



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

MONDAY, 24 SEPTEMBER 2018

CONFIRMED - 8 OCTOBER 2018

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 24 September 2018
at 7.00 PM
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

Present:	a: Council	Cr Geoff Porter Cr Carly Moore Cr Joseph Haweil 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 Ms Kirsty Miller Mr John Monaghan Mr Gavan O'Keefe Mr Matthew Wilton	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy Manager Statutory Planning and Building Control Services Manager Capital Works and Building Maintenance Manager Governance Governance Support Officer

ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND

The Mayor read the following:

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

Proceedings to be Recorded

The Mayor reminded Councillors and members of the Gallery that an audio recording of the Council meeting will be made and published to Council's website within 2 working days of the meeting.

Gallery Behaviour

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

ORDER OF BUSINESS**1. PRAYER**

The Mayor read the prayer:

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

Amen

2. APOLOGIES

An apology was received from Cr Jodi Jackson.

3. DISCLOSURE OF INTEREST

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

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

4. CONDOLENCE MOTIONS**CNM6 ALBERT EDWARD KELLY (Bert)**

Councillor Ann Potter

Cr Potter asked that Council acknowledge the recent passing of Mr Albert Edward Kelly (Bert), a local long-time resident of Sunbury. Cr Potter noted that Mr Kelly was the founder of the Sunbury United Sporting Club and was instrumental in the creation and naming of Langama Park for Sunbury United through his position as President and Councillor on the Shire of Bulla from 1974 to 1986, and had served as Shire President in 1976/77 and 1985/86. He was also a justice of the peace and a Saturday Sports Show presenter on 3NRG 99.3FM. Bert was one of the 175 faces of Sunbury awarded in 2011. Bert lived till he was 90 and recently celebrated his 65th Wedding anniversary with his wife Lilian. Vale Bert Kelly

CNM7 MS HAZEL McKAY

Councillor Jack Medcraft

Cr Medcraft asked that Council acknowledge the recent passing of Ms Hazel McKay, a local long-time resident of Sunbury. Cr Medcraft noted that Ms McKay, having had a long working career in Sunbury as a hairdresser, school teacher, and lately working in a chemist in Sunbury. Cr Medcraft noted that it was a testament to how highly regarded Ms McKay was to the Sunbury community as it was standing room only at her funeral service.

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

Report No.	Report	Page in Agenda
SU342	3 Milton Place, Gladstone Park - The development of three double storey dwellings	45

Mr Michael Delaney and Mr Ivon Tori addressed Council regarding the officer's recommendation.

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

That Council, having considered the application on its merits and the objections received, resolves to 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.**

CARRIED

Report No.	Report	Page in Agenda
SU343	7 Oldbury Avenue Sunbury - Two Lot Subdivision	65

Mr Alfred Schembri addressed Council regarding the officer's recommendation.

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

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.**

CARRIED

Report No.	Report	Page in Agenda
SU345	13 Burbank Avenue Gladstone Park - Variation of Restrictive Covenant Contained in Instrument of Transfer E293228	85

Mr Paul Villam and Ms Diane Dickson addressed Council regarding the officer's recommendation.

Moved Cr Karen Sherry, **Seconded** Cr Naim Kurt

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*.

CARRIED

Report No.	Report	Page in Agenda
SU346	272-276 Rex Road Campbellfield - Removal of native Vegetation	109

Councillor Joseph Haweil left the meeting before the motion was moved on item SU346, the time being 7:38 pm.

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

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*.

Councillor Joseph Haweil returned to the meeting during discussion and prior to the vote on item SU346, the time being 7:41 pm.

CARRIED

Report No.	Report	Page in Agenda
SU348	Preliminary Draft Melbourne Airport Master Plan 2018 - Hume Submission	133

Moved Cr Jack Medcraft, **Seconded** Cr Jana Taylor

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.

Councillor Ann Potter left the meeting after the motion was moved on item SU348, the time being 7:44 pm.

Councillor Ann Potter returned to the meeting during discussion and prior to the vote on item SU348, the time being 7:46 pm.

CARRIED

Reports Not Otherwise Dealt With

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

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
HE085	Sports Aid Grants - September 2018	5
SU340	885 Riddell Road Sunbury - Variation of Restrictive Covenant	11
SU341	26 Fidge Court Jacana - Development of three double storey dwellings	21
SU344	16 Rupertsdale Road Sunbury - Two lot subdivision and variation of restriction on title	75
SU347	Statutory Planning Monthly Report September 2018	119
GE294	Correspondence received from or sent to Government Ministers or Members of Parliament - August 2018	151

be adopted.

CARRIED

Report No.	Report	Page in Agenda
HE085	Sports Aid Grants - September 2018	5

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

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

CARRIED

Report No.	Report	Page in Agenda
SU340	885 Riddell Road Sunbury - Variation of Restrictive Covenant	11

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

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

CARRIED

Report No.	Report	Page in Agenda
SU341	26 Fidge Court Jacana – Development of three double storey dwellings	21

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

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of 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:

- 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.
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.

CARRIED

Report No.	Report	Page in Agenda
SU344	16 Rupertsdale Road Sunbury - Two lot subdivision and variation of restriction on title	75

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

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.

CARRIED

Report No.	Report	Page in Agenda
SU347	Statutory Planning Monthly Report September 2018	119

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

That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
GE294	Correspondence received from or sent to Government Ministers or Members of Parliament - August 2018	151

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

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

CARRIED

5. CONFIDENTIAL MATTERS

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

Moved Cr Karen Sherry, **Seconded** Cr Joseph Haweil

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

CARRIED

The meeting was closed to the public at 7:48 pm.

The meeting was reopened to the public at 7:55 pm.

6. CLOSURE OF MEETING

The meeting closed at 7:55 pm.

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COUNCILLOR GEOFF PORTER
MAYOR