- Australian National Flag – Fun Facts
- Australian National Flag Fact Sheet
- Flag outline for colouring in
- Flag info sheet with how to recreate the flag



Australian National Flag Day – 3 September

History of Australian National Flag Day

Australian National Flag Day celebrates the first time the flag was flown on 3 September 1901.

On that day Prime Minister Edmund Barton announced the winners of a competition to find a flag for Australia. It was a large flag, 5.5 metres by 11 metres, and was flown over the dome of the Exhibition Building in Melbourne. At that time the flag was known as the Commonwealth blue ensign; later, the flag became known as the Australian National Flag.

Australian National Flag Day was proclaimed by the Governor-General on 28 August 1996 and has been celebrated since 3 September 1996.

Celebrating Australian National Flag Day

All Australians are encouraged to fly or display the Australian National Flag to celebrate Australian National Flag Day on 3 September each year.

Australian National Flag Day is an opportunity for individuals, community organisations, local authorities, businesses and schools to celebrate with pride the anniversary of the Australian National Flag.

Some ideas for Australian National Flag Day are:

- Conduct a flag-raising ceremony.
- Business and organisations which don't have a flagpole may wish to display the Australian National Flag in the public areas of their buildings, such as foyers.
- Read about the history of the Australian National Flag and the protocols for flying the flag at www.pmc.gov.au/flag
- Request a copy of the *Australian flags* booklet, available free of charge from your Senator or Federal Member of Parliament.
- Join the Commonwealth Flag Network.



Australian Flags booklet.



School children holding the Australian National Flag at a flag-raising ceremony at Parliament House, Canberra. Photo: Auspic.

Protocols for Raising the Flag

While there are no official guidelines in relation to conducting flag raising ceremonies, basic flag protocol should be observed:

- the flag should be treated with respect and dignity;
- the flag should be raised no earlier than dawn and lowered no later than dusk, but may be flown at night when illuminated;
- the flag should be raised briskly and lowered ceremoniously;
- the Australian National Flag should be raised first and lowered last;
- two flags should not be flown from the same flagpole; and
- the flag should not be allowed to fall or lie on the ground.

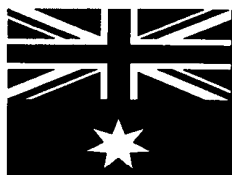
Commonwealth Flag Network

Join the Commonwealth Flag Network to be notified of half-masting messages and other nationally significant events for flying the Australian National Flag.

Subscribe to the network by emailing nationalsymbols@pmc.gov.au.

More information

DEPARTMENT WEBSITE: www.pmc.gov.au/flag



AUSTRALIAN SYMBOLS

Australian National Flag - Fun Facts

(1) Following federation in 1901 the new Commonwealth Government held an open competition calling for public input into the design of a flag. It was the first time in history that a national flag had been chosen in this way.

Where was the first place that the Australian National flag was flown?

- a. Parliament House, Canberra
- b. The Sydney Opera House
- c. The Royal Exhibition Building, Melbourne
- d. The Lodge (Residence of the Prime Minister).

(2) Australian National Flag Day was proclaimed by the Governor-General in 1996 to 'commemorate the day in 1901 on which the Australian National Flag was first flown'. On what date do we celebrate each year?

(3) Which colour features on the Australian National Flag?

- a. Red
- b. White
- c. Blue
- d. All of the above

(4) Five near-identical entries tied for the honour of designing our flag, and the winners shared in the 200 pound prize money. Approximately how many entries were submitted in the competition?

- a. 152
- b. 3,500
- c. 30,000
- d. 130,000

(5) How many points are there on the Commonwealth star, the largest star on the Australian National Flag?

- a. 5
- b. 6
- c. 7
- d. 8

(6) Which other Australian symbol features the Commonwealth star?

(7) The Southern Cross is a constellation that is significant to Indigenous Australians because it features in their mythology.

On which half of the Earth is the Southern Cross visible?

(8) Which of the following statements about the Australian National Flag is true?

- a. The Australian National Flag is the only official flag of Australia.
- b. The design for the flag was chosen by an international competition.
- c. The flag can only be flown at certain times of the year.
- d. The flag has not changed since 1901.

(9) Name one other official flag of Australia?

(10) How big is the Australian National Flag flying over Parliament House?



School children holding a large flag that is flown over Parliament House in Canberra.

Answers

- 1) C
- 2) 3 September
- 3) D
- 4) C
- 5) C
- 6) The Commonwealth Coat of Arms
- 7) The southern hemisphere
- 8) B
- 9) Australia recognises other official flags including the Australian Aboriginal Flag, the Torres Strait Islander Flag and the Australian Red Ensign. The ensigns of the Australian Defence Force include the Australian Defence Force ensign, the Australian white ensign and the Royal Australian Air Force ensign.
- 10) It is 12.8 by 6.4 metres or slightly larger than the side of a double decker bus.



Australian National Flag

The Australian National Flag is Australia's foremost national symbol. The flag was first flown in 1901 and has become an expression of Australian identity and pride.

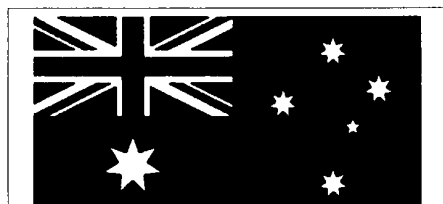
The flag is an important part of national occasions such as Australia Day, Anzac Day, and Australian National Flag Day.

About the Australian National Flag

The Australian National Flag has three elements on a blue background. The Union Jack in the upper left corner (or canton) acknowledges Australia's historical links with the United Kingdom.

Below the Union Jack is a white Commonwealth Star. It has seven points representing the unity of the six states and the territories of the Commonwealth of Australia. The seventh point was added in 1908 and is the only change to the flag since 1901. The star is also featured on the Commonwealth Coat of Arms.

The Southern Cross is shown on the fly (or right hand side) of the flag in white. This constellation of five stars can be seen only from the southern hemisphere and is a reminder of Australia's geography.



The Australian National Flag has three elements on a blue background. The Union Jack, the Commonwealth Star and the Southern Cross.

History of the Australian National Flag

In 1901 Prime Minister the Rt Hon Sir Edmund Barton MP, announced an international competition to design a flag for the Commonwealth of Australia. Five near-identical entries were awarded equal first place from more than 30,000 designs. The designers shared the prize of £200.

The Australian National Flag flew for the first time on 3 September 1901 from the Royal Exhibition Building in Melbourne.

King Edward VII approved the design for the Flag of the Commonwealth of Australia (Gazette,

20 February 1903), incorporating both the (blue) Ensign and the (red) Merchant Flag.

The *Flags Act 1953* declared the (blue) Ensign as the Australian National Flag. The Prime Minister, the Rt Hon Sir Robert Menzies MP, described this as "very largely a formal measure which puts into legislative form what has become almost the established practice in Australia" and noted that "no legislative action has ever been taken to determine the precise form of the flag or the circumstances of its use, and this bill has been brought down to produce that result" (Hansard, 20 November 1953).

Australian National Flag Day

Australians celebrate the first time the Australian National Flag was flown by flying or displaying the flag on 3 September.

Other Australian flags

Australia recognises other official flags including the Australian Aboriginal Flag and the Torres Strait Islander Flag.

The ensigns of the Australian Defence Force include the Australian Defence Force Ensign, the Australian White Ensign and the Royal Australian Air Force Ensign.

The Australian Red Ensign is the official flag to be flown at sea by Australian registered merchant ships.

Use of the Australian National Flag

The flag can be flown every day of the year. As the nation's foremost national symbol it should be treated with dignity and respect and there are protocols governing its use.

Fast facts

FIRST FLOWN: 3 September 1901

AUSTRALIAN NATIONAL FLAG DAY: 3 September

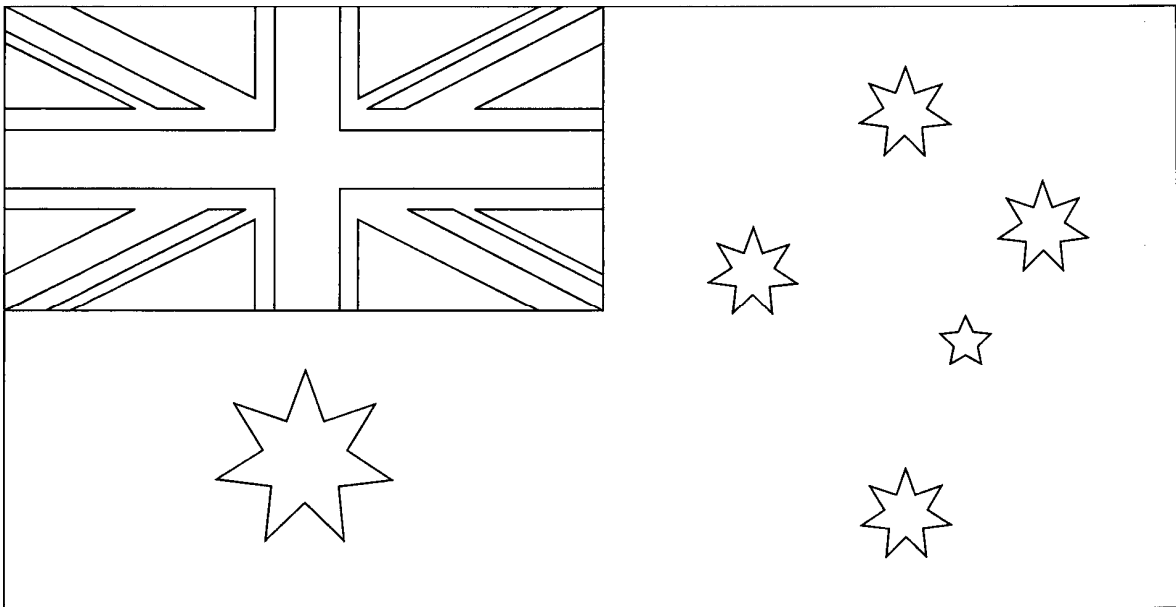
DESCRIPTION: A blue background with the Union Jack in the upper left corner, a white Commonwealth Star in the lower left corner and the five stars of the Southern Cross on the fly of the flag in white. The colour references for the Australian National Flag are: Blue Pantone® 280 and Red Pantone® 185.

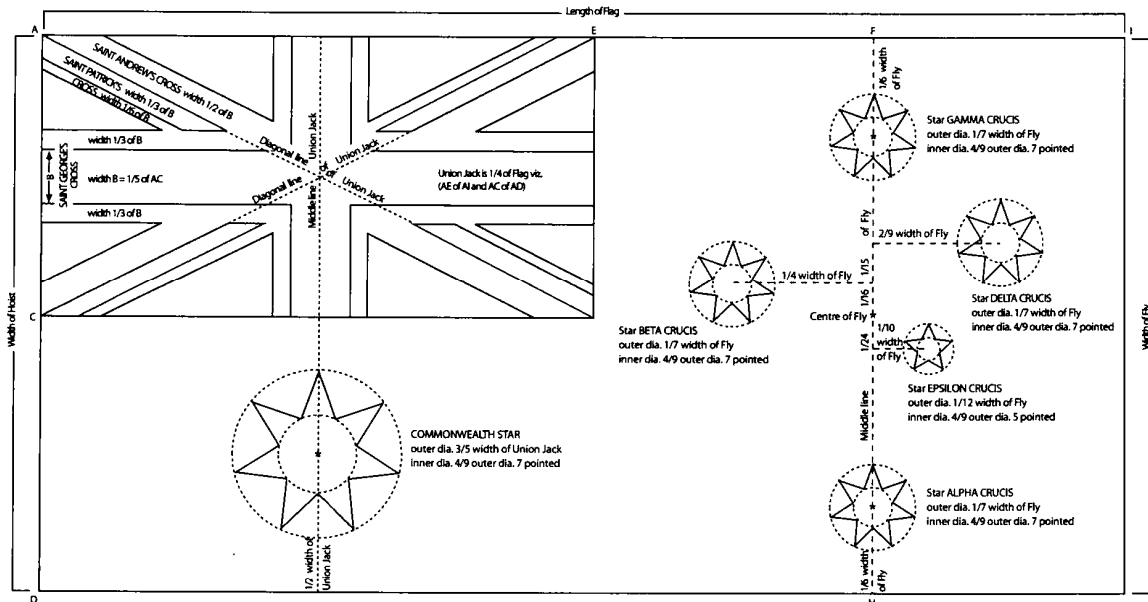
USE OF THE AUSTRALIAN NATIONAL FLAG: The flag can be flown every day of the year.

SIZE OF THE FLAG OVER PARLIAMENT HOUSE: 12.8 by 6.4 metres or slightly larger than the side of a double decker bus.

More information

DEPARTMENT WEBSITE: www.pmc.gov.au/flag





From: Natalie Hutchins (VICMIN)
To: info@alpineshire.vic.gov.au; council@ararat.vic.gov.au; ballcity@ballarat.vic.gov.au; enquiries@banyule.vic.gov.au; basscoast@basscoast.vic.gov.au; bawbaw@bawbawshire.vic.gov.au; enquiries@bayside.vic.gov.au; council@benalla.vic.gov.au; boroondara@boroondara.vic.gov.au; info@brimbank.vic.gov.au; buloke@buloke.vic.gov.au; shire@campaspe.vic.gov.au; mail@cardinia.vic.gov.au; caseycc@casey.vic.gov.au; mail@cgoldshire.vic.gov.au; inq@colacotway.vic.gov.au; shire@corangamite.vic.gov.au; mailbox@darebin.vic.gov.au; feedback@egipps.vic.gov.au; correspondence@frankston.vic.gov.au; council@gannawarra.vic.gov.au; mail@glenaira.vic.gov.au; enquiry@glenelg.vic.gov.au; enquiries@gplains.vic.gov.au; info@bendigo.vic.gov.au; council@gd.vic.gov.au; COGRecords@geelongcity.vic.gov.au; council@shepparton.vic.gov.au; shire@hepburn.vic.gov.au; info@hindmarsh.vic.gov.au; customerservice@hobsonsbay.vic.gov.au; council@hrcc.vic.gov.au; email:info@indigoshire.vic.gov.au; info@kingston.vic.gov.au; knoxcc@knox.vic.gov.au; latrobe@latrobe.vic.gov.au; loddon@loddon.vic.gov.au; mrc@mrsc.vic.gov.au; manningham@manningham.vic.gov.au; council@mansfield.vic.gov.au; email@maribymong.vic.gov.au; maroondah@maroondah.vic.gov.au; enquiries@melbourne.vic.gov.au; csu@melton.vic.gov.au; mrc@mildura.vic.gov.au; mitchell@mitchellshire.vic.gov.au; webmaster@moira.vic.gov.au; mail@monash.vic.gov.au; council@mvcc.vic.gov.au; info@moorabool.vic.gov.au; info@moreland.vic.gov.au; customerservice@mornpen.vic.gov.au; info@mountalexander.vic.gov.au; moyne@moyne.vic.gov.au; nillumbik@nillumbik.vic.gov.au; ngshire@ngshire.vic.gov.au; assist@portphillip.vic.gov.au; pyrenees@pyrenees.vic.gov.au; info@queenscliff.vic.gov.au; council@southaippsland.vic.gov.au; council@sthrampians.vic.gov.au; council@stonnington.vic.gov.au; info@strathbogie.vic.gov.au; info@surfcoast.vic.gov.au; council@swanhill.vic.gov.au; info@towong.vic.gov.au; council@wanganatta.vic.gov.au; wbool_city@warrnambool.vic.gov.au; enquiries@wellington.vic.gov.au; council@westwimmera.vic.gov.au; customer.service@whitehorse.vic.gov.au; info@whittlesea.vic.gov.au; info@wodonga.vic.gov.au; mail@wyndham.vic.gov.au; info@yarracity.vic.gov.au; mail@yarranges.vic.gov.au; info@yarriambiack.vic.gov.au
Subject: Australia's First Gender Equality Bill: Have Your Say
Date: Tuesday, 21 August 2018 12:00:11 PM

Good morning,

A foundation reform from the state's first gender equality strategy, Safe and Strong, was the creation of a Gender Equality Act to embed strong governance structures and promote and improve gender equality across government.

Today we have taken a significant step towards that reform with the release of the exposure draft of the Gender Equality Act.

We need gender equality urgently, but the pace of change is too slow. Put simply, good intentions aren't cutting it. The State Government could and should do more which is why we are seeking feedback on this legislation.

What will the Gender Equality Bill do?

- Legislate for a State Gender Equality Plan to ensure the Victorian public sector acts as a role model for gender equality.
- Ensure that Victorian Government departments, public sector entities (like hospitals and TAFEs), and local governments plan, promote, set targets for - and report on - gender equality.
- Creation of procurement guidelines to promote gender equality
- Enshrine annual reporting on targets and the Ministerial Council on Women's Equality in legislation.

YOU can help shape this Bill.

We're calling on all Victorians to have their say on the Gender Equality Bill, and you can do so in a number of ways.

1. You can comment via Engage Victoria - www.engage.vic.gov.au/gender-equality, or
2. Hold a consultation in your own community/organisation and make a submission via Engage Victoria - www.engage.vic.gov.au/gender-equality

Why do we need gender equality legislation?

- The International Gender Gap Index shows we're moving backwards. Australia now ranks behind New Zealand and the Philippines in our region.
- The Royal Commission into Family Violence was damning and highlighted an urgent need to establish a culture of non-violence and gender equality in Victoria.
- Gender inequality drives violence against women and girls. Without gender equality, our communities struggle.
- Laws establish equal rights to help achieve gender equality in practice. Laws influence policy shifts, social norms, attitudes and expectations. They improve gender equality by making public institutions accountable.

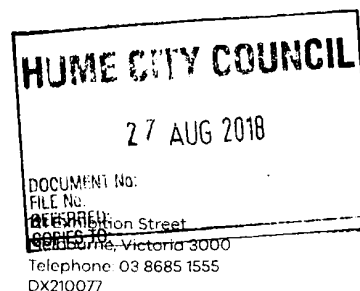
We're making gender equality a priority for all Victorians. This is your opportunity to tell us how we should progress.

Have your say: www.engage.vic.gov.au/gender-equality



Hon Marlene Kairouz MP

Minister for Local Government
Minister for Consumer Affairs, Gaming and Liquor Regulation



File: LG/01/3175

Ref: MBR037215



Dear Mayor

BEST PRACTICE GUIDE FOR GENDER EQUITY IN LOCAL GOVERNMENT

It was a great honour to launch the *Best Practice Guide for Gender Equity in Local Government* on 19 July 2018. Please find attached three copies of the guide and accompanying research companion for use by your council.

This important resource will help local governments take practical steps to boost gender diversity in their councils and workforces by offering useful information and helpful suggestions. The guide will also support councillors and senior council managers play effective roles in progressing gender equity outcomes in their organisations.

Following the local government election in October 2016, 38 per cent of Councillors are female – up from 34 per cent in 2012. Whilst this is progress, we can do better. That is why the Victorian Government has set a goal of 50 per cent female representation on local councils by 2025.

There is also room for improvement in the local government workforce. Although 60 per cent of the workforce in councils is female, women only account for 34 per cent of director roles, 39 per cent of manager roles and only 16.5 per cent (one in six) of Chief Executive Officers.

As the level of government closest to communities, it is important that local government reflects the makeup of the communities they serve including women, young people, people with disabilities and people from culturally and linguistically diverse backgrounds.

The attached guide delivers on a key action under the Ministerial Statement on Local Government to strengthen local support for social inclusion. The guide also supports the Victorian Government's Gender Equality Strategy, *Safe and Strong* that is aimed at progressively building the attitudinal and behavioural changes required to reduce violence against women and deliver gender equality.

I would like to thank the Ministerial Women's Roundtable, the local government sector and the Office of Prevention and Women's Equality for supporting the development of the guide. The guide is also supported by a comprehensive research companion containing practical case studies.

Further copies of the guide and research companion are available to councils and the public on the Local Government Victoria website: <https://www.localgovernment.vic.gov.au/our-programs/gender-equity>.



Please contact Rateeb Bhuiyan, Policy and Program Officer, Local Government Victoria, the Department of Environment, Land, Water and Planning, by telephone on (03) 9032 1450 or via email at rateeb.bhuiyan@delwp.vic.gov.au should you require further information.

Yours sincerely



Hon Marlene Kairouz MP
Minister for Local Government

17 / 08 / 2018

Encl.

cc: Mr Domenic Isola
Chief Executive Officer

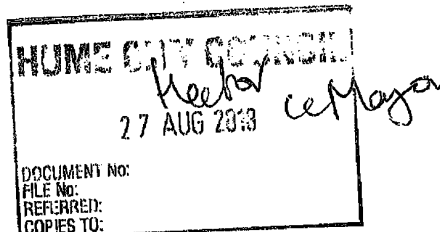
Ros Spence MP

STATE MEMBER FOR YUROKE



13th August 2018

Cr Geoff Porter
Mayor
Hume City Council
PO Box 114
DALLAS VIC 3047



Dear Mayor, *Geoff*

I recently asked a constituency question in Parliament regarding the planning for future health services in the Yuroke electorate.

I know that Hume City Council has a great interest in this issue.

Please find attached a copy of my question and the Minister Response.

Kind regards,

Ros Spence MP
State Member for Yuroke
Parliamentary Secretary for Public Transport
Parliamentary Secretary for Roads

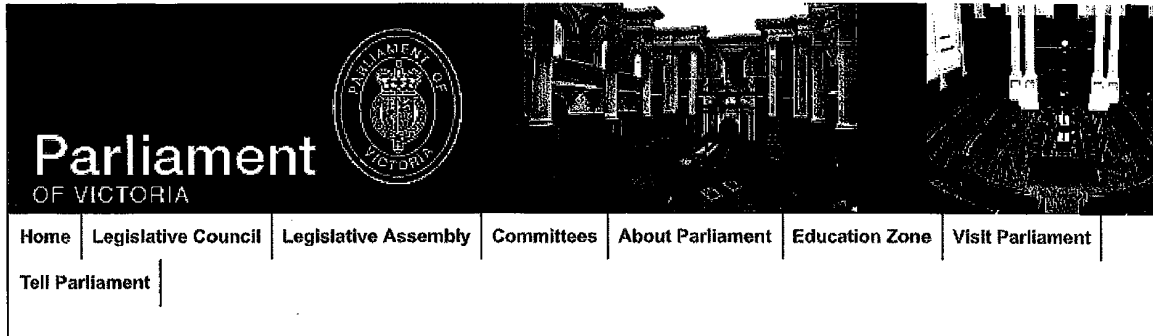
CC Aitken & Meadow Valley Ward Councillors; Joel Kimber (Grants Coordinator)

OFFICE: Shop D00-02B Craigieburn Central Shopping Centre
340 Craigieburn Road Craigieburn VIC 3064
POSTAL: PO Box 132, Craigieburn, VIC 3064
P: 8377 4477 **E:** ros.spence@parliament.vic.gov.au



31/08/2018

Parliament of Victoria



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QUESTIONS & RESPONSES

QUESTION

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Question Status: Answered

Session: 58 Parliament First Session
Sitting: 2018
House: LA

QP Reference No: 0
Question Number: 14412

Asked By: Spence Ros
Party: ALP
Addressed To: Health

Asked Date: May 23, 2018

Question Preview:

14412

CONSTITUENCY QUESTION — Ms Spence to ask the Minister for Health —

My constituency question is to the Minister for Health. How is the Andrews Labor government planning for future health services in the Yuroke electorate? From the new supercare pharmacy in Craigieburn to a huge investment in improving the Northern Hospital, this government has done outstanding work to improve health services for Yuroke residents. With rapid population growth, I know that residents and stakeholders across my community are keen to know that into the future they will

31/08/2018

Parliament of Victoria

continue to access quality health care close to home when they need it most.

Answer:

The Victorian Government's \$162.7 million investment to expand the Northern Hospital in Epping will ensure that health service provision keeps pace with anticipated population growth across Melbourne's northern suburbs, including in the electorate of Yuroke. Work is already underway on the project, which will allow 10,000 additional patients to be treated each year and will include additional beds and operating theatres. Extra space is also earmarked for future expansions of cardiology services, catheterisation labs and medical imaging. Construction is expected to be completed in 2021.

In 2017-18, Northern Health received \$411.05 million in recurrent funding from the Victorian Government. Building on this base, Northern Health will receive \$481.23 million in 2018-19, an increase of 17.1 per cent.

We have released a Statewide design, services and infrastructure plan for Victoria's Health System 2017-2037, which sets out priorities for how we will configure and invest in health service and infrastructure capacity to better respond to changing population needs and growth.

Under the plan, we commit to the establishment of health and wellbeing hubs in locations with high projected population growth. The hubs will provide a range of integrated health and social services in convenient locations. These services may include extended hours medical centres that provide diagnostic services such as medical imaging and pathology, pharmacy and other services.

The needs of the Yuroke electorate will be considered in this context, having

<http://qon.parliament.vic.gov.au/PARLIAMENT/general/qon/prod/qon.nsf/viewQuestion.xsp?action=openDocument&documentId=64522C00B367...> 2/3

31/08/2018

Parliament of Victoria

regard also for the emerging local priorities identified by the Northern Metropolitan Partnership.

&n bsp;

Hon Jill Hennessy MP
Minister for Health

Attachments:

Answer Published Date: 10/08/2018

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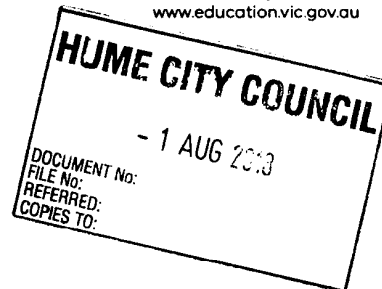


Jenny Mikakos MP

Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs

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www.dhhs.vic.gov.au
www.education.vic.gov.au

Ms Jane Sharp
Regional Team Leader
Hume City Council
PO Box 119
Dallas VIC 3047



Dear Ms Sharp

Children's Facilities Capital Program Minor Grant Application Outcome: MIR2018-190090

Congratulations, I am pleased to advise that your application for a Minor Infrastructure Refurbishment grant for \$10,000.00 has been successful for the following facility:

McEwen Drive Preschool SE-00002817

9 McEwen Drive SUNBURY 3429

The Victorian Government recognises the importance of early childhood education in giving our children the best start in life. Our vision is to build a world-class education system and transform Victoria into the Education State.

The Victorian School Building Authority will contact you shortly with further details regarding your grant.

In the meantime, if you have any queries, please contact Jessica Spiers, Manager, Grants Strategy and Administration, Victorian School Building Authority on (03) 9637 3555 or by email at: childrens.capital.program@edumail.vic.gov.au.

Yours sincerely

Jenny Mikakos MP
Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs





Jenny Mikakos MP

Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs

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www.dhhs.vic.gov.au
www.education.vic.gov.au

Ms Jane Sharp
Regional Team Leader
Hume City Council
PO Box 119
Dallas VIC 3047

Dear Ms Sharp

Children's Facilities Capital Program Minor Grant Application Outcome: MIR2018-190100

Congratulations, I am pleased to advise that your application for a Minor Infrastructure Refurbishment grant for \$8,270.35 has been successful for the following facility:

Dawson Street Preschool SE-00003247

27A Dawson Street TULLAMARINE 3043

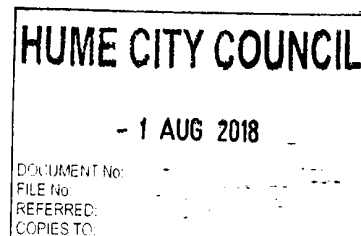
The Victorian Government recognises the importance of early childhood education in giving our children the best start in life. Our vision is to build a world-class education system and transform Victoria into the Education State.

The Victorian School Building Authority will contact you shortly with further details regarding your grant.

In the meantime, if you have any queries, please contact Jessica Spiers, Manager, Grants Strategy and Administration, Victorian School Building Authority on (03) 9637 3555 or by email at: childrens.capital.program@edumail.vic.gov.au.

Yours sincerely

Jenny Mikakos MP
Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs



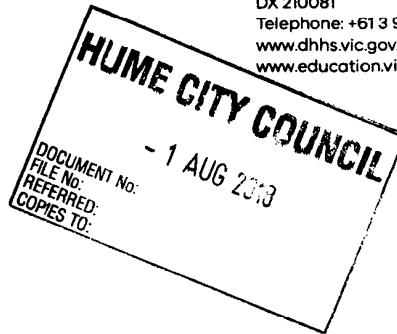


Jenny Mikakos MP

Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs

GPO Box 4057
Melbourne Victoria 3001
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Telephone: +61 3 9096 0301
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www.education.vic.gov.au

Ms Jane Sharp
Regional Team Leader
Hume City Council
PO Box 119
Dallas VIC 3047



Dear Ms Sharp

Children's Facilities Capital Program Minor Grant Application Outcome: MIR2018-190097

Congratulations, I am pleased to advise that your application for a Minor Infrastructure Refurbishment grant for \$10,000.00 has been successful for the following facility:

Learmonth Street Preschool SE-00002819

49 Learmonth Street SUNBURY 3429

The Victorian Government recognises the importance of early childhood education in giving our children the best start in life. Our vision is to build a world-class education system and transform Victoria into the Education State.

The Victorian School Building Authority will contact you shortly with further details regarding your grant.

In the meantime, if you have any queries, please contact Jessica Spiers, Manager, Grants Strategy and Administration, Victorian School Building Authority on (03) 9637 3555 or by email at: childrens.capital.program@edumail.vic.gov.au.

Yours sincerely

Jenny Mikakos MP
Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs





Jenny Mikakos MP

Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs

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e4904499

Ms Janine Livingston
Coordinator Youth Services
Hume City Council
PO Box 119
DALLAS VIC 3047

Dear Ms Livingston

I am delighted to advise that **Hume City Council** has been successful in receiving a **FReeZA** grant of **\$72,000** to deliver the **Hume FReeZA** project over the next three years commencing in January 2019 and ending in December 2021.

Your organisation's application demonstrated a strong commitment to the principles of youth participation, supporting young people's skill development to deliver FReeZA events and providing access to additional volunteering and mentoring opportunities within their local community.

This grant offer is subject to terms and conditions set out in the Department of Health and Human Services' Service Agreement. The department will contact you in the near future to finalise details of the Service Agreement and your FReeZA 2019-21 grant payment schedule over the next three years.

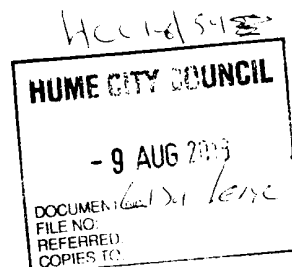
Please note that the information contained in this letter should be regarded as confidential until I have made an official announcement. If you have any questions regarding this information, please contact Mr Greg Box, Senior Project Officer, Office for Youth, on 9096 1352.

I would like to wish you every success with your FReeZA program over the next three years and look forward to hearing about its impact in the local community.

Yours sincerely

Jenny Mikakos MP
Minister for Families and Children
Minister for Early Childhood Education
Minister for Youth Affairs

6 / 8 / 2018



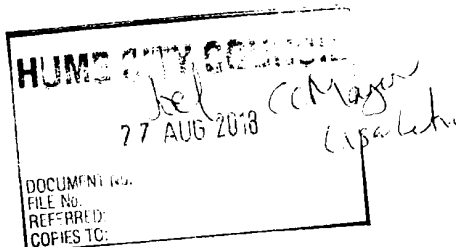
Ros Spence MP

STATE MEMBER FOR YUROKE



10th August 2018

Cr Geoff Porter
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047



Dear Mayor, 

Latest FReeZA grants round

I am writing to congratulate Hume City Council on their successful application to the FReeZA youth program.

The Andrews Labor Government has committed \$7.2 million towards the FReeZA program, which has seen thousands of activities – like live band gigs, art exhibitions and BMX exhibitions – held across Victoria over the past 20 years.

I am advised that Hume City Council will receive \$72,000 to continue the Hume FReeZA program, which provides a platform for young people to express ideas and learn transferable skills, using arts, culture and the processes of event planning and management.

It is great to be able to support Hume City Council's work in ensuring young people in our community have every opportunity to live happy, healthy lives. Please pass on my congratulations and best wishes for the future to those involved with the Hume FReeZA program.

Kind regards,

Ros Spence MP
State Member for Yuroke
Parliamentary Secretary for Public Transport
Parliamentary Secretary for Roads

CC: Aitken Ward & Meadow Valley Ward Councillors, Joel Kimber

OFFICE: Shop D00-02B Craigieburn Central Shopping Centre
340 Craigieburn Road Craigieburn VIC 3064

POSTAL: PO Box 132, Craigieburn, VIC 3064

P: 8377 4477 **E:** ros.spence@parliament.vic.gov.au



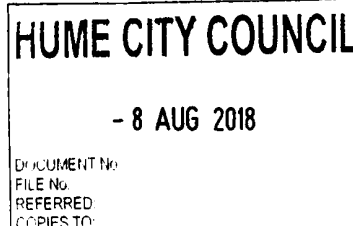
Ros Spence MP

STATE MEMBER FOR YUROKE



2nd August 2018

Cr Geoff Porter
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047




Dear Mayor,

Minor Kinder Grants Program

I am writing to share good news regarding the latest round of the Andrews Labor Government's Minor Kinder Grants Program.

In the Yuroke electorate, Attwood Child Care Centre and Kindergarten and Goodstart Early Learning Craigieburn Central will each receive \$1500 grant to purchase computers and iPads that will assist in teaching and administrative matters.

The Minor Kinder Grants Program is part of the Labor Government's record investment in early childhood education, which plays a central role in ensuring every child gets the best start in life.

If you would like any further information about the Labor Government's early childhood agenda, including the \$202 million Early Childhood Reform Plan, please visit www.education.vic.gov.au or contact my office on 8377 4477.

Kind regards,

Ros Spence MP
State Member for Yuroke
Parliamentary Secretary for Public Transport
Parliamentary Secretary for Roads

CC: Aitken Ward & Meadow Valley Councillors, Mr Joel Kimber

OFFICE: Shop D00-02B Craigieburn Central Shopping Centre
340 Craigieburn Road Craigieburn VIC 3064

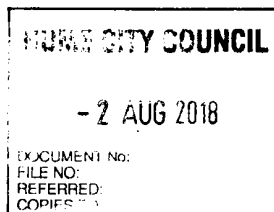
POSTAL: PO Box 132, Craigieburn, VIC 3064

P: 8377 4477 **E:** ros.spence@parliament.vic.gov.au



Josh Bull MP

STATE MEMBER FOR SUNBURY



Mr Dom Isola
CEO Hume City Council
PO Box 119, Dallas,
Victoria, 3047

18th July 2018

Dear Mr Isola, *Dom*

Terrific Announcements for Our Local Area

I write to inform you of three terrific announcements in our local area, provided by the Andrews Labor Government.

It with pleasure that I announce that the Victorian Government will provide a totally of \$110,000 for the following local projects:

- Sunbury West Primary School Shade Sails (\$40,000)
- Tullamarine Tennis Club Lighting (\$30,000)
- Sunbury Memorial Hall upgrade (\$40,000)

The Andrews Labor Government recognises the importance of high quality community facilities, and I am pleased that we will be delivering much needed upgrades.

Sunbury West Primary School, Tullamarine Tennis Club and Sunbury Memorial Hall are integral to our community and are deserving of the added funding.

Arrangements will be made shortly regarding the delivery of these projects.

I would also like to take this opportunity to thank you for the hard work you do every day for the Hume community.

Kind regards,


Josh Bull
Member for Sunbury



OFFICE: Shop 4, 33-35 Macedon Street Sunbury 3429
POSTAL: PO Box 635, Sunbury 3429
P: 9740 4091 **F:** 9740 4978 **E:** josh.bull@parliament.vic.gov.au



Minister for Police

8 Nicholson Street
East Melbourne Victoria 3002
Telephone: (03) 9637 9654
DX: 210098

22 August 2018

Mr Domenic Isola
Chief Executive Officer
Hume City Council
PO Box 119
DALLAS VIC 3047

Dear Mr Isola

Community Safety Fund Grant – Outcome of Application

Thank you for your application for funding under the Community Safety Fund.

I am very pleased to advise that I have approved your application for funding, conditional upon the final terms and conditions of the grant being finalised with the Department of Justice and Regulation.

Reference	Project Title	Approved Funding
166CSF18	Safety Fencing at the Meadow Heights Education Centre	\$10,000.00

I request that you not publicise this approved project funding by issuing media releases or public statements until after the 27 August 2018.

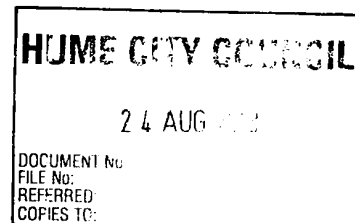
An officer from the Community Crime Prevention Unit in the Department of Justice and Regulation will be in contact with you shortly regarding the funding arrangements. Should you have any interim questions, please contact Jessica Marshall, Project Officer via telephone (03) 8684 1410 or via email to jessica.marshall@justice.vic.gov.au.

Congratulations on your approval for funding. I wish you every success and look forward to hearing about the outcomes of your project.

Yours sincerely

Hon Lisa Neville MP
Minister for Police

CC: Mr Joel Kimber, Coordinator Grants and Projects



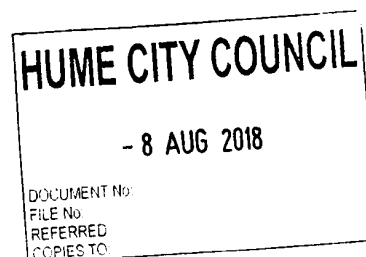
Ros Spence MP

STATE MEMBER FOR YUROKE



1st August 2018

Cr Geoff Porter
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047



Dear *Geoff* Mayor,

I am writing to let you know that applications are now open for the second round of the Andrews Labor Government's Change Our Game Scholarship Program.

The program creates opportunities for women to pursue their leadership and development in the sporting and active recreation industry, with the inaugural round helping 46 women across the state to access professional learning and development opportunities.

Local clubs and sporting bodies are encouraged to identify emerging female leaders within their sporting community for the scholarship program. Scholarships range in value from \$2,000 to \$10,000 and applications can be made through State Sporting Bodies or Regional Sports Assemblies.

Applications to this round of the Change Our Game Scholarship Program close on August 24. For more information, please visit www.sport.vic.gov.au.

I encourage you to share information about this great opportunity with your networks. I am happy to assist with any queries about this program from local residents and can be contacted on 8377 4477.

Kind regards,

Ros Spence MP
State Member for Yuroke
Parliamentary Secretary for Public Transport
Parliamentary Secretary for Roads

CC: Aitken & Meadow Valley Ward Councillors, Mr Joel Kimber

OFFICE: Shop D00-02B Craigieburn Central Shopping Centre
340 Craigieburn Road Craigieburn VIC 3064

POSTAL: PO Box 132, Craigieburn, VIC 3064

P: 8377 4477 **E:** ros.spence@parliament.vic.gov.au

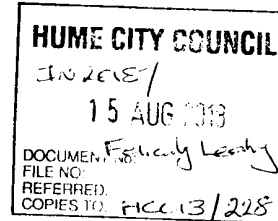




Rob Mitchell MP
Federal Member for McEwen



Domenic Isola
Chief Executive Officer
City of Hume
PO Box 119
DALLAS VIC 3047



Dear Mr Isola,

EXPRESSIONS OF INTERESTS NOW OPEN - STRONGER COMMUNITIES GRANTS

The Stronger Communities Grants Program has been established to allow Members of Parliament to work with their communities to recommend important local capital investment projects.

I have been proud to support a range of projects in the last three rounds of this program, with investments in our community of almost half a million dollars.

I am writing today to let you know that Round 4 has now commenced and again up to \$150,000 of funding will be available in the electorate of McEwen in 2018/19 financial year - for up to 20 small capital projects that improve participation and contribute to the vibrancy and viability of our communities.

Individual grants of between **\$2,500 and \$20,000** are available for **capital projects** but to be eligible the program **requires matched contributions**. For example, if your grant request is \$7,500, you need to have access to at least another \$7,500 in cash or in-kind on a dollar for dollar basis.

The program is open to community based not-for-profit organisations not owned by a state or territory government. All applicants must operate as an **incorporated legal entity with a current ABN**.

Unfortunately the Turnbull Government's guidelines specifically state that applications from schools, hospitals and technical colleges will not be accepted.

Please see more about the program including guidelines and eligibility at www.business.gov.au/scp.

Applying for a McEwen Stronger Communities Grants is a three stage process:

- Complete an expression of interest form and return it to my office by midday 31 August, 2018.
- The McEwen Grants Advisory Committee will then consider all expressions of interest and invite a limited number of organisations to submit formal applications – totalling \$150,000
- Formal applications will then be assessed by the Department of Infrastructure

Expression of interest forms can be obtained by emailing me on Rob.Mitchell.MP@aph.gov.au or by calling my office on (03) 9333 0440.

Yours sincerely

Rob Mitchell MP
Member for McEwen

Shop E00-48, Craigieburn Central Shopping Centre
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Email: Rob.Mitchell.MP@aph.gov.au Fax: (03) 9333 8377
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