



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

MONDAY, 25 NOVEMBER 2019

CONFIRMED - 9 DECEMBER 2019

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL
held on Monday, 25 November 2019
at 7:07 PM
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

To: a: Council	Cr Carly Moore Cr Karen Sherry Cr Joseph Haweil Cr Jodi Jackson Cr Drew Jessop, OAM Cr Leigh Johnson Cr Naim Kurt Cr Geoff Porter Cr Ann Potter Cr Jana Taylor	Mayor Deputy Mayor
b: Officers	Mr Domenic Isola Mr Hector Gaston Ms Sue Haviland Mr Michael Sharp Mr Peter Waite Ms Kirsty Miller Ms Lisa Ippolito Mr Peter Faull Mr Brad Mathieson	Chief Executive Officer Director Community Services Acting Director Communications, Engagement and Advocacy Director Planning and Development Director Sustainable Infrastructure and Services Manager Statutory Planning and Building Control Services Acting Manager Customer Service Coordinator Governance and Corporate Support Senior Governance Officer

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, members of the gallery will be invited to speak for up to three minutes either in support of or against an officer's recommendation.

ORDER OF BUSINESS

1. 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."

2. PRAYER

The Mayor read the following:

“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

3. APOLOGIES

An apology was received from Cr Jack Medcraft.

4. 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.

5. CONDOLENCE MOTIONS

Nil.

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

Report No.	Report	Page in Agenda
SU453	6 Cassinia Crescent, Meadow Heights - Development of three double storey dwellings and the removal of registered restrictive covenant contained in Instrument R199271S as it applies to Certificate of Title Vol. 09983 Fol.713	13

Mr Omer Koc addressed Council regarding the Officer's recommendation.

Moved Cr Karen Sherry, **Seconded** Cr Drew Jessop

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 development of three double storey dwellings and the removal of registered restrictive covenant contained in Instrument R199271S as it applies to Certificate of Title Vol. 09983 Fol. 713 at 6 Cassinia Crescent, Meadow Heights on the following grounds:

1. **The proposal fails to satisfy the tests contained in s.60(5) of the *Planning & Environment Act 1987*.**
2. **The proposal fails to satisfy the Decision Guidelines of Clause 52.02 (Easements, Reserves & Restrictions) of the *Hume Planning Scheme*.**
3. **The proposal fails to satisfy the Decision Guidelines of Clause 65 (Decision Guidelines) of the *Hume Planning Scheme*.**
4. **The proposal demonstrates that the removal of the Covenant will compromise the character of the area.**
5. **Inaccuracies in the detail of the plans.**
6. **The proposal does not comply with the Garden Area Requirements of Clause 32.08-4 of the *Hume Planning Scheme*.**

7. The proposal is an overdevelopment of the site.
8. The development fails to comply with the following objectives/standards of Clause 55 of the *Hume Planning Scheme*:
 - a) Clause 55.02-1 Neighbourhood Character Policy (Standard B1)
 - b) Clause 55.02-2 Residential Policy (Standard B2)
 - c) Clause 55.03-1 Street Setback (Standard B6)
 - d) Clause 55.03-2 Building Height (Standard B7)
 - e) Clause 55.03-4 Permeability and Stormwater Management (Standard B9)
 - f) Clause 55.03-5 Energy Efficiency (Standard B10)
 - g) Clause 55.03-7 Safety (Standard B12)
 - h) Clause 55.03-8 Landscaping (Standard B13)
 - i) Clause 55.03-9 Access (Standard B14)
 - j) Clause 55.04-1 Side and Rear Setbacks (Standard B14)
 - k) Clause 55.04-5 Overshadowing (Standard B21)
 - l) Clause 55.05-2 Dwelling Entry (Standard B26)
 - m) Clause 55.05-4 Private Open Space (Standard B28)
 - n) Clause 55.05-5 Solar Access to Open Space (Standard B29)
 - o) Clause 55.05-6 Storage (Standard B30)
 - p) Clause 55.06-1 Design Detail (Standard B31)
 - q) Clause 55.06-4 Site Services (Standard B34)

CARRIED

Report No.	Report	Page in Agenda
SU454	7 Hillcrest Drive, Westmeadows- Removal of Restrictive Covenant K21869 located on Lot 2, Plan of Subdivision 139693	39

Ms Sue Mooney addressed Council regarding the Officer's recommendation.

Moved Cr Geoff Porter, **Seconded** Cr Naim Kurt

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit to remove the restrictive covenant K21869 that applies to Lot 2, Plan of Subdivision 139693 Vol 9485 Fol 985 dated 4 January 1983 on the following grounds:

1. **The proposal fails to satisfy the tests contained in s.60(5) of the *Planning & Environment Act 1987*.**
2. **The proposal fails to satisfy the Decision Guidelines of Clause 52.02 (Easements, Reserves & Restrictions) of the *Hume Planning Scheme*.**
3. **The proposal fails to satisfy the Decision Guidelines of Clause 65 (Decision Guidelines) of the *Hume Planning Scheme*.**
4. **The proposal has failed to satisfactorily demonstrate that the variation to the Covenant will not compromise the character of the area.**

CARRIED

Report No.	Report	Page in Agenda
SU455	15 Denman Court, Sunbury - The development of two double storey dwellings to the rear of the existing dwelling.	57

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

Moved Cr Ann Potter, **Seconded** Cr Leigh Johnson

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Refusal for the development of two double storey dwellings to the rear of the existing dwelling at 15 Denman Court, Sunbury, on the following grounds:

1. The proposal does not respond to the Neighbourhood Character Objectives of Clause 54.02-1.
2. The proposal constitutes an overdevelopment of the site; and
3. The proposal is not an appropriate design response to the features of the land including the slope and siting of the existing dwelling.

CARRIED

Report No.	Report	Page in Agenda
SU458	Statutory Planning Monthly Report November 2019	109

Moved Cr Drew Jessop, **Seconded** Cr Geoff Porter

That the report be noted.

Cr Leigh Johnson left the meeting after the motion was moved on item SU458 – *Statutory Planning Monthly Report November 2019*, the time being 7:39 pm.

Cr Leigh Johnson returned to the meeting during discussion and prior to the vote on item SU458 – *Statutory Planning Monthly Report November 2019*, the time being 7:42 pm.

Cr Ann Potter left the meeting after the motion was moved on item SU458 – *Statutory Planning Monthly Report November 2019*, the time being 7:42 pm, and did not return to vote on the item.

CARRIED

Report No.	Report	Page in Agenda
GE394	Correspondence received from or sent to Government Ministers or Members of Parliament - October 2019	139

Cr Ann Potter returned to the meeting before the motion was moved on item GE394 - *Correspondence received from or sent to Government Ministers or Members of Parliament - October 2019*, the time being 7:45 pm

Councillor Joseph Haweil advised that a response to the letter of correspondence regarding the Duplication of Mickleham Road, had inadvertently been left out of the Agenda, despite being listed in the table of Contents for the report. Cr Haweil sought approval to speak on the item. The Mayor approved Cr Haweil's request to speak to the item, and advised that a copy of the letter would be distributed to Councillors as soon as possible.

A copy of this letter is included with these Minutes.



Hon Richard Wynne MP

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Minister for Housing
Minister for Multicultural Affairs8 Nicholson Street
East Melbourne, Victoria 3002
Telephone: 03 8683 0964
DX210098Cr Carly Moore
Mayor
Hume City Council
PO Box 119
DALLAS VIC 3047

Ref: MIN062972



Dear Mayor

CONGESTION ON MICKLEHAM ROAD AND SOMERTON ROAD

Thank you for your letter of 22 August 2019 about the adequacy of the Mickleham and Somerton Roads to cope with traffic from population growth in the area.

I approved Amendment C205 to the Hume Planning Scheme to implement the Lindum Vale Precinct Structure Plan (PSP) in June 2019. At the same time I approved Amendment C236 to introduce the Infrastructure Contributions Plan (ICP) for the PSP to ensure that infrastructure contributions are provided by developers to help fund essential infrastructure for the new communities. This will include the upgrade for part of Mount Ridley Road and three signalised intersections on Mickleham Road and Mount Ridley Road.


I thank your council for its continued support to deliver the government's commitment to meet the needs of Victoria's growing population and the demand for new housing. I acknowledge that traffic volumes have increased on parts of Mickleham Road and Somerton Road, and that significant road upgrades are required to support the growth occurring in the Northern Growth Corridor of Melbourne. I recently wrote to Minister Pulford about prioritising the Mickleham Road upgrade. To address this, the Victorian Government is working with state agencies to ensure timely infrastructure delivery.

The duplication of Mickleham Road and upgrade to Somerton Road are high-priority projects identified in VicRoads' short-term improvement pipeline to commence within the next five years. These projects are subject to the usual state government budgetary process to gain approval and funding.

If you would like more information about this matter, please contact Jane Homewood, Executive Director, Statutory Planning Services, Department of Environment, Land, Water and Planning, on (03) 8683 0975 or email jane.homewood@delwp.vic.gov.au.

Thank you again for writing.

Yours sincerely



HON RICHARD WYNNE MP
Minister for Planning
13/10/19

**Moved** Cr Joseph Haweil, **Seconded** Cr Jodi Jackson**That Council notes this report on correspondence sent to and received from Government Ministers and Members of Parliament.****CARRIED**

Reports Not Otherwise Dealt With

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

THAT the recommendations relating to:

Report No.	Report	Page in Agenda
CC106	2019 Sponsorship Policy Review	5
SU456	169-187 Craigieburn Road, Craigieburn - Development of two double storey classroom buildings associated with an existing primary school	81
SU457	1440 Hume Highway, Kalkallo - Multilot subdivision of land	99
GE392	Building Control Services Delegations Report - 1 July 2019 - 30 September 2019	119
GE393	Councillor's Adherence to the Code of Conduct - Review 2018/2019	135
GE395	Council Plan 2017-2021 (2019-20 Actions) First Quarter Progress Report	171

be adopted.

CARRIED

Report No.	Report	Page in Agenda
CC106	2019 Sponsorship Policy Review	5

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

That Council

- 2.1 Endorses minor amendments to the *Sponsorship Policy* and that the updated version is re-published on Council's website;
- 2.2 Notes that the *2018 Sponsorship Policy* will also be renamed the *Sponsorship Policy* and that the *Sponsorship Policy* will next be reviewed in 2024; and
- 2.3 Notes that an overview of applications for funding in 2020/21 will be provided at a future Strategy and Policy Briefing.

CARRIED

Report No.	Report	Page in Agenda
SU456	169-187 Craigieburn Road, Craigieburn - Development of two double storey classroom buildings associated with an existing primary school	81

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

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 development of two, double storey classroom buildings associated with the existing primary school at 169-187 Craigieburn Road, Craigieburn on the following grounds:

1. The proposal fails to satisfy the Decision Guidelines of Clause 65.01 (Decision Guidelines) of the *Hume Planning Scheme*.

2. The proposal demonstrates that the building and works will compromise the character of the area.
3. The proposal demonstrates a detriment to the amenity of the abutting residential properties in terms of visual bulk and massing.
4. The proposal demonstrates a detriment to the amenity of the abutting residential properties in terms of overshadowing.
5. Inaccuracies and insufficient details provided on the plans.

CARRIED

Report No.	Report	Page in Agenda
SU457	1440 Hume Highway, Kalkallo - Multilot subdivision of land	99

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

That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Permit for the multi lot subdivision at 1440 Hume Highway Kalkallo on the following Grounds:

- 2.1 The proposed multi-lot subdivision is inconsistent with the purpose of the Public Acquisition Overlay (PAO1 and PAO3) affecting the land, which is to reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
- 2.2 The proposed multi-lot subdivision is not consistent with the Decision Guidelines (Clause 45.01-4), which requires consideration of: the effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the Schedule to this Overlay.

Note

VicRoads as a Determining Authority under the provisions of Clause 66.03 of the Hume Planning Scheme and Section 55 of the Planning & Environment Act has objected to the application.

CARRIED

Report No.	Report	Page in Agenda
GE392	Building Control Services Delegations Report - 1 July 2019 - 30 September 2019	119

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

That this report be received and noted.

CARRIED

Report No.	Report	Page in Agenda
GE393	Councillor's Adherence to the Code of Conduct - Review 2018/2019	135

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

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

	Self-rating	Whole of Council rating
Council meetings	4.40	4.00
Councillor behaviour	4.66	4.00
Communications	4.62	4.25
Overall Average	4.56	4.08

CARRIED

Report No.	Report	Page in Agenda
GE395	Council Plan 2017-2021 (2019-20 Actions) First Quarter Progress Report	171

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

That Council notes the progress of actions and indicators of the Council Plan 2017-2021 (2019/20 Actions) [refer Attachments One and Two].

CARRIED

The Mayor advised the meeting that this would be the final meeting for Sue Havilland as Acting Director Communications Engagement and Advocacy, and thanked Ms Havilland for her efforts over the last five months, saying that it had been a pleasure to sit next to her in the chamber, and also thanking Ms Havilland for everything else that she had done.

7. CONFIDENTIAL MATTERS

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

Moved Cr Ann Potter, **Seconded** Cr Leigh Johnson

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
COSU141	Contract - Landscape Design Panel	(d) contractual matters
COGE265	Designation of Information Provided at a Strategy and Policy Briefing as Confidential Information - November 2019	(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 7:58 PM.

The meeting was reopened to the public at 8:00 PM.

8. CLOSURE OF MEETING

The meeting closed at 8:00 PM.

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COUNCILLOR CARLY MOORE
MAYOR