



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

**MONDAY, 25 MAY 2020**

**7:00 PM**

**VIRTUAL MEETING  
accessed via [www.hume.vic.gov.au](http://www.hume.vic.gov.au)**

**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.*

An audio recording of this meeting of the Hume City Council will be recorded and published in accordance with Council's Audio Recordings of Council Meetings Policy. The live stream of this meeting will not be recorded or published.





# HUME CITY COUNCIL

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Notice of an

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

to be held on Monday, 25 May 2020

**at 7:00 PM**

online via Hume City Council's website: [www.hume.vic.gov.au](http://www.hume.vic.gov.au)

To:	a: Council	Cr Carly Moore Cr Jack Medcraft 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 Deputy Mayor
	b: Officers	Mr Domenic Isola Mr Hector Gaston Mr Michael Sharp Ms Roslyn Wai  Mr Peter Waite Mr Daryl Whitfort	Chief Executive Officer Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy Director Sustainable Infrastructure and Services Director Corporate Services

## **ORDER OF BUSINESS**

### **1. 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."*

### **2. 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

### **3. APOLOGIES**

Cr Naim Kurt has advised he will be an apology for the meeting.

### **4. 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 meeting during discussion and not vote on the relevant item.

**5. CONDOLENCE MOTIONS****6. 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.

**Item No   Title Page**

**HEALTHY AND SAFE**

**HE106     2020 Specialist Partnership Grant (reducing gambling harm) funding recommendation..... 5**

**SUSTAINABILITY AND ENVIRONMENT**

**SU477     PDP1085 - 650 Hume Highway Craigieburn - amendments to an approved Development Plan..... 7**

**SU478     345 Oaklands Road, Oaklands Junction - The use and development of the land for earthworks (clean fill) and the removal of native vegetation. .... 29**

**SU479     34 Sunset Boulevard, Jacana - The development of four double storey dwellings..... 71**

**SU480     31-69 Western Avenue, Westmeadows - display of an electronic major promotional sign ..... 97**

**SU481     Statutory Planning Monthly Report April 2020 ..... 119**

**GOVERNANCE AND ENGAGEMENT**

**GE431     Approved Contracts Report 1 January 2020 - 31 March 2020 ..... 129**

**GE432     Quarterly Financial Report - March 2020 ..... 133**

**GE433     Correspondence received from or sent to Government Ministers or Members of Parliament - April 2020 ..... 143**

**7. CONFIDENTIAL MATTERS**

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

**RECOMMENDATION:**

**THAT Council close the meeting to the public pursuant to section 66(2) of the Local Government Act 2020 to consider the following items, which were confidential for the purposes of section 77 of the Local Government Act 1989:**

<b>Report No.</b>	<b>Title</b>	<b>Reason for Confidential</b>
COSU155	Contract - Provision of Irrigation Maintenance and Repair for Hume City Council	(d) contractual matters
COSU156	Practical Completion of Town Hall Broadmeadows and HGLC Sunbury	(d) contractual matters
COSU157	Contract - Development, Management and Operation of the Bolinda Road Resource Recovery Centre, Campbellfield - Awarding Contract Extension	(d) contractual matters

COGE280	Capital Works Report 2019/20 - March 2020 Update	(d) contractual matters
COGE281	Rate Arrears as at 31 March 2020	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE282	Designation of Information Provided at a Strategy and Policy Briefing as Confidential Information - May 2020	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

**8. CLOSURE OF MEETING**

**DOMENIC ISOLA  
CHIEF EXECUTIVE OFFICER**

**21/05/2020**

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<b>REPORT NO:</b>	HE106
<b>REPORT TITLE:</b>	2020 Specialist Partnership Grant (reducing gambling harm) funding recommendation
<b>SOURCE:</b>	Julie Andrews, Community Capacity Building Coordinator Narda Shanley, Community Development Officer
<b>DIVISION:</b>	Community Services
<b>FILE NO:</b>	HCC19/301
<b>POLICY:</b>	Social Justice Charter (2014)
<b>STRATEGIC OBJECTIVE:</b>	3.1 Foster socially connected and supported communities.
<b>ATTACHMENT:</b>	Nil

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**1. SUMMARY OF REPORT:**

- 1.1 As part of the 2020 Annual Community Grant Program, Council offered a Specialist Partnership Grant (reducing gambling harm). Applications for this grant category were undersubscribed, with only one application submitted.
- 1.2 Due to the undersubscription, the grant category was reopened for applications from 19 February until 20 March 2020. During the second round one application was received from Northern Community Legal Centre.
- 1.3 This report recommends that Council award Northern Community Legal Service's Specialist Partnership application a total of \$15,000 over a two-year period (\$5,000, year one and \$10,000 year two).

**2. RECOMMENDATION:**

**That Council awards a Specialist Partnership Grant of \$15,000 (\$5,000 from 2019/20 and \$10,000 for 2020/2021) to Northern Community Legal Centre.**

**3. LEGISLATIVE POWERS:**

- 3.1 The provision of Community Grants is within Council's power under the Local Government Act, 1989.

**4. FINANCIAL IMPLICATIONS:**

- 4.1 The Specialist Partnership Grant (Reducing Gambling Harm) is funded by Highlands Hotel, Craigieburn Community Contributions fund, for a total of \$50,000 per annum as per the Victorian Commission for Gambling and Liquor Regulation decision.
- 4.2 The fund supports two Community grants categories: Specialist Partnership (\$25,000) and 3064 Community Support Fund (\$25,000).
- 4.3 Year to date funding expenditure (as at 15 April 2020) for the Specialist Partnership category is provided in Table 1.

REPORT NO: HE106 (cont.)

Table 1 – Specialist Partnership - fund allocation

Grant Category: Specialist Partnership Grant (Reducing Gambling Harm)	
<b>Total allocation under 19/20 budget</b>	<b>\$25,000</b>
<i>Applications received from:</i>	
Northern Community Legal Centre (pending approval, funded under Re-opened Grant Round)	\$5,000
Victorian Arabic Social Services (approved 28 October 2019)	\$9,900
<b>TOTAL REMAINING in 19/20 budget</b>	<b>\$10,100</b>

**5. CHARTER OF HUMAN RIGHTS APPLICATION:**

5.1 The Community Grants Program is underpinned by Council's Social Justice Charter, which ensures that a human rights-based approach is applied to Council's decision-making process. Hume City Council's Social Justice Charter 2014 recognises that every citizen has the right to a quality of life that allows them to freely realise their potential. The Charter seeks to advance a fair and just society and to promote respect for every citizen, encourage community participation, strengthen community wellbeing and reduce the causes of disadvantage.

**6. COMMUNITY CONSULTATION:**

6.1 The Specialist Partnership Grant was reopened between 19 February and 20 March 2020. Applications were encouraged through targeted promotions to key networks and stakeholders, including Gamblers Help.

6.2 The grant was also promoted on Council's website and social media platforms.

**7. DISCUSSION:**

7.1 The Specialist Partnership Grant (Reducing Gambling Harm) category was initially opened from 15 May 2019 to 16 July 2019. During this time, only one application was received, and awarded.

7.2 At the 28 October 2019 Council Meeting, Council approved the reopening of the Specialist Partnership Grant category to encourage further applications.

7.3 The grant was reopened between 19 February and 20 March 2020, with one application received from Northern Community Legal Centre.

7.4 The application proposed to support the provision of mental health and legal assistance for clients presenting with a gambling addiction.

7.5 The application requested \$20,000 across a two-year program (\$10,000 each year).

7.6 Following the assessment process, it is recommended that the Northern Community Legal Centre application be part-funded, at an amount of \$5,000 for year one and \$10,000 for year two.

7.7 If approved by Council, the delivery and acquittal of this grant will be undertaken in accordance with the Community Grant Policy and associated guidelines and procedures.

**8. CONCLUSION:**

**THE SPECIALIST PARTNERSHIP GRANT (REDUCING GAMBLING HARM) AIMS TO SUPPORT ORGANISATIONS SUCH AS NORTHERN LEGAL SERVICE, TO PROVIDE INCREASED AND ADDITIONAL SERVICES TO MEMBERS OF THE COMMUNITY PRESENTING WITH A GAMBLING ADDICTION.**

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<b>REPORT NO:</b>	SU477
<b>REPORT TITLE:</b>	PDP1085 - 650 Hume Highway Craigieburn - amendments to an approved Development Plan
<b>SOURCE:</b>	Brydon King, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	PDP1085
<b>POLICY:</b>	- Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Locality Plan</i></li><li>2. <i>Amended Development Plan</i></li><li>3. <i>Design Guidelines</i></li></ol>

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<b>Application No:</b>	PDP1085
<b>Proposal:</b>	Amendment to existing Development Plan
<b>Location:</b>	650 Hume Highway Craigieburn
<b>Zoning:</b>	Commercial 2 Zone
<b>Applicant:</b>	Urbis Pty Ltd
<b>Date Received:</b>	23 September 2019

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**1. SUMMARY OF REPORT:**

A Development Plan was approved for the above site via a decision of Council at its meeting on 24 August 2015. A planning permit (P18713) supporting development consistent with the approved Development Plan was also issued but has not been acted on. Since the approval of the Development Plan the land has been sold to a new owner, being Australian Property Developments (APD). APD have sought to amend the approved Development Plan to change the layout and mix of proposed uses. The layout and mix of uses is generally consistent with the original Development Plan and it is recommended the amended Development Plan be approved.

**2. RECOMMENDATION:**

**That Council, having considered the amendments to the Development Plan for 650 Hume Highway, Craigieburn on its merits resolve to approve the amended Development Plan (Drawing 101099\_UD\_SLP01\_V14), Design Guidelines 20 April 2020, and the Stormwater Management Strategy by Spiire February 2020 subject to submission of an updated Flora and Fauna report to show a map where the vegetation is going to be removed and retained in accordance with the amended Development Plan and the Native Vegetation Information Management system calculations for that removal.**

**3. PROPOSAL:**

1.1 The original Development Plan approved for the subject land included the following precincts:

- Precinct 1 – Service Station
- Precinct 2 – Medical centre/large format liquor
- Precinct 3 – Residential Hotel

**REPORT NO: SU477 (cont.)**

- Precinct 4 – Building Materials Display Centre
  - Precinct 5 – Warehouse
  - Precinct 6 - Restricted Retail (including indoor recreation facility)
- 1.2 The approved Development Plan also included a limitation that the floor areas of shops in Precinct 1 could not exceed 500 square metres in area.
- 1.3 The amended Development Plan seeks to have the following precincts:
- Precinct 1 – Showroom. Warehouse/medical/hotel and childcare
  - Precinct 2 - Retail/service station
  - Precinct 3 – Restricted retail
  - Precinct 4 -- Warehouse
  - Precinct 5 – Commercial/office
  - Precinct 6 – Restricted retail /indoor recreation facility
- 1.4 The main changes to the amended Development Plan are as follows:
- The Retail/service station area is divided by the main entry road. This precinct retains the limitations on the 500 square metre shop floor area.
  - The medical centre/large format liquor precinct has been removed
  - The building display precinct has been replaced with restricted retail and warehouse uses.
  - Removal of the external road around the frontage of the land and retention of the main central road.
  - Update of urban design guidelines associated to manage building interface to boundaries.
- 1.5 Changes have also been made to the provision of drainage on the subject land and the interface with Malcolm Creek as follows:
- Shared path and wider interface to the Malcolm Creek
  - Combined wetland in the south west corner of the site
  - Q100 flows in the western portion of Precinct 1 Retail/Service Station to the main central road.

**4. SITE AND SURROUNDS:**

- 1.6 The subject site at 650 Hume Highway is currently vacant and has an area of 31.3 hectares; consisting of two parcels. The parcel subject to the main elements of the Development Plan is located to the south west of the Hume Freeway whilst the other parcel is located to the north east and contains areas for protection of environmental values and is not subject to the current amendment request.
- 1.7 The site is located at the northern end of the State significant employment area. The main portion of the subject land impacted by the Development Plan changes is an irregular shape and abuts the Hume Freeway to the east and its reserve to the north (further north is Amaroo Road and the existing Bunnings), Malcolm Creek and the Hume Highway to the west, the Melbourne to Sydney railway line to the south east and to the south west is the Craigieburn train maintenance facility. Land further to the west features residential development with sound barrier fencing to the Hume Highway.
- 1.8 The subject land is burdened by a Section 173 agreement (AH518348N) which requires implementation of an Ecological Management Plan related to the conservation area of the separate north eastern portion of land.



REPORT NO: SU477 (cont.)

- 1.9 The site received planning permission (P18713) under the approved Development Plan for development consistent with the Development Plan which included a supermarket, residential hotel, warehouses, food and drink premises, offices and a medical centre. This permit remains live with the approved development to be started before 27 October 2020. The proposed amended Development Plan seeks to alter the layout and therefore it is unlikely the current permit P18713 will remain generally in accordance with the Development Plan and a new permit will likely be required for any future development.
- 1.10 A planning permit has been lodged for a two lot subdivision based on the amended Development Plan. The application (P22529) seeks to subdivide the Stage 1 area of the retail precinct from the balance of the land to facilitate the development of that parcel. No decision on that application can occur until the amended Development plan is approved.

5. PLANNING CONTROLS:

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

<b>Planning Framework</b>	<b>Policy</b>	<i>Clause 11.01-1S</i>	Settlement
		<i>Clause 11.02</i>	Managing growth
		<i>Clause 11.02-1S</i>	Supply of urban land
		<i>Clause 15.01-1S</i>	Urban design
		<i>Clause 15.01-2S</i>	Building design
		<i>Clause 15.01-5S</i>	Neighbourhood character
		<i>Clause 16.01-3S</i>	Housing diversity
		<i>Clause 17.01-1R</i>	Diversified economy – Metropolitan Melbourne
		<i>Clause 17.02-1S</i>	Business
<b>Local Planning Policy Framework</b>		<i>Clause 21.01-2</i>	Key Issues and Influences
		<i>Clause 21.01-3</i>	Vision and Strategic Framework Plan
		<i>Clause 21.02-2</i>	Hume corridor
		<i>Clause 21.04-1</i>	Urban design
		<i>Clause 21.06-1</i>	Economic development
<b>Zone</b>		<i>Clause 34.02</i>	Commercial 2 Zone
<b>Overlays</b>		<i>Clause 42.01</i>	Environmental Significance Overlay Schedule 8 (applies to north eastern part of the site only)
		<i>Clause 43.02</i>	Design and Development Overlay Schedule 1
		<i>Clause 43.04</i>	Development Plan Overlay Schedule 16
<b>Particular Provisions</b>		N/A	
<b>General Provisions</b>		<i>Clause 65.01</i>	Approval of an application or plan

**Permission Triggers**

- 1.12 The Development Plan Overlay Schedule 16 on the land requires a Development Plan to be approved before other use and development can be permitted pursuant to Clause 43.04-2. The Development Plan Overlay allows an approved Development Plan to be amended to the satisfaction of the responsible authority per Clause 43.04-4.

**REPORT NO: SU477 (cont.)**

1.13 There is no formal process to approve a Development Plan or consider an amendment under the *Planning and Environment Act 1987*. Decisions are based on the responsible authority being satisfied with the changes with assessment against the Development Plan provisions.

1.14 Any future planning permits issued to implement the Development Plan must be generally in accordance with the Development Plan and where this is met the Development Plan Overlay provides exemptions from public notice and appeal rights to the Victorian Civil and Administrative Tribunal.

**6. REFERRALS:**

1.15 No formal referral provisions exist at Clause 66 which are relevant to the consideration of the amended Development Plan.

1.16 The amended Development Plan was referred to the following external authorities:

- Melbourne Water
- Department of Transport (VicRoads and Transport for Victoria)
- Vic Track

1.17 Melbourne Water have not objected to the amended Development Plan and have provided advice about detailed design and future subdivision in a letter sent back to Council.

1.18 Department of Transport (Vic Roads and Transport for Victoria) and Vic Track did not raise any objection to the amended Development Plan.

1.19 The amended Development Plan was referred internally to the following departments:

- Traffic and Civil – no objections
- Strategic – no objections provided the 500 square metre limitation on shop floor area is maintained.
- Sustainable Environment – required more information concerning the interface to Malcolm Creek including batters, pathways and access to the WSUD. The updated amended Development Plan (V14) and Design Guidelines (April 2020) responds to these matters. Sustainable Environment also requested an update to the Flora and Fauna report associated with the Development Plan which has been included in the recommendation.
- Subdivision – no objections based on the updated stormwater management plan by Spiire February 2020.

**7. ADVERTISING:**

1.20 Unlike a planning permit application there are no statutory processes in the *Planning and Environment Act 1987* for placing an amended Development Plan on public notice. The original approved Development Plan was placed on an informal notice and no submissions were received. The changes to the amended Development Plan do not alter the overall mix and scale of development allowed for originally and no further informal notice has been undertaken.

**8. ASSESSMENT:**

1.21 The primary issue for consideration is whether the proposed amendments to the Development Plan are consistent with the overall intent of the original approved plan, the Commercial 2 Zone and the State and local planning policy.

**9. DISCUSSION**

1.22 The primary consideration of the amended Development Plan mainly relates to the level of change compared to the approved Development Plan and consistency with the Commercial 2 Zone that applies to the land. The main areas of change are discussed below.

**REPORT NO: SU477 (cont.)**

Precincts

- 1.23 The arrangement in the amended Development Plan to have a larger retail/premises service station precinct is supported. The location of the precinct aligns with the broad objectives of the Commercial 2 Zone and will allow an active interface to the Hume Highway built around the main entry to the site. The amended Development Plan maintains the limitation on shop floor area at 500 square metres in area (except for a supermarket) consistent with the original approved Development Plan conditions.
- 1.24 The amended Development Plan retains a precinct to accommodate potential medical facilities, a hotel and childcare and this is located to the north east of the site.
- 1.25 The removal of the building materials showroom is supported and the amended Development Plan allows for areas of warehousing a restricted retailing which is a reasonable expectation for the development of the site.
- 1.26 The remaining precincts proposed under the amended Development Plan generally align with the original approved Development Plan and will provide for an overall arrangement of use and development consistent with the objectives of the Commercial 2 Zone and Development Plan Overlay Schedule 16.

Road Network

- 1.27 The proposal does rely on removal of the original proposed road (originally to be a private road) that looped around the outside of the overall site. The road allowed for interface separation between future buildings and adjacent land such as the Malcolm Creek reserve. Whilst the removal of the road to the perimeter allows for building form to abut the boundary of the adjoining land, the proposal is considered justified as it increases the areas of land to be part of the Malcom Creek Reserve and the design guidelines seek to minimise the dominance of building form to adjacent land. These outcomes are considered an appropriate balanced response to the removal of the road. In addition, vehicle access will be provided on the site via the main internal road, ensuring the functionality of the proposed layout.

Pathways

- 1.28 The amended Development Plan includes clarity that all pathways are proposed at three metres with a four metre wide section providing access from the internal road to the bio retention and sedimentation ponds for maintenance access.
- 1.29 A pathway crossing Hume Highway is shown which is reference to the new signalised intersection planned for that location to provide access to the site.

Interface to Malcolm Creek and stormwater systems

- 1.30 The amended Development Plan has included wider areas of reserve adjacent to Malcolm Creek to provide an appropriate interface to the creek and allow for combined stormwater management bio retention and sedimentation ponds. The arrangement will allow for a four metre wide shared path and a useful landscaping interface to the creek environs.
- 1.31 A bio retention and sedimentation pond system is to be provided in the reserve area to treat and retain waste water. The stormwater systems rely on a combined area of treatment compared to the two separate locations for retention and treatment in the original development plan. Stormwater management also relies on peak over site flows during major flooding events to be directed from the north west corner via a car park reserve into the main central road network and into the stormwater basin or Malcolm Creek. The reserve land will also provide access to the stormwater basin for maintenance via access from the central road network and a wider pathway system to the basins.
- 1.32 The stormwater systems have been supported by Council's engineers and will provide for appropriate stormwater outcomes as part of further subdivision and development.

**REPORT NO: SU477 (cont.)**

Design Guidelines

- 1.33 The amended Development Plan is supported by updated urban design guidelines as part of the documentation. The original Development Plan did not endorse urban design guidelines as part of the Development Plan; however, given the removal of the road access to the perimeter of the site it is considered the proposed design guidelines will be important to guide building form and setbacks in relation to the interface with the boundaries of the site.
- 1.34 The urban design guidelines provide design principles to ensure buildings are setbacks and provide an appropriate interface to the site's boundaries. The guidelines are specific to interfaces to the Hume Highway, Hume Freeway, Malcolm Creek and the railway line. The guidelines provide general principles and cross sections to inform siting and setbacks without being overly prescriptive to ensure buildings can be assessed to be generally in accordance with the guidelines (as part of the Development Plan) but with enough detail to assist with decisions on individual applications.
- 1.35 The urban design guidelines are considered to provide a useful tool as part of the Development Plan to ensure appropriate building and siting outcomes occur on the site into the future.

**10. CONCLUSION**

- 1.36 It is considered the amended Development Plan provides for changes to support future development of the site consistent with the Commercial 2 Zone. The amendment Development Plan provides for a more pragmatic management of precincts and allows for positive interface to Malcolm Creek and other adjacent boundaries. The proposal provides for additional reserve land to Malcolm Creek and an updated storm water system that will appropriate support the land and surrounding catchments.
- 1.37 The urban design guidelines proposed with the Development Plan will be important in guiding future development setbacks from boundary interfaces and provide an appropriate tool in the absence of the original perimeter road approved on the site under the original Development Plan.

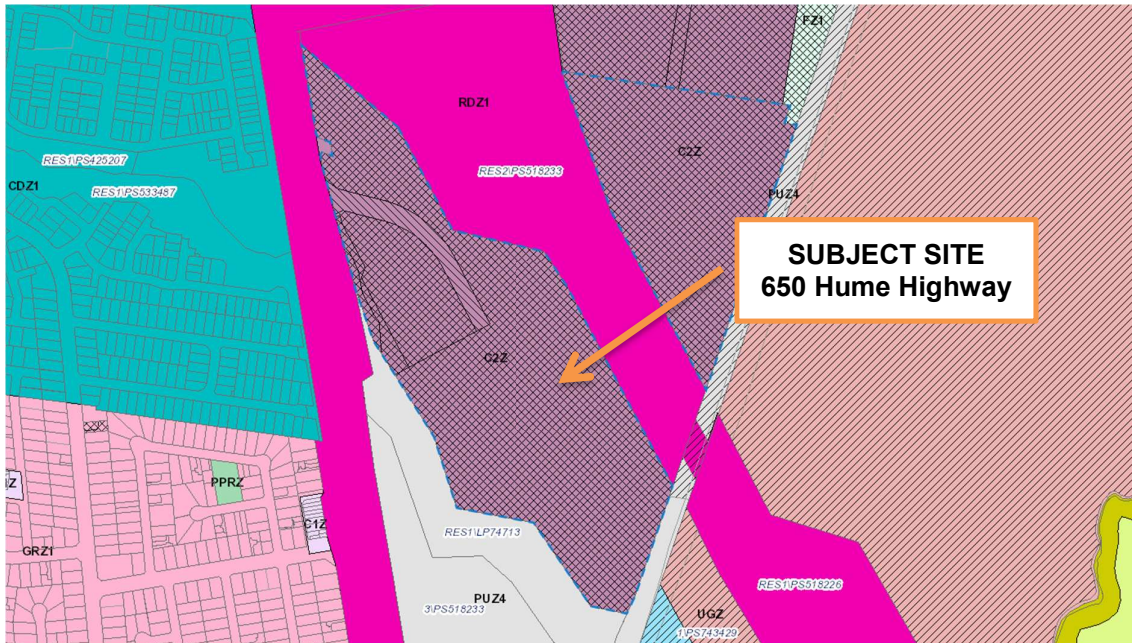
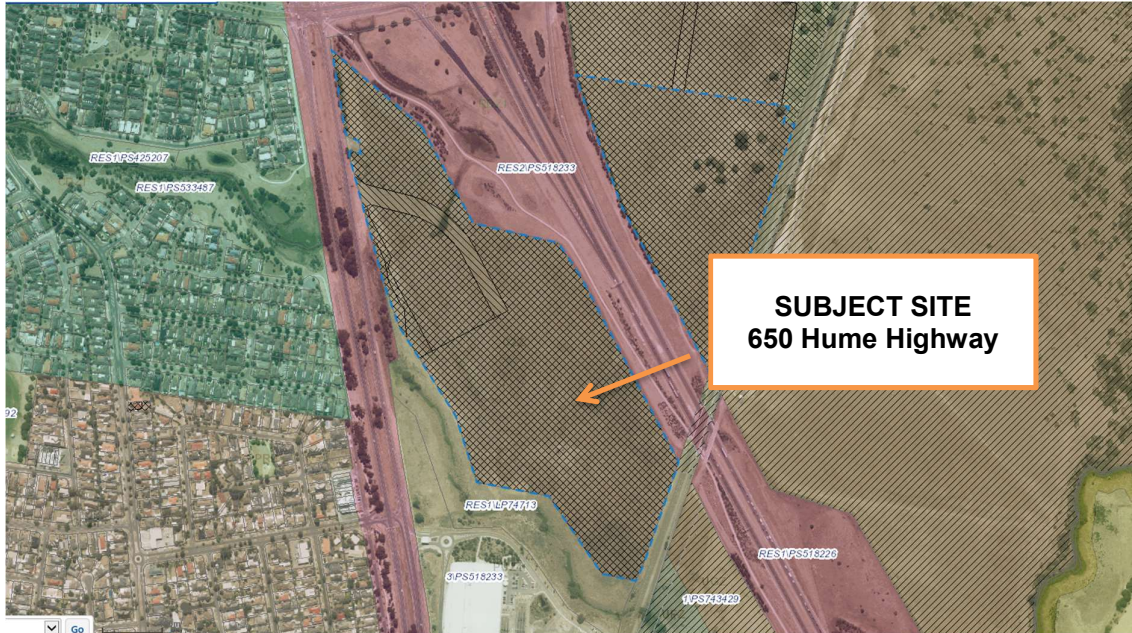
**RECOMMENDATION**

- 1.38 It is recommended Council support the amended Development Plan.

# LOCALITY MAP

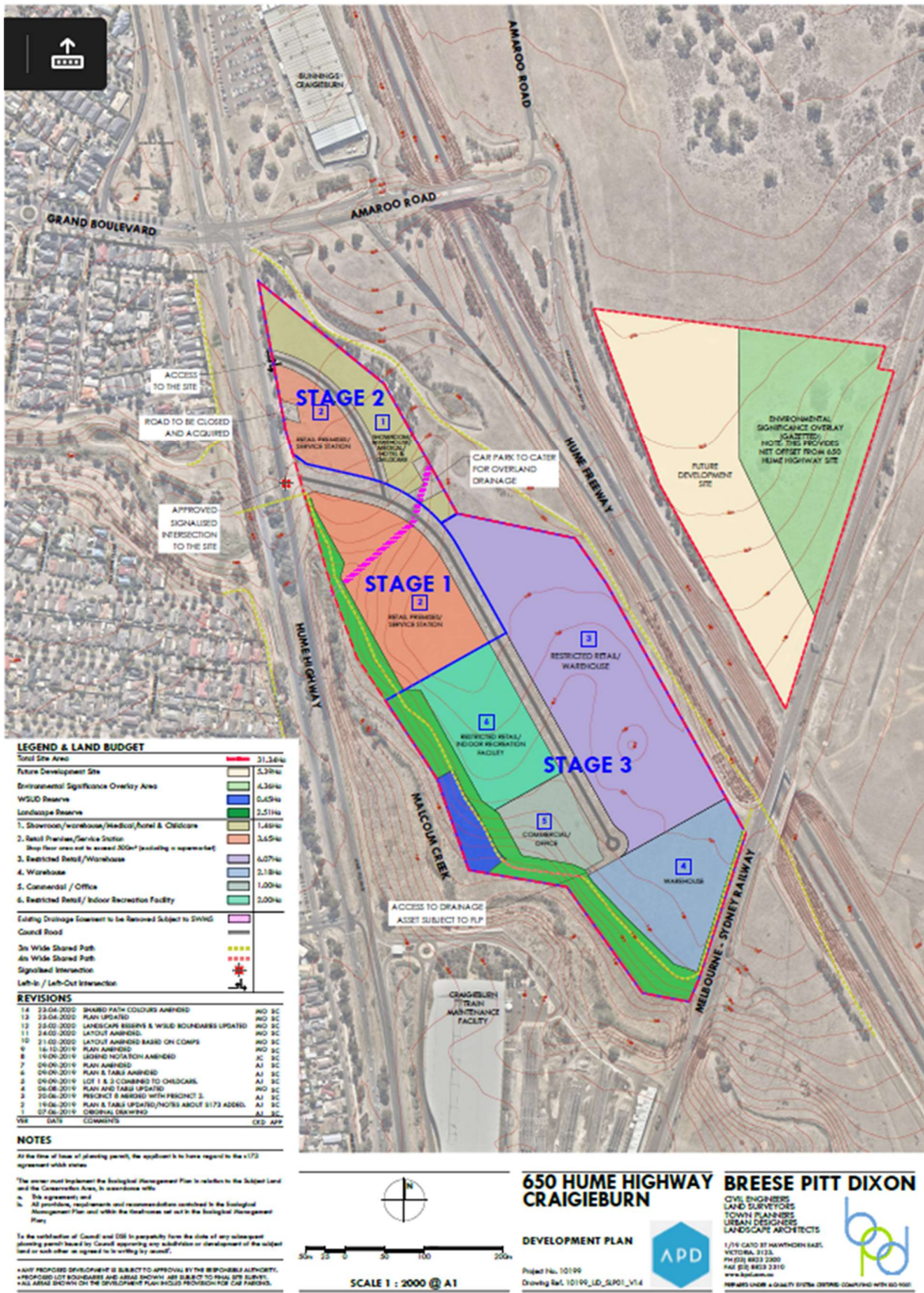
PDP1085

650 Hume Highway Craigieburn



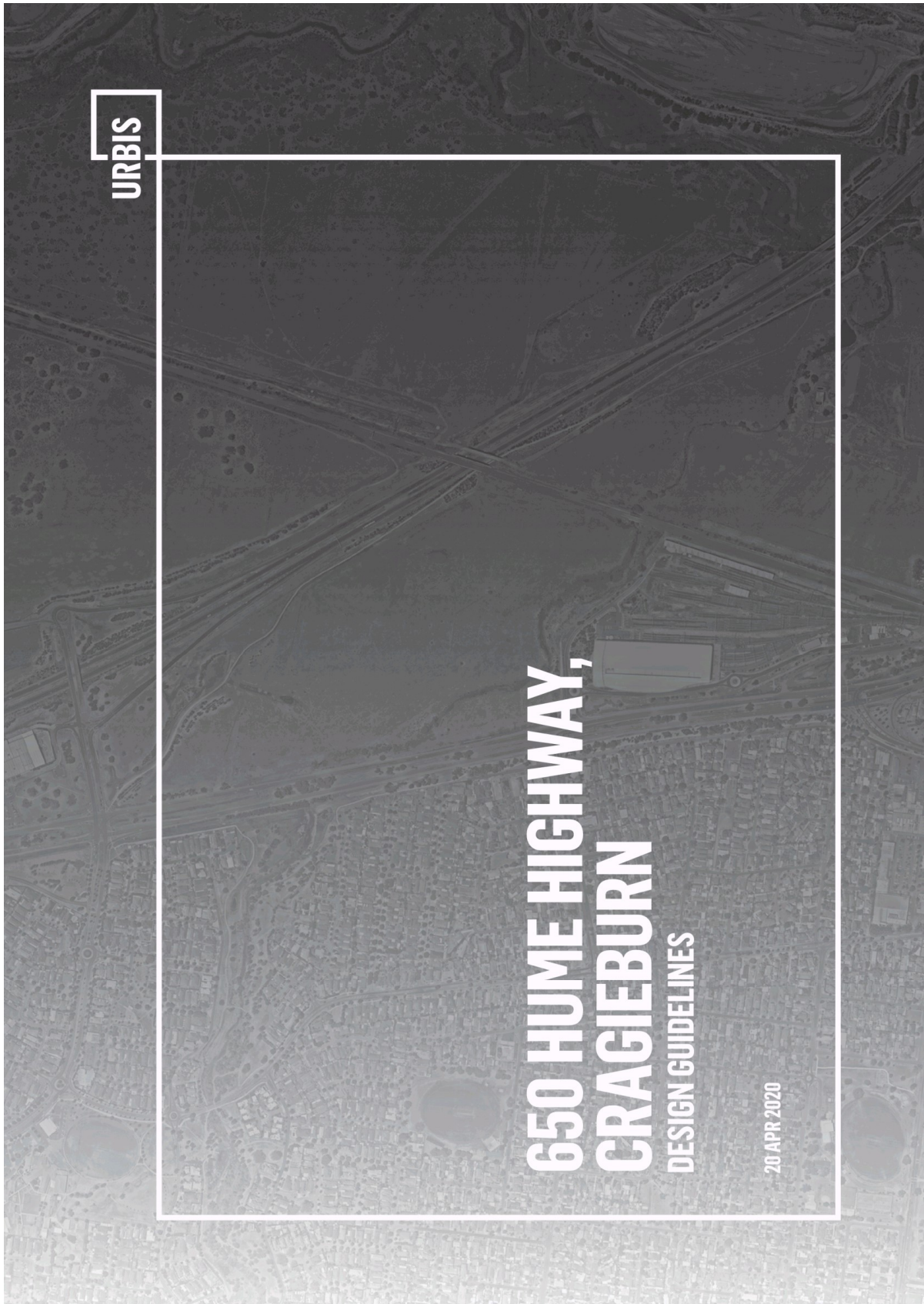
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2 850 Hume Highway, Craigburn, Design Guidelines

# CONTENTS

<b>CONTEXT</b>	<b>4</b>
<b>DESIGN PRINCIPLES</b>	<b>5</b>
INTRODUCTION	5
<b>DESIGN GUIDELINES</b>	<b>6</b>
GENERAL DESIGN GUIDELINES FOR SITE INTERFACE TO SURROUNDING AREAS	6
DESIGN GUIDELINES FOR VARIOUS SITE INTERFACES	7

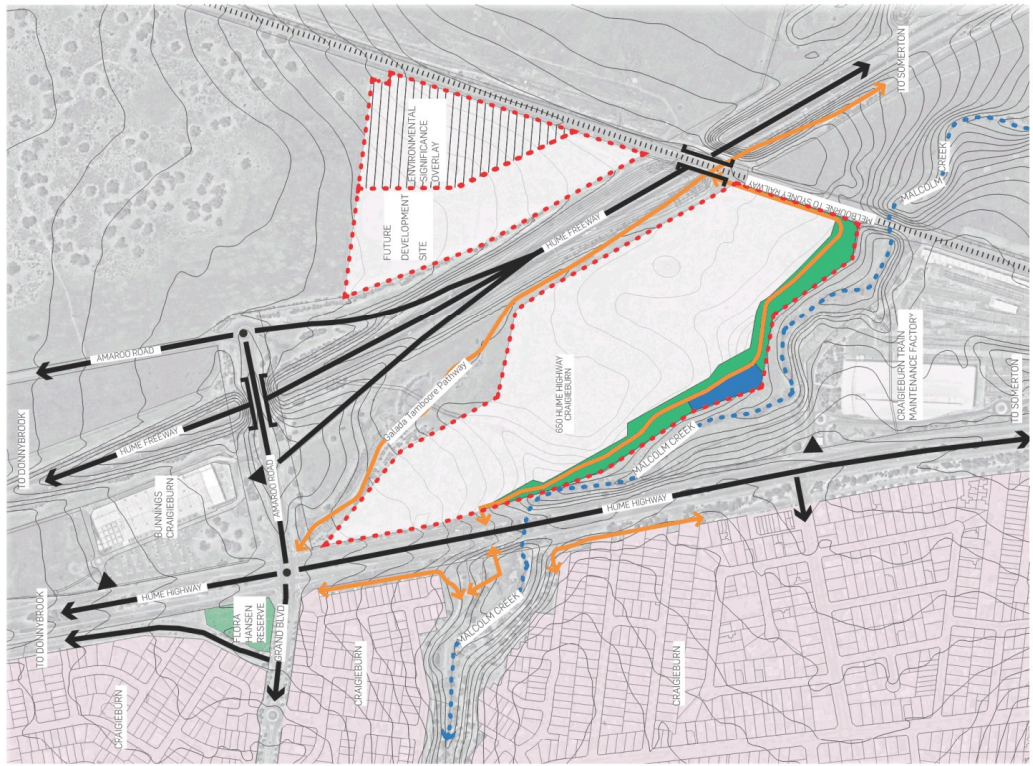
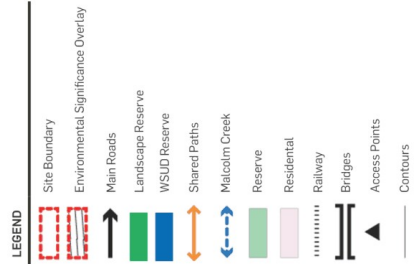


Figure 1 Context Map

# CONTEXT



NOTE: Site base map is subject to be updated



# DESIGN PRINCIPLES

## INTRODUCTION

The following high level design principles help to guide the interfaces of the subject development (650 Hume Highway, Craigieburn) and the surrounding context:



Figure 2 Variety of site interfaces with surrounding

- LEGEND
- Site Boundary
  - Interface - Railway
  - Interface - Hume Freeway
  - Interface - Hume Highway
  - Interface - Malcolm Creek



Figure 3 Accessible interface areas

- LEGEND
- Site Boundary
  - Surrounding open areas
  - Shared Paths
  - Railway
  - Malcolm Creek

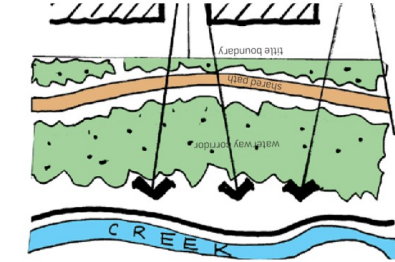


Figure 4 Positively contribute to the public realm

- No building on title boundary
- Appropriate setback of building from title boundary
- Adequate shading of shared path where possible
- Adequate offset of low planting from shared path
- Safety fencing along shared path in steep zones as necessary

# DESIGN GUIDELINES

## GENERAL DESIGN GUIDELINES FOR SITE INTERFACE TO SURROUNDING AREAS:

The following typical design guidelines apply to the buildings in lot 650 Hume Highway, Craigieburn.

### Built form interface with surroundings

- Building facades along the surrounding interface to achieve a high standard of design
- Minimise large expanse of continuous wall in public view areas and ensure visual relief and interest through articulation
- Encourage use of colours and materials that are complementary to the surrounding environment

### Setbacks

- Provision of adequate setback (minimum 5m) for the buildings along the surrounding interface
- Where car parking is provided, adequate planting buffer needs to be provided

### Fencing

- In the event where fencing is required for security purpose along the interface with the surrounding, it is to be designed to have high degree of transparency and be located where possible behind the landscape/ planting buffer
- Side and rear setback fencing generally to be cyclone wire

### Landscaping

- Appropriate landscape plan for the surrounding interface area
- High quality landscaping should be provided along sensitive environmental interface areas and around car parking and screened areas
- Landscaping/ planting strategies to ensure low maintenance and low water requirements
- Appropriate shade trees, scrubs, ground cover and grass should be included in the landscaping especially along the shared path network
- Minimise large hard surfaced car parking areas along the development interface area by allowing for planting of trees and shrubs

### Storage and refuge areas

- Where possible storage areas should be an integral part of the design of the building
- Where storage of goods or materials should be located along the surrounding interface, adequate screening should be provided so as they are not visible from the public areas
- Design of the screening of storage/ refuge areas should be done in a manner that is sympathetic to the site/ building layout and the surrounding environment

## DESIGN GUIDELINES FOR VARIOUS SITE INTERFACES

The following design guidelines apply to the developments in lot 650 Hume Highway, Craigleburn.

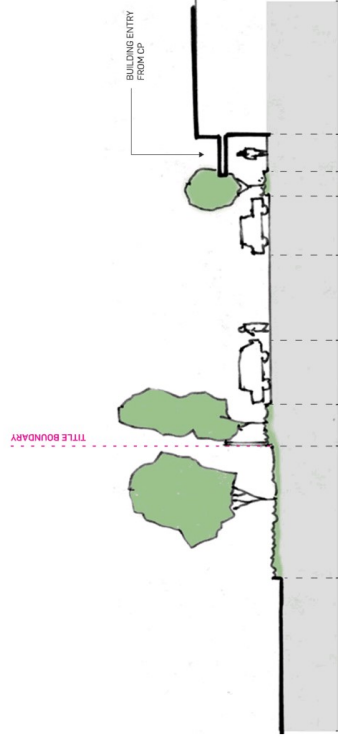
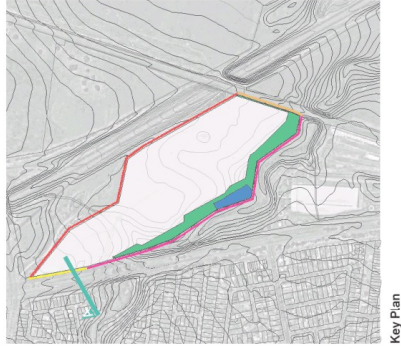
The purpose of the guideline is to:

- Ensure safety and passive surveillance along the shared path
- Achieve high quality built-form interface with the surrounding adjacent areas- namely Malcolm Creek, Hume Freeway, Hume highway, rail line
- Provide interface between future building and Malcolm Creek, Hume Freeway to positively contribute to the public realm
- Achieve a visually integrated interface with the surrounding areas; consideration for adequate buffer and interface with waterway corridor

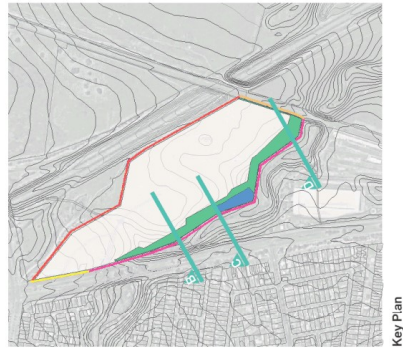
NOTE: the sections are indicative only and alternative arrangements to respond to the design guidelines can occur in line with the principles of the guideline.

**Table 1** Urban Design Guidelines for Hume Highway interface

OBJECTIVE
To ensure new development along Hume Highway to be setback adequately, whilst ensuring the buildings fronting the highway contributes positively to the public realm.
DESIGN RESPONSE
Lots with frontage along Hume highway to:
<ul style="list-style-type: none"> <li>• Have buildings with frontage along the Hume Highway (refer section A)</li> <li>• Adequate landscaped strip to be provided along the boundary</li> </ul>
The indicative sections provide visual representation for manner in which the future buildings could respond to the Hume highway interface in accordance to the design guidelines listed above. The section illustrates how the landscaped planting, car parking, and the built form could be arranged along the Hume Highway frontage



**Figure 5** Section A - Hume highway interface

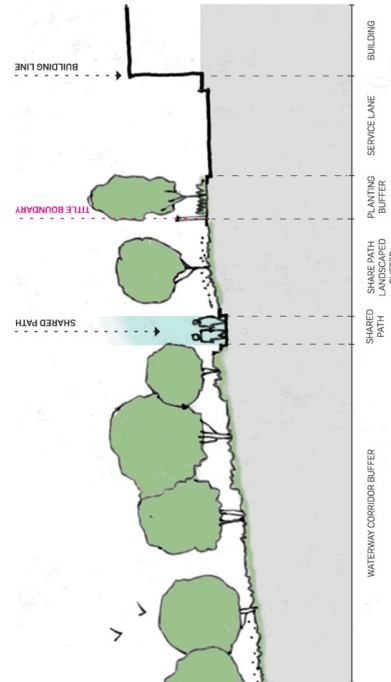


Key Plan

**Table 2** Urban Design Guidelines for Malcolim Creek interface

<b>OBJECTIVE</b>	To ensure future buildings along Malcolim Creek interface to be setback adequately to reduce visual impact from Malcolim Creek. To ensure a shared path experience that has adequate landscape, is safe to use, and has reasonable passive surveillance.
<b>DESIGN RESPONSE</b>	<p><b>Development lots located along Malcolim Creek interface to have:</b></p> <ul style="list-style-type: none"> <li>• Adequate setback of building from the title boundary. No building to be built on this boundary.</li> <li>• Building to have varying interfaces to the shared path and waterway corridor located along Malcolim Creek</li> <li>• Publicly accessible shared path, (3m wide) outside the title boundary, apart from a small section where the court bowt access is provided which will be 4 metres</li> <li>• Adequate landscaped share path following CPTED principles to ensure safety and passive surveillance</li> <li>• Adequate landscape/ planting buffer to be provided to soften/screen and minimise the visual impact of the buildings along the Malcolim Creek</li> </ul>

The indicative sections provide visual representation for how the future buildings could respond to the Malcolim Creek interface in accordance to the design guidelines listed above. The section indicates the requirement for a building setback, and its interface with the shared path and the waterway corridor.



**Figure 6** Section B - Malcolim Creek interface with accessible service lane and planting buffer



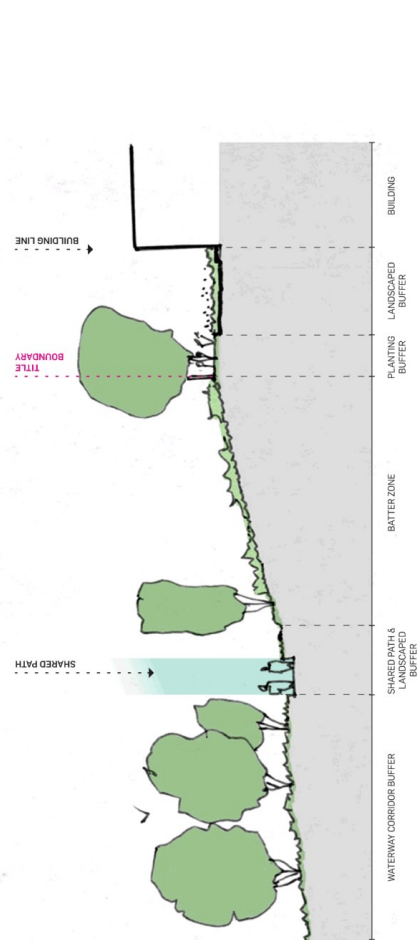


Figure 7 Section C - Malcolm Creek interface with batter zone along steep slope areas & landscaped buffer along building edge

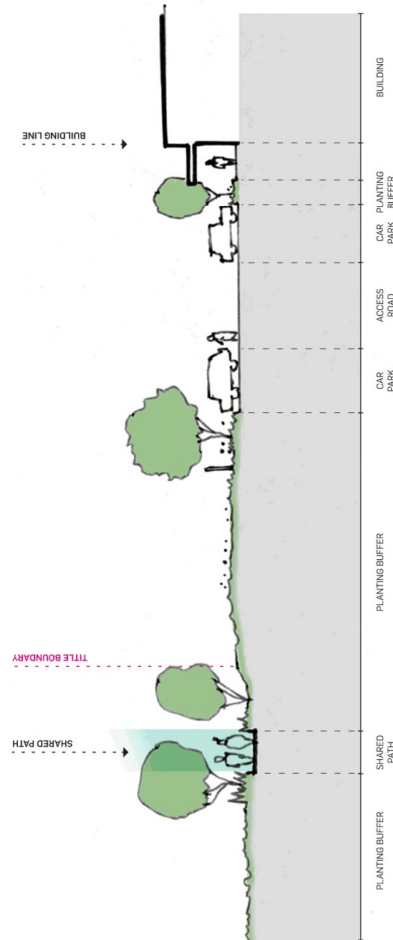
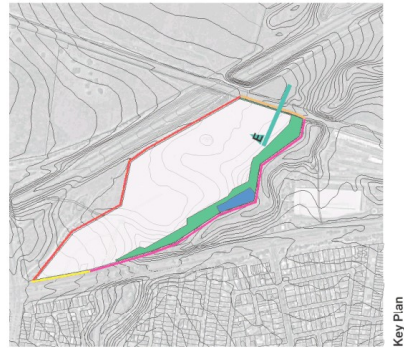


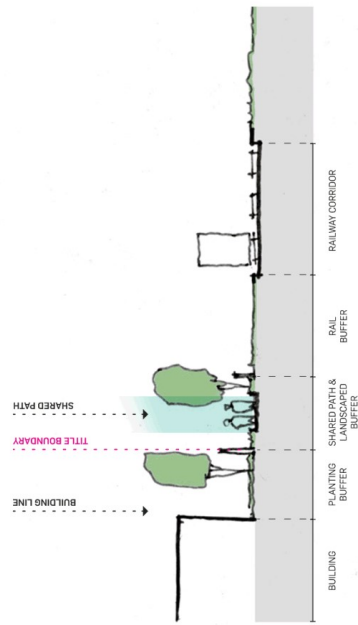
Figure 8 Section D - Malcolm Creek interface with car parking along the waterway corridor buffer



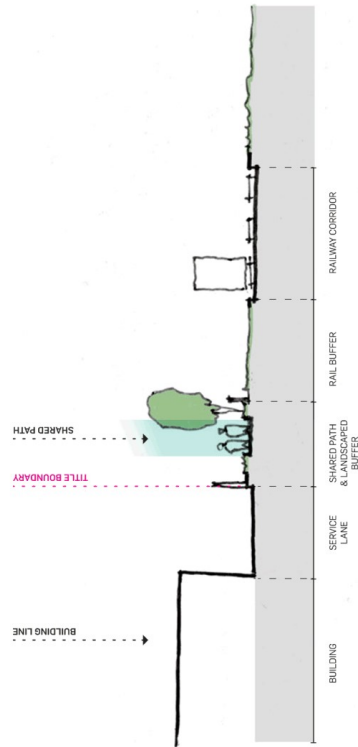
**Table 3** Design Guidelines for Railway line interface

<b>OBJECTIVE</b>	To ensure future buildings fronting the railway line provide adequate setback to allow for shared path that is safe to use and visually appealing.
<b>DESIGN RESPONSE</b>	
<b>Development lots located along the railway line interface to have:</b>	
• Building to have adequate setback from the shared path interface. No buildings on boundary line	
• Publicly accessible shared path (3m wide) outside the title boundary, apart from a small section where the court bowl access is provided which will be 4 metres	
• Location for fencing (if required for security reasons) to be along the title boundary	
• Adequately landscaped share path in line with CPTED principles to ensure safety and passive surveillance	

The indicative sections provide visual representation for how the future building could respond to the Rail line interface in accordance to the design guidelines listed above. The section indicates the requirement for a building setback, and its interface with the shared path, and the rail line.



**Figure 9** Section E - Railway interface A



**Figure 10** Section E - Railway interface B

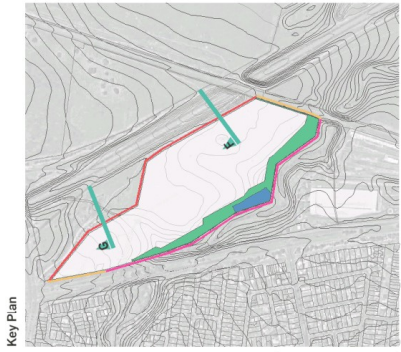


Table 4 Design Guidelines for Hume Freeway interface

<b>OBJECTIVE</b>	To ensure new buildings fronting the Hume Freeway interface is adequately setback, and the allows for natural surveillance and general safety.
<b>DESIGN RESPONSE</b>	Buildings located along the Hume Freeway interface to have: <ul style="list-style-type: none"> <li>• Future buildings to have adequate setback from the open space. No buildings on title boundary</li> <li>• Built form articulation to ensure visual relief and interest while minimising continuous wall in public view areas</li> <li>• Opportunity for varying setback treatments i.e. landscape planting, car parking, vehicular access/service lane</li> </ul>

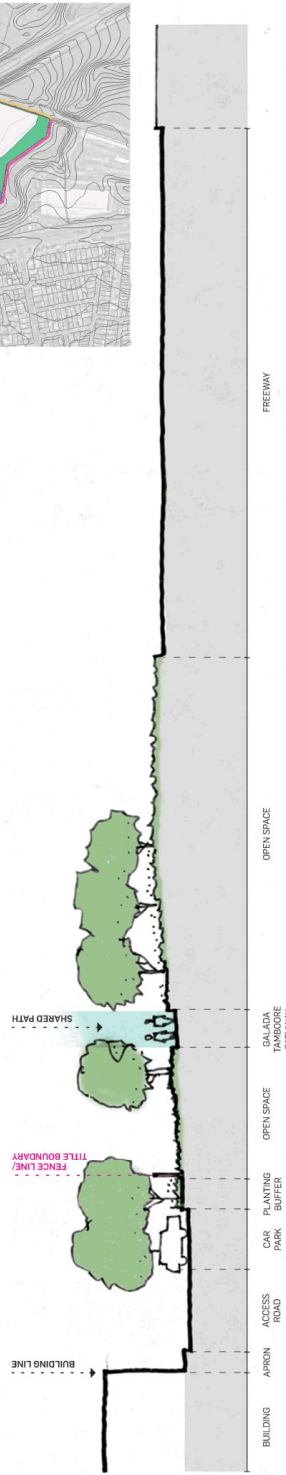


Figure 11 Section F - Hume Freeway interface A

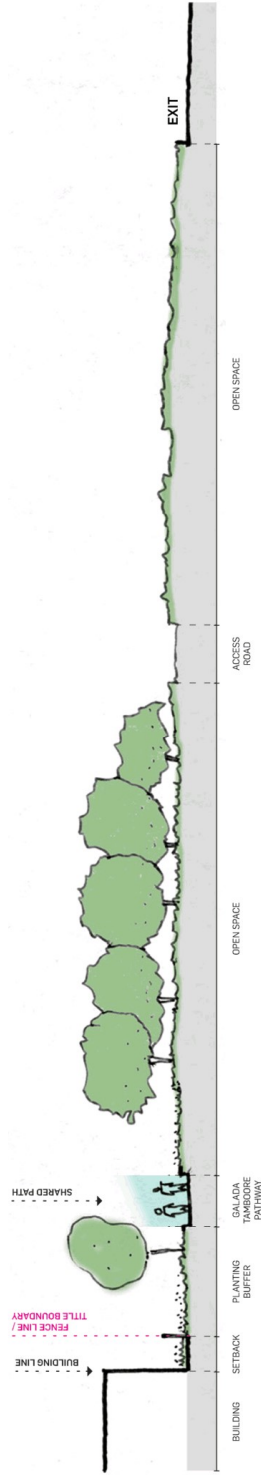
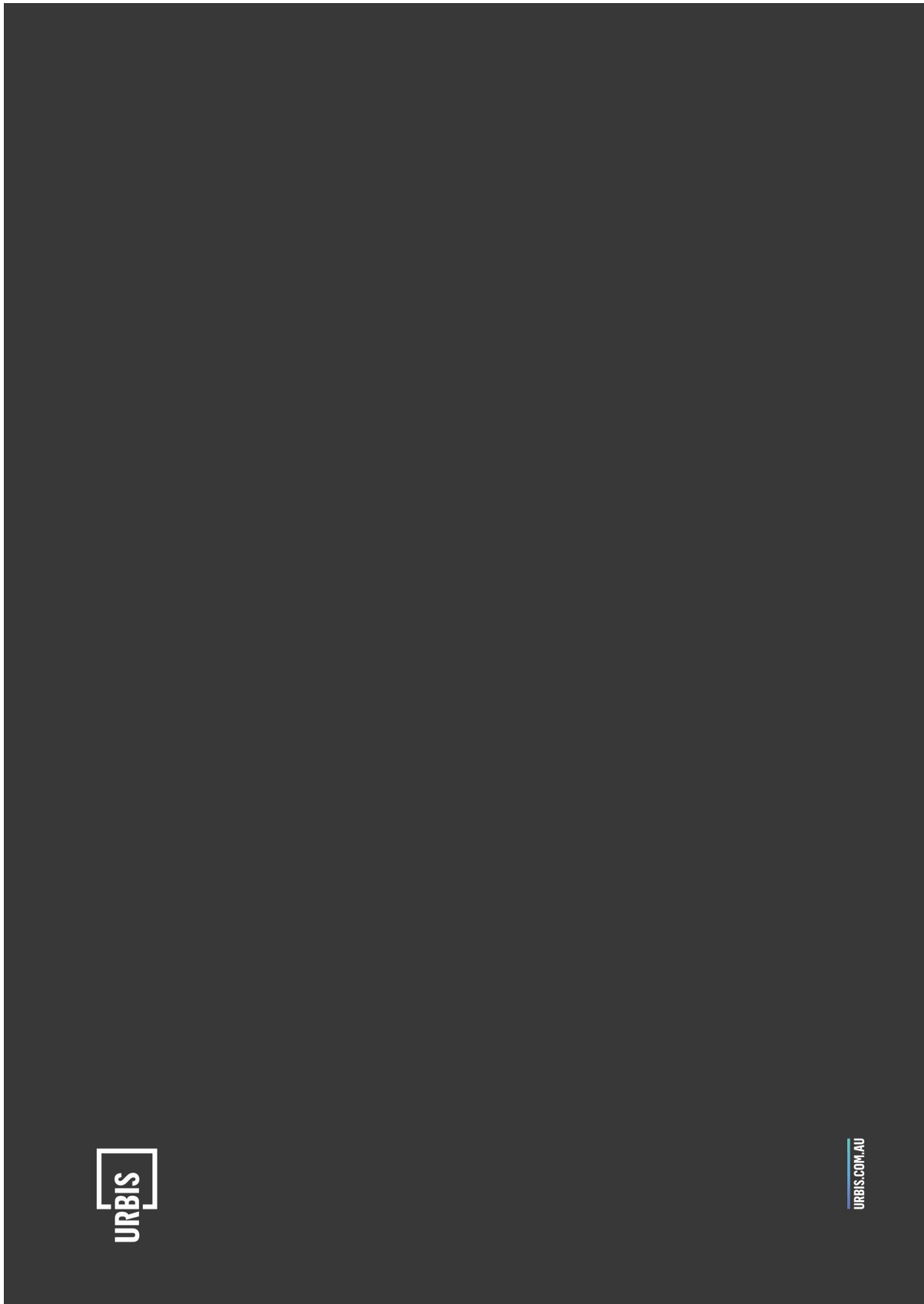


Figure 12 Section G - Hume Freeway interface B



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<b>REPORT NO:</b>	SU478
<b>REPORT TITLE:</b>	345 Oaklands Road, Oaklands Junction - The use and development of the land for earthworks (clean fill) and the removal of native vegetation.
<b>SOURCE:</b>	Narelle Haber, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P22052
<b>POLICY:</b>	Hume Planning Scheme.
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Locality Plan</i></li><li>2. <i>Earthworks and Staging Plans</i></li><li>3. <i>Landscape Plans</i></li></ol>

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<b>Application No:</b>	P22052
<b>Proposal:</b>	The use and development of the land for earthworks and the removal of native vegetation.
<b>Location:</b>	345 Oaklands Road, Oaklands Junction.
<b>Zoning:</b>	Green Wedge Zone, Melbourne Airport Environs Overlay - Schedules 1 and 2, Public Acquisition Overlay – Schedules 2 and 3.
<b>Applicant:</b>	Ricardo Energy, Environment and Planning
<b>Date Received:</b>	15 February 2019

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**1. SUMMARY OF REPORT:**

Planning approval is sought for the use and development of the land for earthworks (clean fill) and the removal of native vegetation at 345 Oaklands Road, Oaklands Junction. The proposal has been assessed against the Planning Policy Framework, Local Planning Policy Framework and applicable zoning requirements of the *Hume Planning Scheme*. The application was advertised, and three objections were received. The proposal, subject to the amendments required below, is considered acceptable and a Notice of Decision to issue a Planning Permit is recommended.

**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 use and development of the land for earthworks (clean fill) and the removal of native vegetation at 345 Oaklands Road, Oaklands Junction, subject to the following conditions:**

**2.1 Before the use and development permitted by this permit commences, amended plans and reports to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans and reports will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:**

- a) **Proposed stockpile locations.**

REPORT NO: SU478 (cont.)

- b) Re-routing of the western access track to avoid impacts upon native vegetation and any other significant biodiversity values.
  - c) Additional cross-section plans showing the pre-work and post-work soil levels (including all gradients). The new cross-sections required are to be taken equidistant between the current cross-section measurements and the property boundaries (resulting in an additional two north/south cross-sections and two east/west cross-sections).
  - d) Detailed designs for proposed swale drains updated to:
    - i. include erosion control measures required to prevent erosion, siltation or failure of the swale, associated batters or the bund wall.
    - ii. address any requirements from the requested hydrological assessment and updated geotechnical report.
  - e) Staging plan updated to include:
    - i. a stage or stages for the following:
      - Rehabilitation of the Stage 4 filling area.
      - Decommissioning and rehabilitation of site facilities.
    - ii. revegetation of the 30-metre riparian buffer to the Moonee Ponds Creek as part of stage 1.
  - f) Substitution of rubble or suitably sized concrete/brick with a suitable alternative material/measure for surfacing of temporary internal roadways and access tracks.
  - g) The Landscape Plan required under condition 4 of this permit.
  - h) The Integrated Land Management and Rehabilitation Plan (ILMRP) required under condition 5 of this permit.
  - i) A detailed hydrological report as required under condition 45 of this permit.
  - j) A Geotechnical Assessment as required under condition 47 of this permit.
  - k) The Fill and Environment Management Plan (FEMP) required under condition 48.
  - l) The first 30 metres of both access ways into the site being are to be sealed (or alternate treatment) to the satisfaction of the responsible authority to ensure that no fill materials are brought onto Oaklands Road by trucks entering and exiting the site.
  - m) The provision of a device within both access ways to vibrate loose soil from the undercarriage of trucks. This device is to be installed within the site access ways but not within the 30m sealed area.
  - n) The provision of a left turn lane for trucks entering the site from the south, designed in accordance with current standards and designed to accommodate fully laden trucks.
  - o) Details and location of signage stating No Right Turn into the site from Oaklands Road.
  - p) Details and location of signage stating 10 kilometres per hour speed limit within the property.
- 2.2 The layout of the site and the extent of fill/earthworks as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.
- 2.3 Any fill brought into the property must be classified as 'Fill material' as per EPA Industrial Waste Resource Guidelines (IWRG), Publication IRWG621. All fill must be free of weed propagules and pathogens.

REPORT NO: SU478 (cont.)

2.4 Prior to the commencement of works, a Landscape Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The landscaping plan must be generally in accordance with the landscape plan dated 5 March 2020 prepared by *Ricardo Energy Environment and Planning*, except the plan must show/the plan must show:

- a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
- b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
- c) details of surface finishes of pathways and driveways;
- d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity and quantities of each plant;
- e) an assessment of the visual impact of the works and how they are proposed to be mitigated (includes, but is not limited to, identification of any impacted site lines).
- f) Appropriate measures to mitigate visual impacts to neighbours and site lines.
- g) Maintenance schedule for the duration of the works on site.

2.5 Prior to the commencement of works, an Integrated Land Management and Rehabilitation Plan (ILMRP) must be submitted to and approved by the responsible authority. When approved, the ILMRP will be endorsed and will then form part of the permit. The ILMRP must be prepared by a suitably qualified person and must include the following:

- a. revegetation of the 30-metre riparian buffer to the Moonee Ponds Creek tributary, to be completed as part of stage 1 followed by a minimum two-year maintenance period.
- b. Post-filling and works pasture reinstatement.
- c. Measures to mitigate visual impacts to neighbours and site lines through landscaping of the boundaries.
- d. Biodiversity protection, management and enhancement for retained native vegetation and rare and threatened species habitat across the whole of the subject land.
- e. Plans drawn to scale with dimensions, clearly and accurately showing the following:
  - i. all existing planted vegetation to be retained and/or removed (including botanical names);
  - ii. all existing native vegetation patches and scattered trees (including tree botanical names), as defined in the *Guidelines for the removal, destruction or lopping of native vegetation*;
  - iii. all existing native understorey trees (including botanical names);
  - iv. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
  - v. any areas supporting habitat for rare and threatened species;
  - vi. rocky outcrops;
  - vii. site contours;
  - viii. areas with at least 20 percent slope;
  - ix. the following zones:
    1. riparian buffer revegetation zones

REPORT NO: SU478 (cont.)

2. pasture reinstatement zones
  3. amenity screening zones
  4. biodiversity protection, management and enhancement zones.
- f. site preparation methods for each revegetation, reinstatement and planting zone.
  - g. a planting schedule for amenity screening, which includes:
    - i. all proposed trees, shrubs and ground covers
    - ii. common names and botanical names
    - iii. sizes at maturity
    - iv. quantities of each plant.
  - h. a planting schedule for all other plantings including common names, botanical names, and target establishment densities or covers.
  - i. use of indigenous species of local genetic provenance only, for all riparian buffer plantings.
  - j. adherence to Melbourne Airport's revegetation guidelines.
  - k. plant establishment and maintenance methods
  - l. stock exclusion fencing set back at least 30 metres from the Moonee Ponds Creek tributary top of bank.
  - m. Measures to control the following weeds across the entire property:
    - i. Woody weeds
    - ii. Declared Noxious Weeds
    - iii. Weeds of National Significance
    - iv. Weeds listed in the *Advisory list of environmental weeds in Victoria* (Arthur Rylah Institute for Environmental Research Technical Report Series No. 287).
  - n. details of surface finishes of pathways and driveways.
  - o. timeframes for the implementation and completion of each action within the ILMRP.
  - p. A maintenance schedule for the duration of the filling works on site plus two years post completion of the filling works.
- 2.6 The approved Integrated Land Management and Rehabilitation Plan (ILMRP) must be implemented to the satisfaction of the responsible authority.
- 2.7 Prior to commencement of works, all personnel on site must be inducted into the Operational Environmental Management Plan (OEMP) and all flora and fauna conservation requirements
- 2.8 The approved Operational Environmental Management Plan (OEMP) must be implemented to the satisfaction of the responsible authority.
- 2.9 No fill is to be placed beyond the areas as shown on the endorsed plans.
- 2.10 No industrial waste or contaminated soil is to be brought onto the site.
- 2.11 No additional fill to what is proposed is to be brought onto the subject site unless with the prior written consent of the responsible authority.
- 2.12 Any soil accepted at the premises must be free of contamination to the satisfaction of the responsible authority.
- 2.13 There must be no discharge of wastewater, contaminated stormwater or sediment-laden runoff beyond the boundary of the site.
- 2.14 Works must be restricted to the area of development shown on the endorsed plans. Drainage outfalls and creek areas must be adequately protected during construction works. No polluted or sediment laden water may enter drainage outfalls or the creek.



REPORT NO: SU478 (cont.)

- 2.15 No fill is to be placed within the Public Acquisition Overlay (schedule 2 and 3) areas.
- 2.16 The use and development must be managed in accordance with recognized standard industry practices so that the amenity of the area is not detrimentally affected through the:
- a) Transportation of materials, goods or commodities to or from the land.
  - b) Appearance of any building, works or materials.
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapor, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - d) The presence of vermin.
- 2.17 The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the site or in any other way to the satisfaction of the responsible authority.
- 2.18 Dust emissions must be controlled by watering of unsealed vehicle access areas and stockpiles of the fill material to the satisfaction of the responsible authority.
- 2.19 Once the works permitted by this permit have commenced, the works must be continued and completed in accordance with the endorsed plans or stabilised to the satisfaction of the responsible authority generally in accordance with the geotechnical report approved as part of this permit.
- 2.20 Except with the prior written consent of the responsible authority, the landfill operation approved by this permit shall only operate between the following hours:
- Monday to Friday 7.30am – 4.30pm.
  - Saturday 8.00am – 3.00pm.
  - Sunday/Public Holidays Closed
- 2.21 Except with the prior written consent of the responsible authority, there must be no more than 320 truck movements (including both entering and exiting the site) from the subject site per day.
- 2.22 The applicant must provide to the responsible authority a written summary of daily truck movements to and from the site on a quarterly basis commencing the first month after the commencement of the use.
- 2.23 Every (6) six months from the commencement of works until the work is completed written notification to Council must be provided on the quantity of fill received on site, the sources of the fill material and the projected timeframes from completion.
- 2.24 The operation must not cause overspill of landfill materials onto Oaklands Road.
- 2.25 Any building for which a permit is required under this overlay must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.
- 2.26 Prior to the use and development starting, the owner must enter into and execute an agreement under Section 173 of the *Planning and Environment Act 1987* which provides for:
- a) Planning Permit P22052 relates to the use and development of land for earthworks (clean fill) and the removal of native vegetation on the subject land. Prior to any buildings or structures constructed on top of the fill, additional compaction works and specialist support will be required.

Before the development commences, application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act.

REPORT NO: SU478 (cont.)

The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of this Section 173 Agreement.

- 2.27 Prior to the use and development starting, the owner must enter into and execute an agreement under Section 173 of the *Planning and Environment Act 1987* which provides for:
- a. The implementation of the Integrated Land Management and Rehabilitation Plan (ILMRP) as approved under P22052.
  - b. Submission of a report from a fully qualified geotechnical expert has certified that all fill imported and placed on the site meets all relevant geotechnical standards.

Before the development commences, application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act.

The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of this Section 173 Agreement.

Once the conditions set out in the above Section 173 Agreement (registered on title) have been complied with to the satisfaction of the responsible authority, the permit applicant and or land owner may apply to remove the Agreement from the Certificate of Title.

- 2.28 Upon completion of the works, the permit applicant must submit a survey plan by a qualified licensed surveyor confirming the finished levels on the site are compliant with the endorsed plans to the satisfaction of the responsible authority.
- 2.29 Landfill must comply with the *EPA'S Best Practice Environmental Management, Publication 788, October 2001. Siting, Design, Operation and Rehabilitation of Landfills.*
- 2.30 No earthworks, compaction or modification of existing drainage patterns may be undertaken which present a risk to any retained remnant trees, understorey, or revegetation areas.
- 2.31 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.32 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development.
- 2.33 No right turns are permitted into the site, regulatory no right turn signage is to be installed and will need to be detailed on the detailed design plans.
- 2.34 Detailed design plans must be submitted to and approved by the responsible authority for the left turn lane for trucks entering from the south. The design plans will be subject to design checking fees, construction will be supervised by Council and will be subject to construction supervision fees.
- 2.35 The works zone must be fenced with highly visible temporary fencing that is to remain in place until construction works are completed. Soil, spoil, rocks, machinery, materials and vehicles are not to be located outside of the works zone.
- 2.36 Prior to the commencement of works, all trees to be retained must be temporarily fenced off with secure and obvious fencing in accordance with Australian Standard (AS4970-2009). Fencing must be signposted as 'tree protection zone'. The tree protection fence must remain in place until the works are completed. Fill, machinery and building materials must not be placed, even for a short time within the tree protection zone.
- 2.37 Prior to commencement of any works during the construction phase, a highly visible vegetation protection fence must be erected at more than 2 metres from all patches of native vegetated areas which are not approved to be removed unless otherwise agreed to in writing by the responsible authority.

REPORT NO: SU478 (cont.)

- 2.38 At the completion of works, nothing, including vehicles, is to be stored under the canopy of any retained remnant trees or on areas of retained native vegetation.
- 2.39 Prior to felling, trees identified for removal must be examined by a qualified zoologist for the presence of fauna, including those using external nests (e.g. Common Ringtail Possums, bird nests) and tree hollows. If native fauna species are located, they are to be salvaged and relocated in accordance with all relevant legislation and approvals, further to consultation with the Department of Environment, Land, Water and Planning.
- 2.40 All vegetation approved for removal in accordance with the endorsed plan must be clearly marked with flagging tape, or other method as appropriate, and must be removed within the prescribed works area in such a manner to avoid damaging vegetation to be retained.
- 2.41 The large indigenous tree permitted to be removed must be taken into the 30-metre riparian buffer planting zone for inclusion as large logs. These logs must be cut into a minimum of 1.5 metre lengths and placed into the reserve under the direction of a suitably qualified ecologist or Council environment officer.
- 2.42 Environmental Weeds as referred to in Department of Sustainability and Environment Advisory list of Environmental Weeds of the Inland Plains bioregions of Victoria, May 2009 must not be used in any of the landscaping or revegetation works.
- 2.43 Weed control, by an experienced bush regenerator, will be carried out along disturbed areas during and post construction to control any weed outbreaks.
- 2.44 Assessment of potential impacts upon listed threatened biodiversity values, including confirmation of implications and requirements under the Commonwealth Environment *Protection and Biodiversity Conservation Act 1999* (EPBC Act). The assessment must be undertaken by a suitably qualified ecologist and must include consideration of the following Matters of National Environmental Significance:
- a) Natural Temperate Grassland of the Victorian Volcanic Plan - critically endangered.
  - b) Golden Sun Moth (*Synemon plana*) - critically endangered.
  - c) Matted Flax-lily (*Litoria raniformis*) – vulnerable.
  - d) Growling Grass Frog (*Litoria raniformis*) – vulnerable.
- 2.45 A hydrological report prepared by a suitably qualified person to the satisfaction of the responsible authority. The hydrological report must include, but is not limited to:
- a. An assessment of impacts of the fill on water quality and water flow within the site, across neighbouring properties and upon nearby waterways or tributaries.
  - b. measures which will be implemented to mitigate impacts of the fill on water quality and water flow within the site, across neighbouring properties and upon nearby waterways or tributaries.
  - c. Details on how any impacts to will be controlled, with reference made to hydrological report findings.
- 2.46 Details on how any impacts to nearby waterways or tributaries will be controlled, with reference made to hydrological report findings.
- 2.47 An updated geotechnical assessment which addresses the following:
- a) Reference to the current project plans and drawings.
  - b) Confirmation of the following as well as any associated implications and mitigation requirements:

REPORT NO: SU478 (cont.)

- i. The existing underlying geology and geomorphology.
  - ii. Filling material proposed to be imported to the site.
  - iii. Proposed site compaction, including full details and standard level.
  - iv. Impacts of proposed site drainage on interim and ultimate site stability.
  - v. Resolution of all other assumptions made in the report.
- c) Confirmation throughout the report that the required mitigation measures will (rather than should) be implemented.
  - d) Identification and consideration of the three existing onsite dams.
  - e) Confirmation throughout the report that the project designs and mitigation measures will be adequate to prevent adverse environmental impacts or impacts upon future rural land use, to the satisfaction of the responsible authority.

**2.48 The Fill & Environmental Management Plan (FEMP), Oaklands Junction Fill Site, 345 Oaklands Rd, Oaklands Junction, prepared for: ResourceCo Material Solutions Pty Ltd updated to include the following:**

- a) Retitled to Operational Environmental Management Plan
- b) Fill source sites and understanding about who will be transporting the fill to the site.
- c) How will the site be controlled and who is responsible for controlling it?
- d) Inclusion of a risk matrix to determine the risks of the operations and then appropriately address the risk throughout the document.
- e) Omission of all references to any potential future importation of materials other than clean fill.
- f) Omission of statements relating to the final site landform being developed via detailed engineering specifications in 1 -2 years.
- g) Correction of inconsistent and incorrect wording tense throughout the document.
- h) Explicit requirement for on-site non-conformance rectification measures to be implemented.
- i) Inclusion of all appendices (currently blank in the submitted document)
- j) A site plan detailing the following:
  - i. Locations of environmental and amenity protection measures
  - ii. Design and installation details of environmental and amenity protection measures.
- k) Section 3.6 point 5 updated as required, and reworded as a requirement, rather than recommendation.
- l) Section 4.1 amended to omit reference to development of a development plan and revegetation plan after the filling works has commenced/ after a permit has been issued
- m) Section 4.3 updated in accordance with any proposal updates and updated to use the industry standard terms for fill compaction.
- n) Section 4.5 updated to detail how often site surveys be undertaken and how RMS will keep track of how much 'air space' is still available.
- o) Section 5.5 updated with the substituted temporary road/track surfacing material/measures.
- p) Section 6.2 updated to include the mitigation measures that will be used to reduce any potential impact on visual amenity.

REPORT NO: SU478 (cont.)

- q) Section 6.3 (Stormwater Management and Monitoring) updated to:
    - i. remove reference to hay bales.
    - ii. Substitute hay bales and silt fencing with suitable alternatives which meet EPA guidelines
    - iii. specify where (not if) sediment control devices will be used.
  - r) Section 6.4 (Dust Management & Monitoring) updated to include dust suppression measures, such as watering down of haul roads and cut surface in dry, dusty conditions. It must also include provision to cease works if dust cannot be controlled on site.
  - s) Section 6.5 (Sediment Management & Monitoring) updated to refer only to roadways. Provision for a rumble grid must be provided at the exit. Provision of street sweeper must be included for any sediment or other material that reaches Oaklands Road.
  - t) Section 6.7 (Site Contamination) updated to include:
    - i. a requirement to maintain a suitable spill kit on site and to deploy the spill kit when required.
    - ii. measures to address the possibility of unknown vehicles entering the site and dumping unapproved/untested waste.
  - u) Section 7.2 (Environmental Compliance) re-worded to outline all works must also adhere to relevant regulatory controls, including but not limited to the Planning and Environment Act 1987 and the Hume Planning Scheme.
  - v) Section 7.4 (Supervision and Inspection of Incoming Loads) updated to include supervision and oversight requirements.
  - w) General site supervision.
  - x) Explicit statement that accidental contamination will be rectified as required.
  - y) Protection of sites of environmental, landscape or cultural value
  - z) Adequate sediment control for water leaving the site.
- 2.49 To offset the removal of 0.484 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:
- a) A general offset of 0.322 general habitat units:
    - a. located within the Port Philip and Western Port Catchment Management Authority boundary or Hume City Council municipal district.
    - b. with a minimum strategic biodiversity score of at least 0.543.
  - b) The offset(s) secured must provide protection of at least one large tree.
- 2.50 Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
- a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site and/or;
  - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

REPORT NO: SU478 (cont.)

Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

- 2.51 In the event that a security agreement is entered into as per condition 50a), the applicant must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.
- 2.52 Assessment of potential impacts upon listed threatened biodiversity values, including confirmation of implications and requirements under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The assessment must be undertaken by a suitably qualified ecologist and must include consideration of the following Matters of National Environmental Significance:
- a) Natural Temperate Grassland of the Victorian Volcanic Plan - critically endangered.
  - b) Golden Sun Moth (*Synemon plana*) - critically endangered.
  - c) Matted Flax-lily (*Litoria raniformis*) – vulnerable.
  - d) Growling Grass Frog (*Litoria raniformis*) – vulnerable.

Melbourne Water conditions 53-58:

- 2.53 Prior to the development plans being endorsed, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must show:
- a) the exact location of the Tributary of Moonee Ponds Creek and any earthworks setback a minimum of thirty (30) metres measured from the top of bank of the waterway.
  - b) The location of the 172.53 metre contour line and the earthworks located above this level.
- 2.54 The earthworks must be setback a minimum of thirty (30) metres measured from the top of bank of the Tributary of the Moonee Ponds Creek.
- 2.55 Imported fill must be located outside the flood extent and therefore above the 172.53 metre to AHD contour line.
- 2.56 The Tributary of the Moonee Ponds creek must be fenced a minimum of twenty (20) metres measured from the top of bank of the Tributary of Moonee Ponds Creek.
- 2.57 Prior to the start of construction, a Site Environmental Management Plan (SEMP) must be submitted to Melbourne Water for approval. The SEMP must address the following:
- Sediment and silt management controls
  - Access tracks
  - Spoil stockpiling
  - Machinery/Plant locations and access points
- 2.58 Prior to the endorsement of plans, a detailed landscape plan must be submitted to Melbourne Water for approval. The plan must show:
- A survey of all existing vegetation to be retained and/or removed.
  - A weed management program, including information on location; method of control and timing of control;

REPORT NO: SU478 (cont.)

- Details of surface finishes located on recreational pathways, maintenance access or any other pathways near waterways;
- The location of the fence
- A planting schedule of all proposed trees, shrubs and ground covers, including pot sizes; quantities of each plant; planting density (plants per square metre); planting zones/locations (in plan and cross-section form in colour). Note that planting zones must match with those in the planting schedule and that local indigenous plants should only be used;
- Details of any landscape treatments, e.g. jute mat and mulching.

**EPA conditions 59-65:**

- 2.59** The permit holder must ensure industrial waste including bricks, cement, timber and metal must not be accepted at the premises.
- 2.60** The permit holder must ensure that the prescribed industrial waste including liquid waste, as defined by the *Environmental Protection (Industrial Waste Resource) Regulations 2009* is not accepted at the premises.
- 2.61** The premises may only accept fill material uncontaminated with waste in accordance with *EPA Publication IWRG621, Soil Hazard Categorisation and Management 2009*.
- 2.62** The permit holder must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.
- 2.63** Vehicles leaving the site must have clay and soil removed from their wheels before entering public roads.
- 2.64** Access roads, subject to regular traffic must be provided with appropriate surface treatment to the satisfaction of the responsible authority.
- 2.65** Surface water discharge from the premises must not be contaminated with waste.

**Melbourne Airport conditions 66-67:**

- 2.66** Any structure, building activity or works (including construction equipment) on the subject land, either permanent or temporary, must not penetrate “Prescribed Airspace” surfaces without the approval of Melbourne Airport in accordance with the *Airports (Protection of Airspace) Regulations 1996*. The subject site is located in an area where the existing ground level is already above or very close to the airport’s Obstacle Limitation Surface, and as such the works are likely to be a controlled activity requiring approval from the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development, the Civil Aviation Safety Authority and Air services.
- 2.67** Any activity on the subject land must not result in the emissions of smoke, dust or other particulate matter or, the emission of steam or other gas, where these emissions are capable of affecting the ability of aircraft to operate in Melbourne Airport’s Prescribed Airspace in accordance with Visual Flight Rules. A dust management plan must be implemented to minimise dust emissions.
- 2.68** This permit will expire 7 years from the date of this permit. The responsible authority may extend the permit if a request is made in writing within 3 months of the expiry date.

An application to extend this permit will need to be accompanied by a pavement report of Oaklands Road to the satisfaction of the responsible authority. Any decision to approved or disapprove an extension of the permit including any subsequent conditions will be determined with consideration of the findings in the pavement report.

REPORT NO: SU478 (cont.)

PERMIT NOTES

- a) Any native vegetation removal on the subject land additional to that presented in Native Vegetation Removal (NVR) Report (Report ID: NAA\_2020\_020; 13/02/2020 10:21am) will require a secondary consent amendment under this permit, prior to the additional native vegetation being removed, destroyed or lopped.
- b) Approval under the *Environment Protection and Biodiversity Conservation Act 1999* may be required for actions pertaining to this planning permit. This planning permit provides no authorisation for removal of matters of national environmental significance under this Act.
- c) Prior to any works carried out within Road Reserve (nature strip): - Application/permit “Non-Utility Minor Works within Municipal Road Reserve is required to be obtained from Council Office.
- d) The definition of fill for the purposes of this permit includes any soil, rock, substrate, clay, sand or other natural material generated through the excavation of the greenfield subdivision.  
Melbourne Water -
- e) Melbourne Water approval required for the raised landfill levels and if the proposal is affected by flooding from Melbourne Water’s drainage assets for the 100-year flood level, fill must not interfere with the flow. In addition, must not flood adjacent properties, stormwater must be retained within the property and drained to the sites underground stormwater system.
- f) Any filling to comply with A.S.3798 – 1996 Appendix B, level 1 with the completed level 1 test report submitted to Council’s Subdivision Department.  
VicRoads –
- g) No compensation is payable under part 5 of the *Planning and Environment Act 1987* in respect of anything done under this permit.

3. PROPOSAL:

- 3.1 The proposal involves earthworks associated with the importation and placement of approximately 1.3 million cubic metres of uncompacted clean fill, and the removal of native vegetation at 345 Oaklands Road, Oaklands Junction. The earthworks will be placed on approximately two-thirds of the site. The works area will be battered up to 1(V):5(H) and a bund batter of 1(v):3(h), with the remainder to the works area to be filled with clean fill.
- 3.2 The clean fill will be sourced from ‘greenfield sites, small and large civil construction and demolition projects, quarry sites (naturally occurring materials) residential sites and subdivisions and sites never developed for uses other than agricultural or recreational sites’ (section 3.3: Fill Material Sources, within the Fill and Environment Management Plan - to be renamed OEMP). The Fill and Environmental Management Plan also states that a ‘fill material declaration form has to be completed as part of the approved OEMP, to ensure strict compliance with regards to the receipt and reuse of fill material that is uncontaminated and fit for purpose’. The source of fill can be traced from this document.
- 3.3 The proposal would increase the contour levels of the subject area by approximately 8 metres at its highest point.
- 3.4 The finished surface will be returned to pasture and will include stormwater collection infrastructure concluding at the existing on-site dam in the south-east corner.
- 3.5 To assist in managing stormwater runoff and the stability of the fill, swale drains will be provided along the perimeter of the proposed fill area. During operation, the channel will be directed to discharge into the existing farm dam located in the south-east corner of the site. The dam will also act a retarding basin to minimise flows discharging directly into the existing creek to the south of the site.



**REPORT NO: SU478 (cont.)**

- 3.6 The filling works are not located within either of the Public Acquisition Overlay (PAO) areas. PAO - schedule 3 (PAO3 - outer metropolitan Ring Road, E6 Transport corridor) transverses diagonally across the north-west corner of the site and PAO – schedule 2 (PAO2 – Hume City Council) applies to the entire length of the Oaklands Road frontage (eastern boundary).
- 3.7 The proposal includes the development of a 10-metre-wide gravel access track around the perimeter of the works area.
- 3.8 The filling works proposed have been split into 4 stages. With Stage 1 located in the south east quadrant of the site, Stages 2 and 3 are located over the rear half of the site and Stage 4 is located in the north east quadrant of the site and will also contain the site office and other infrastructure. It is anticipated that the earthworks will take 7 – 10 years to complete.
- 3.9 The demolition of the existing dwelling and outbuildings.
- 3.10 The proposal includes the construction of a new access way into the site from Oaklands Road as well as utilising the existing access way into the site. Both accessways have been designed in accordance with Council’s requirements and in accordance with the accompanying Traffic Management Plan.
- 3.11 The application also involves the development of a temporary (and movable) site office (consisting of an office, meeting room and toilet block), with an attached verandah and deck constructed to the front of the structures. Access to the office block and associated car parking will be via the new access way / crossover into the site. The gravel access track leading up to the office block will also include weight bridge and gatehouse and a tyre washing facility on the track leading out of the site.
- 3.12 At the conclusion of the filling works, the finished surface will be returned to pasture use.
- 3.13 The proposal would result in a maximum of 320 truck movements per day along Oaklands Road.
- 3.14 The site contains native vegetation which consists of 14 patches of native vegetation, totaling 4.209 hectares and five scattered trees (namely one large scattered tree and four small scattered trees). The applicant is proposing to remove 0.484 hectares of native vegetation patches and the five scattered trees.
- 3.15 The proposed hours of operation are:
  - Monday to Friday 7.30am – 4.30pm.
  - Saturday 8.00am – 3.00pm.
  - Closed Sunday and Public Holidays
- 3.16 A maximum of 10 people will be working at the site.
- 3.17 Signage is proposed at the entry to the site. It will direct internal traffic to the operational tipping zones, specify speed limits and identify site access and all relevant areas of the site and associated site operations. The signage will also provide incoming and outgoing traffic directions within the site to ensure the risk of vehicle accidents are kept as low as reasonably practicable. Internal signage is also proposed to ensure vehicles within the site keep within the approved works (fill) areas.
- 3.18 The site is secured by a chain wire mesh fence and security gates.
- 3.19 The application was accompanied by the following reports:
  - Traffic Management Assessment
  - Ecological (flora and fauna) Assessment
  - Cultural Heritage Management Plan Investigation
  - Fill and Environmental Management Plan
  - Geotech Assessment.

REPORT NO: SU478 (cont.)

**Major Electricity Transmission Line**

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

**Aboriginal Cultural Heritage:**

3.21 A report investigating cultural heritage obligations has been prepared by heritage advisors Archaeology at Tardis and is included in this application package. This investigation has reviewed the statutory obligations associated with both the Aboriginal Heritage Act 2006 and the *Victorian Heritage Act 2017*. The report concludes that the proposal does not require the preparation of a mandatory CHMP. While the proposed earthworks are a high impact activity, the project area is not within a statutory area of cultural heritage sensitivity. The report also identifies that there are no further historic, archaeological or heritage matters that need to be addressed prior to project works commencing.

**Planning permit triggers:**

3.22 Pursuant to Clause 35.04-5 of the *Hume Planning Scheme* (Green Wedge Zone), a planning permit is required for earthworks which *'involves the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill'*.

3.23 Pursuant to Clause 52.17 of the *Hume Planning Scheme* (Native Vegetation), a planning permit is required to *'remove, destroy or lop native vegetation'*.

**Certificate of Title:**

3.24 The subject site is described as Lot 7 on Plan of Subdivision 002387. There are no covenants or Section 173 Agreements on title.

**Background:**

3.25 Initially, the application related to the placement of clean fill over the entire site, with the exception of the areas constrained by the PAO's. The initial vegetation assessments and reports were lacking in detail and the findings and proposed offsets were deemed inaccurate and erroneous. Council officers conducted several site visits along with the applicant and proposed operators of the fill site. The operators were willing to work with Council and sought a third party to conduct another Flora and Fauna Assessment of the site. The applicant adjusted their plans and reports to reflect the findings of the updated Native Vegetation Assessment (version 1.0 received on 12 February 2020) and Native Vegetation Removal Report (dated 13 February 2020), resulting in a works area that has been considerably reduced in size to avoid the significant vegetation on the site.

**4. SITE AND SURROUNDS:**

4.1 The subject site is located at 345 Oaklands Road, Oaklands Junction. The site is approximately 39 hectares in area and contains a single storey dwelling with associated sheds and outbuildings on a levelled area of escarpment. The land has long been used for farming and agricultural purposes. Various native and non-native trees and shrubs are associated with the dwelling and a recent area of earthworks and fill are located immediately north-east of the dwelling.

4.2 Access to the site is currently obtained from via an unsealed crossover and driveway from Oaklands Road, located approximately 150 metres north of the southern property boundary.

4.3 The site currently contains three dams, two of which are located toward the eastern (front) boundary of the site with the other located central to site near the dwelling. The southernmost dam is located in proximity to the Moonee Pond Tributary which transects the south-eastern corner of the site.

4.4 A 27.61-metre slope affects the subject site and falls in a north-west to south-east direction.

REPORT NO: SU478 (cont.)

- 4.5 The subject site is surrounded by other large properties used for a range of agricultural and farming purposes, with the exception of the adjacent property to the east, which is occupied by Holchim, who undertake 'extractive industry' on the site. Likewise, a portion of the adjoining southern property (Inglis Horse Sales), is currently being used for 'clean fill and grass seeding'.

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:

Planning Policy Framework	Clause 12.01-1S	Protection of biodiversity
	Clause 12.01-2S	Native Vegetation Management
	Clause 13.07-1S	Land Use Compatibility
	Clause 14.01-1R	Protection of agricultural land – Metropolitan Melbourne
Local Planning Policy Framework	Clause 18.04-1S	Planning for Airports and Airfields
	Clause 18.04-1R	Melbourne Airport
	Clause 21.01	Municipal Profile
Zone	Clause 21.06	Economic Development
	Clause 21.08	Natural Environment and Environmental Risk
	Clause 35.04	Green Wedge Zone
Overlays	Clause 45.01	Public Acquisition Overlay (PAO2) and (PAO3)
	Clause 45.08	Melbourne Airport (MAEO1) and (MAEO2)
Particular Provisions	Clause 51.02	Metropolitan Green Wedge Land
	Clause 52.17	Native Vegetation
General Provisions	Clause 65	Decision Guidelines
	Clause 65.01	Approval of an application or Plan

- 5.2 It is state policy to 'ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity' (Clause 12.01-1S), and this is to be achieved through a range of policy guidelines and policy documents.
- 5.3 The stated objective of Clause 12.01-2S is to 'ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation'. This is achieved through the implementation of strategies and policies such as 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 (avoid, minimise and offset).
- 5.4 Clause 13.07-1S relates to Land Use Compatibility, which the stated objective is 'to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects'. This is achieved through strategies such as directing land uses to appropriate locations and using a range of operational and land use separation measures to achieve it.
- 5.5 Clause 14.01-1R Protection of agricultural land - Metropolitan Melbourne strategy is to 'protect agricultural land in Metropolitan Melbourne's green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations'.
- 5.6 The objective of Clause 18.04-1S is to 'strengthen the role of Victoria's airports and airfields within the state's economic and transport infrastructure, facilitate their siting and expansion and protect their ongoing operation'. This is achieved through key strategies such as 'protecting airports from incompatible land uses' and 'preserve long-term options for a new general aviation airport south-east of Metropolitan Melbourne by ensuring urban development does not infringe on possible sites, buffer zones or flight paths'.
- 5.7 Clause 18.04-1R relates to Melbourne Airport, the stated strategies are to 'protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation' and to 'ensure any new use or development does not prejudice the optimum usage of Melbourne Airport'.

REPORT NO: SU478 (cont.)

- 5.8 Clause 21.01 relates to the municipal profile. The subject site lies outside the Urban Growth Boundary and is referred to within local policy as 'non-urban land'. 'Protecting non-urban land' is identified as a key issue in Hume's MSS. Hume's non-urban land *'provides a permanent break between the urban areas of the Hume Corridor and Sunbury, creates a distinct rural landscape character and outlook to the edge of the urban areas, and contains important conservation, natural resource and landscape features. It also helps protect the curfew free status of Melbourne Airport by limiting land uses that are affected by aircraft noise'*.
- 5.9 Clause 21.06 relates to Economic Development, which the stated objective is to *'facilitate economic growth and job diversity through the continued support of existing businesses and the attraction of new businesses'*. This is achieved through strategies such as *'ensuring adequate separation and buffer areas between sensitive land uses and industry with potential offsite amenity impacts'* and *'support best practice management of industrial and resource recovery uses to better manage onsite storage and minimise offsite amenity impacts on the community and environment'*.
- 5.10 Key strategies identified under Clause 21.08 (Natural Environment and Environmental Risk) include *'ensuring development avoids, minimises or mitigates the impacts of erosion'*, to *'ensure recipient sites for large scale fill deliver improvements to the land which generates a net improvement to the natural landscape'* and to *'ensure that the placement of fill on rural land is controlled through an Environmental Management Plan'*.
- 5.11 The subject land is zoned Green Wedge Zone. The purpose of the Green Wedge Zone is:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
  - *To provide for the use of land for agriculture.*
  - *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*
  - *To encourage use and development that is consistent with sustainable land management practices.*
  - *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
  - *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
  - *To protect and enhance the biodiversity of the area.*
- 5.12 The property is also subject to the Melbourne Airport Environs Overlay (schedules 1 and 2) and Public Acquisitions Overlay (schedules 2 and 3).
- 5.13 The purpose of the Melbourne Airport Environs Overlay is:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
  - *To ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.*
  - *To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings.*
  - *To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure.*

REPORT NO: SU478 (cont.)

5.14 Schedule 1 has the purpose to:

- *identify areas that are or will be subject to high levels of aircraft noise based on the 25 Australian Noise Exposure Forecast (ANEF) contour and to restrict use and development to that which is appropriate to that level of exposure.*

5.15 Schedule 2 has the purpose to:

- *identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.*

5.16 The purpose of the Public Acquisition Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land which is proposed to be acquired by a Minister, public authority or municipal council.*
- *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.*
- *To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.*

5.17 Public Acquisition Overlay - schedule 2 relates to 'road construction and widening' of Oaklands Road. This overlay is under the authority of Hume City Council.

5.18 Public Acquisition Overlay – schedule 3 relates to the outer metropolitan Ring Road (E6 Transport corridor). This overlay is under the authority of the Roads Corporation (VicRoads).

5.19 The purpose of Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions includes:

- *To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.*
- *To protect productive agricultural land from incompatible uses and development.*
- *To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.*
- *To encourage the location of urban activities in urban areas.*
- *To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.*
- *To provide deeming provisions for metropolitan green wedge land.*

5.20 The purpose of Clause 52.17 - Native Vegetation is:

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following 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) (the Guidelines):*
  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.*

REPORT NO: SU478 (cont.)

- *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

**6. REFERRALS:**

- 6.1 The application was referred externally to Melbourne Water, EPA, Melbourne Airport and VicRoads; all of which have given conditional consent.
- 6.2 The application was referred internally to Council's Sustainable Environment Department, Traffic and Civil Department and Assets and Technical Services. Each department has consented to the proposal, subject to conditions being placed on the permit.

**7. ADVERTISING:**

- 7.1 The application was advertised to adjoining property owners/occupiers as well as all properties along Oaklands Road (between Somerton Road and Craigieburn Road), and two signs displayed on the site for a period of 14 days. At the end of the notification period, a total of three objections were received.

- 7.2 The grounds of objection are summarised as follows:

- Increased traffic/safety concerns
- Entry to the site is obscured and dangerous
- Property is of historic interest (early school site)
- Dust generated from the proposal
- Controlling weeds and vermin
- Owner/tenant has already done works including built tracks within the property and burning off
- Potential runoff into the Moonee Ponds Tributary
- Environmentally unacceptable use in a rural area
- No details concerning the strategy for restoring the site
- The details and conclusions in the habit hectare assessment are questionable
- These type of applications are subject to abuse if not properly supervised
- The proposed fill contravenes purposes of the Green Wedge Zone

**8. OBJECTIONS:**

- 8.1 The following is a discussion with comments raised in the objections:

8.2 Increased traffic/safety concerns:

The application has been supported by a traffic assessment prepared by Traffix Group. The report confirmed that the *'site will operate well within acceptable limits and there will not be any adverse traffic impacts on the surrounding road network and intersections as a result of the proposal'*. The report has also confirmed that the proposed traffic generation can be appropriately managed and accommodated within the capacity of Oaklands Road.

The application was assessed by Council's Traffic engineers who carefully considered:

- a) whether the proposed number of truck movements per day could be absorbed into the road network;
- b) whether the roadways themselves were constructed to a standard that could carry the extra vehicles; and
- c) examined existing permits granted (truck movements) in the area for filling and extraction works to ensure there were no adverse impact or saturation on the roadways.

REPORT NO: SU478 (cont.)

The officers concluded that the proposed 500 vehicle movements per day was excessive, but were supportive of 320 truck movements per day, with the inclusion of road improvement works to the entry of the site. The limit on vehicle numbers as well as the requirement for road improvements have been placed as conditions on the permit. To ensure the longevity of the roadway, Council has also requested a pavement report be submitted if a request to extend the life of the application is sought.

It should be noted that permits issued for similar uses on adjoining properties have the same vehicle number restrictions imposed as conditions in their permits.

Council also considered the siting of the accessways onto Oaklands Road and is satisfied that safe and functional traffic access/egress can be managed at this interface, subject to the lodgement of detailed Functional Layout plans approved to Council's satisfaction.

Objectors were also concerned with trucks coming from the north down Oaklands Road to the site. Council has placed conditions on the permit prohibiting right turns into the site.

8.3 Entry into/out of the site is obscured and dangerous

Several objectors were concerned that the entry/exit movements proposed were unsafe. The traffic assessment report submitted with the application examined the design and layout of the accessways to ensure the proposal complied with any relevant guidelines. Accordingly, the following observations and conclusions were made:

Safe Intersection Sight Distance (SISD) is the minimum sight distance which should be provided on the major road at any intersection.

Austrroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections (2017) sets out values of SISD at Table 3.2.

The posted speed limit is 80km/h. For a reaction time of 2 seconds, SISD is 181 metres.

At the existing access point, located approximately 155 metres north of the site's southern boundary, the measured available sight distance was recorded as follows:

- 12.5 seconds to the south (corresponding to approximately 278 metres based on an approaching vehicle speed of 80km/h), and
- 39 seconds to the north (corresponding to approximately 867 metres based on an approaching vehicle speed of 80km/h).

The sight distance at the existing access point location is in excess of the minimum SISD.

It was also observed that any relocation of the access point to the north of the existing access point would result in increased sight distance to the south.

Council concurred with the assessment and findings of the report (with the exception of vehicle numbers) that, with the implementation of the traffic mitigation treatments required as conditions on the permit, and the reduction in truck numbers from 500 to 320 per day, the ingress and egress impacts will operate within safe limits and will not have an adverse impact on the surrounding road network. The site distances available at both accessways are in accordance with AustRoads SISD requirements.

8.4 Property is of historic interest (early school site)

The site is not covered by a Heritage Overlay or identified/cited in Hume City Council's Heritage Review. An assessment of Hume City Council's Heritage Review (2003) identifies the following properties on Oaklands Road as having some 'historical significance' – 310, 380, 395 and 1060. The subject site is not included. Furthermore, a review of the Outer Metropolitan Ring (OMR) Transport Corridor Cultural Heritage Study (VicRoads 01/06/09) did not identify the subject site as containing any 'known or known non-aboriginal cultural heritage sites'.

**REPORT NO: SU478 (cont.)**

8.5 Dust generated from the proposal

Council is mindful that proposals of this nature will generate dust, therefore, general amenity conditions, the requirement to 'water unsealed vehicle access areas and stockpiles of the fill material' and the submission and approval of an Operational Environment Management Plan (which includes a Section on Dust Management and Monitoring), have been included on the permit. These measures will ensure the dust generated will be managed to an acceptable level.

8.6 Controlling weeds and vermin

Conditions have been placed on the permit, the Operational Environment Management Plan, Landscape Plan and Integrated Land Management and Rehabilitation Plan (ILMRP) to ensure noxious weeds and vermin are kept under control. These documents will also be endorsed and form part of the approvals for the proposal.

8.7 Owner/tenant has already done works including built tracks within the property and burning off

The owner/tenant has constructed some access tracks around the front of the property and dwelling on the site. These 'works' did not trigger the requirement for a planning permit under the *Hume Planning Scheme*.

8.8 Potential runoff into the Moonee Ponds Tributary

Melbourne Water and the EPA have requested conditions be placed on the permit which, in association with the other conditions such as the hydrological, geotechnical, drainage and landscape requirements, will minimise any adverse impacts on the tributary and satisfy relevant Australian Standards. The proposed fill will need to be placed on site to relevant engineering standards for stability purposes and to avoid erosion. Swale drains will be introduced to effectively respond to stormwater in order to manage sediment runoff and protect the tributary to Moonee Ponds Creek.

Re-vegetating the fill area will help stabilise the fill. The land will be contoured to drain to lower parts of the subject site or to the dam located to the south ensuring an appropriate filter or catchment.

Furthermore, a Section 173 Agreement must be registered on title requiring a report from a qualified engineer confirming at the conclusion of the operation, the proposed earthworks were carried out to relevant geotechnical standards and in accordance with the approved Integrated Land Management and Rehabilitation Plan (ILMRP). These documents provide a level of assurance that the works will be carried out in accordance with the permit and fortifying Council's enforcing capabilities if or when the need arises.

8.9 Environmentally unacceptable use in a rural area

There has been significant consideration and consultation between parties regarding the retention and protection of vegetation on site. For this reason, the works area has been greatly modified to avoid the native vegetation on site where practicable. Conditions have been included to protect the native vegetation areas that are being retained.

The permit applicant has submitted ecological reports which identified the location and extent of native vegetation on site. The proposed fill area has been chosen due to the lack of native vegetation. Council's Sustainable Environment Officers have conducted a number of site inspections to confirm the status of native vegetation onsite and with their input into the process, the proposal avoids the removal of most of the significant native vegetation.

8.10 No details concerning the strategy for restoring the site

Several conditions have been placed on this permit to ensure that once the filling works on the site cease, the site will be restored for agricultural use. This includes the submission of a survey plan confirming the finished levels are compliant with the



REPORT NO: SU478 (cont.)

endorsed plans; and the implementation of an Integrated Land Management and Rehabilitation Plan (ILMRP) and timeframes for its completion and ongoing maintenance in accordance with relevant geotechnical standards (Section 173 Agreement).

8.11 The details and conclusions in the habit hectare assessment are questionable

Council agreed with this observation, and after several site visits and discussions with the applicant, an amended Native Vegetation Assessment was undertaken by Nature Advisor and submitted to Council on 13 February 2020. The findings of which, resulted in the submission of a revised habitat hectare assessment, which shows the works footprint significantly reduced in size to avoid the 'significant' native vegetation on the site and the appropriate steps to avoid, minimize and off-set the loss of vegetation on the site.

8.12 These type of applications are subject to abuse if not properly supervised

Any permit that Council issues has a number of permit conditions and endorsed plans by which the permit holder or land owner must comply with. The permit holder or land owner has a legal obligation to ensure compliance. If the said works are carried out beyond the scope of what the permit allows then the permit holder or land owner will be held accountable and there are a number of conditions within the recommendation that address these concerns such as the requirement to provide clean fill certificates.

Non-compliance with planning permit conditions would result in planning enforcement proceedings being undertaken with the potential for prosecution.

8.13 The proposed fill contravenes purposes of the Green Wedge Zone

The purposes of the Green Wedge Zone are outlined at point 5.11 of the report.

The proposed introduction of fill onto the land does not contravene any of the purposes of the Green Wedge Zone provided it is carried out in a considered manner. The area of the site where fill would be placed would result in a new land form, however, it would not deem the area unusable in the long term for either agricultural or grazing purposes.

The proposed earthworks avoid most of the native vegetation and Council actively seeks to address issues of contention such as stormwater runoff and visual amenity through the inclusion of appropriate conditions. It is intended to ensure the potential issues of dust and traffic movement are also appropriately managed through conditions.

The recognition of the need to upgrade Oaklands Road demonstrates effective consideration of issues beyond the site improving vehicular access to all users of the road.

**9. ASSESSMENT:**

**State and Local Planning Policy:**

9.1 The proposed use is considered to satisfy both state and local level policy provisions.

9.2 When assessing the whether a site is suitable for a particular use, in this case an earthworks (clean fill) operation, it is imperative that the associated works and impacts of the operation are carefully considered. This includes considering the compatibility of the use and potential off-site amenity impacts (Clause 13.07-1S). Conditions placed on the permit and the implementation of the Operational Environment Management Plan ensure the use and development of a landfill (clean fill) operation at 345 Oaklands Road is a compatible use.

9.3 In accordance with strategies outlined under Clause 14.01-1R (Protection of agricultural land) of the *Hume Panning Scheme*, at the conclusion of the land fill operation, the site will be reverted back to pasture suitable for a range of agricultural uses. To ensure this is achieved, conditions have been placed on the permit requiring:

REPORT NO: SU478 (cont.)

- a) A Section 173 Agreement is entered into requiring the implementation of an Integrated Land Management and Rehabilitation Plan (ILMRP) including maintenance and that all the filling works were undertaken in accordance with the approved Geotech report for the site; and
  - b) the applicant is to submit a survey plan by a qualified licensed surveyor confirming the finished levels on the site are compliant with the endorsed plans and to the satisfaction of Council.
- 9.4 The subject site is constrained by both the Melbourne Airport Environment Overlay schedules 1 and 2. Neither of these overlays schedules prohibits the use of clean fill on the land.
- 9.5 The proposal responds directly to the objectives of Clause 21.06 which aims to facilitate economic growth and job diversity and the strategy of Clause 17.01-1S which aims to support economies to grow and diversify through the continued support of existing businesses and the attraction of new businesses.
- 9.6 The site is conveniently located close to transport infrastructure and as such, provides a suitable location for such a facility. The applicant has estimated that the proposed earthworks will generate approximately 5-10 new jobs, as well as indirect employment associated with the project over its lifetime.
- 9.7 The proposal has successfully responded to and dealt with the objectives, strategies and the decision guidelines outlined under Clause 21.08 of the *Hume Planning Scheme*. The works area has been significantly modified to avoid the native vegetation found on the site. The submission of an approval Operational Environmental Management Plan and associated conditions on the permit to ensure the protection of these areas.

**Consistency with the Green Wedge Zone**

- 9.8 The Green Wedge Zone emphasises the importance of the environmental and landscape values of land within the zone and encourages use and development that is consistent with sustainable land management practices.
- 9.9 This has been achieved through adopting modest finished contours so as to allow the continued use of the site for various activities whether that is for grazing or agricultural purposes as encouraged by the Green Wedge Zone. There is no evidence to suggest, provided the fill is carried out in accordance with relevant geotechnical engineering standards, the fill area could not continue to be used in the long term once all works inclusive of revegetation/landscaping, are completed.
- 9.10 More importantly, the proposals avoidance of both native grasses and native trees and the provisions of protection zones ensure the biodiversity within areas of importance are maintained and protected into the future.
- 9.11 The effective management of stormwater runoff and the effective contouring of the fill area to ensure integration into the broader landscape is clearly an outcome derived from an intention to adhere to and a considered approach to complying with, the intent and purposes of the Green Wedge Zone as they address matters relating to amenity, landscape values and waterways.
- 9.12 The recognition to upgrade Oaklands Road also demonstrates effective consideration of issues beyond the site, potentially improving or encouraging farming or agricultural on the site or within the area as it assists with improved access. A key purpose of the Green Wedge Zone is to ensure the ongoing use of land for agricultural purposes is not undermined.

**Protection of Airport Environs**

- 9.13 Melbourne Airport is an important asset within Hume, and any use or development approved must be conducted in a manner that protects the Airports ongoing operation through the approval of *'compatible land uses' that do not 'infringe on possible sites, buffer zones or flight paths or prejudice its operation or optimum usage in any way or jeopardise the curfew free status of Melbourne Airport'* (Clause 18.04-1S, Clause 18.04-1R and Clause 21.01).

REPORT NO: SU478 (cont.)

- 9.14 Furthermore, one of the stated purposes of Clause 45.08 of the Scheme is to *‘ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield’*. This is particularly important to consider given part of this approval will result in the site levels increasing by eight metres above the natural ground level to ensure the works and equipment do not penetrate the airports prescribed airspace, particularly the Obstacle Limitation Surface (OLS). Melbourne Airport have stated *‘the subject site is located in an area where the existing ground level is already above or very close to the airport’s Obstacle Limitation Surface.’*

*Under the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996 any activity resulting in an intrusion into an airport’s protected airspace is a “controlled activity” and requires approval. Controlled activities include physical and non-physical intrusions into protected airspace including through emissions of dust or other particulate matter.’*

- 9.15 Melbourne Airport have assessed the proposal to which the authority had no objection subject to conditions be included on the permit. The conditions relate to the protection of the prescribed airspace (particularly the OLS) by ensuring no structures penetrate it, and amenity conditions to eliminate emissions such as dust, gas or steam have been included on the permit.

**Native Vegetation**

- 9.16 The applicant worked closely with Council officers to ensure the preservation of native vegetation on the site. The initial works area covered the entire site, with the exception of both Public Acquisition Overlay areas. Site visits with Council and the engagement of an alternative flora and fauna advisor has resulted in a modified works area which forms the basis of this application.
- 9.17 Clause 52.17 designates that a no net loss outcome must occur, and this is managed through offsets in the event that a permit is issued to remove native vegetation.
- 9.18 The provision also details three pathways in which native vegetation removal must be considered, being the Basic, Intermediate or Detailed Assessment Pathway. Detailed Assessment Pathways require that a referral occur to Department of Environment Land Water and Planning (DELWP).
- 9.19 Clause 52.17 triggers a planning permit for the removal of native vegetation unless an exemption applies.
- 9.20 The application responded to Clause 52.17 by the submission of a Native Vegetation Assessment for the site. The report identified the site as containing 14 patches of native grass totaling 4.209 hectares and 5 scattered trees. The application proposes the removal of 0.484 hectares of native vegetation and the 5 scattered trees. The Assessment Pathway described in the Native Vegetation Removal Report (DELWP) shows that Location Category 2 is applied to the site where *‘the native vegetation is in an area mapped as an endangered Ecological Vegetation Class (as per the statewide EVC map). Removal of less than 0.5 hectares of native vegetation in this location will not have a significant impact on any habitat for rare or threatened species’*. The proposal requires an offset of 0.322 general habitat units within the Port Phillip and Westernport Catchment Management Authority (CMA) or Hume City Council.
- 9.21 Council’s Environment Planner has not objected to the application but has stated *‘the north and western sections of perimeter access track and drainage areas beyond the northern boundary of the works area were not considered in the assessment of direct and indirect native vegetation impacts. The inclusion of these areas may require the application be assessed under the detailed assessment pathway instead’*. Therefore, conditions requiring amended plans (moving the access track further away from the native vegetation) and the submission of further documents will ensure the works proposed will avoid these areas of native vegetation and a referral to DELWP.

**REPORT NO: SU478 (cont.)**

- 9.22 The offset obligations to be met are outlined under conditions 49-51 of the permit.
- 9.23 Subject to the submission and approval of the amended plans documents, the proposal is considered to respond appropriately to the provisions of Clause 52.17.

**Stability and Safety**

- 9.24 The stability and safety of the proposal was assessed in association with the geotechnical report and statements submitted by the applicant. The Geotechnical Assessment by CMW Geosciences (7 February 2019) was lacking in detail as much of the geotechnical report and findings/recommendations were based on assumptions of the type of filling materials to be bought onto the site.
- 9.25 Subsequently, Council has requested a hydrological report as well as an updated and detailed geotechnical assessment be submitted for approval prior to works commencing. Additional conditions from Council's Civil and Drainage Department, the EPA and Melbourne Water will ensure the proposal satisfies relevant Australian Standards with regard to stability, its ability to capture and manage runoff and avoid erosion.
- 9.26 Undertaking the works in accordance with geotechnical engineering and Australian Standards requires the permit holder to carry out the works in a considered and regulated manner ensuring its stability and integrity over the long term. This will ensure that the land can continue to be utilised for rural activities and contribute positively to the rural landscape in the future.
- 9.27 The requirement for a Section 173 Agreement, to be registered on title until such time that a report from a qualified engineer confirming the proposed earthworks has been carried out to relevant geotechnical standards and for the landscaping works to be implemented, provides a level of assurance that the works will be carried out in accordance with the permit and fortifying Council's enforcing capabilities if or when the need arises.

**Traffic**

- 9.28 A primary concern relating to the proposal is the impact projected traffic movements would have on the safety, traffic flow and long-term condition of Oaklands Road. The permit applicant has indicated that the proposal, from a logistics and commercial perspective, is more feasible if a minimum of 500 truck movements (combined in and out) are allowed per day.
- 9.29 However, Council had to also consider the cumulative effect of the vehicles from this application, plus the trucks and vehicles from the Holchim site, the Inglis site as well general traffic numbers from traffic surveys. It was determined that a reduced number of trucks over a longer period of time is preferable to reduce adverse impacts on the roadways.
- 9.30 Council has advised the maximum number of truck movements to and from the site should be limited to 320 per day (160 entering and 160 exiting) in order to allow the permit applicant to logistically carry out the proposed earthworks in a timely manner while minimising the impact of the works on the area. The higher the number of truck movements that were sought (500), the less time it would take to complete the earthworks, however, it posed the problem of wear and tear on the roadway.
- 9.31 Council has also requested the construction of a left turn lane for trucks entering the site from the south. This has been requested as a condition on the permit. The applicant is to submit detailed plans for Council to review and approve, with the works being constructed at the owner/applicant cost.
- 9.32 There are also a number of other related conditions as part of the recommendation that ensures the continued safe operation of Oaklands Road and the protection of local amenity.

REPORT NO: SU478 (cont.)

**Amenity**

9.33 As discussed previously in this report, Council is mindful that proposals of this nature will generate dust, noise and additional traffic (trucks) on local roadways. These concerns will be managed through:

- specific conditions such as the requirement to submit an Operational Environment Management Plan which includes a Section on Dust Management and Monitoring,
- the inclusion of general amenity conditions,
- the requirement to 'water unsealed vehicle access areas and stockpiles of the fill material' will ensure dust generated will be managed to an acceptable level,
- road and access improvements to Oaklands Road, and
- operating hours consistent with adjoining fill sites.

**Stormwater Runoff**

9.34 The approval of a hydrological report is important to ensure that any impact on overland flows are considered, in particular the impact on the creek and the impact on the neighbouring properties through back flooding.

9.35 The applicant stated that *'the eastern channel will be directed to discharge into the existing farm dam located in the south-east corner of the site for the period of site filling activity. Any sediments collected prior to the establishment of grass cover in the channels will be collected in the farm dam. The dam will also act a retarding basin to minimise flows discharging directly into the existing creek to the south of the site. The dam will utilise the existing spillway for discharges to the creek to the south'*.

9.36 Swale drains have been proposed to divert stormwater flows from adjacent land around the works area. But further detail is required on how stormwater runoff from the filling area and access tracks (likely to be silt-laden) is proposed to be controlled. Vegetation stripping and creation of compacted clay surfaces is likely to increase surface runoff in these areas until they are reinstated with pasture. The Fill and Environmental Management Plan (to be changed to Operational Environment Management Plan) proposes the use of silt fencing and/or hay bales to control silt from the works area. EPA Publication 960 (Doing it Right on Subdivisions) discourages this as it *'is unlikely to adequately control fine and dispersive soils, such as those on site or potentially imported into the site. Hay bales have the potential to introduce weed propagules and are therefore not recommended for use'*. This amendment has been requested as part of the permit conditions.

9.37 The requirement of a hydrological report to be submitted and approved prior to the commencement of works in association with Council and EPA conditions, on-site and off-site stormwater management can be achieved. Appropriate stormwater management provisions would also ensure the long-term stability and useability of the fill area in line with the purposes of the Green Wedge Zone.

**10. CONCLUSION**

10.1 The application has been assessed against the relevant provisions of the *Hume Planning Scheme*, including planning policy frameworks, and on balance is considered to be generally consistent with purpose of the Scheme. The objections have been considered in the assessment of the proposal.

10.2 The proposal is not contrary to the purposes of the Green Wedge Zone, Public Acquisition Overlay or Melbourne Airport Environs Overlay as highlighted in the above report.

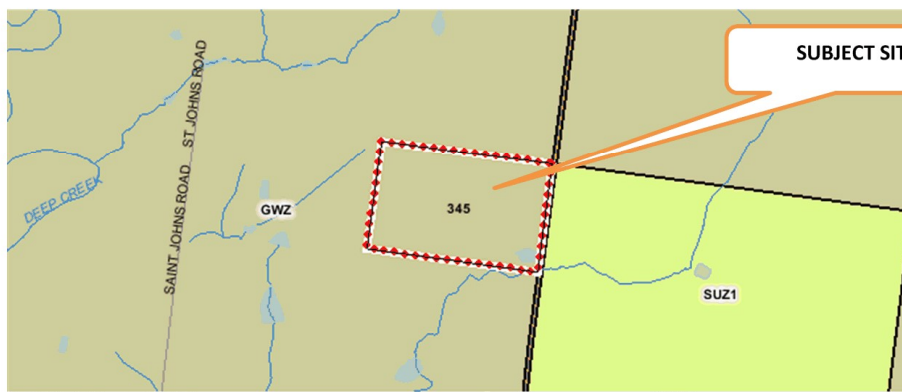
**REPORT NO: SU478 (cont.)**

- 10.3 The applicant (in conjunction with Council) modified the size of the works area to protect the native vegetation on the site. The design and drainage of the earthworks will be controlled through the approval and implementation of hydrological, geotechnical and other conditions on the permit to alleviate off-site issues, particularly to the Moonee Ponds Creek Tributary.
- 10.4 The approval of an Integrated Land Management and Rehabilitation Plan (ILMRP) and implementation of the Section 173 Agreement on title will ensure the future use of the site can revert to a use in keeping with the Green Wedge Zone.
- 10.5 On this basis, it is recommended that the application be supported, and a Notice of Decision to Grant a Permit be issued.

LOCALITY MAP

P22052

345 OAKLANDS ROAD, OAKLANDS JUNCTION



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# 345 OAKLANDS RD

OAKLANDS JUNCTION, VICTORIA

PLANNING APPROVAL - CIVIL DRAWINGS REGISTER - PROJECT No.: 30434

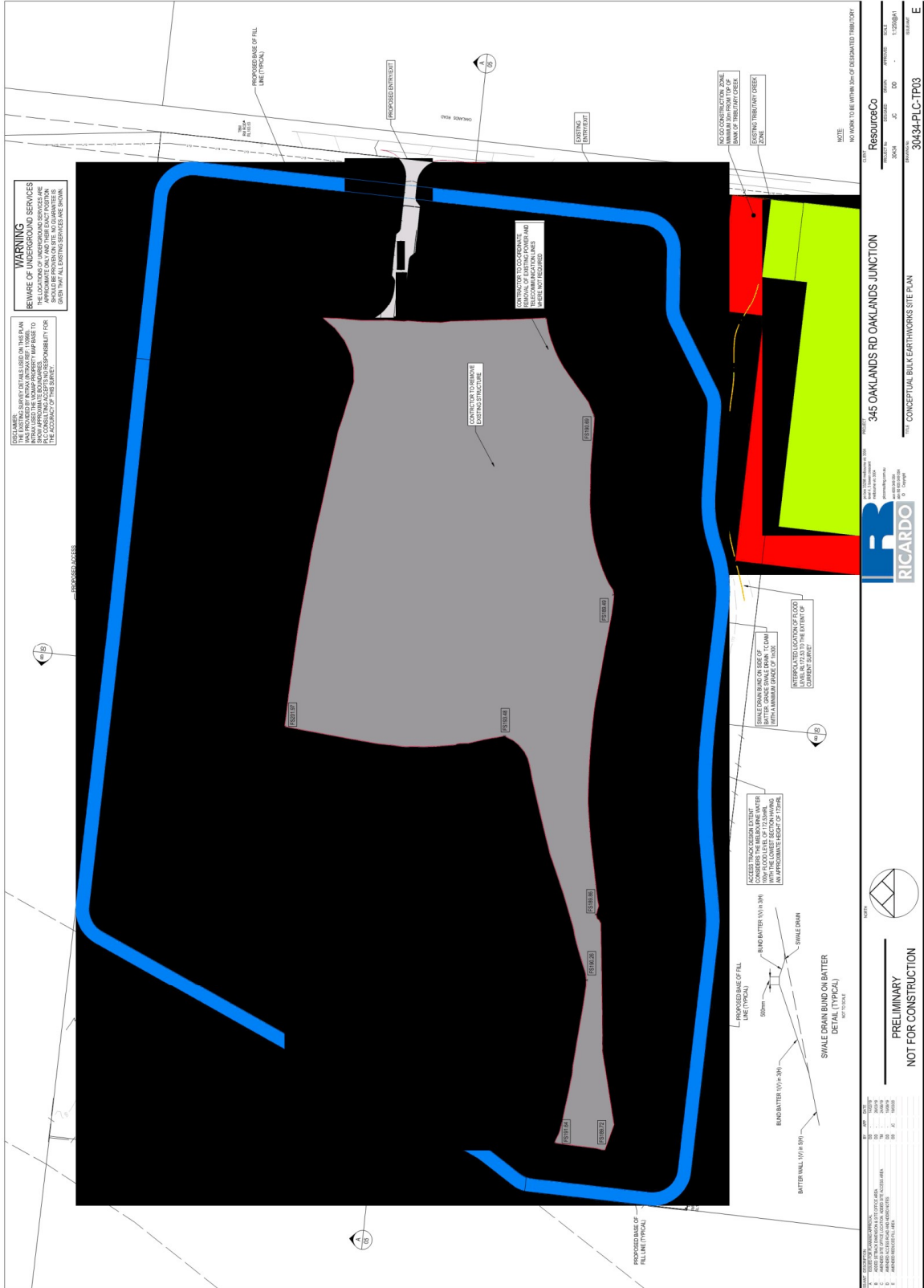
DRAWING REGISTER	
30434-PLC-TP01	COVER SHEET, DRAWING REGISTER AND LOCALITY PLAN
30434-PLC-TP02	EXISTING CONDITIONS SURVEY
30434-PLC-TP03	CONCEPTUAL BULK EARTHWORKS SITE PLAN
30434-PLC-TP04	CONCEPTUAL BULK EARTHWORKS SECTION SHEET
30434-PLC-TP05	SCHEMATIC SITE ACCESS LAYOUT PLAN
30434-PLC-TP06	INDICATIVE STAGING PLAN - STAGE 1
30434-PLC-TP07	INDICATIVE STAGING PLAN - STAGE 2
30434-PLC-TP08	INDICATIVE STAGING PLAN - STAGE 3
30434-PLC-TP09	INDICATIVE STAGING PLAN - STAGE 4

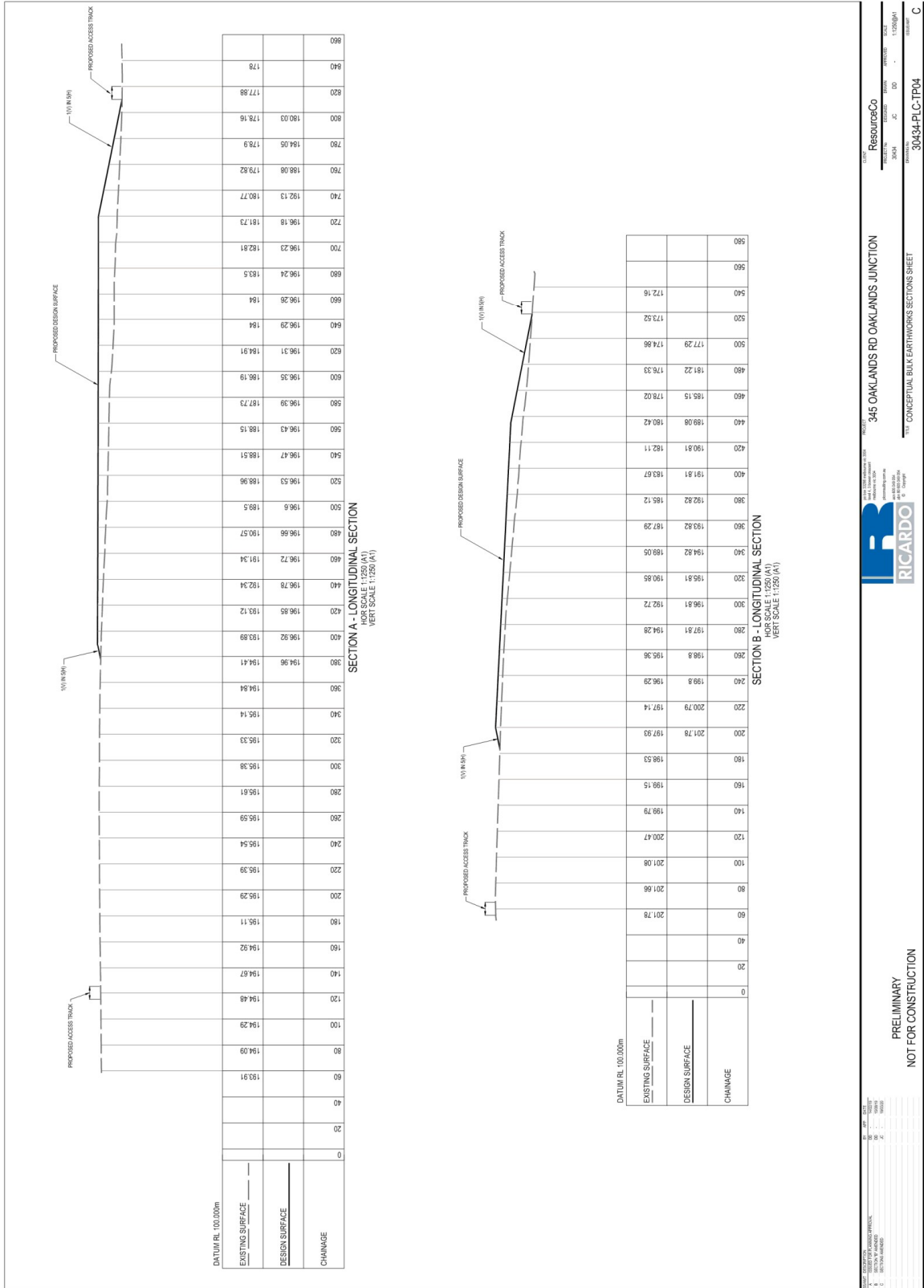


AERIAL OF 345 OAKLANDS ROAD

		345 OAKLANDS RD OAKLANDS JUNCTION COVER SHEET, DRAWING REGISTER AND LOCALITY PLAN	
PRELIMINARY NOT FOR CONSTRUCTION		ResourceCo PROJECT NO: 30434 SHEET: JC DATE: DD DRAWING NO: 30434-PLC-TP01	
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**PRELIMINARY  
NOT FOR CONSTRUCTION**

**RICARDO**

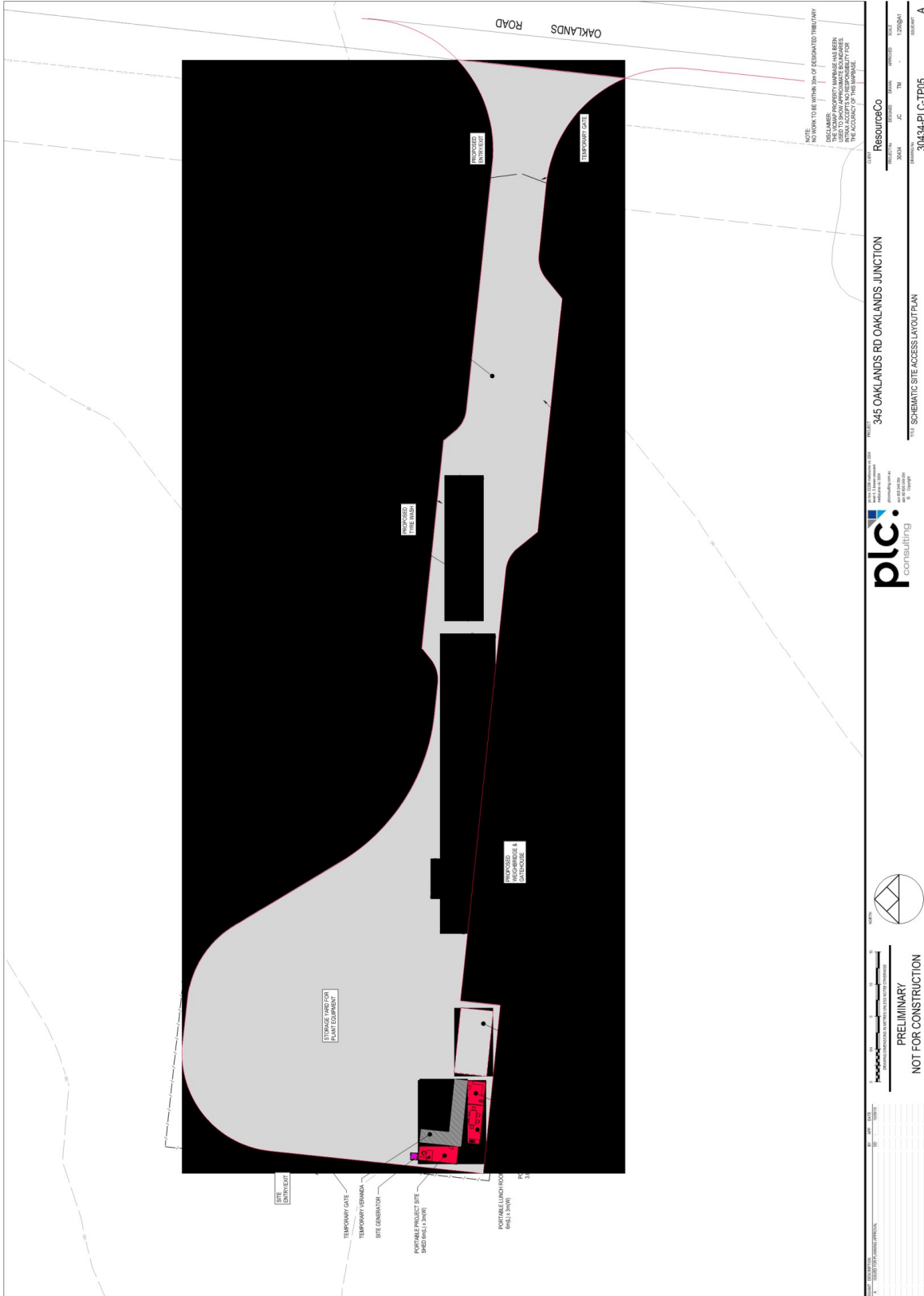
345 OAKLANDS RD OAKLANDS JUNCTION

CONCEPTUAL BULK EARTHWORKS SECTIONS SHEET

30494-PLC-TP04

ResourceCo

30494-PLC-TP04















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ISSUE	DESCRIPTION	DATE
A	DRAFT FOR COMMENT FOR COUNCIL SUBMISSION FOR PLANNING PERMIT	9.07.2019
B		12.07.2019
C		18.07.2019

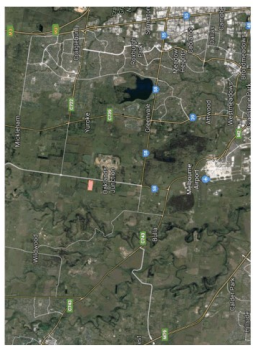
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KTS Studio - REV B  
 VISUAL IMPACT ASSESSMENT  
 JULY 2019

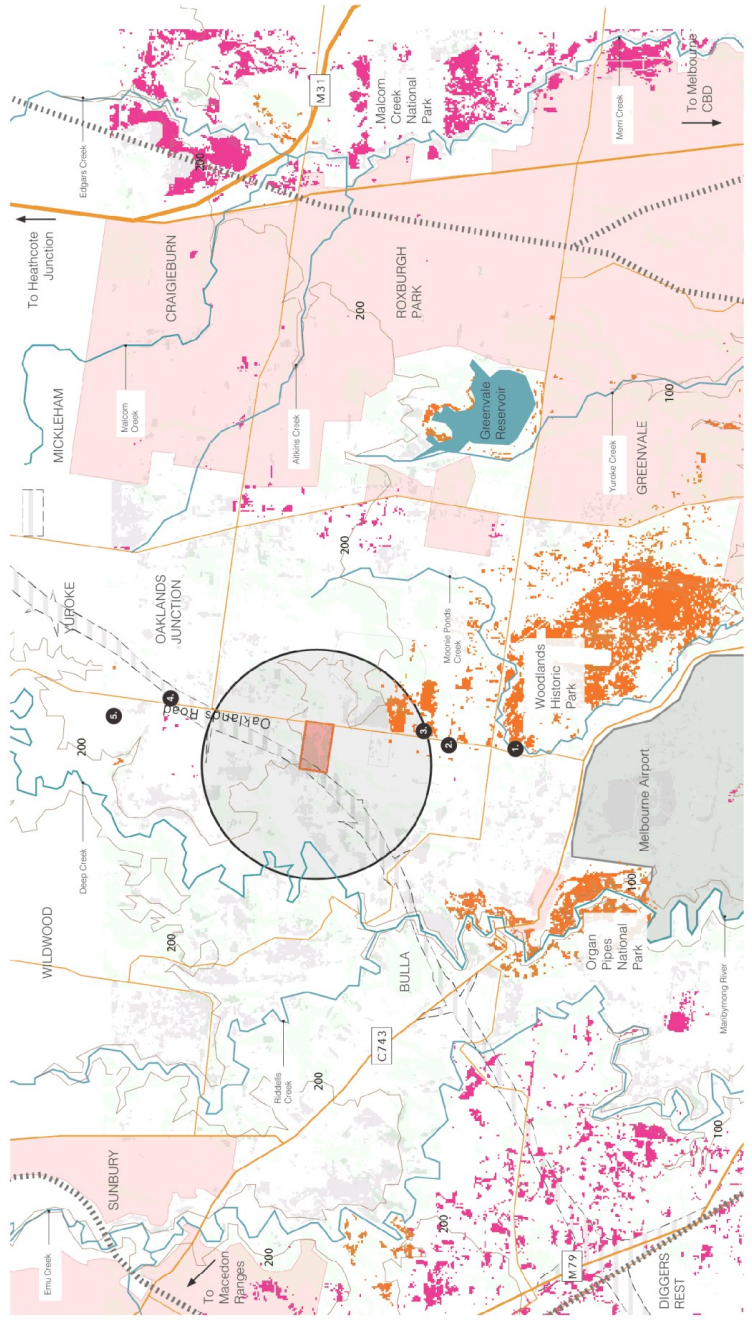


# Surrounding Context Map (GWZ)

AERIAL MAP - NTS.



- LEGEND**
- 100m Contours
  - Watercourse
  - Train line
  - Road
  - Public Acquisition overlay (PAO)
  - Study area
  - Site (approx 39ha.)
  - Built form
  - Escarpment
  - Plain Grassy Woodland
    - Lower slopes / hills woodland
    - Grassland
    - Hill herb rich woodland
    - Grassland and grassland & Chenopod shrubland
  - Woodland Historical Park
  - Neighbouring farms and agricultural land
  - Holcim quarry access
  - Oakland Road
  - Farm fencing



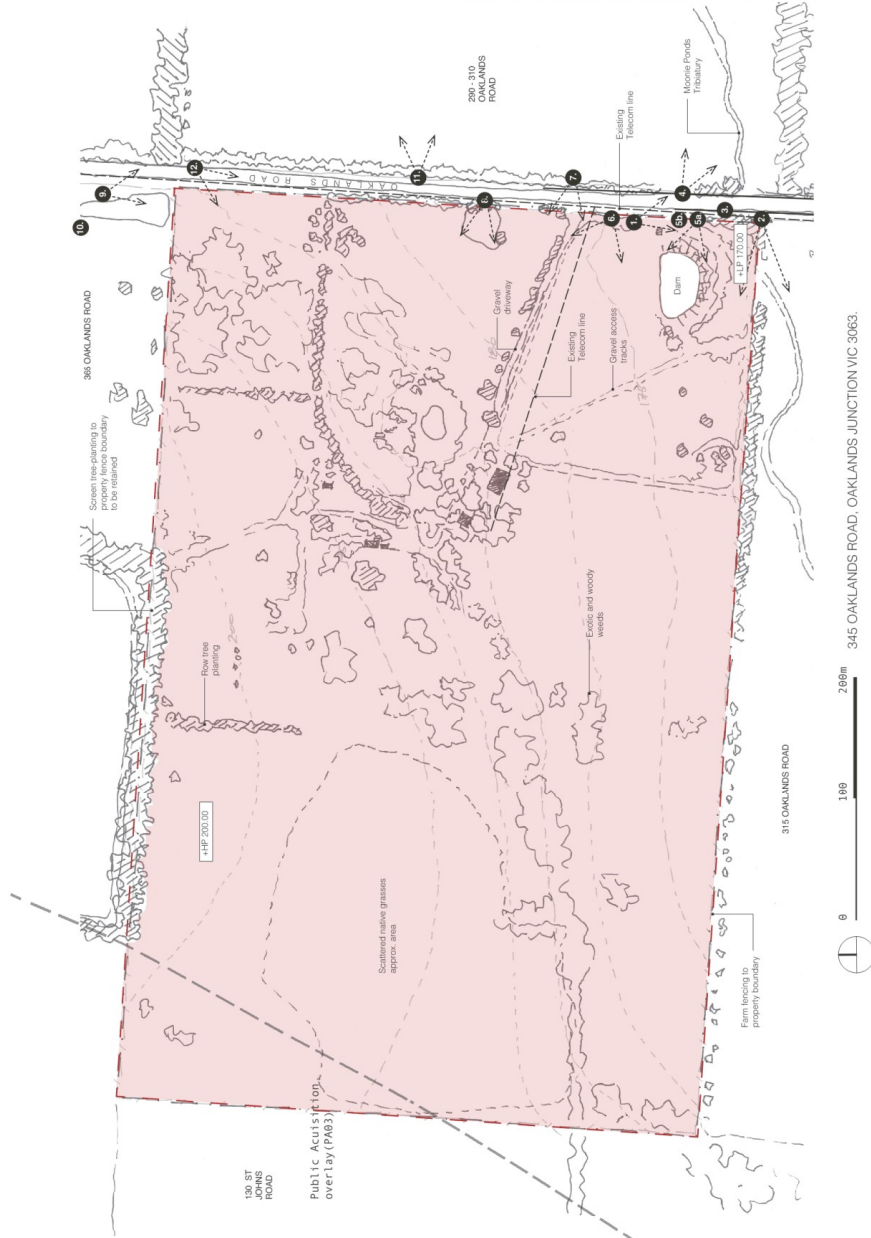




ISSUE	DESCRIPTION	ISSUE	DESCRIPTION	ISSUE	DESCRIPTION	ISSUE	DESCRIPTION	ISSUE	DESCRIPTION
A	FOR COMMENT	B	FOR COUNCIL SUBMISSION	C	FOR PLANNING PERMIT	1	FOR COMMENT	2	FOR COUNCIL SUBMISSION
LN	9.07.2019	LN	12.07.2019	LN	18.07.2019	LN	9.07.2019	LN	12.07.2019

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 VISUAL IMPACT  
 ASSESSMENT  
 JULY 2019

# Existing site conditions Map (GWZ)



- LEGEND**
- Property Boundary
  - Public Acquisition overlay (PA03)
  - Site - approx 39ha.
  - Buildings, vegetation and services to be removed
  - Crest
  - Tributary
  - Woody weeds
  - Quarry landform
  - Grassy berm
  - Ephemeral gully
  - South of site
  - Farm access
  - Dam
  - Neighbouring basin
  - Stockyard
  - Adjacent farm
  - North of site





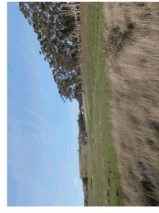
ISSUE	DESCRIPTION	DRAWN / DATE	3
A	DRAFT FOR COMMENT FOR COUNCIL SUBMISSION JULY 2019	LH / 9.07.2019	
B		LH / 12.07.2019	
C		LH / 18.07.2019	

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 JULY 2019

# Existing site photos



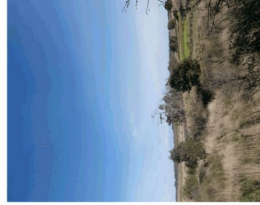
1. Native grasses and scatter tree planting in foreground, woodland trees and toroelock vegetation to crest.



2. Densely vegetated tributary.



3. Woody weeds to roadside verge.



4. Native grasses to foreground and mature Eucalypts lining the view of Hactin quarry in background.



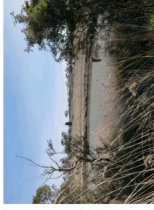
5. Gate access to 345 Oaklands Road.



6. Structure to the left of dam and scattered tree planting to background.



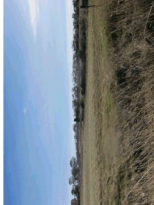
7. Roadside view of neighbouring dam from Property 344 Oaklands Road.



8. Roadside view of neighbouring dam from Property 344 Oaklands Road.



9. Roadside view of neighbouring dam from Property 344 Oaklands Road.



10. Roadside view of neighbouring dam from Property 344 Oaklands Road.



11. Roadside view of neighbouring dam from Property 344 Oaklands Road.

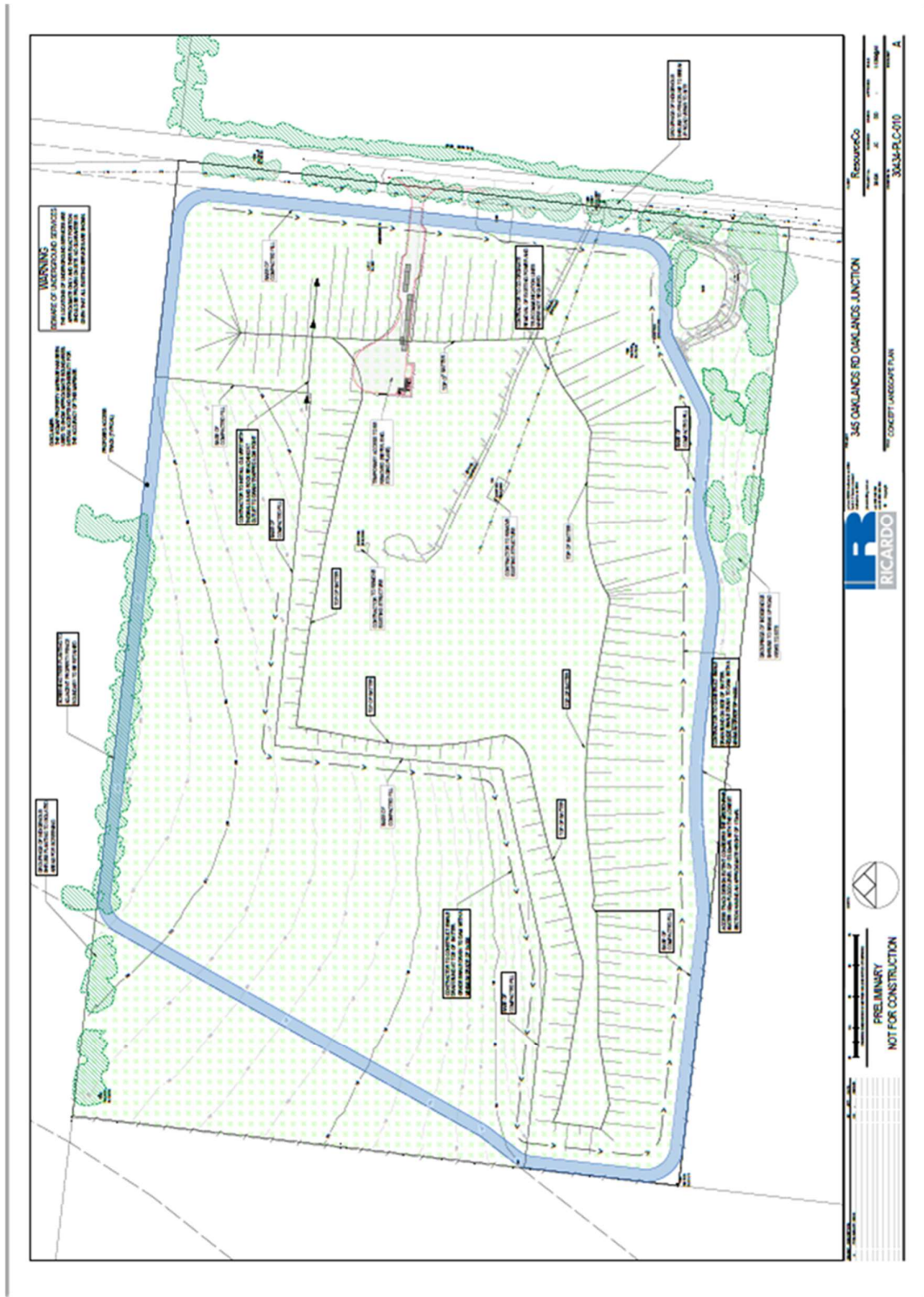


12. Roadside view of neighbouring dam from Property 344 Oaklands Road.



13. Roadside view of neighbouring dam from Property 344 Oaklands Road.

345 OAKLANDS ROAD, OAKLANDS JUNCTION VIC 3063.



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<b>REPORT NO:</b>	SU479
<b>REPORT TITLE:</b>	34 Sunset Boulevard, Jacana - The development of four double storey dwellings.
<b>SOURCE:</b>	Narelle Haber, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P22502
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	1. <i>Locality Plan</i> 2. <i>Development Plans</i>

---

<b>Application No:</b>	P22502
<b>Proposal:</b>	The development of four double storey dwellings.
<b>Location:</b>	34 Sunset Boulevard, Jacana.
<b>Zoning:</b>	General Residential Zone – schedule 1.
<b>Applicant:</b>	Planning and Design Pty Ltd
<b>Date Received:</b>	12 September 2019

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**1. SUMMARY OF REPORT:**

Planning approval is sought to develop four double storey dwellings at 34 Sunset Boulevard, Jacana. Notice of the application was given, and thirteen objections were received. The application has been assessed against the relevant policies and the 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.

**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 four double storey dwellings at 34 Sunset Boulevard, Jacana, subject to the following conditions:

2.1. Before the development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans dated December 2019, prepared by Planning and Design Pty Ltd, but modified to show:

- a) The driveway to Dwelling 1 located a minimum of 6 metres from the corner splay.
- b) The Australian Height Datum (AHD) on the Site, Ground Floor and Elevation Plans in accordance conditions 12-14 of this permit.
- c) The northern boundary fence to be reduced to less than 900mm in height for the first 2.5 metres into the site in accordance with Clause 52.06 of the *Hume Planning Scheme*.



REPORT NO: SU479 (cont.)

- d) The location of any mechanical plant or services, in accordance with Condition 5.
  - e) Landscaping pursuant to Condition 6 of the planning permit.  
The Head, Transport for Victoria has requested the following changes and details shown on the plans:
  - f) A redesign of the vehicular access proposed to ensure the design requirements for the bus stop on Sunset Boulevard in accordance with *STD\_0064/STD\_0068*
  - g) Relocation of the bus stop and associated infrastructure further west on Sunset Boulevard to comply with standard drawings *STD\_0064 and STD\_0068*
  - h) All designs are to be compliant with the Disability Discrimination Act – *Disability Standards for Accessible Public Transport 2002 and be' to the satisfaction of the Head, Transport for Victoria.*
- 2.2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
- 2.3. Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with the prior consent of the responsible authority.
- 2.4. The external materials, finishes and paint colours of the approved building must be to be to the satisfaction of the responsible authority.
- 2.5. Any equipment required for refrigeration, air-conditioning, heating and the like must be located appropriately on the land/building and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
- 2.6. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The plan must show:
- (a) A report prepared by a qualified arborist (including botanical names) of all existing vegetation to be retained and/or removed including trees located adjacent to the site on neighbouring properties. The arborist report is to include tree protection measures for any trees to be retained on site and any neighbouring trees.
  - (b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
  - (c) details of surface finishes of pathways and driveways;
  - (d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
  - (e) landscaping and planting within all open areas;
  - (f) Four medium canopy trees with a minimum mature height of 5 metres (existing trees deemed suitable for retention can count toward the tree planting requirement); screen planting on side and rear boundaries where practical; understorey planting in the site frontage and low-scale landscaping along the driveway;
  - (g) an in-ground irrigation system to all landscaped areas;
  - (h) the location and details of root control barriers.

REPORT NO: SU479 (cont.)

- 2.7. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.
- 2.8. Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.
- 2.9. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system.
- 2.10. Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.11. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.12. Any habitable building must be constructed with finished floor levels 300mm above the applicable flood level (105.40 metres to Australian Height Datum (AHD)).
- 2.13. New garages or outbuildings must be constructed with finished floor levels 150mm above the applicable flood level (105.40 metres to Australian Height Datum (AHD)).
- 2.14. Any car spaces must be maintained at natural surface levels or now lower than 350mm below applicable flood level (105.40 metres to Australian Height Datum (AHD)).
- 2.15. Vehicle access to and from the subject land from any roadway or service lane must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will use the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority after first obtaining a road opening permit from Council.
- 2.16. Works or structures must not reduce/impact floodwater storage/conveyance capacity.
- 2.17. The whole of the subject land, including any landscaped and paved areas, must be graded and drained to the satisfaction of the responsible authority so as to prevent the discharge of stormwater causing damage/nuisance from the subject land across any road or footpath or onto adjoining land. All stormwater tanks must have the overflow pipe connected to the legal point of discharge.  
  
(Department of Transport conditions 18-22 inclusive)
- 2.18. Before the commencement of the access works along Sunset Boulevard, or other time agreed in writing with the Head, Transport for Victoria, the bus stop including all associated infrastructure, must be relocated or replaced in accordance with endorsed plans at a cost borne by the permit holder to the satisfaction of the Head, Transport for Victoria and deemed compliant with the Disability Discrimination Act – *Disability Standards for Accessible Public Transport 2002*.
- 2.19. 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 the Head, Transport for Victoria.
- 2.20. The landscaping and structures constructed as part of the development must not obstruct the line of sight or visibility of the crossover providing access to 'Unit 1' for bus drivers arriving at or departing from the existing bus stop on Sunset Boulevard. Any landscaping on the front of the property adjacent to the western side of the crossover must be maintained if necessary, at no cost to the Head, Transport for Victoria.

REPORT NO: SU479 (cont.)

- 2.21. The existing bus stop and associated infrastructure on Sunset Boulevard must not be damaged. Any alterations including temporary works or damage during construction must be communicated and rectified to the satisfaction of the Head, Transport for Victoria and at the cost of the permit holder.
- 2.22. The permit holder must take all reasonable steps to ensure that disruption to bus operations along the frontage of the site and along Sunset Boulevard is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to the Head, Transport for Victoria (8) weeks prior to the commencement of works.
- 2.23. This permit will expire if one of the following circumstances applies:
- a) the development is not started within three years of the date of this permit;  
or
  - b) 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:

- a) before or within six months after the permit expiry date, where the development allowed by the permit has not yet started; or
- b) within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Permit Notes:

- a) If a request for an extension of commencement/completion dates is made out of time allowed, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.
- b) The owner/developer is required to pay \$734.70 (ex GST) in tree removal/replacement costs. These charges will be issued as part of the crossover permit application.
- c) According to Council records this property is subject to flooding. The applicable flood level for the property is 105.40 metres to Australian Height Datum (AHD). The flood level is based on a storm event that has an Annual Exceedance Probability (AEP), that is, a 1% probability of being equalled or exceeded in any one year.
- d) An “Application for Legal Point of Stormwater Discharge” is required to be submitted to Council prior to connection to the drainage system.
- e) Drainage investigation is required for the development (fees apply) and must be submitted to Council’s Assets (Civil) Department for approval. 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.
- f) Following the Drainage Investigation, internal drainage plans must be submitted to Council’s Assets (Civil) Department for approval.
- g) Prior to commencement of any works within the road reserve or require alteration/connection to the Council’s drainage assets in 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.
- h) Any structure built over an easement requires Council and relevant service authorities approval.
- i) An application for a ‘Consent to Dig in the Road Reserve’ permit for a vehicle crossing is 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.

REPORT NO: SU479 (cont.)

- j) 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.
- k) To discuss any potential disruptions to bus operations along Sunset Boulevard or the existing bus stop, please provide a copy of this letter and any other information deemed necessary to [bus.stop.relocations@ptv.vic.gov.au](mailto:bus.stop.relocations@ptv.vic.gov.au). Requirements of condition 21 of this permit (TfV) must be directed to telephone number 1800 800 007 or emailing [customerservice@ptv.vic.gov.au](mailto:customerservice@ptv.vic.gov.au).

3. PROPOSAL:

- 3.1 The existing dwelling and associated outbuildings and vegetation are proposed to be demolished.
- 3.2 The applicant seeks planning permission to develop the site with four double storey dwellings.
- 3.3 Details of the proposed development as follows:
  - Dwellings 1 and 2 will front Sunset Boulevard, whilst Dwellings 3 and 4 will address Fidge Court – this results in the appearance of two separate building forms on the site.
  - Dwelling 1 is serviced from a new driveway off Sunset Boulevard.
  - Dwellings 2 and 3 are serviced by central shared double accessway, whilst Dwelling 4 has independent access. This results in two crossovers to Fidge Court.
  - Each dwelling features a single garage and a tandem car space. All dwellings are supported by a total of two car spaces.
  - All dwellings feature living room, kitchen, meals, powder room, study nook and laundry at ground level.
  - The first floor of each dwelling features three bedrooms, one with an ensuite, and a shared bathroom. Dwelling 1 also has a small sitting area on the first floor.
  - Dwelling 1 is setback 8.5 metres from Sunset Boulevard.
  - Dwelling 2 is setback 8.2 metres from Sunset Boulevard.
  - Dwelling 3 is setback 3.59 metres from Fidge Court.
  - Dwelling 4 is setback 3.0 metres from Fidge Court.
  - Each dwelling is provided with at least 25 square metres of Secluded Private Open Space (SPOS), and 40 square metres total of Private Open Space (POS).
- 3.4 Summary table of development:

<b>Site Area</b>	754.9 square metres
<b>Dwelling Density</b>	1:188 square metres
<b>Site Coverage</b>	50.5% (60% max)
<b>Permeability</b>	29.5% (20% min)
<b>Garden Area</b>	37.7% (35% required)

REPORT NO: SU479 (cont.)

4. SITE AND SURROUNDS:

- 4.1 The subject site is located within a pocket subdivision bounded by Camp Road to the north, the Western Ring Road to the south Pascoe Vale Road to the east. The site is an irregular shaped allotment set in a north-south alignment. The broader precinct is made up of an irregular, curved subdivision pattern with comparable sized lots throughout.
- 4.2 The subject site itself is located on the north-western corner of Sunset Boulevard and Fidge Court ,Jacana. The site is irregular in shape with a frontage of 14.7 metres, splay of 5.0 metres and a depth of 32.8 metres yielding a total site area of 754.9 square metres.
- 4.3 The site currently contains a single storey dwelling, circa 1960s-1970's. The site has a slight fall tending toward the south (sunset Boulevard). The site is encumbered by two 2.44 metre wide drainage and sewerage easements that extends through the front and rear curtilage of the lot.
- 4.4 The site is currently serviced via a single crossover located toward the northern boundary off Fidge Court.
- 4.5 The surrounding area is an established residential neighbourhood characterised by single and two-storey dwellings interspersed with the occasional two-storey contemporary replacement dwelling. Dwellings typically have open landscaped front gardens, with low or no front fencing, creating a moderate density, open streetscape character.
- 4.6 There are some examples of multi dwelling proposals in the immediate area, largely consisting of three dwelling developments; including directly opposite the site at 32 Sunset Boulevard. There is one example of a four dwelling development at 8 Fidge Court; approximately 70 metres north east of the site.
- 4.7 Varying front setbacks are evident, and dwelling siting on allotments are often irregular or on an angle.
- 4.8 The site is located approximately 170 metres from the Jacana School for Autism, 450 metres from Penola Catholic College and 175 metres from the Jacana shopping strip. A bus stop for the 542 route is located immediately outside the subject site, off Sunset Boulevard. Jacana Railway Station is approximately 600 metres from the site.

**Restrictive Covenants**

- 4.9 The certificate of title provided with the application does not contain any restrictive covenants or agreements.
- 4.10 Two easements are noted on the plan of subdivision (LP56725 sheet 3 of 3); which are both 2.44 metres wide and noted as E-1 - for drainage, sewerage and gas. One easement runs along the southern boundary adjacent to Sunset Boulevard, with the second easement located along the northern (rear) boundary of the site.

**Planning history**

- 4.11 There is no relevant planning history for the subject site.

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 and include the recently approved amendments:

Planning Framework	Policy	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

REPORT NO: SU479 (cont.)

	Clause 16.01-2S:	Location of residential development
	Clause 16.01-3S:	Housing diversity
	Clause 18:	Transport
	Clause 19:	Infrastructure
Municipal Strategies	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 Liveable Communities
	Clause 21.03-1:	Housing
	Clause 21.03-2:	Built Environment & Heritage
	Clause 21.04:	Urban Design
	Clause 21.04-1:	Environmentally Sustainable Design and Development
	Clause 21.04-2:	
Local Policies	Not applicable	
Zones	Clause 32.08:	General Residential Zone Schedule 1
Overlays	Nil	
Particular Provisions	Clause 52.06:	Car Parking
	Clause 55:	Two or More Dwellings on a Lot and Residential Buildings
General Provisions	Clause 65.01:	Approval of an Application or Plan
	Clause 66:	Referral and Notice Provisions

- 5.2 The 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. 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. 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.*

REPORT NO: SU479 (cont.)

**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 Triggers**

- 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 construction of two or more dwellings on a lot.

**6. REFERRALS:**

- 6.1 There were no referrals required under Section 55 of the *Planning and Environment Act 1987* ('*The Act*').
- 6.2 The application was referred to Public Transport Victoria (PTV) given the proximity of the bus stop to the proposed crossover on Sunset Boulevard. PTV have no objection to the proposal subject to amended plans and conditions being added to the permit.
- 6.3 The application was referred to Council's Assets (Civil and Traffic) Departments for assessment and comment. Both departments did not object to the application subject to amended plans being submitted and conditions added to the permit
- 6.4 The application was also referred to Council's Parks Department due to the proposed removal of a street tree from Sunset Boulevard. The Parks Department did not object to the removal of the street tree subject to conditions and fees.

**7. ADVERTISING:**

- 7.1 The application was advertised under Section 52 of '*The Act*' by way of letters to adjoining owners and occupiers and two signs (one facing Sunset Boulevard and the other facing Fidge Court) placed on the site for a minimum of 14 days as prescribed under '*The Act*'.
- 7.2 A total of thirteen objections were received, and the grounds of objection are summarised as follows:
- Increased Traffic and parking in Fidge Court
  - Increased noise and pollution
  - Overshadowing and loss of privacy
  - The development of four units is not in the psychosocial, lifestyle well-being, and safety of existing residents
  - Developers are more interested in making profits than looking after existing residents
  - Size/scale of the development
  - Neighbourhood character – mostly single storey
  - Open space intrusion onto 3 Fidge Court Jacana.
  - The proposal does not comply with Clause 55 of '*The Scheme*'.
  - Devalue property and will attract 'renters' and shift workers

**8. OBJECTION:**

- 8.1 The following is a discussion with the comments raised in the objection:

8.2 Increased Traffic and parking in Fidge Court

The location of proposed crossovers in Fidge Court and the function of traffic movements are considered to be appropriate and orderly. The proposal will not increase the amount of traffic to an unreasonable level.

REPORT NO: SU479 (cont.)

The application was reviewed by the Assets Department with regard to traffic and parking outcomes, and they do not object to the proposal.

The proposal complies with the parking requirements of Clause 52.06, and a car parking reduction is not required nor granted for this proposal.

8.3 Increased noise and pollution

In VCAT decision Potts v Glen Eira CC [2003] VCAT 1129 (1 September 2003) asserted that the potential for the generation of noise is not a reason to refuse a development proposal, and the type of the noise such as children playing and party music are just part of urban life and only when such noise becomes a nuisance will the relevant laws deal with that issue. The decision states that:

*“It is possible to have neighbours who indulge in frequent loud parties, but that can occur in relation to detached houses, just as well as in relation to medium density townhouses. The prospect of finding oneself in close proximity to neighbours who create noise nuisances of that sort is one of the risks one takes in living in an urban area. Of course, if the noise generation amounts to a nuisance there are other laws appropriate to deal with that sort of problem.....Children playing, people talking, motor mowers operating and the like are all part of the ordinary incidents of life in a urban situation. They are part of the give and take of urban life that neighbours are obliged to accept (unless the problems get to the stage of being nuisances against which the law provides protection)”.*

8.4 Overshadowing and loss of privacy

The proposal has been reviewed with regards to overshadowing of Secluded Private Open Space to all surrounding properties and is within the acceptable limits of Clause 55.04-5.

8.5 The development of four units is not in the psychosocial, lifestyle well-being, and safety of existing residents

This objection raised concern that the increased vehicle movements at all hours of the day and night and car parking along the street and not in their property, would result in detrimental health impacts and stress to the existing residents in the street.

Clause 55.04 of *‘The Scheme’* outlines standards and objectives required to be met for any new development to ensure any adverse amenity impacts of the development are minimised and the development respects existing developments in the area. The application complied with all Standards and objectives of Clause 55.04.

8.6 Developers are more interested in making profits than looking after existing residents

This is not a valid planning consideration in planning applications. On this basis, the issue of developers making profits are not considered relevant to the current assessment.

8.7 Size/scale of the development

The subject site is zoned General Residential Zone and is therefore considered suitable for multi-unit, two storey development, subject to all policy directions being met.

The design is considered site responsive and has been designed in consideration of other infill developments in the area. The applicant has designed the two storey development so the first floors are smaller than the ground floor footprint.

The development has been designed so dwellings 1 and 2 address Sunset Boulevard and dwelling 3 and 4 address Fidge Court. This has allowed for a separation between the first floors of dwellings 1 and 2 and the southern wall of dwelling 3 resulting in the appearance of two distinct building forms when viewed from Fidge Court. Subsequently, the built form is ‘balanced’ in terms of the proposed site context, scale, height and form.



REPORT NO: SU479 (cont.)

Furthermore, the development complies with all the Standards contained under Clause 55.03 of *‘the Scheme’* (Site Layout and Building Massing).

8.8 Neighbourhood character – mostly single storey

The application is considered to be within an emerging neighbourhood character of the area pursuant to Clause 55.02-1 (Neighbourhood Character). The objectives of the Clause are as follows:

- *The design response must be appropriate to the neighbourhood and the site.*
- *The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.*

Jacana does not have a Local Neighbourhood Character Policy. It is noted that multi-unit developments are becoming more common within the immediate area. The planning scheme expressly contemplates that established neighbourhoods will change over time, as they incorporate new housing as part of the change process supported through a combination of the *Hume Planning Scheme* policies.

The Planning Practice Note 43 (DELWP, Jan 2018) confirms that neighbourhood character should not be a barrier to urban consolidation and contemporary architecture. It states that *“respecting character does not mean preventing change. The neighbourhood character standard is not intended to result in the replication of existing building stock or stop change”*.

Respecting preferred neighbourhood character is about how a development will “fit in” over time as the new developments emerge in response to urban consolidation policies.

The proposal accords to the objectives and standards of Clause 55 of *‘the Scheme’*. The design provides a development that will integrate within the streetscape in terms of setbacks, building materials, design detail and built form.

Several of the objectors argue that the double storey nature of the development is not part of the neighbourhood character as there only a few examples of double storey within the surrounds.

The above requirement is to be balanced with the need for urban consolidation and the demand and need for greater housing diversity. The proposal has strategic policy support in Clause 21.04-1 – Urban Design policy which states in one of its objectives...

*“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”*.

The design provides a respectful response to the preferred characteristics of this area by providing a pitched roof design directly responding to the streetscape. Furthermore, the proposal uses similar materials, design/fenestration, eaves which all form part of the local neighbourhood character.

On balance it is considered that the proposal meets the objectives of the Clause 55.02-1 (Neighbourhood Character) and this will be discussed further in the assessment section of this report.

8.9 Open space intrusion onto 3 Fidge Court Jacana.

There will be no intrusion onto the open space of the adjoining property to the north as all habitable room windows will be constructed of fixed obscured glazing and/or have minimum sill heights of 1.7 metres above floor level. The use of these techniques ensures that any overlooking is avoided.

REPORT NO: SU479 (cont.)

An objector requested a replacement fence on the northern boundary. Plans show that a 1.9 metre fence is located along the shared boundary, and the fence appeared to be in good condition and a replacement is not necessary.

Additionally, any further increase in height to the fence will be detrimental to SPOS to dwelling 4, as the shadow cast will cover the area in the afternoon.

8.10 The proposal does not comply with Clause 55 of ‘The Scheme’.

Section 9 of this report provides a detailed assessment of the development in relation to Clause 55 of *the Scheme*. In summary, the proposal shows a high degree of compliance with the relevant Standards and objectives under Clause 55 of *the Scheme*.

8.11 Devalue property and will attract renters and shift workers

The devaluing of neighbouring properties is not a relevant planning consideration. The consideration of impact to property values is not managed or assessed by the *Planning and Environment Act 1987* or *the Scheme*.

The attraction of ‘renters’ (being a person/s who rent the property, as opposed to the property being owner occupied) also sits outside of the *Planning and Environment Act 1987* and *the Scheme*.

This subject has attracted comment from the Victorian Civil and Administrations Tribunal in the past; who determined that *‘good neighbours are not determined by nature of tenure’*. In (L and A Gugliotti and Others v City of Preston [Appeal No. P88/0782 2AATR 97]), the Tribunal stated that:

*“... the Planning Scheme draws no distinction between rental and owner-occupied accommodation. The argument that such distinction ought to be drawn is discriminatory and suggests a form of social apartheid based on economic standing which should be abhorrent in today's society.*

*Third, there is no empirical evidence (either in this appeal or any other in the Tribunal's experience) which could lead to the conclusion that occupiers of flats, be they owners or tenants, are any more prone to anti-social, illegal, noisy or insensitive behaviour than any other sector of the community.”*

In the meantime, *the Scheme* requires Council to consider the need to provide housing which is affordable and considers the diverse needs of the community (Clause 16.01-3S and Clause 16.01-4S).

The proposal is considered to facilitate allowing additional housing in an area which is supported by existing infrastructure.

9. **ASSESSMENT:**

**General Residential Zone 1**

9.1 The proposed development is consistent with the purpose of the General Residential Zone (GRZ).

9.2 The applicable requirements of the GRZ1

- (a) Minimum garden area of 35% for a lot above 650sqm.
- (b) Permit trigger for the development of more than one dwelling on a lot.
- (c) Development must comply with Clause 55.
- (d) Maximum building height of 11 metres.
- (e) No more than 3 storeys permitted.

**REPORT NO: SU479 (cont.)**

- 9.3 The proposed development achieves a garden area of 285 square metres (37.7%), complying with the requirement.
- 9.4 The proposed development has an overall height of 7.47m and is two storeys maximum at any one point, complying with the requirement.

**Clause 52.06 Car Parking**

- 9.5 The proposed development is consistent with the purpose of this Clause.
- 9.6 Clause 52.06 (Car Parking) relates to car parking and outlines the required parking rates and design standards for development.
- 9.7 All four dwellings contain three bedrooms.
- 9.8 Clause 52.06-5 requires parking at the following rate:
  - o Two spaces for each two or more bedroom dwelling, with one space under cover.
- 9.9 All dwellings will be provided with the required number of car spaces in accordance with the above provisions of Clause 52.06-5.
- 9.10 There is no requirement for visitor car parking space due to less than five dwellings proposed.
- 9.11 The application was referred internally to Council's Assets (Traffic) Department who did not object and requested conditions/notations on any permit issued.

**Clause 55 Two or more dwellings on a lot and residential buildings**

- 9.12 A development must meet the objectives of Clause 55 and should meet the standards of Clause 55.

***Neighbourhood character and infrastructure (Standards B1 to B5)***

- 9.13 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.
- 9.14 The immediate area is characterised by fairly modest single-storey dwellings with open style front gardens, with low or no front fencing. The existing setting is of a low to moderate density, with an open streetscape character. The nearest two-storey form is located opposite the subject site at 32 Sunset Boulevard. A development comprising five double storey dwellings and one single storey dwelling was approved at 35-37 Sunset Boulevard (construction has not commenced).
- 9.15 Whilst the existing streetscape setting remains predominantly single-storey in character, the proposed two-storey height is of a form and scale that is consistent with a setting such as this, and one that is generally contemplated under the General Residential Zone as well as local planning policies.
- 9.16 Moreover, there is no specific policy considerations that would otherwise preclude or discourage this form of development. Indeed, the objective pursuant to Clause 21.03-2 (Housing) is to increase the diversity of housing in Hume by "*encouraging well designed infill residential development that provides smaller housing product*". In this case, the infill development provides for a smaller housing product for those that don't want a large yard to maintain which would invariably contribute to overall housing diversity and choice within this established residential setting.
- 9.17 The proposal will result in four dwellings on the lot, therefore the dwelling diversity objective and standard are not applicable, as it refers to proposals for ten or more dwellings on a lot.

REPORT NO: SU479 (cont.)

- 9.18 The development is able to be connected to reticulated services, including sewerage, drainage, electricity and gas. It is considered that the construction of four dwellings on the allotment is unlikely to unreasonably overload the capacity of the existing utility services and infrastructure in the area. As discussed, the application was referred internally to Council's Engineering and Assets Department for comment. No objections were raised against the proposal on drainage and sewerage grounds, subject to the inclusion of relevant permit conditions and notes.
- 9.19 The two storey dwellings generally have subordinate upper level footplates which assists to provide suitable transitioning between the proposed two-storey forms and the existing single-storey character immediately surrounding the subject site. The ground and first floors of dwellings 1 and 2 are joined through the full extent of the shared wall and the ground and first floors of dwellings 3 and 4 are joined through the full extent of the shared wall resulting in a 2.1-metre-wide separation between the rear of dwellings 1 and 2 and the southern wall of dwelling 3. This results in the appearance of two distinct building forms with dwellings 1 and 2 addressing Sunset Boulevard and dwellings 3 and 4 addressing Fidge Court.
- 9.20 It is considered that the proposed development is suitable within the context of the site as well as the existing and emerging neighbourhood character. The development is well integrated with the street in terms of vehicle and pedestrian links and the absence of front fencing and includes modern materials and façade detailing which can be found within the existing streetscape.

**Site layout and building massing (Standards B6 to B15)**

- 9.21 As this is a corner site the required setbacks pursuant to Standard B1 from Sunset Boulevard and Fidge Court are different. In this case, as Sunset Boulevard is the 'front street' the required setback is determined '*if there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser*'. In this case, given the neighbouring dwelling was constructed on an angle, the front setback ranges between 9.0 metres and 7.8 metres from Sunset Boulevard. Dwelling 1 is proposed to be setback 8.5 metres, with the front porches being an allowable encroachment into this area.
- 9.22 With regard to the setback required on the 'side street' (Fidge Court) Standard B1 requires '*front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is lesser*'. The plans show dwellings 3 and 4 setback 3.5 metres and 3.0 metres respectively with the front porches being an allowable encroachment into this area. Each dwelling has met the required minimum street setback as described under Standard B6.
- 9.23 The building is articulated on both a ground floor level and first floor level, through stepping in, reduced first floor footprint, and the usage of front porches/porticos. The building massing is also managed through proposed material/colour usage, which looks to reduce built form impact and creates visual interest.
- 9.24 The proposed development has a maximum height of 7.47 metres to the roof pitch. This complies with the maximum height restrictions of Standard B7 at 9.0 metres.
- 9.25 The development will result in a site coverage of 50.5% which is under the maximum 60% specified under Standard B8
- 9.26 The development will be suitably drained and allow areas for permeable services and appropriate stormwater treatment. A subsequent drainage investigation and upgrade, if required, as a note on permit will ensure the appropriate treatment of stormwater within the site and compliance with best practice performance objectives. Site permeability is noted as being 29.5% which exceeds the minimum 20% required under Standard B9.

**REPORT NO: SU479 (cont.)**

- 9.27 The main living areas to dwellings 1 and 4 are orientated to the north to maximise northern solar access. The living areas to dwelling 2 and 3 are orientated to the east and west (respectively) and will receive good solar access. The SPOS areas to each dwelling however, receives excellent solar access with direct northern solar access.
- 9.28 Energy efficiency of existing dwellings on adjoining lots will not be unreasonably reduced as can be seen in the proposed shadow diagrams which indicate minimal shadowing of neighbouring properties.
- 9.29 The layout of the development provides for suitable safety and security to residents of the property. The entrances to each of the four dwellings are not obscured or isolated and they are clearly visible for their respective streetscapes. The private spaces are also protected from becoming public thoroughfares by fencing. The development complies with Standard B12.
- 9.30 Appropriate landscape outcomes are considered for the site, to be addressed via condition on permit. Conditions on permit will ensure the planting of new canopy trees for the site and include the preparation of a landscape plan to be assessed against Hume’s landscape guidelines for appropriate landscaping and the suitability of plant species.
- 9.31 Appropriate access and car parking is provided. The accessways do not exceed 33% of either street frontage. These arrangements have been reviewed by Council’s Assets Department and are acceptable, aside from some minor changes to be captured by permit condition. The development complies with Standard B14.
- 9.32 Standard B15 is met with the location of the on-site car spaces being secure, and reasonably close and convenient to the associated dwellings.
- Amenity impacts (Standard B17 to B24)**
- 9.33 Appropriate siting and walls on boundary impacts have been addressed. Side and rear setbacks (at both ground and first floor level) exceed the minimum requirements. The development complies with Standard B17.
- 9.34 The proposal includes the garage wall of dwelling 4 on the northern boundary for a length of 6.5 metres and a maximum height of 3.2 metres. As such, the proposal complies with Standard B18.
- 9.35 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 in accordance with Standard B19.
- 9.36 Standard B20 is met as with no habitable room windows within 3.0 metres of the subject property boundary.
- 9.37 Overshadowing to adjoining properties is minimal and generally within its own boundaries with adjoining properties to the site receiving a minimum of five hours of sunlight between 9am-3pm on 22nd September, complaint with Standard B21.
- 9.38 The side and rear boundary fencing will have a height of 1.9 metres which is sufficient to prevent overlooking from the new dwellings at the ground floor level. Similarly, all upper level windows are suitably screened to a height of 1.7m in accordance with the requirements of Standard B22.
- 9.39 There will be no internal views into secluded private open space within the development and Standard B23 is met.

**REPORT NO: SU479 (cont.)**

9.40 The proposal is unlikely to give rise to additional noise beyond what would normally be expected from residential properties. The permit is also conditional that any external sources of noise i.e. air-conditioning, heating and the like is located appropriately on the land/building and be suitably insulated to reduce noise emissions. As such, the proposal complies with Standard B24.

**On-site amenity and facilities (Standard B25 to B30)**

9.41 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.

9.42 Each dwelling has been provided with a clearly definable entry and front porch area which is accessed directly from their respective street frontages.

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

9.44 All dwellings have been provided with a minimum area of 40 square metres of total private open space (POS) with an area of secluded open space of a minimum of 25 square metres, which have useable dimensions

- Dwelling 1 – 29.8 square metres
- Dwelling 2 – 27.5 square metres
- Dwelling 3 – 25.1 square metres
- Dwelling 4 – 27.9 square metres

9.45 The secluded open space of all dwellings has convenient access from a family/meals room as per the requirements of B28.

9.46 All dwellings will receive adequate solar access to private open space, with each area of secluded private open space benefitting from northern orientation.

9.47 External storage has been provided in the form of a shed in the areas of secluded private open space which meets the storage requirements of Standard B30.

**Detailed Design (Standard B31 to B34)**

9.48 The proposed design of the dwellings, including the hipped roof profiles and the use of brick and rendered finishes, as well as the simple contemporary fenestration and window and door proportions, are not dissimilar to other infill developments in the area.

9.49 1.8-metre-high side/rear fence is proposed to Fidge Court to screen the private open space of Dwelling 2. Sightlines from both Sunset Boulevard and Fidge Court remain visible as the splay to Fidge Court is not impeded by the fence. No front fence is proposed to front of any of the dwellings.

9.50 The application does not propose common areas.

9.51 The plans demonstrate the location of bin storage, letter boxes and clotheslines as per Standard B34 which are suitably screened from public view.

9.52 Site services have been appropriately located to ensure suitability for installation of services, maintenance, and through access. Bin and recycling locations are shown, and it is expected the bins will be easily maneuvered to the street frontage for collection. Mailboxes have been located to the front of each dwelling.

REPORT NO: SU479 (cont.)

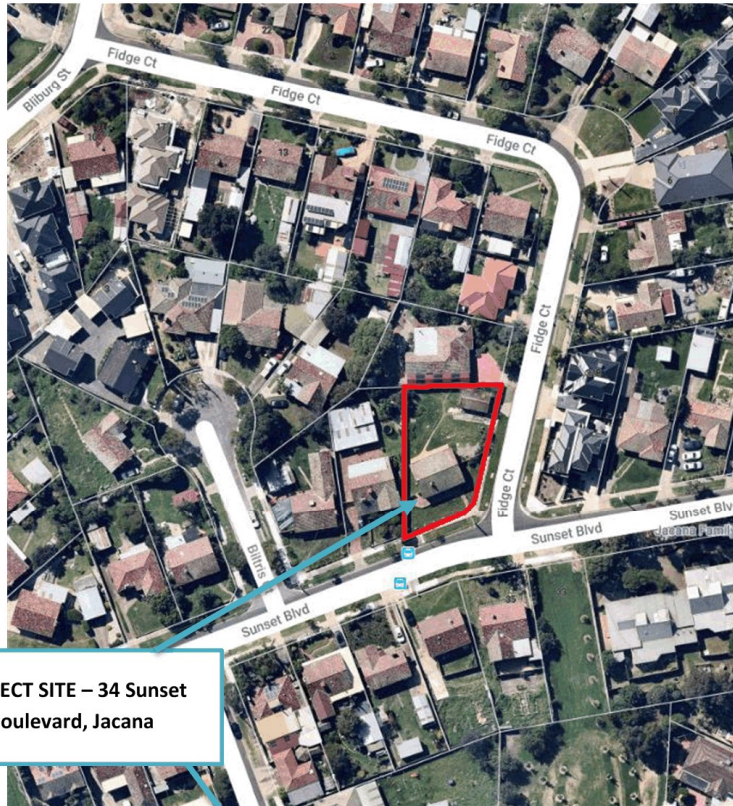
**10. CONCLUSION**

- 10.1 The application has been assessed against the relevant provisions of *the Hume Planning Scheme*, including Planning Policy frameworks, and is considered to be generally consistent with the relevant purposes relating to urban environment, sustainable development, and residential development. The objections have been considered in the assessment of the proposal.
- 10.2 The proposal generally satisfies the objectives and standards of Clause 55 (Two or more dwellings on a lot) and Clause 52.06 (car parking) of *the Scheme*. Subject to conditions, the proposal is able to demonstrate a site responsive design and with a limited impact on the amenity of surrounding properties and the character of the area.
- 10.3 On this basis, it is recommended that the application be supported, and a Notice of Decision to Grant a Permit be issued.

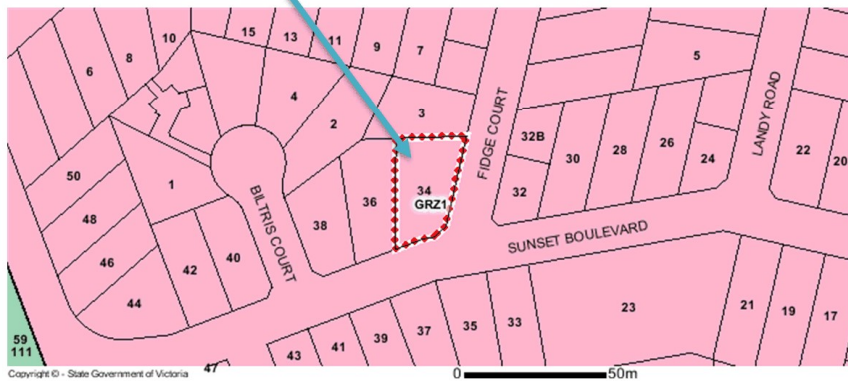
LOCALITY PLAN

P22502

34 SUNSET BOULEVARD, JACANA



SUBJECT SITE – 34 Sunset Boulevard, Jacana





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**TP01**  
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PROJECT: FIRST FLOOR PLAN  
DATE: 2020.05.20  
SCALE: 1/8" = 1'-0"

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### DESIGN RESPONSE

- 1 EXISTING CROSSOVER TO BE RELOCATED TO THE RIGHT TO SERVICE UNIT 4.
- 2 PROPOSED VEHICLE STORAGE FOR ALL UNITS ARE LOCATED BEHIND THE LINE OF THE FRONT DWELLING TO HIDE THE DOMINANCE OF CAR PARKING STRUCTURES FROM THE STREET-SCAPE.
- 3 NEW MAILBOXES FOR ALL UNITS.
- 4 PROPOSED FRONT STREET SETBACK TO BE IN LINE WITH THE SETBACK TO THE ADJOINING NEIGHBOURS.
- 5 LARGE LAWN AREA PROVIDES SPACE FOR LANDSCAPING.
- 6 OPEN SPACES TO UNITS ARE ORIENTED TOWARDS NORTH PROVIDING FUTURE RESIDENTS WITH OPEN SPACES TO ENJOY THE VIEW AND TO BE DISTRIBUTED TO THE REAR AND THROUGHOUT THE SITE. THE DEVELOPMENT WILL PROVIDE PRIVATE AND PUBLIC OPEN SPACES FOR THE REASONABLE RECREATION, STORAGE AND STORAGE NEEDS OF RESIDENTS. THE PRIVATE STORAGE NEEDS OF RESIDENTS ARE LOCATED OFF-LIVING AREAS.
- 7 LANDSCAPING LOCATION TO PROVIDE SOFT BUFFER AND SCREENING BETWEEN THE ADJOINING PROPERTIES.
- 8 ANY PROPOSED WALLS TO BE BUILT TO THE BOUNDARY ARE LOCATED AWAY FROM EXISTING HABITABLE ROOM WINDOWS AND OPEN SPACES.
- 9 PROPOSED CROSSOVER ALONG FIDGE COURT TO PROVIDE VEHICLE ACCESS TO UNIT 2 & 3.
- 10 PROPOSED CROSSOVER ALONG SUNSET BOULEVARD TO PROVIDE VEHICLE ACCESS TO UNIT 1.
- 11 UPPER FLOOR LEVEL OF DWELLINGS SETBACK TO BE IN LINE WITH THE SETBACK TO THE ADJOINING PROPERTIES. UPPER LEVEL FOOTPRINT IS OFFSET WITHIN THE GROUND FLOOR ENVELOPE TO PROVIDE A GRADUAL TRANSITION BETWEEN THE SINGLE STOREY AND TWO-STOREY BUILDING FORM.

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<b>DESIGN RESPONSE</b>				
<b>UNIT DEVELOPMENT</b>				
34 SUNSET BOULEVARD, JACANA				
<b>DR</b>				
REV.				

**REVISIONS**

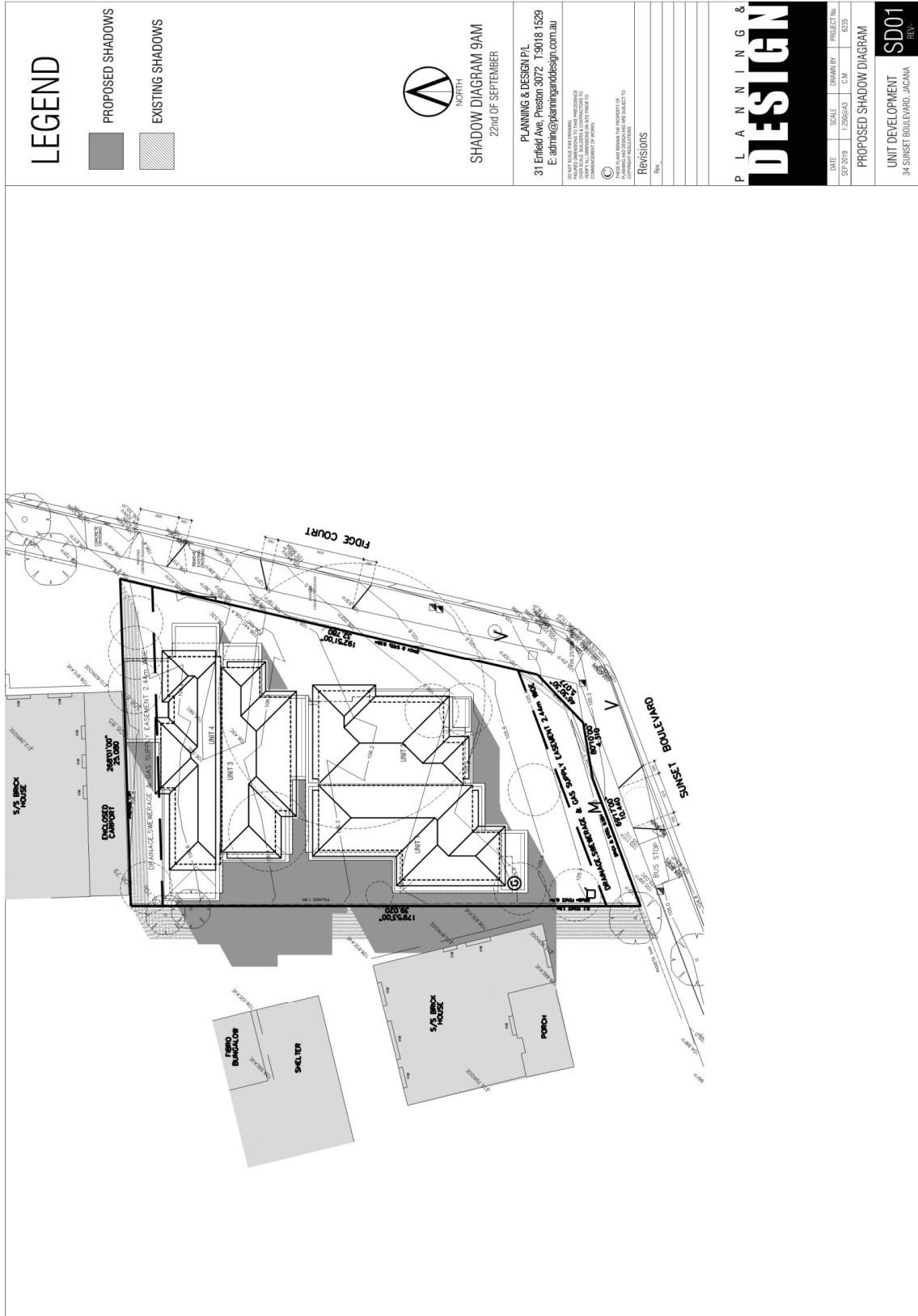
Rev.	Description

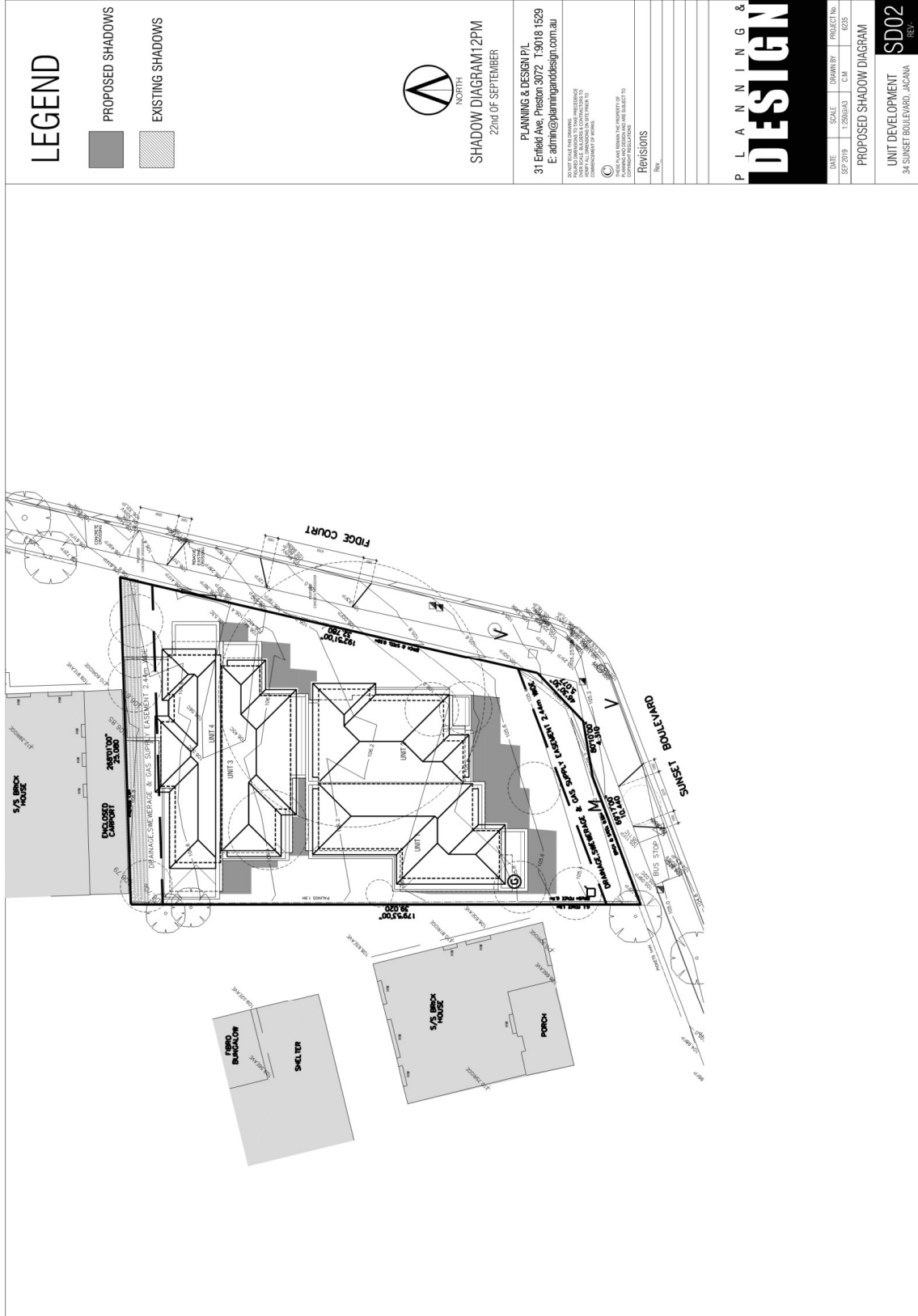
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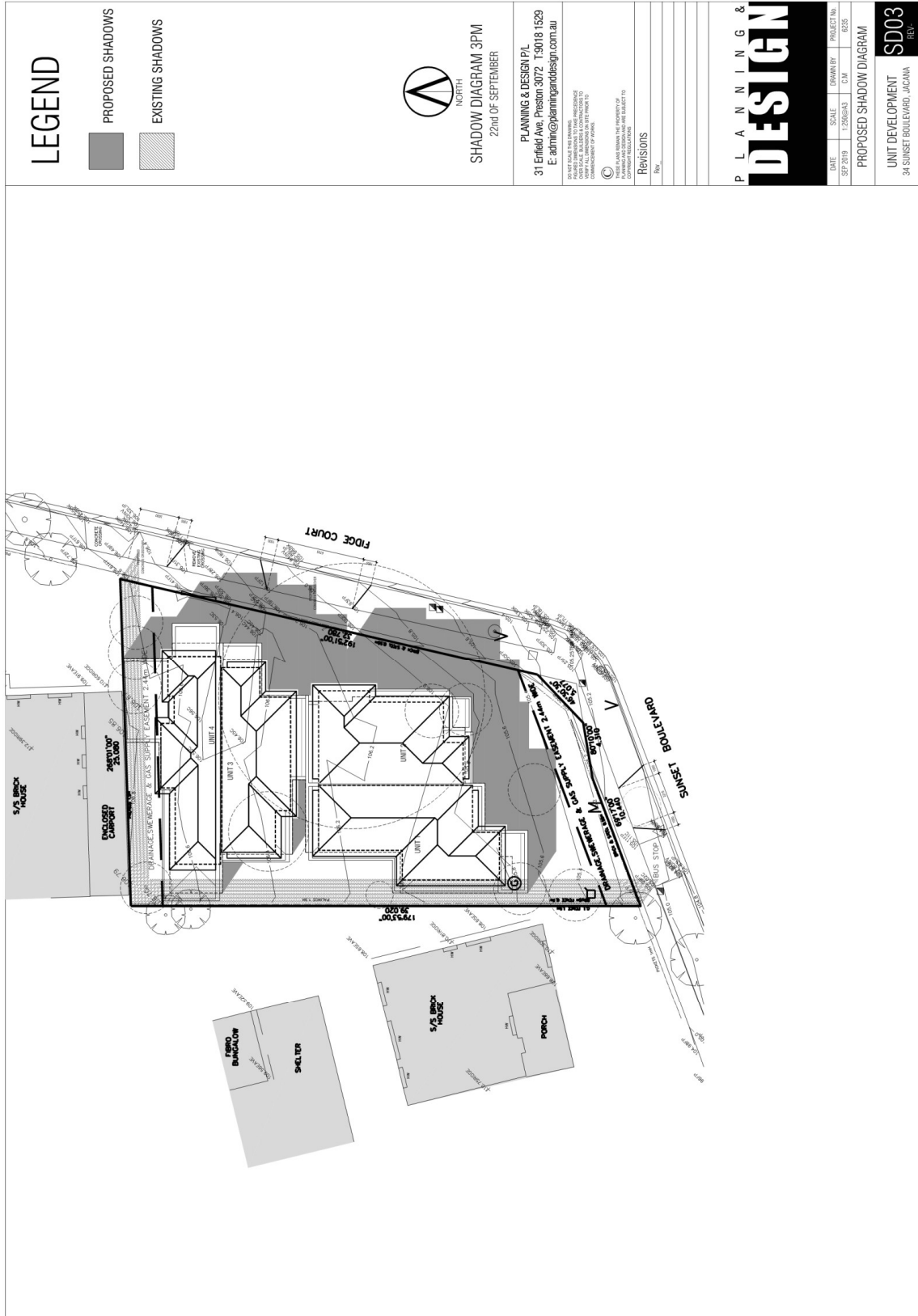
NORTH











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<b>REPORT NO:</b>	SU480
<b>REPORT TITLE:</b>	31-69 Western Avenue, Westmeadows - display of an electronic major promotional sign
<b>SOURCE:</b>	Amy King, Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P22379
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	1. <i>Locality map</i> 2. <i>Advertised plans and streetscape images</i>

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<b>Application No:</b>	P22379
<b>Proposal:</b>	Display of an electronic major promotional sign
<b>Location:</b>	31-69 Western Avenue, Westmeadows
<b>Zoning and overlays:</b>	Commercial 2 Zone Melbourne Airport Environs Overlay – Schedule 1 and Schedule 2
<b>Applicant:</b>	ProUrban
<b>Date Received:</b>	25 July 2019

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**1. SUMMARY OF REPORT:**

Planning approval is sought to display an electronic major promotion sign. The sign has a display area of 81.87 square metres and is to be displayed in the north-western corner of the site, orientated in a south-east direction. The application was forwarded to Melbourne Airport and the Civil Aviation Safety Authority (CASA), who do not object to the proposal. The application was also referred to the Department of Transport (VicRoads) under Clause 66 of the Hume Planning Scheme as a Determining Referral Authority. The Department of Transport (VicRoads) does not object to the application subject to conditions. Public notification of the proposal to adjoining landowners and occupiers was undertaken and three objections were received. It is recommended to issue a notice of decision to grant a planning permit.

**2. RECOMMENDATION:**

**That Council, having considered the application on its merits and the comments from referral authorities and objectors, resolves to issue a Notice of Decision to grant a Planning Permit for the display of an electronic major promotion sign at 31-69 Western Avenue, Westmeadows (Lot 3 on PS426125E (Volume 10457 / Folio 697), subject to the following conditions:**

- 2.1. The location and details of the sign shown on the endorsed plan including the actual advertisement and colours must not be altered except with the written consent of the Responsible Authority.**
- 2.2. Flashing or intermittent lighting must not be used in the sign permitted by this permit.**
- 2.3. The sign permitted by this permit must not be floodlit or illuminated by external lights except with the further written consent of the Responsible Authority.**

REPORT NO: SU480 (cont.)

- 2.4. The sign(s) permitted by this permit must be maintained in good condition to the satisfaction of the Responsible Authority.
- 2.5. The sign(s) permitted by this permit must be located so as to be wholly contained within the boundaries of the subject land.
- 2.6. Bunting, streamers, flags, windvanes or similar material must not be displayed except with the prior written consent of the Responsible Authority.

**Department of Transport (VicRoads) conditions**

- 2.7. No image may be displayed on the electronic sign for less than 30 continuous seconds.
- 2.8. The luminance of the advertising sign(s) must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m<sup>2</sup>, throughout the driver's approach to the advertising sign.
- 2.9. The control of the electronic signs must be in accordance with the submitted lighting reports, which must form part of any issued Planning Permit:
  - a) Lighting impact assessment Outdoor Signage at 31-69 Western Avenue, Westmeadows, Victoria, for QMS Media Ltd by Electrolight Australia Pty Ltd dated 15 January 2020, reference number 1597.20.
- 2.10. The electronic signs are to be dimmable and have a suitable control system to enable maximum lighting levels to be set or adjusted if deemed necessary by the Responsible Authority or the Department of Transport.
- 2.11. Where illuminated during the day, the signages are to be fitted with Photocell/s (light sensor/s) that measure the ambient light and control system technology that enables the luminance of the signage to automatically adjust relative to the measured ambient light level.

For digital/electronic signage, any change to brightness levels must only be applied during an image transition, not while an image is being displayed.
- 2.12. The transition between images must be instantaneous.
- 2.13. The advertising content of the sign must not:
  - a. Consist of more than one static image at a time.
  - b. Contain any animation
  - c. Consist of a sequence of images giving the illusion of movement from one image to the next.
  - d. Contain or consist of images which are capable of being interpreted as projections beyond the face of the advertising screen, such as through the use of 3D technology.
  - e. Contain or consist of video, music or television broadcasts.
  - f. Contain or consist of present-time or other contemporary update information such as relating to news, weather or time.
  - g. Contain any flashing, blinking, brightening or fading elements that create the illusion of movement or change.
  - h. Be capable of being mistaken for a traffic signal or traffic control device. This includes the use of red, amber or green circles, octagons, crosses or triangles.
  - i. Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes the use of the wording stop, give way, slow, turn left or turn right.

REPORT NO: SU480 (cont.)

- 2.14. The advertising area must not be split into 2 screens (horizontally or vertically) with different messages.
- 2.15. The signs and advertising content must not dazzle or distract road users' due to its colouring or content.
- 2.16. The signs and any displayed advertisements must not include ancillary extension, embellishment or accessorisation within or outside the permitted advertising area, unless VicRoads has agreed in writing, prior to the installation.
- 2.17. The use of sound or motion to activate the signs is not permitted.
- 2.18. The use of sound to interact with any road user is not permitted.
- 2.19. The advertising sign must be shut down and cease to form any form of visual display (and must remain in shut down mode until the issues are resolved) in the event of:
  - a. An attack by a computer hacker, virus or similar resulting in the unauthorised display of visual images or messages.
  - b. Any malfunction of the advertising signs.

Permit expiry:

- 2.20. The approved sign must be erected and displayed within two years of the date of issue of this permit. Notwithstanding Condition 21, this permit will expire if the signs are not erected and displayed in accordance with this condition.
- 2.21. This permit expires fifteen years after the date it is issued. To allow the sign to continue to be displayed, a new application must be made to the Responsible Authority.

NOTES:

- If a request for an extension of commencement/completion dates is made out of time allowed by condition, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

Melbourne Airport Note

- Melbourne Airport consent for this application is based upon the signage not exceeding 53.5 cd maximum luminous intensity at three degrees above horizontal, so as to prevent visual distraction to pilots.

3. PROPOSAL:

- 3.1 The proposal seeks to obtain permission for the display of an electronic major promotion sign. The specifics of the proposal are as follows:
  - Display of a single faced, pole-mounted electronic major promotion sign, to be located within the north-western corner of the site. The sign will display varying images, which will have a minimum dwell time of 30 seconds, with an instantaneous transition between images. The images will be static images only, and not be animated or moving.
  - The sign is to be sited on the north-western corner of the title boundaries and setback a maximum of 5.18 metres from the western title boundary, angular to the alignment of the title boundary. The single face sign is to be orientated towards in a south-east direction, orientated to be visible to northbound traffic along the Tullamarine Freeway.
  - The single faced sign comprises of a digital display area of 18.75 metres x 4.49 metres (84.19 square metres). A 1 metre border bounds the southern section of the display area, which will also contain a small logo box (1.8 metre x .0.75 metre) and a 50 millimetre black frame will run the perimeter of the sign. This results in an overall face dimension of 5.49 metres x 18.75 metres (102.93 square metres).

**REPORT NO: SU480 (cont.)**

- The sign has a width of 1.2 metres.
- The sign is to be displayed on a single pylon structure constructed of black mesh (Colourbond “night sky” colour). The pylon has a height of 8 metres from the ground level, resulting in the sign having an overall height of 13.49 metres above the ground level. The pylon has a diameter of 1.2 metres.
- No vegetation is proposed to be lopped, destroyed or removed to accommodate the sign or the structure. The sign structure does not result in the loss of any on site car parking, accessways or buildings associated with the existing use and development occurring on site.
- All cabling to the sign is to be placed underground.

**4. SITE AND SURROUNDS:**

- 4.1 The subject site (legally described as Lot 3 on PS426125E, Volume 10457 / Folio 697) is irregular in shape and is located on the southern side of Western Avenue, Westmeadows. The site has a frontage of approximately 287 metres to Western Avenue (northern property boundary), depth of approximately 211 metres (eastern property boundary) and 119 metres (western property boundary). The site abuts the Tullamarine Freeway, with a dimension of approximately 255 metres on the south-western property boundary. A verge adjoins this boundary, providing separation between the subject site and the Tullamarine Freeway. This results in an overall lot yield of approximately 6 hectares.
- 4.2 The site is developed with an existing building, currently occupied by Zagame Autobody. This is situated within the eastern portion of the site. The building is a modern structure and has an irregular shaped footprint. The structure has a wide presentation to the Tullamarine Freeway and is generally two storey height, with some elements that extend to three stories in height. Vehicle access to the site is provided via a vehicle crossing to Western Avenue along the northern property boundary. Carparking is provided within the front setback of the building and the western portion of the site. Landscaping is found throughout the site, including a row of planted trees along the northern property boundary adjoining Western Avenue.
- 4.3 Existing signs are found dispersed thorough out the site, including the following:
- An existing freestanding promotional sign facing Western Avenue measuring 8 square metres.
  - Existing directional signs internal to the site measuring 2 square metres.
  - An existing business identification sign mounted to the south-western façade of the building measuring 14 square metres. This sign displays the business name Zagame Autobody and is not electronic.
  - An existing freestanding major promotional sign facing the Tullamarine Freeway measuring 30 square metres. This sign is placed below the height of the building and is used to display promotional material. This sign is not animated or electronic and is aligned parallel to the southern title boundary.
  - The building also incorporates a feature advertising sign structure, located on the southern elevation constructed of glass and steel in a spiral formation. This feature element currently displays ‘Zagame Automotive’ in black text lettering. Overall, this structure has an area of approximately 26.5 square metres; however, the sign details form only a small part of its composition. This structure sits above the height of the existing building and those of the surrounding sites. The site was formerly occupied by The Age publication, and this structure was originally installed to represent a rolled newspaper.

**REPORT NO: SU480 (cont.)**

- 4.4 The surrounding area is characterised by land within a common zoning of Commercial 2 Zone. This includes the land to the immediate north, east, south and west of the subject site. The subdivision pattern within the surrounding area includes lots of varying sizes and configurations, ranging from 2000 square metres to larger parcels up to 6 hectares in size. The surrounding is generally commercial and industrial in nature including warehouse style developments of small and large scales, some modest industrial uses, and large open-air privately-operated airport car parking facilities. There is also an emergency services facility (Tullamarine Ambulance Station) within the area and some food and drinks premises.
- 4.5 Advertising signs including business identification and promotional signs are regular features of the surrounding area. Major promotion, business identification and directional signs are sited on the subject site and the site located directly south-east of the subject site (9-11 International Drive, Westmeadows). It is also noted there is a pending VCAT appeal relating to 9-11 International Drive to vary the existing major promotion pylon sign from a single faced to a two-faced sign (which is proposed to contain a 67.7 square metre display size on each face). Large business identification signs are also situated at the Europcar and Jetport Airport Parking facilities located on the opposite side of the freeway reserve to the south of the subject site (70 Garden Drive).
- 4.6 The surrounding area is generally bounded and traversed with major arterial roads including the Tullamarine Freeway and Mickleham Road. Further south of the surrounding area is the Western Ring Road. Overhead directional signs are found along these arterial roads.
- 4.7 The closest residentially zoned land is found approximately 200 metres north of the Western Avenue title boundary of the subject site. These properties are generally developed with single residential dwellings with some multi-dwelling infill developments. The subject site does not have any direct interfaces with any residentially zoned land.
- 4.8 The site is located approximately 2.2 kilometres south-east of the Melbourne Airport.

**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 and include the recently approved amendments.

***Planning Policy Framework:***

- Clause 11.01-1R Metropolitan Melbourne
- Clause 13.07-1S Land Use Compatibility
- Clause 15.01-1S Urban Design
- Clause 17.01-1S Diversified Economy
- Clause 17.02-1S Business
- Clause 18.02-3S Road System
- Clause 18.04-1S Planning for airports and airfields
- Clause 18.04-1R Melbourne Airport

***Local Planning Policy Framework:***

- Clause 21.04 Built Environment and Heritage
- Clause 22.09 Advertising signs local policy

***Zone:***

- Clause 34.02 Commercial 2 Zone

***Overlays:***

REPORT NO: SU480 (cont.)

Clause 45.08 Melbourne Airport Environs Overlay (Schedule 1 and Schedule 2, in part).

**Particular provisions:**

Clause 52.05 Advertising

Clause 65.01 Approval of an application or plan

5.2 The above policy framework objectives broadly seek to:

- Recognise development within settlement boundaries.
- Protecting community amenity while facilitating appropriate commercial, industrial and other land uses with potential off-site effects.
- Ensuring that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads and the airport.

The following policy framework apply specifically to signs:

- Clause 22.09 of the Scheme provides a sign policy local to Hume City Council. This policy contains specific objectives relating to signage including the purpose of maintaining attractive and orderly appearances in a manner that does not detract from character and amenity, in an appropriate scale and siting as to avoid or reduce visual clutter. This policy also places an emphasis on considering the appropriate placement of signs, especially regarding site context and streetscape character. It also seeks to limit larger sized signs from rural and residential areas, and to provide suitably located, directed and baffled lighting to prevent light spill beyond any title boundaries.
- Clause 52.05 of the Scheme provides the planning permit trigger for the proposal and seeks to regulate the development of land for signs in a compatible manner to the area whilst ensuring they do not contribute to excessive visual clutter or disorder. It also seeks to prevent amenity losses and maintain the safety, appearance and efficiency of the land. Category 1 of Clause 52.05-11 is the applicable category of signs as per Clause 34.02-8 of the Scheme. This category provides the minimum level of limitation for signs and seeks to provide for both identification and promotion signs that add vitality and colour to commercial areas.

**6. REFERRALS:**

- 6.1 The application was referred to the Department of Transport (VicRoads) as a Determining Referral Authority pursuant to Clause 66.03 as the proposal seeks to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004.
- 6.2 The Department of Transport (VicRoads) did not object to the proposal subject to conditions.
- 6.3 The application was also referred to the Melbourne Airport and CASA, who did not object to the proposal subject to conditions.

**7. ADVERTISING:**

- 7.1 Public notification requirements for major promotion signs are outlined at clause 52.05-7 of the scheme, which states that applications are only exempt if they are to be constructed on land specified in the schedule to clause 52.05. As there is no schedule, this proposal needs to be advertised.
- 7.2 Public notification of the proposal was undertaken via letters to adjoining land owners and occupiers and a sign on the property frontage (facing Western Avenue).
- 7.3 Three objections were received. One objection was received prior to the commencement of the public notification. Three objections (two new objections and one further objection from the initial objector) were received during the public notification period.

REPORT NO: SU480 (cont.)

7.4 Concerns raised by the objections can be summarised as follows:

- The application is inconsistent with the objectives and policy of Clause 22.09 of the Hume Planning Scheme.
- The application is inconsistent with the decision guidelines of Clause 52.05 of the Hume Planning Scheme.
- Site context concerns including inappropriate siting and design of the sign, poor relationship to the surrounding environment, and overall streetscape response.
- Visual dominance concerns including the height in relation to surrounding buildings.
- Visual clutter, proliferation of existing signs on site and in surrounding area, insufficient separation between existing signs, and potential confusion and obscuring of existing signs.
- Impacts of the proposed sign on the existing glass scroll sign structure, previously installed when the site was occupied by The Age.

7.5 The objections have been reviewed in detail. A brief response to the concerns raised is provided below and addressed in the discussion section below.

7.6 It is considered the proposal results in a satisfactory response to the objectives of Clause 22.09 and Clause 52.06 of the Scheme, and is suitable to both the site context, streetscape and the commercial characteristics of the area. Furthermore, the commercial and highly built form nature of the area are supportive of an electronic major promotion sign as the amenity is not likely to be adversely affected. The luminance proposed (including the variation in lighting conditions) will assist in preventing light spill and are demonstrative of a well resolved proposal. Furthermore, the sign has been designed in a manner to prevent adverse impacts from its lighting and is not considered capable of causing visual clutter due to its siting, and the siting of existing signs. The sign is not considered capable of causing visual dominance (including impacting the existing structures on the site) as the proposed sign is to be sited within the north-western corner of the site and will sit below the height of the existing structures found on the subject site.

## 8. DISCUSSION

8.1 Clause 22.09 and Clause 52.05-8 of the Hume Planning Scheme provides decision guidelines for any sign applications (including major promotional signs). These can be broadly classified into the following key themes:

***Character of the area and visual clutter***

8.2 The subject site is contained entirely within the Commercial 2 Zone, is highly altered and does not contain any heritage value. No landscaping impacts are expected as a result of the sign. Major promotion signs (including electronic and internally illuminated signs) are common features for major arterial roads such as the Tullamarine Freeway. The streetscape for the placement of the sign is adjacent to the Tullamarine Freeway, which is a major arterial road containing multiple lanes of traffic, existing street lighting, and signage interfacing directly to the freeway.

8.3 The proposed major promotion sign is to be placed at a height differing from the heights of existing signs on site and those in the surrounding area, thus providing different viewing points in the streetscape to signs at lower and higher heights. This will assist in reducing the potential for visual clutter and will ensure the sign does not appear to be disorderly or cause any visual confusion. This is consistent with the recent VCAT decision [Drive by Developments Pty Ltd v Mornington Peninsula SC, VCAT 150, 11 February 2020] which related to a pole mounted, major promotion sign to be located on a Highway (Nepean Highway). In relation to visual clutter, the tribunal noted the following discussion in paragraph 28 and 29:



REPORT NO: SU480 (cont.)

*“the sign will be read above the existing collection of signs, and thereby not add to the visual clutter or congestion of signage at, and nearer to, street level. The height of the proposed sign will place the sign at a different viewing position to the other signage in this locality, and result in it being viewed from different locations to the smaller signage closer to street level”.*

*“The proposed sign will be an element noticeably taller than the surrounding built form, but to the primary viewer in this environment, who will be a car driver or passenger, it will become one passing object in a streetscape of different commercial forms”.*

As such, it is considered the character of the area is not anticipated to be impacted by the proposal and the commercial context is suitable for the sign type and size.

***Impacts on views and vistas, views and vistas and significant streetscapes.***

- 8.4 The applicant has supplied streetscape images to assist in this assessment (see below). The sign is to be sited below the line of the buildings on the subject site, including the glass and steel spiral sign structure, and is to be setback significantly from the existing signs on the subject site, specifically within the north-western corner of the site.
- 8.5 The site is immediately adjoined to the north by an existing commercial building (‘Specific Freight’) which is setback closely to their title boundary. The sign will sit above the height of this wall, however, this building (and those to the north) contains parapet wall elements at varying heights which will assist in ensuring the introduction of the sign will not be at odds with any predominant building or wall heights. In addition, the existing ‘Specific Freight’ sign is affixed to the external wall, facing directly onto the Tullamarine Freeway frontage, ensuring the proposed sign will not impede its view.

***Relationship to the streetscape, setting or landscape and building and locational principles***

- 8.6 The subject site contains large scale buildings including parapet elements and the existing glass and steel spiral sign structure which sits higher than all the surrounding buildings. The sign is to be situated away from all the existing signs, all of which are not internally illuminated or electronic in nature. No landscaping is to be impacted by the proposal and the height of the structure will not impede the ability to undertake modest understorey landscaping in the future. The height of the sign provides a transition from the built form to the north of the site, and the large sized buildings on the subject site. This ensures the proposal provides a suitable response to the streetscape, setting and landscape; and, to the proportions of the site and existing buildings and its surrounds.
- 8.7 The sign is supported by the commercial context with regards to the locational principles of Clause 52.08-8 of the Scheme. Furthermore, the sign is to be sited within a currently vacant and under utilised portion of the subject site, providing a positive enhancement and contributing to the site’s vitality. The Tullamarine Freeway is not a scenic route but is a major arterial road, which lacks any significant landscaping or forested areas.

***Impact of structures and logo box associated with the sign***

- 8.8 The sign is proposed to be displayed on a single pylon, which does not require the removal of any vegetation, and is to be comprised of mesh steel which will reduce its visual impact. The impact associated with the structure is considered appropriate given it has a simple form and is appropriate to the commercial context of the site.
- 8.9 The proposed sign includes a section at the bottom which contains an area for a logo box (measuring 1.8 metre x 0.75 metre). This forms a small component of the sign and the sign structure and is positioned to allow for its identification. As such, the logo box is considered acceptable.

***Impact of any illumination***

- 8.10 The illumination of the sign has been considered with regards to glare and illumination for pedestrians and vehicles and found to be satisfactory. This is supported by the Lighting Impact Assessment, prepared by Electro Light, 18/02/2020, Rev. B, submitted

REPORT NO: SU480 (cont.)

with the application which concludes that the sign complies with relevant Australian Standards and the referral responses from the Department of Transport (VicRoads), CASA and Melbourne Airport. The sign has been designed in a manner that allows for luminance intensity to be altered in accordance with relevant Australian Standards. This includes the following luminance levels for the digital advertisements:

LUMINANCE LEVELS FOR DIGITAL ADVERTISEMENTS		
Lighting Condition	Max Permissible Luminance (cd/m2)	Compliant
Full Sun on face of Signage	No Limit	✓
Day Time Luminance (typical sunny day)	6000	✓
Morning and Evening Twilight and Overcast Weather	700	✓
Night Time	350	✓

*Luminance level details (excerpt from the Lighting Impact Assessment, prepared by Electro Light, 18/02/2020, Rev. B, p. 9)*

- 8.11 The single faced nature of the sign limits the advertising area of the sign and any potential light spill. Given it is to be placed in the north-western most corner of the site, it also allows for the sign to be visible only from the freeway and internally from the site which restricts visual impacts to adjoining tenancies. In addition, the lack of any residential interfaces will ensure the illumination does not pose any amenity impacts to the wider area. Therefore, the illumination of the sign is considered satisfactory.

***The need for identification and the opportunities for adequate identification on the site or locality***

- 8.12 The site contains existing identification and promotion signs dispersed amongst the site. This includes a major promotion sign (static sign) along the Tullamarine Freeway aspect of the site. The Zagame Autobody business identification includes clear simple lettering, including on the glass and steel spiral structure which provides differentiation to the other promotional style signs. Given the considerable size of the subject site and the dispersal of signs throughout, the site is considered able to accommodate a promotion sign of this style without it dominating the site.

***Road safety and airport function***

- 8.13 In relation to road safety and airport function, the Department of Transport (VicRoads), CASA and the Melbourne Airport have reviewed the proposal (including the lighting assessment submitted by the permit applicant, prepared by Electro Light Australia Pty Ltd, 18/02/2020) and found the proposal to be satisfactory subject to conditions. Furthermore, it is noted that the sign is to be located away from the overhead directional signs along the Tullamarine Freeway which will assist in ensuring the sign does not contribute to any confusion to drivers.

As noted by CASA, the height of the sign will be below the height of surrounding structures and the light from the sign is likely to be projected downwards rather than in the sightline of inbound aircraft. The Department of Transport (VicRoads) also consented to the proposal subject to conditions. Their conditions will ensure the sign remains consistent with this decision guideline including ensuring the sign does not dazzle or distract drivers or display content that could be construed as driving instructions. Therefore, it is considered the proposal is not likely to contribute to road safety risk. The Department of Transport (VicRoads) also confirmed that the distance between the proposed sign and the directional overhead signage on the Tullamarine Freeway is sufficient to ensure that distraction from drivers will not occur.

**REPORT NO: SU480 (cont.)**

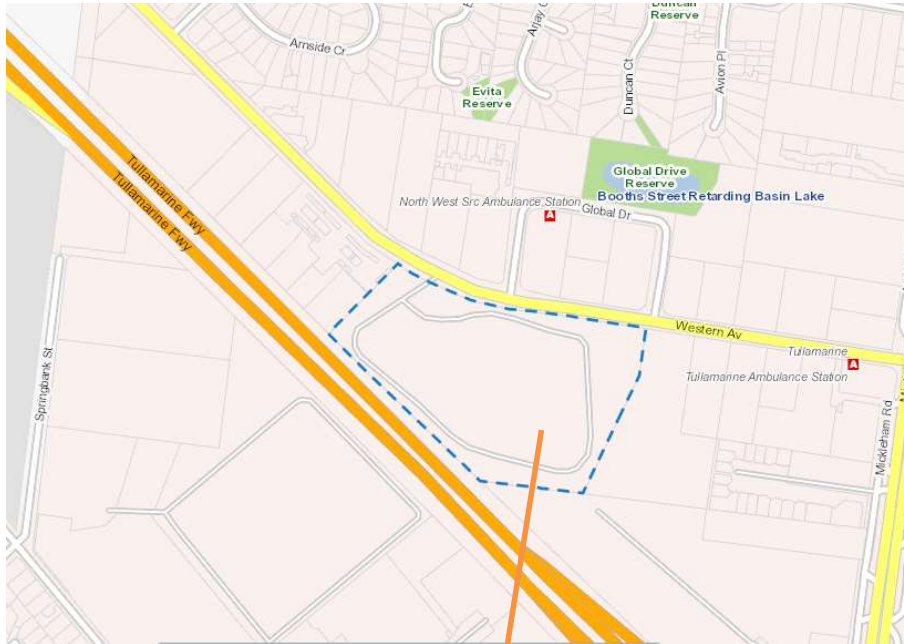
**9. CONCLUSION**

- 9.1 The application has been assessed against the relevant provisions of the Hume Planning Scheme, including planning policy frameworks. Referral comments have also been sought from the Department of Transport, Melbourne Airport and CASA in the assessment of the application.
- 9.2 In summary, the proposal provides a suitable response to the applicable decision guidelines for all signs and for those relating to major promotional signs in accordance with Clause 52.08-8 of the Scheme. It is recommended that the proposal is conditionally supported.

# LOCALITY MAP

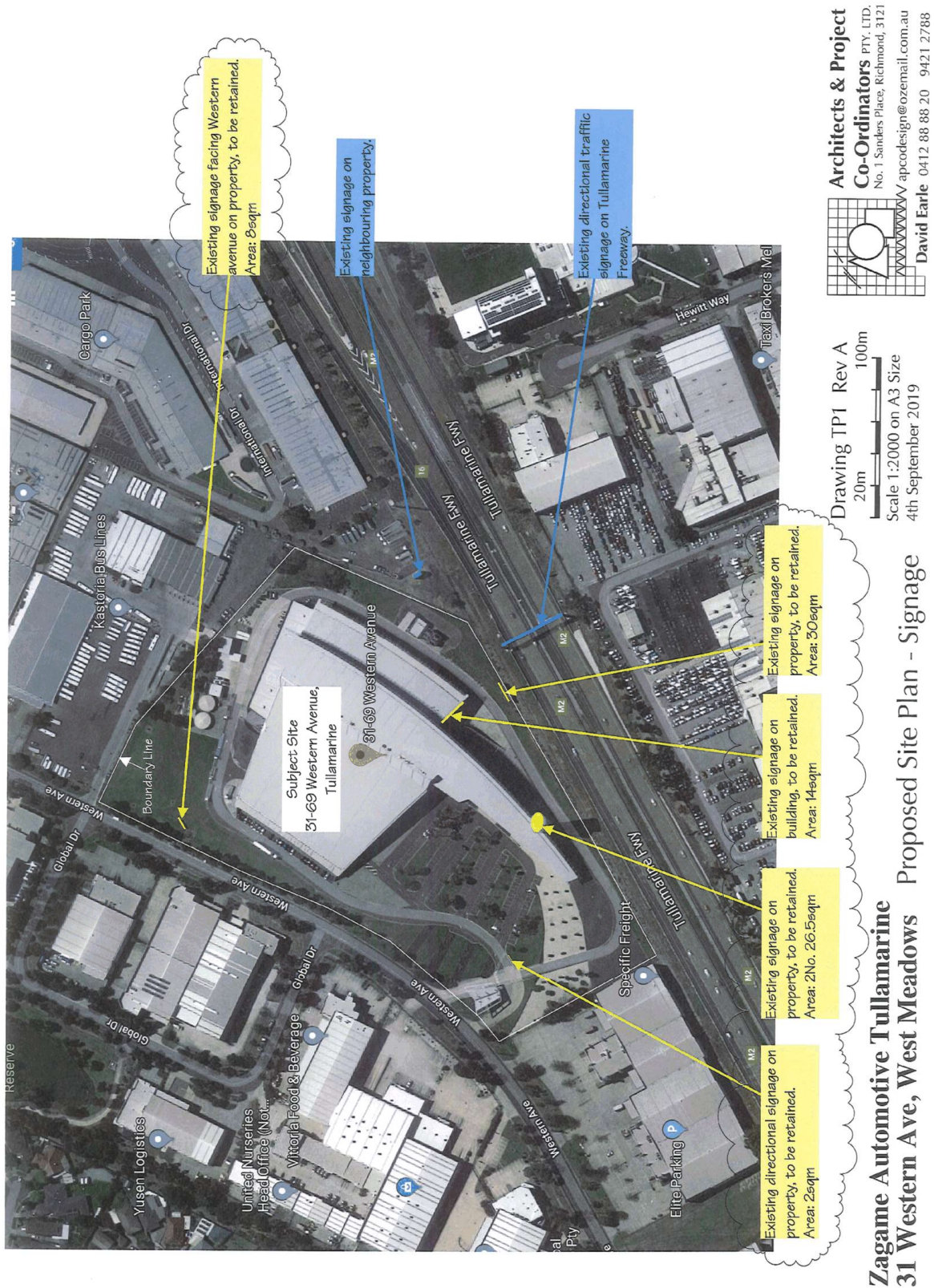
P22379

31-69 Western Avenue, Westmeadows



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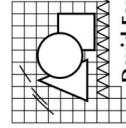
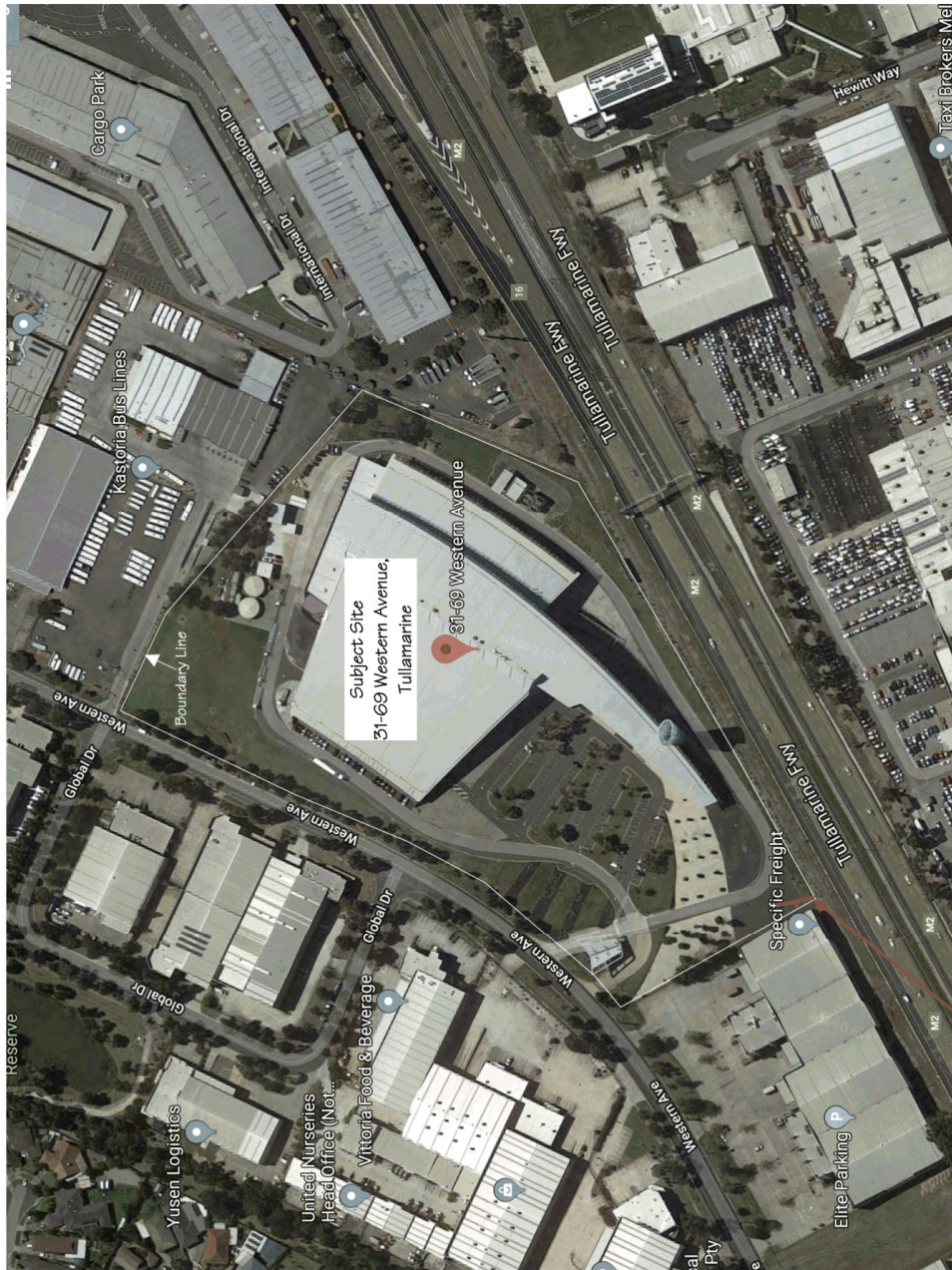


**Architects & Project Co-Ordinators**  
 No. 1 Sandes Place, Richmond, 3121  
 apcodesign@ozemail.com.au  
**David Earle** 0412.88.88.20 9421.2788

Drawing TP1 Rev A  
 Scale 1:2000 on A3 Size  
 4th September 2019

**Zagame Automotive Tullamarine**  
**31 Western Ave, West Meadows** Proposed Site Plan - Signage





**Architects & Project Co-Ordinators**  
 Co-Ordinators PTY. LTD.  
 No. 1 Sanders Place, Richmond, 3121  
[www.apcodesign@ozemail.com.au](http://www.apcodesign@ozemail.com.au)  
**David Earle** 0412 88 88 20 9421 2788

Drawing TP2 Rev B  
 20m 100m  
 Scale 1:2000 on A3 Size  
 17th January 2020

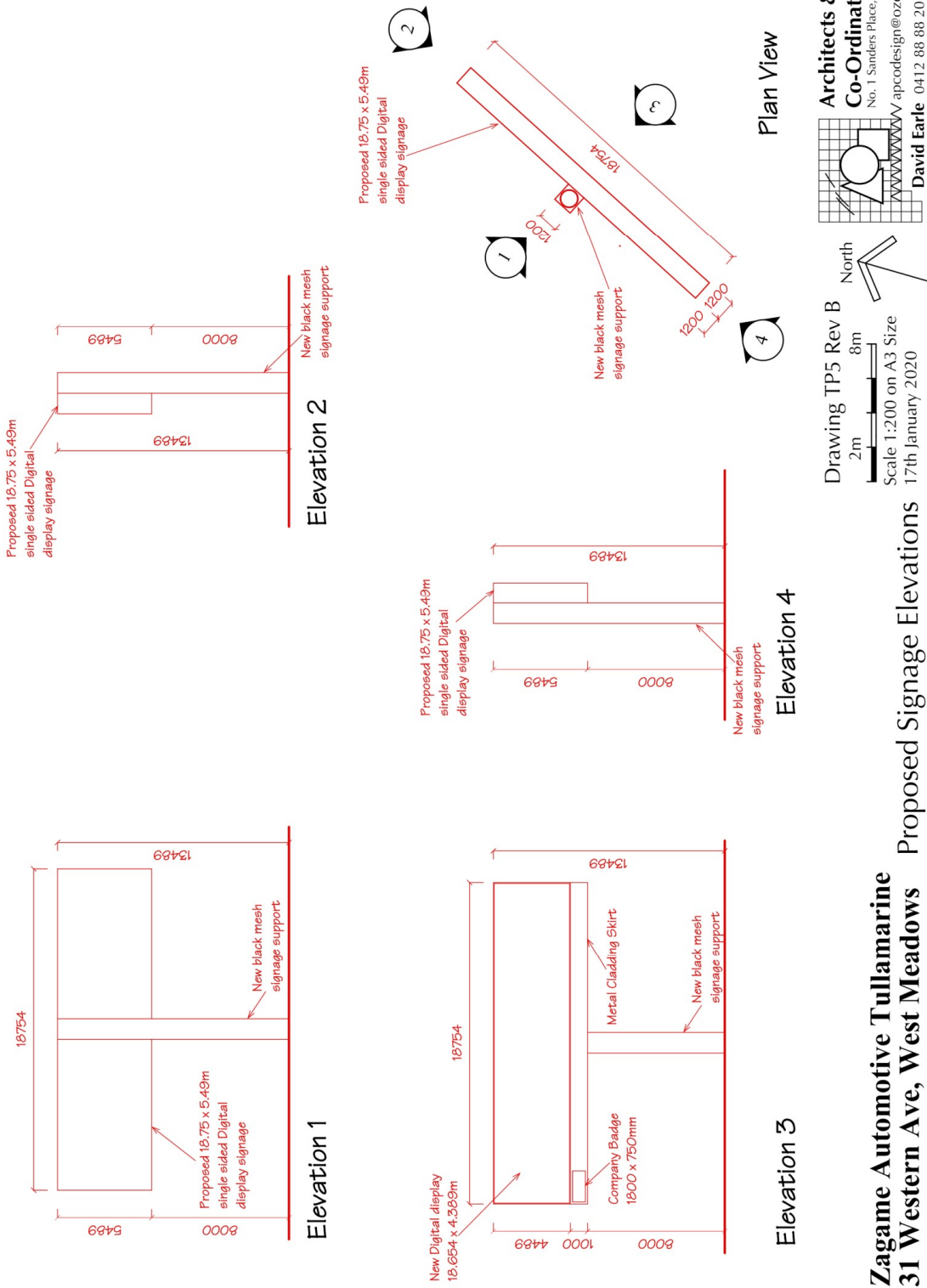
**Zagame Automotive Tullamarine  
 31 Western Ave, West Meadows**

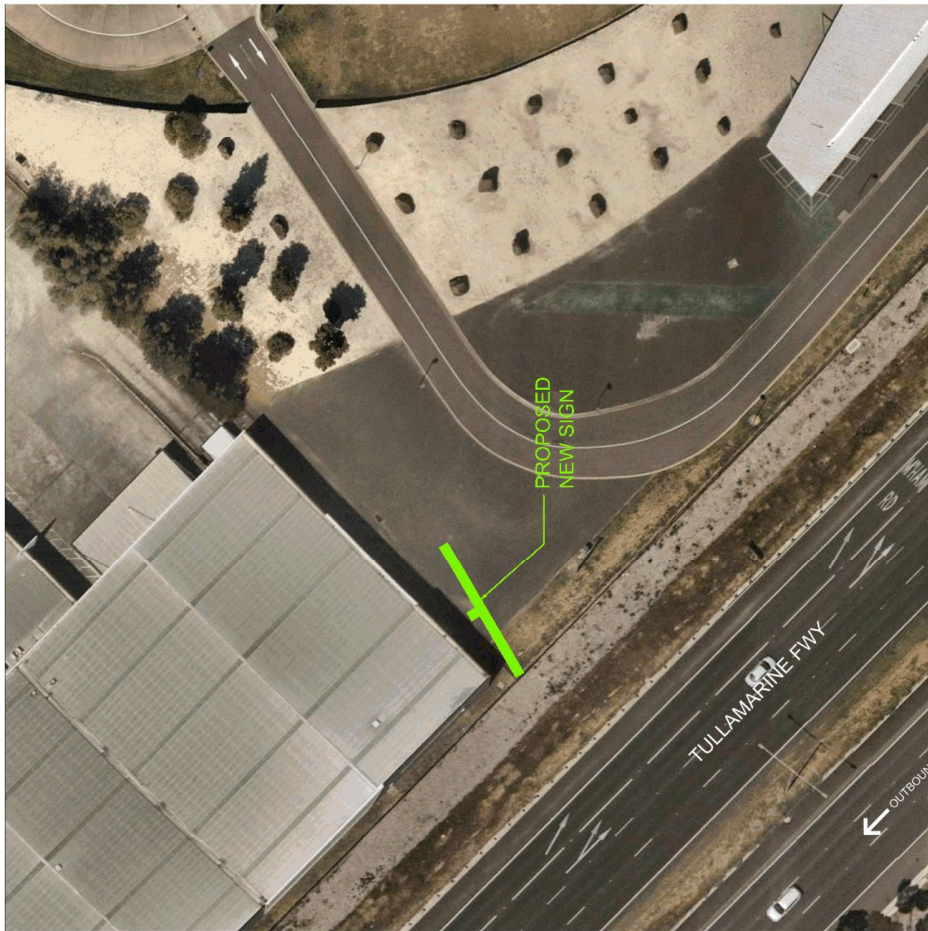
Design response







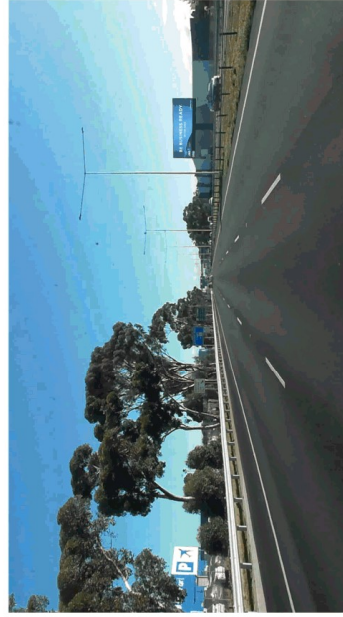




AERIAL PHOTO  
SCALE 1:500



EXISTING PHOTO



ALTERED PHOTO



**OutdoorElements**  
Outdoor Elements Pty. Ltd.  
59 Derimut Drive, Derimut, VIC 3030.  
Tel: (03) 9394 1111, Fax: (03) 9394 1555  
www.oel.com.au

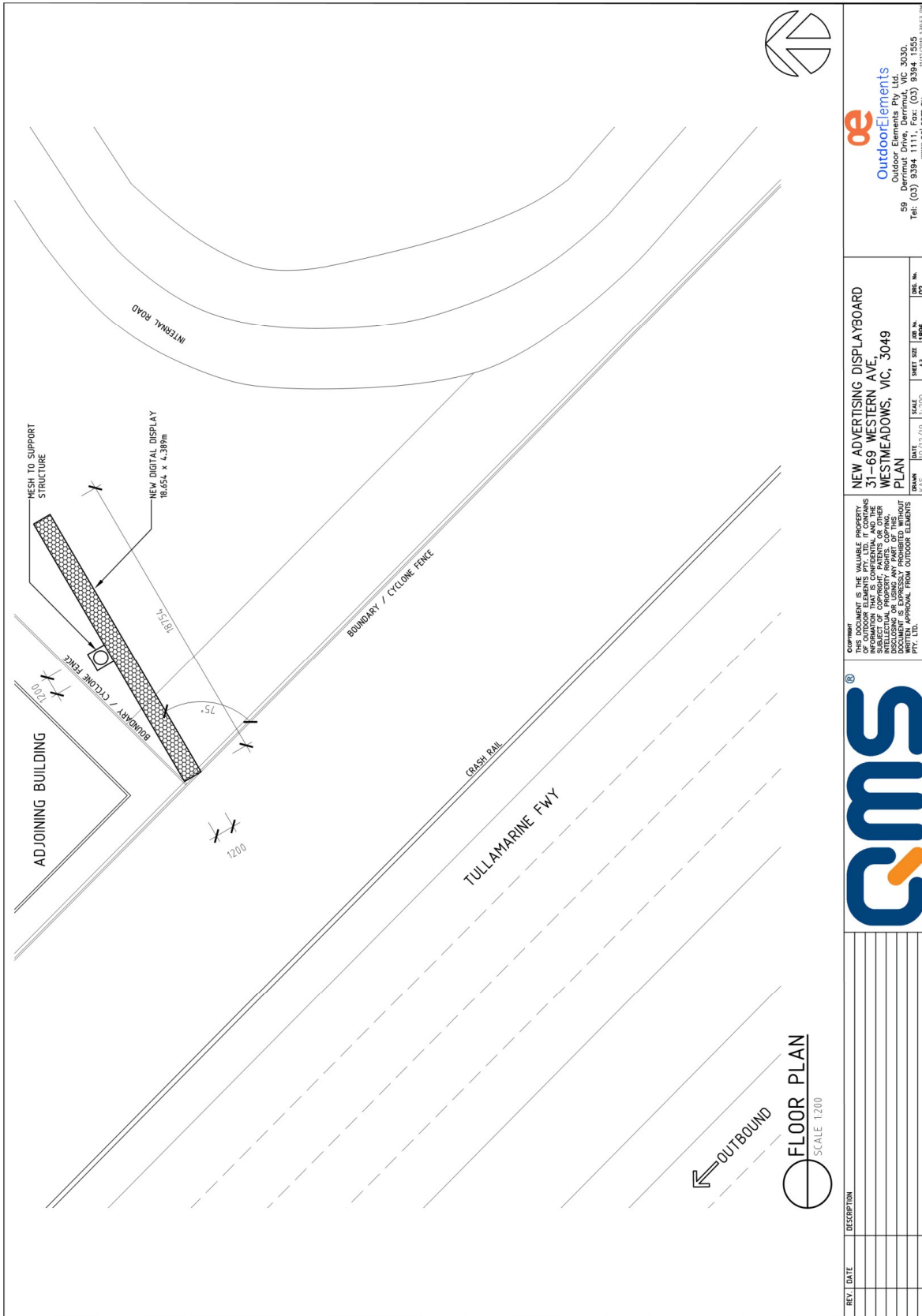
NEW ADVERTISING DISPLAYBOARD  
31-69 WESTERN AVE,  
WESTMEADOWS, VIC, 3049  
AERIAL & PHOTOS

DRAWN: 1:25 DATE: 10/12/19 SCALE: A3 SHEET SIZE: 1:2500 DWT. NO.: 01

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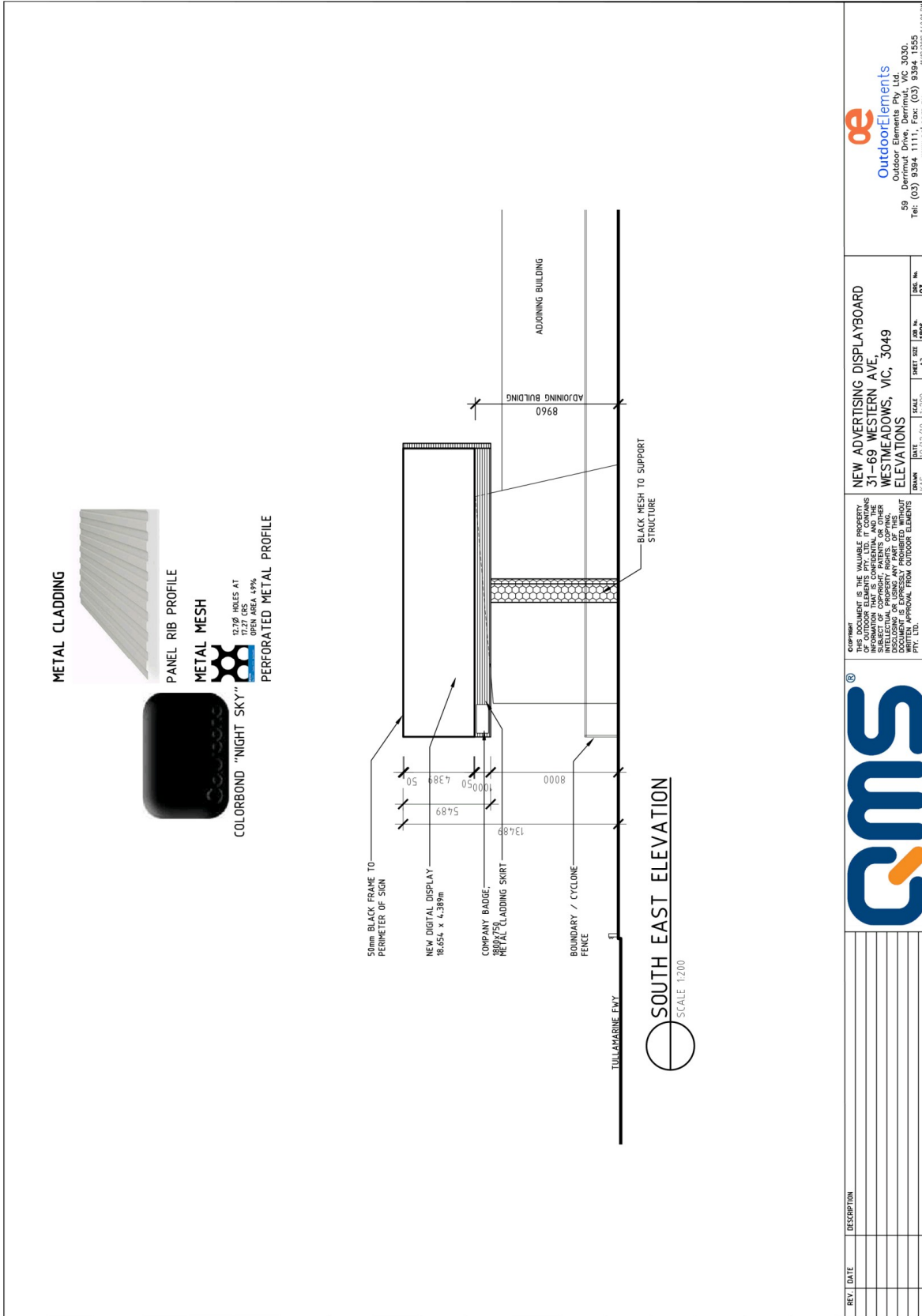
**OutdoorElements**  
 Outdoor Elements Pty. Ltd.  
 59 Derrimut Drive, Derrimut, VIC 3030.  
 Tel: (03) 9394 1111, Fax: (03) 9394 1555  
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 www.oel.com.au

DRWING	DATE	SCALE	SHEET NO.	TOTAL SHEETS
1/25	10/12/19	1:200	43	188

**NEW ADVERTISING DISPLAYBOARD**  
**31-69 WESTERN AVE,**  
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REV.	DATE	DESCRIPTION

**cms**







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<b>REPORT NO:</b>	SU481
<b>REPORT TITLE:</b>	Statutory Planning Monthly Report April 2020
<b>SOURCE:</b>	Danielle Kos, Coordinator Continuous Improvement Planning and Building
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	-
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	Nil

---

**1. SUMMARY OF REPORT:**

This report incorporates the VCAT appeals update and decisions made by Council officers under delegation for the month of April 2020. 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.

1.2 70 permit applications were received in April 2020, down from the 86 applications lodged in March. 40 permits were issued for the month; slightly down from the 50 permits issued the previous month.

1.3 Eight applications were closed off in April. The number of total outstanding applications increased from 454 in February to 471 in April.

1.4 The percentage of applications decided in 60 days or less decreased to 43% for the month of April, dropping from the 60% achieved last month.

1.5 The average number of gross days taken to determine planning applications rose from 72 in February to 86 in March, which is still well below the Growth Area and Metropolitan Area Council average, with figures of 141 and 117 days respectively for March.

1.6 The percentage of simple applications issued in 60 days or less decreased to 64% for the month of April however the percentage of average applications issued in 60 days or less remained consistent at 55% over March and April. No complex applications were issued in April.

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

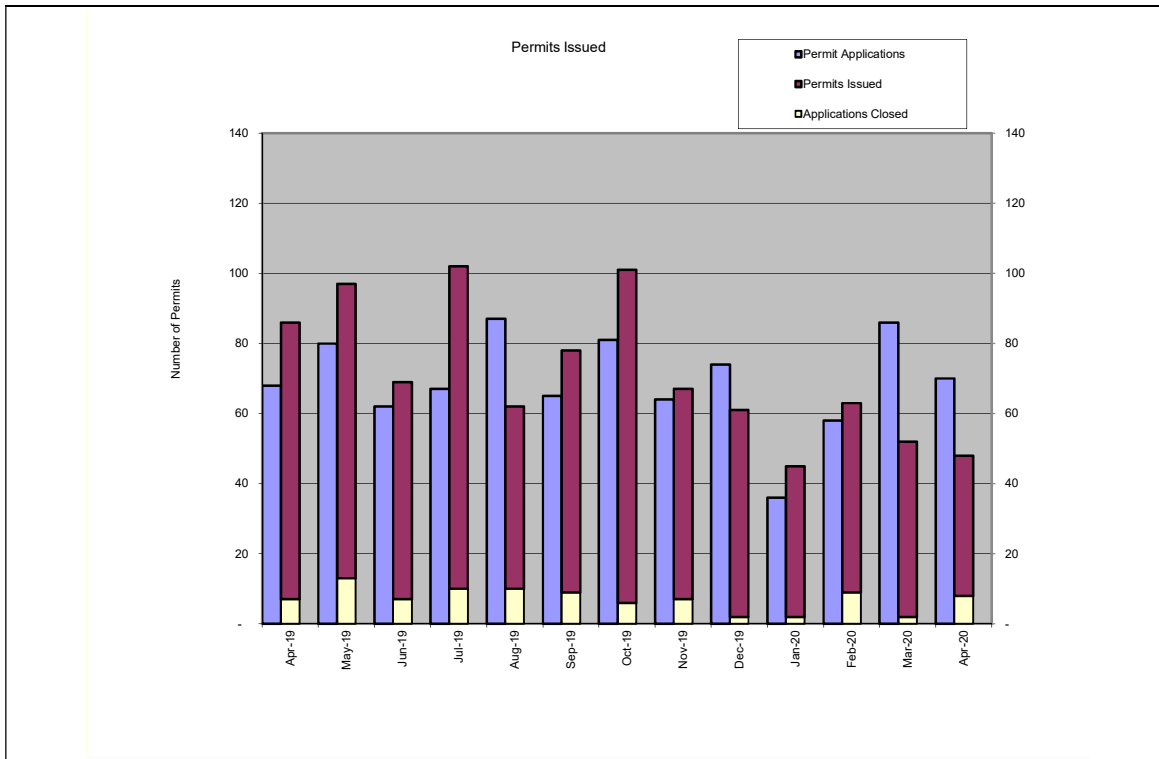
**1.8 Delegated matters**

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.



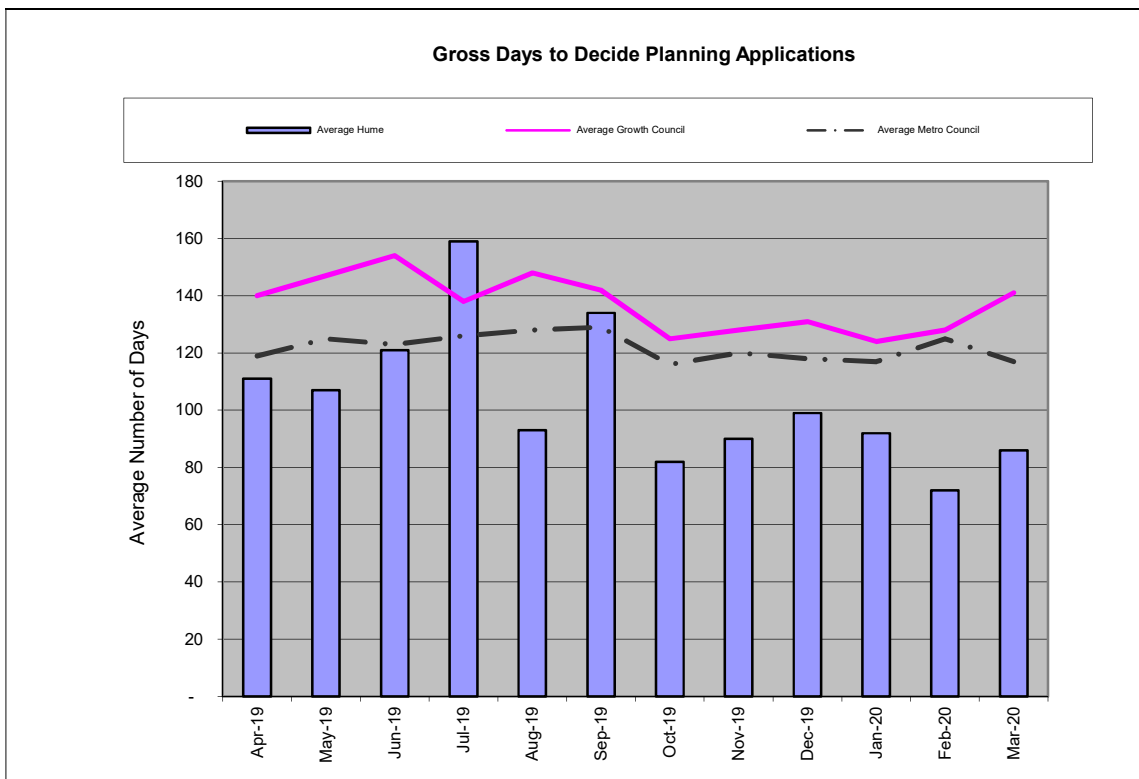
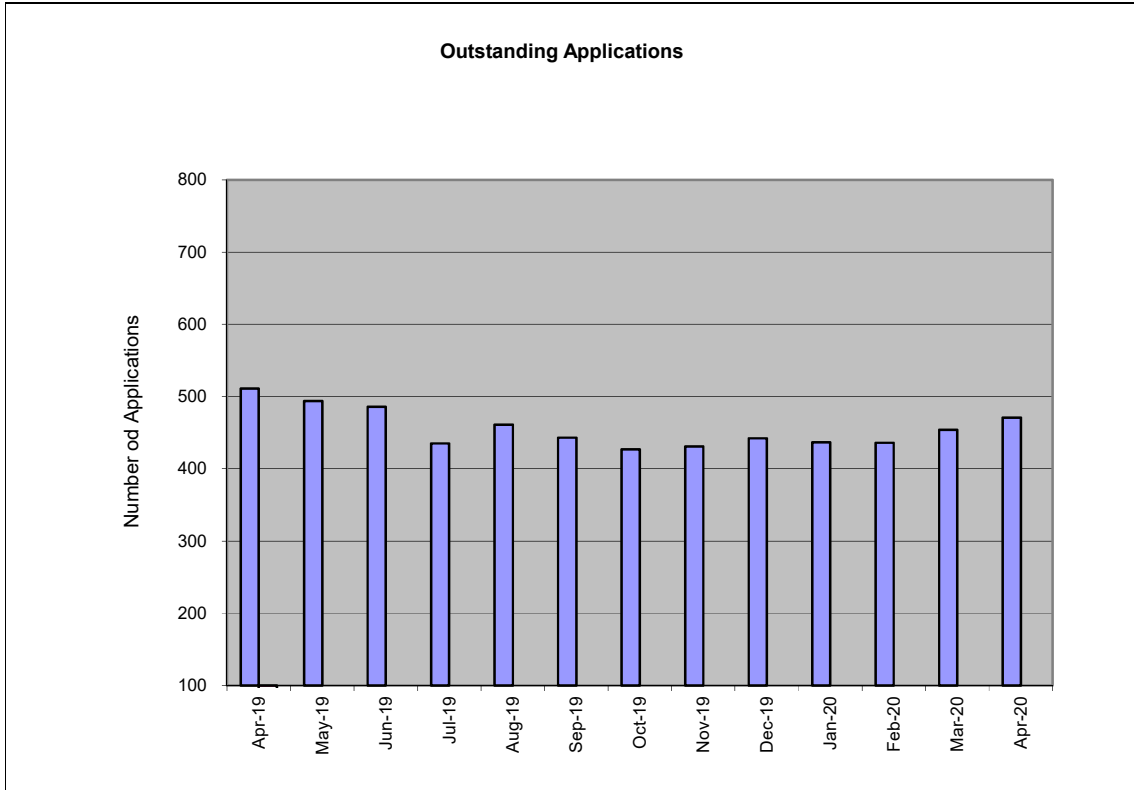
REPORT NO: SU481 (cont.)

2. RECOMMENDATION:  
 That the report be noted.

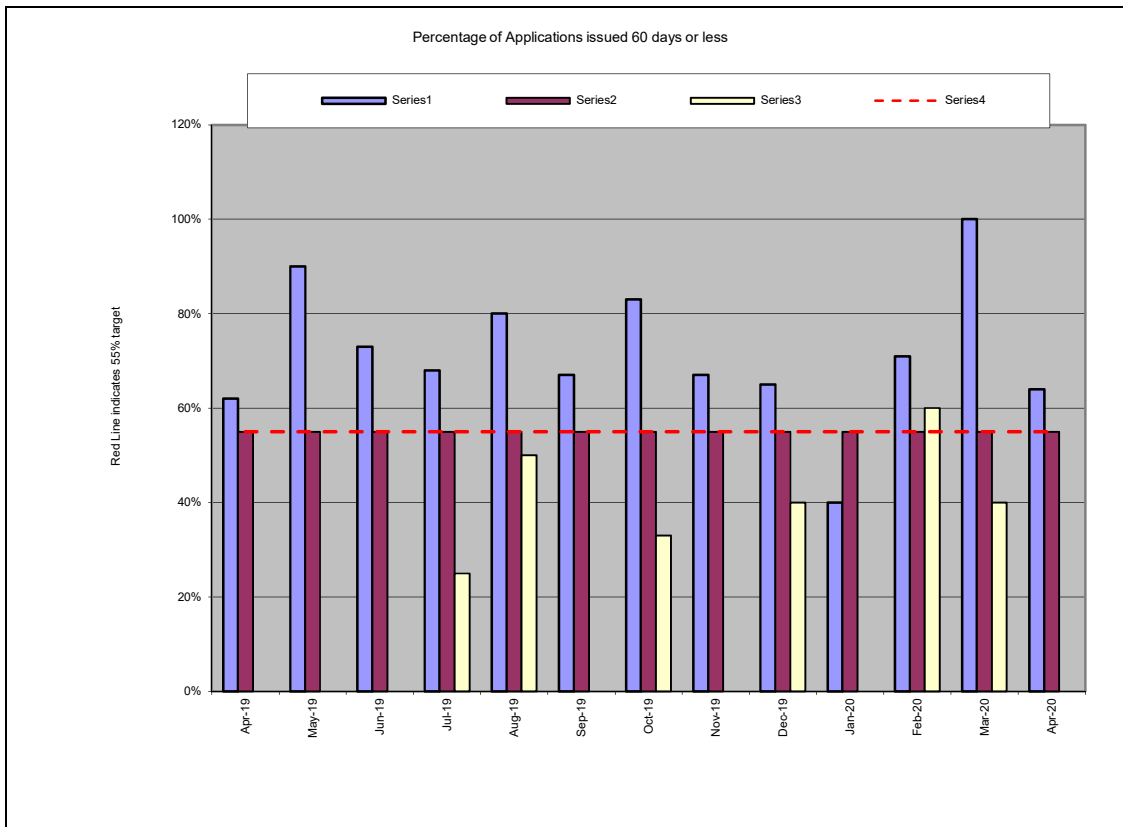
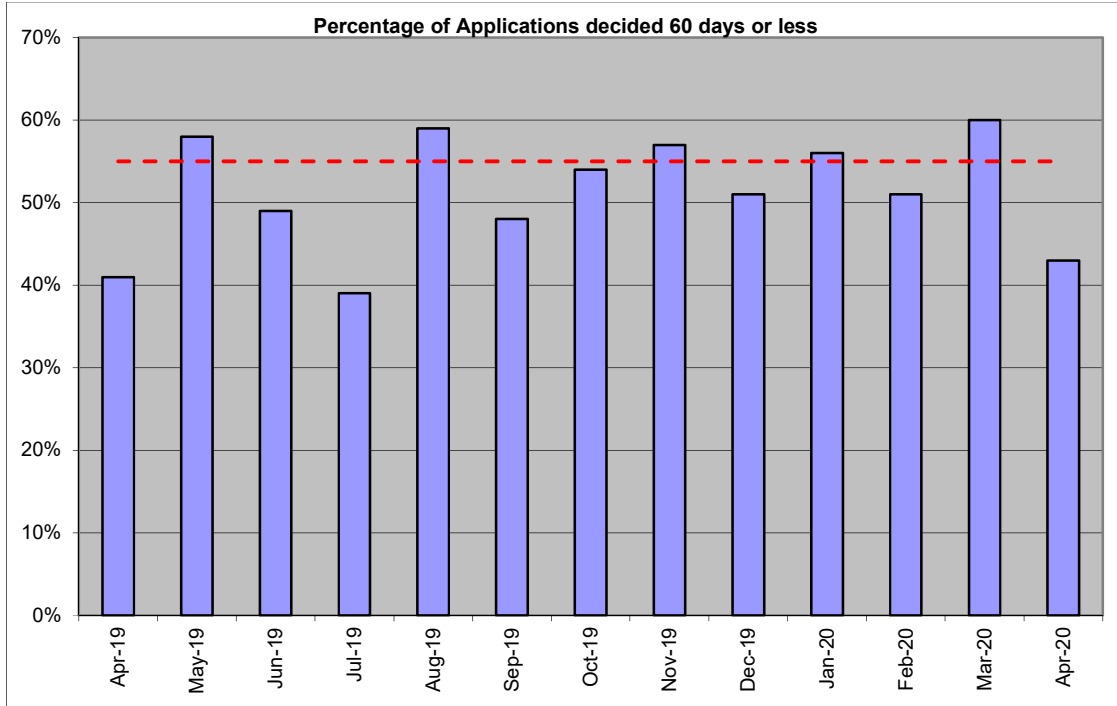


\*Permits issued include: Permits, VicSmart, permit from NOD, VCAT Permit (including S72)  
 \*Applications closed includes: prohibited, no permit required, withdrawn, cancelled, lapsed and, failure to determine (including S72)  
 (not included are Notices of Decisions and Notices of Refusals)

REPORT NO: SU481 (cont.)



REPORT NO: SU481 (cont.)



REPORT NO: SU481 (cont.)

3. APPEAL DECISIONS TO DATE:

- 3.1 This report includes all VCAT decisions received in the month of April 2020. It also includes the current month prior to the Council meeting to give Council a more up to date report on VCAT decisions. One decision has been received since the last Council meeting, with no initiating orders received in that time. VCAT has announced that all non-essential hearings (including compulsory conferences) have been adjourned for the foreseeable future as a result of COVID19. Consequently, no planning applications will be determined at the Tribunal until further notice.
- 3.2 VCAT issued a decision (without a hearing) dated 6 May 2020 which confirmed that the grounds of refusal for Planning Permit Applications P22383 and P22377 amount to a refusal by Council to grant a planning permit on the basis that the land at 670 & 680 Somerton Road Greenvale is or will be needed for a public purpose in accordance with section 98(2) of the *Planning and Environment Act 1987*.
- 3.3 This land is covered by the Public Acquisition Overlay (Schedule 1). The Department of Transport (VicRoads) have identified that part of this land is required for the construction and widening of Somerton Road. Consequently, this portion of the land cannot be built upon and Council are obliged to refuse an application for planning permit.
- 3.4 VCAT's confirmation of Council's decision to refuse a planning permit now allows the permit applicant to seek compensation from the Department of Transport for the land to be acquired under the *Land Acquisition and Compensation Act 1986*.
- 3.5 The following table lists all current matters awaiting a hearing at the Tribunal:

APP. NUMBER	PROPOSAL	ADDRESS	DECISION	APPEAL TYPE	DATE	STATUS
P13310	Stone extraction without permit	40 Batey Court, Bulla	Enforcement Order	Submitted by Council	Date to be set down	To be heard
P21005	Development of a double storey dwelling to the rear of the existing	34 Midford Crescent, Craigieburn	Appeal against refusal to grant a permit	Appeal by applicant	25 May 2020	To be heard
P19725	Buildings and works for the construction of retaining walls; earthworks including cut and fill; and earthworks to create a batter to the western edge of the site together with associated landscaping	40 McNabs Road, Keilor	Enforcement order	Submitted by Council	23 Apr 2020	To be heard
P21120	44 lot subdivision	35 Carroll Lane, Greenvale	Appeal against failure to determine application within the statutory timeframe	Appeal by applicant	29 Jul 2020	To be heard

REPORT NO: SU481 (cont.)

APP. NUMBER	PROPOSAL	ADDRESS	DECISION	APPEAL TYPE	DATE	STATUS
P22382 & P22377	Use of the land for a child care centre, service station, medical centre and shops, buildings and works, removal of native vegetation, removal of easement E1, erect signage and illuminated business signs and a 3 lot subdivision	670 Somerton Road, Greenvale	Seeking a declaration to confirm that the effect of the Grounds of Refusal is that the land is required for a public purpose.	Appeal by applicant	19 May 2020	VCAT decision dated 6 <sup>th</sup> May 2020 confirmed that the Council's refusal is valid as the land is required for a public purpose
P21457.01	Erect and display a major promotion electronic pole sign	9-11 International Drive, Westmeadows	Appeal against refusal to grant a permit	Appeal by applicant	21 May 2020	To be heard
P21659	Development of two double storey dwellings to the rear of the existing dwelling	15 Denman Court, Sunbury	Appeal against refusal to grant a permit	Appeal by applicant	4 Aug 2020	To be heard

4. MATTERS DETERMINED UNDER DELEGATION:

The following table lists all matters dealt with under delegation between 7 April 2020 and 4 May 2020.

MATTERS DEALT WITH UNDER DELEGATION			
P19586	3 double storey dwellings & 1 single storey dwelling	41 Coopers Hill Drive, Westmeadows	Amended plans endorsed (Secondary Consent)
P22067	Subdivision of land	170 Lancefield Rd, Sunbury	Amended plans endorsed (Secondary Consent)
P16318	2 double storey dwellings & 1 single storey dwelling	23 Sorrento St, Broadmeadows	Extension of Time issued
P18520	9 lot subdivision & removal of restrictive covenant	605 Mickleham Rd, Greenvale	Extension of Time issued
P19702	4 double storey dwellings	12 Longwood Ct, Meadow Heights	Extension of Time issued
P20371	1 single storey dwelling & 3 double storey dwellings	3 Osway St, Broadmeadows	Extension of Time issued
P22466	Development of 3 double storey dwellings & 1 single storey dwelling	83 Pasley St, Sunbury	Amended plans endorsed
P4714.04	Development of retirement village medical centre & restaurant	1350 Pascoe Vale Rd, Coolaroo	Amended plans endorsed
P22054	2 double storey dwellings to rear of existing dwelling	28 Parkfront Cres, Roxburgh Park	Permit issued

**REPORT NO: SU481 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
P22225	Vary restrictive covenant	2 Gillingham Cres, Craigieburn	Permit issued
P22302	2 single storey dwellings to rear of existing	289 Camp Rd, Broadmeadows	Permit issued
P22337	3 double storey dwellings	9 Janice Ct, Fawkner	Permit issued
P22378	1 double storey dwelling to rear of existing	81 Willmott Dr, Craigieburn	Permit issued
P22494	2 double storey dwellings	105 Harker St, Sunbury	Permit issued
P22500	7 warehouses & 7 lot subdivision & reduction in carparking	1-3 Technical Dr, Craigieburn	Permit issued
P22518	9 lot subdivision – Sunbury business park - stage 4	105 Vineyard Rd, Sunbury	Permit issued
P22535	2 warehouses with associated offices & reduction in car parking	25-27 Barry Rd, Campbellfield	Permit issued
P22542	Creation & variation of an easement	120S Waterview Bvd, Craigieburn	Permit issued
P22555	1 double storey dwelling beside existing dwelling	114 Western Ave, Westmeadows	Permit issued
P20226.01	Multi-lot subdivision Highlands Estate Stage 20C	415 Mt Ridley Rd, Craigieburn	Permit issued
P22625	2 factories	26 Export Rd, Craigieburn	Permit issued
P22637	1 double storey dwelling to rear of existing	2 Bee Ct, Craigieburn	Permit issued
P22646	2 double storey dwellings	87 Waranga Cres, Broadmeadows	Permit issued
P22654	2 lot subdivision	23-25 Hillcrest Dr, Westmeadows	Permit issued
P22670	Industrial warehouse & associated office with reduction in carparking	17 Broadford Rd, Broadmeadows	Permit issued
P22675	Internally Illuminated business sign	1/99 Horne St, Sunbury	Permit issued
P22676	1 double storey dwelling to rear of existing	15 Bicknell Ct, Broadmeadows	Permit issued
P22678	Child care centre, shop, restricted recreation facility – Gymnasium and day spa	1550 Pascoe Vale Rd, Coolaroo	Permit issued
P22691	10 lot subdivision	132 Cuthbert St, Broadmeadows	Permit issued
P22721	Extension of an existing food & drink premises display of advertising signage, sale and consumption of liquor	260 Somerton Rd, Roxburgh Park	Permit issued
P22737	4 lot subdivision	13 Wills St, Westmeadows	Permit issued
P22746	Warehouse and ancillary offices & reduction in carparking	60 Donnybrook Rd, Mickleham	Permit issued
P22757	1 single storey dwelling with attached double garage	14 Cochrane Ave, Mickleham	Permit issued
P22766	Indoor recreation facility	844-846 Cooper St, Somerton	Permit issued
P22787	Dependent Persons Unit	24 Calivil St, Dallas	Permit issued
P22794	3 lot subdivision	47-49 Horne St, Campbellfield	Permit issued
P22795	4 lot subdivision	47 Eumarella St, Tullamarine	Permit issued

**REPORT NO: SU481 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
P22797	4 lot subdivision	31 Robinson St, Jacana	Permit issued
P22850	3 lot subdivision	39 Arena Ave, Roxburgh Park	Permit issued
P22853	Display of advertising sign – illuminated	24-30 Hume Hwy, Somerton	Permit Issued
P22854	Installation & display of a promotional sign	112 Ellscott Bvd, Mickleham	Permit Issued
P22860	Use and development of an industry (manufacturing note 1) & associated office & reduction in carparking	61 Riggall St, Broadmeadows	Permit Issued

S009137	Merrifield Superlot plan - Stages 66, 72A & Reserve	300A Donnybrook Road, Mickleham	Plan Certified 27 April 2020
S009138	Road subdivision	300A Donnybrook Road, Mickleham	Plan Certified 24 April 2020
S008108	22 lot subdivision - Kallo Estate - Stage 17	40 Dwyer Street, Kalkallo	Plan Re-Certified 16 April 2020
S008467	71 lot subdivision - Stage 1	120 Section Road, Greenvale	Plan Re-Certified 15 April 2020
S008468	16 lot subdivision - Stage 2	120 Section Road, Greenvale	Plan Re-Certified 15 April 2020
S008534	62 lot subdivision - The Maples Estate - Stage 4	45 Hillview Road, Greenvale	Plan Re-Certified 17 April 2020
S008534	62 lot subdivision - The Maples Estate - Stage 4	45 Hillview Road, Greenvale	Statement of Compliance 17 April 2020
S008539	52 lot subdivision	75 Bonds Lane, Greenvale	Plan Re-Certified 8 April 2020
S008663	67 lot subdivision - Highlands Estate - Stage 333	475C Mt Ridley Road, Craigieburn	Plan Re-Certified 17 April 2020
S008663	67 lot subdivision - Highlands Estate - Stage 333	475C Mt Ridley Road, Craigieburn	Statement of Compliance 29 April 2020
S008749	76 lot subdivision - Cloverton Estate - Stage 316	1440 Hume Freeway, Kalkallo	Plan Re-Certified 24 April 2020
S008785	78 lot subdivision - Aston Estate - Stage 31	51 Riverglen Drive, Craigieburn	Statement of Compliance 20 April 2020
S008807	37 lot subdivision - Rosenthal Estate - Stage W9	100B Vineyard Road, Sunbury	Statement of Compliance 24 April 2020
S008824	141 lot subdivision - Highlands Estate - Stage 337	475C Mt Ridley Road, Craigieburn	Plan Re-Certified 7 April 2020
S008935	22 lot subdivision - Highlands Estate - Stage 298	550G Craigieburn Road, Craigieburn	Plan Re-Certified 14 April 2020
S008935	22 lot subdivision - Highlands Estate - Stage 298	550G Craigieburn Road, Craigieburn	Statement of Compliance 22 April 2020

**REPORT NO: SU481 (cont.)**

S008937	35 lot subdivision - Highlands Estate - Stage 334	475C Mt Ridley Road, Craigieburn	Plan Re-Certified 7 April 2020
S009105	10 lot subdivision – Rosenthal Estate – Stage 14A (Medium Density Site)	1 Collie Walk, Sunbury	Plan Certified 21 April 2020
S00918	48 lot subdivision – Highlands Estate – Stage 347	475C Mt Ridley Road, Craigieburn	Plan Certified 9 April 2020
S008539	52 lot subdivision – 75 Bonds Lane – Stage 1	75 Bonds Lane, Greenvale	Statement of Compliance 4 May 2020
S008789	4 lot subdivision – multi unit	12 nature Drive, Greenvale	Statement of Compliance 4 May 2020
S008649	2 lot subdivision – dual occupancy	1 Avisha Way, Greenvale	Statement of Compliance 4 May 2020
S008862	2 Lot Subdivision – commercial	15 Kraft Court, Broadmeadows	Plan Re-Certified with Statement of Compliance 4 May 2020
S008467	70 lot subdivision – 120 Section Road – Stage 1	120 Section Road, Greenvale	Statement of Compliance 4 May 2020
S008699	2 lot subdivision – dual occupancy	17 Airdrie Mews, Greenvale	Statement of Compliance 4 May 2020
S008872	58 lot subdivision – Cloverton Estate – Stage 321	1440 Hume Freeway, Kalkallo	Plan Re-Certified 1 May 2020
S007733	2 lot subdivision – dual occupancy	95 Sunset Boulevard, Jacana	Plan certified with Statement of Compliance 3 May 2020

**MATTERS DEALT WITH UNDER DELEGATION WITH OBJECTIONS**

FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
P17610.03	Buildings and works associated with an extension to existing shopping centre, construction of a medical centre and offices, reduction in car parking & access road zone category 1	Shopping Centre – 1-11 Greenvale Dr, Greenvale	Notice of Decision to Grant a Permit

**SECTION 173 AGREEMENTS SIGNED UNDER DELEGATION**

FILE	PROPOSAL	ADDRESS OF PROPERTY	ACTION TAKEN
	NONE TO REPORT		



**REPORT NO: SU481 (cont.)**

<b>VICSMART PERMITS SIGNED UNDER DELEGATION</b>			
<b>FILE</b>	<b>PROPOSAL</b>	<b>ADDRESS OF PROPERTY</b>	<b>ACTION TAKEN</b>
P22874	2 lot subdivision	61 Gibson St, Broadmeadows	Permit issued
P22883	Buildings & works associated with an existing service station & the replacement of existing canopy & relocation of existing fuel pumps	72 Hanson Rd, Craigieburn	Permit issued
P22897	2 lot subdivision	8 Neptune St, Roxburgh Park	Permit issued

<b>REPORT NO:</b>	GE431
<b>REPORT TITLE:</b>	Approved Contracts Report 1 January 2020 - 31 March 2020
<b>SOURCE:</b>	Fadi Srour, Manager Finance and Property Development
<b>DIVISION:</b>	Corporate Services
<b>FILE NO:</b>	HCC04/13
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENTS:</b>	Nil

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**1. SUMMARY OF REPORT:**

This report provides Council with a summary of contracts approved by Council and contracts approved by the Chief Executive Officer (CEO) and Directors under delegated authority for the period 1 January 2020 – 31 March 2020.

**2. RECOMMENDATION:**

**That the report be noted.**

**3. LEGISLATIVE POWERS:**

Legislative Powers to enter into contracts are contained in section 186 of the *Local Government Act 1989*.

**4. FINANCIAL IMPLICATIONS:**

All approved contracts listed in this report have been provided for in Council's Annual Budget and for multi-year contracts in the Strategic Resource Plan.

**5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:**

There are no environmental sustainability implications in respect to this report.

**6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:**

There are no climate change adaptation considerations in this report.

**7. CHARTER OF HUMAN RIGHTS APPLICATION:**

There is no charter of human rights application in respect to this report.

**8. COMMUNITY CONSULTATION:**

Not applicable.

**9. DISCUSSION:**

9.1 Contracts approved under delegated authority by the Chief Executive Officer

9.1.1 Council has, via an Instrument of Delegation, delegated to the CEO, the power to enter into contracts up to a value of \$500,000.

9.1.2 For the period 1 January 2020 – 31 March 2020, the CEO approved the following contracts up to the value of \$500,000.

**REPORT NO: GE431 (cont.)**

<b>Contract No.</b>	<b>Description</b>	<b>Awarded Supplier</b>	<b>Date Approved</b>
30 19 2978	Consultancy services for the development design of Mount Aitken Recreation Reserve Craigieburn	Dalton Consulting Engineers Pty Ltd	15 January 2020
30 19 3001	Design, documentation and contract administration of new community pavilion at Cloverton Active Open Space Kalkallo	Davidson Architecture	03 February 2020
30 19 3022	Provision of mulching services	Hume Contracting	09 January 2020
30 19 3029	Landscape Works - Moonee Ponds Creek connector trail	Excell Gray Bruni	15 January 2020
30 19 3037	Procurement Australia - supply of mobile bins	Sulo MGB (Aust) Pty Ltd	24 January 2020
30 19 3038	Eric Boardman car park construction	Vcrete Concrete Contractors	06 March 2020
30 19 3041	Boardman Reserve design tender	Loft Architecture Pty Ltd	24 February 2020
30 19 3048	Shields Street car park and Jackson Street indented parking construction	Vcrete Concrete Contractors	31 March 2020
30 20 3053	Geotechnical investigation and pavement report - various roads	Ground Science Pty Ltd	17 March 2020
30 20 3057	Fencing works at Gladstone Park and Laura Douglas Reserve	Supreme Wire Fence & Gate (Aust) Pty Ltd	02 March 2020

**9.2 Contracts approved under delegated authority by Directors**

9.2.1 Council's Procurement Policy provides for Directors to undertake procurement up to the value of \$100,000.

9.2.2 For the period 1 January 2020 – 31 March 2020, Directors approved the following contracts up to the value of \$100,000.

<b>Contract No.</b>	<b>Description</b>	<b>Awarded Supplier</b>	<b>Date Approved</b>
30 19 2992	Supply and installation of fleet telemetry system	Intellitrac Pty Ltd	21 January 2020

**9.3 Contracts approved by Council**

Council approved the following contracts over \$500,000 for the period 1 January 2020 – 31 March 2020.

<b>Contract No.</b>	<b>Description</b>	<b>Awarded Supplier</b>	<b>Date Approved</b>
30 19 2986	Provision of weed and pest control	Telamo	10 February 2020
30 19 2986	Provision of weed and pest control	Haughten Marsden Pty Ltd (Habitat Creations)	10 February 2020
30 19 2995	Provision of horticulture and park maintenance	1. GLG Greenlife Group Pty Ltd (formerly Grounds & Gardens) 2. UDL Pty Ltd 3. Urban Maintenance Systems Pty Ltd	10 February 2020
30 19 3017	School crossing management services	Hoban Recruitment	24 February 2020

**REPORT NO: GE431 (cont.)**

**10. CONCLUSION:**

This report summarises contracts approved either by Council or under delegation by the CEO or a Director for the period. The report ensures transparency of reporting in line with Council's commitment to open and transparent governance.

**REPORT NO: GE431 (cont.)**

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<b>REPORT NO:</b>	GE432
<b>REPORT TITLE:</b>	Quarterly Financial Report - March 2020
<b>SOURCE:</b>	Fadi Srour, Manager Finance and Property Development
<b>DIVISION:</b>	Corporate Services
<b>FILE NO:</b>	HCC18/705
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENT:</b>	1. <i>Quarterly Finance Report</i>

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**1. SUMMARY OF REPORT:**

The quarterly financial report provides information to the community and stakeholders on the financial performance and position of Council as at 31 March 2020, as required on a quarterly basis under section 138 – Quarterly Statements of the *Local Government Act*, 1989.

**2. RECOMMENDATION:**

**That the finance report for the nine months ended 31 March 2020 be received and noted.**

**3. FINANCIAL IMPLICATIONS:**

3.1 The financial statements consist of three main reports:

1. the Income Statement
2. the Balance Sheet
3. the Statement of Cash Flows

3.2 Two additional reports have also been included that show the level of payments that Council makes directly to businesses, community groups, individuals and employees within Hume.

3.3 From a governance and accountability perspective, Council receives quarterly reports on key financial data with detailed commentary on variance analysis and actions being undertaken. The reporting of this key financial data on a quarterly and annual basis adds to the commitment Council has made to govern in an open manner and be accountable to residents for the management of resources and funding.

**4. DISCUSSION:**

Key Financial Information

4.1 Income Statement [*Attachment 1*]

4.1.1 The Income Statement measures how well Council has performed from an operating or recurrent nature. It reports revenue and expenditure from the activities and functions undertaken with the net effect being the resulting surplus figure.

4.1.2 Attachment 1 identifies that Council has generated \$312.7m in revenue and \$196.3m in expenses. This has resulted in a surplus of \$116.4m which is \$29.4m above budget for the nine months ended 31 March 2020. This favourable variance is largely due to higher than expected contributed assets received and the staff vacancies in Council which has been partly offset by an increase in agency staff costs.

REPORT NO: GE432 (cont.)

4.1.3 Council's Revenue Base

- (a) The majority of Council's revenue is derived from rates and charges. During the financial year ended 30 June 2019, rates income was \$183.1m. This equated to 36.9% of Council's total revenue of \$495.6m.
- (b) For the nine months ended 31 March 2020, rates revenue was \$146.1m which equates to 46.7% of total revenue. Therefore, Council continues to be reliant on its rates revenue as a major source of income.

4.1.4 For the nine months ended 31 March 2020, the major items of revenue earned by Council include:

(a) rates and charges	\$ 146.1m
(b) grants – operating	\$ 30.0m
(c) user fees	\$ 20.8m
(d) statutory fees and fines	\$ 10.8m

1.

4.1.5 Council's Expense Base

- (a) The majority of Council's expenses relate to employee benefits. During the financial year ended 30 June 2019, employee benefits were \$109.3m. This equated to 41.7% of Council's total expenses of \$261.8m.
- (b) For the nine months ended 31 March 2020, employee benefits were \$83.8m which equates to 42.7% of total expenditure.

4.1.6 For the nine months ended 31 March 2020, the major items of expenditure incurred by Council include:

(a) employee costs	\$ 83.8m
(b) materials and services	\$ 58.0m
(c) depreciation and amortisation	\$ 36.7m

4.2 Balance Sheet [*Attachment 2*]

4.2.1 The Balance Sheet is a statement at a point in time which shows all the resources controlled by Council and the obligations of Council. The aim of the Balance Sheet is to summarise the information contained in the accounting records relating to assets, liabilities and equity in a clear and intelligible form.

4.2.2 The major item on the Balance Sheet consists of property, infrastructure, plant and equipment. These fixed assets made up 89.9% of Council's total asset base in 2018/19 – a total of \$3.89b. As at 31 March 2020, fixed assets made up 90.4% of Council's total asset base – a total of \$4.1b.

4.2.3 The impact of sound financial management can be seen in the ratepayer equity of \$4b which reflects the strong financial position of Council. The information contained within the Balance Sheet also demonstrates that liquidity is strong as demonstrated by the favourable cash balance. Council's assets are increasing, which is largely due to developer contributed assets and a substantial capital works program. All these factors have led to favourable key ratios as identified in this report.

4.3 Statement of Cash Flows [*Attachment 3*]

4.3.1 The Statement of Cash Flows shows what was actually received and paid by Council, not what was owed or what was recorded. This is largely why it is different to the Income Statement which shows what income was raised and payments incurred during the same period.

REPORT NO: GE432 (cont.)

- 4.3.2 For example, Council may make a purchase of some goods/services today but may not make payment for those goods/services for another 30 days (in accordance with Council's credit terms). However, as the goods/services have already been provided, the accounting standards require that the cost of these goods/services be recorded in the Income Statement as soon as they have been provided.
- 4.3.3 Another reason for the difference between the surplus figure reported in the Income Statement and the Cash Flow Statement is the depreciation and amortisation recorded as expense, \$36.7m at 31 March 2020, (in the Income Statement) with no resulting cash payments.
- 4.3.4 For the nine months ended 31 March 2020, Council's cash position is \$112m which is \$37.9m favourable to budget (Council's cash position including term deposits reported as financial assets is \$307.3m). This is largely due to commencing the year with a higher than expected cash balance primarily as a result of a larger than expected carried forward in the capital works program and a favourable operating result.
- 4.4 Buying Local *[Attachment 4]*
- 4.4.1 The Buying Local report highlights the level of payments made by Council to businesses, community groups and individuals within the municipality. The report includes payments for grants and contributions, materials and services, building and utility costs and contractor and other services. For the nine months ended 31 March 2020, Council made payments to local suppliers totalling \$15.6m. Significantly, the level of local expenditure as a proportion of Council's total payments (including capital works) was 11.7% as at 31 March 2020.
- 4.4.2 It should be noted that the report only includes payments to suppliers whose mailing address is listed within Hume. Therefore, there is the possibility that the level of payments made to local suppliers is in fact, higher.
- 4.5 Employees Residing within Hume *[Attachment 5]*
- 4.5.1 The Employees Residing within Hume report highlights the level of salaries paid to employees who reside within Hume as well as the number of employees who reside within Hume.
- 4.5.2 For the nine months ended 31 March 2020, Council paid salaries to employees residing within Hume totalling \$34.7m, representing 41.4% of total employee benefits. In addition, for the nine months ended 31 March 2020, there were 935 employees residing within Hume representing 58.7% of total employees.
- 4.6 Financial Ratios
- 4.6.1 The following financial ratios are required to be included in Council's financial report at year-end. Although their value may be limited as key financial indicators, they do provide information on trends.

Ratios	Nine months to 31- Mar-20 2019/20	Nine months to 31-Mar-19 2018/19	Twelve months to 30-Jun-19 2018/19
<u>Debt Servicing Ratio</u> (Target < 3%) This ratio measures the extent to which long-term debt is impacting on the annual total income of Council and identifies the capacity of Council to service outstanding debt. The ratio expresses the amount of interest paid as a percentage of Council's total revenue. (The lower the ratio the better).	0.00%	0.00%	0.00%



REPORT NO: GE432 (cont.)

Ratios	Nine months to 31- Mar-20 2019/20	Nine months to 31-Mar-19 2018/19	Twelve months to 30-Jun-19 2018/19
<p><u>Debt Commitment Ratio</u> (Target &lt; 15%)</p> <p>This ratio identifies Council's debt redemption strategy and expresses the percentage of rate revenue utilised to pay interest and redeem debt principal. (The lower the ratio the better).</p>	0.18%	0.41%	0.31%
<p><u>Revenue Ratio</u> (Target 65% - 70%)</p> <p>This ratio identifies Council's reliance on rates as a source of income. (The lower the ratio the better).</p>	46.68%	44.70%	36.95%
<p><u>Debt Exposure Ratio</u></p> <p>This ratio identifies Council's exposure to debt and expresses the total indebtedness to total realisable assets. (The lower the ratio the better).</p>	4.74%	4.08%	5.92%
<p><u>Working Capital Ratio</u> (Target 100% - 150%)</p> <p>This ratio identifies Council's ability to meet current liabilities and enables an assessment of Council's liquidity and solvency. The ratio compares the current assets to current liabilities. (The higher the ratio the better).</p>	877.69%	907.85%	515.45%

5. **CONCLUSION:**

The quarterly report has been prepared on an accrual basis and in accordance with accounting practices, including an Income Statement, Balance Sheet and Statement of Cash Flows. Council's financial performance is ahead of expectations.

**Attachment 1**

**INCOME STATEMENT**

For the nine months ended 31 March 2020

	Nine months to 31/03/2020 ACTUAL 2019/20 \$'000	Nine months to 31/03/2020 BUDGET 2019/20 \$'000	Twelve months to 30/06/2019 ACTUAL 2018/19 \$'000
<b>Income</b>			
Rates and charges	146,141	143,928	183,145
Statutory fees and fines	10,780	10,613	15,463
User fees	20,770	21,316	28,602
Grants - operating	29,966	28,853	49,856
Property rental	1,692	1,604	2,301
Interest and other income	3,274	3,712	6,690
<b>Total income</b>	<b>212,623</b>	<b>210,026</b>	<b>286,057</b>
<b>Expenses</b>			
Employee costs	83,777	89,455	109,260
Materials and services	58,041	55,599	67,314
Utility costs	4,760	5,256	6,799
Bad and doubtful debts	452	-	873
Depreciation and amortisation	36,716	37,209	45,962
Finance costs	798	150	4,883
Other expenses	4,703	5,014	14,319
<b>Total expenses</b>	<b>189,246</b>	<b>192,684</b>	<b>249,410</b>
<b>Underlying surplus</b>	<b>23,377</b>	<b>17,343</b>	<b>36,647</b>
Capital works expensed	15	-	4,488
Assets renewed	3,660	-	7,933
Reimbursements to developers for WIK/LIK	3,401	-	-
Net gain on disposal of property, plant, equipment and infrastructure	-	-	319
Net gain on property development	27	-	1,897
Fair value adjustment on investment property	-	-	965
Contributions - non-monetary	81,986	50,630	154,601
Contributions - monetary	14,523	12,873	35,215
Grants - capital	3,565	6,140	16,568
<b>Surplus for the year</b>	<b>116,402</b>	<b>86,986</b>	<b>233,791</b>
<b>Other comprehensive income</b>			
Net asset revaluation increment	-	-	179,389
<b>Comprehensive result</b>	<b>116,402</b>	<b>86,986</b>	<b>413,180</b>

**Attachment 2**

**BALANCE SHEET**

As at 31 March 2020

	Nine months to 31/03/2020 ACTUAL 2019/20 \$'000	Nine months to 31/03/2019 ACTUAL 2018/19 \$'000	Twelve months to 30/06/2019 ACTUAL 2018/19 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	111,976	37,090	40,335
Other financial assets	195,369	229,415	255,423
Trade and other receivables	23,718	24,007	26,344
Non-current assets classified as held for sale	-	10	10
Other assets	164	18	3,498
<b>Total current assets</b>	<b>331,227</b>	<b>290,540</b>	<b>325,610</b>
<b>Non-current assets</b>			
Trade and other receivables	81	83	82
Property, infrastructure, plant and equipment	3,718,138	3,216,397	3,495,551
Intangible assets	18,163	13,917	18,164
Right-of-use assets	885	-	-
Investment property	45,566	44,601	45,566
Other financial assets	310	310	310
<b>Total non-current assets</b>	<b>3,783,143</b>	<b>3,275,308</b>	<b>3,559,673</b>
<b>Total assets</b>	<b>4,114,370</b>	<b>3,565,848</b>	<b>3,885,283</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	4,782	3,524	29,009
Interest-bearing loans and borrowings*	301	-	-
Provisions	31,503	27,586	30,776
Development fee obligation	-	13	12
Trust funds and deposits	1,152	880	3,373
<b>Total current liabilities</b>	<b>37,738</b>	<b>32,003</b>	<b>63,170</b>
<b>Non-current liabilities</b>			
Interest-bearing loans and borrowings*	573	-	-
Provisions	32,146	24,495	31,911
Trust funds and deposits	9,539	8,503	6,251
<b>Total non-current liabilities</b>	<b>42,258</b>	<b>32,998</b>	<b>38,162</b>
<b>Total liabilities</b>	<b>79,996</b>	<b>65,000</b>	<b>101,332</b>
<b>Net assets</b>	<b>4,034,374</b>	<b>3,500,848</b>	<b>3,783,951</b>
<b>Equity</b>			
Accumulated surplus	1,996,622	1,805,645	1,875,205
Other reserves	138,849	109,391	143,545
Asset revaluation reserve	1,898,903	1,585,812	1,765,201
<b>Total equity</b>	<b>4,034,374</b>	<b>3,500,848</b>	<b>3,783,951</b>

\* Interest-bearing loans and borrowings represent Council's lease commitments in accordance with AASB 16 Leases

**Attachment 3**

**STATEMENT OF CASH FLOWS**

For the nine months ended 31 March 2020

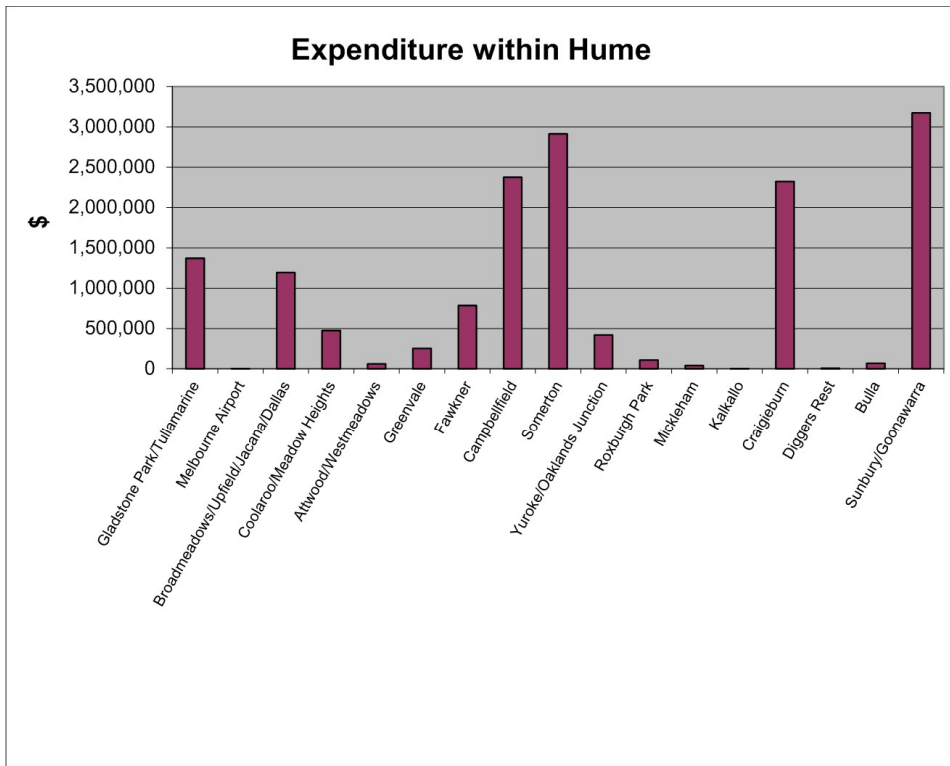
	Nine months to 31/03/2020 ACTUAL 2019/20 \$'000	Nine months to 31/03/2020 BUDGET 2019/20 \$'000	Twelve months to 30/06/2019 ACTUAL 2018/19 \$'000
<b>Cash flows from operating activities</b>			
<i>Receipts</i>			
Rates and charges	148,835	146,623	183,158
Statutory fees and fines	10,709	11,387	14,266
User fees	22,744	23,064	32,793
Grants - operating	29,966	28,853	49,856
Grants - capital	3,881	6,140	17,909
Contributions - monetary	12,699	12,873	36,400
Interest received	3,074	3,562	5,540
Other receipts	1,889	1,754	3,228
Net GST refund	1,306	-	16,531
Net trust funds and deposits	1,067	1,000	94
	<b>236,171</b>	<b>235,256</b>	<b>359,775</b>
<i>Payments</i>			
Employee costs	(87,354)	(92,239)	(108,086)
Materials and services	(77,200)	(76,349)	(103,947)
Other payments	(4,703)	(5,118)	(6,386)
	<b>(169,257)</b>	<b>(173,706)</b>	<b>(218,419)</b>
<b>Net cash provided by operating activities</b>	<b>66,914</b>	<b>61,550</b>	<b>141,356</b>
<b>Cash flows from investing activities</b>			
Payments for property, plant, equipment and infrastructure	(55,708)	(88,011)	(86,359)
Payments for investments	(160,000)	(160,000)	(255,423)
Proceeds from sale of property, plant, equipment and infrastructure	615	601	1,089
Proceeds from investments	220,055	220,055	200,415
Proceeds from property development	24	-	1,212
<b>Net cash provided by / (used in) investing activities</b>	<b>4,985</b>	<b>(27,355)</b>	<b>(139,066)</b>
<b>Cash flows from financing activities</b>			
Finance costs	(4)	-	(4)
Repayment of interest-bearing loans and borrowings	(255)	(13)	(559)
<b>Net cash used in financing activities</b>	<b>(259)</b>	<b>(13)</b>	<b>(563)</b>
<b>Net increase in cash and cash equivalents</b>	<b>71,641</b>	<b>34,181</b>	<b>1,727</b>
Cash and cash equivalents at the beginning of the period	40,335	39,932	38,608
<b>Cash and cash equivalents at the end of the period</b>	<b>111,976</b>	<b>74,113</b>	<b>40,335</b>

Attachment 4

**Buying Local  
Expenditure by Locality**

As at 31 March 2020

Postcode	Suburb	Amount \$
3043	Gladstone Park/Tullamarine	1,369,469
3045	Melbourne Airport	120
3047	Broadmeadows/Upfield/Jacana/Dallas	1,193,589
3048	Coolaroo/Meadow Heights	474,590
3049	Attwood/Westmeadows	61,265
3059	Greenvale	252,348
3060	Fawkner	785,682
3061	Campbellfield	2,374,879
3062	Somerton	2,913,549
3063	Yuroke/Oaklands Junction	417,835
3064	Roxburgh Park	107,450
3064	Mickleham	39,316
3064	Kalkallo	1,468
3064	Craigieburn	2,322,232
3427	Diggers Rest	6,551
3428	Bulla	67,759
3429	Sunbury/Goonawarra	3,174,181
<b>Total</b>		<b>15,562,283</b>



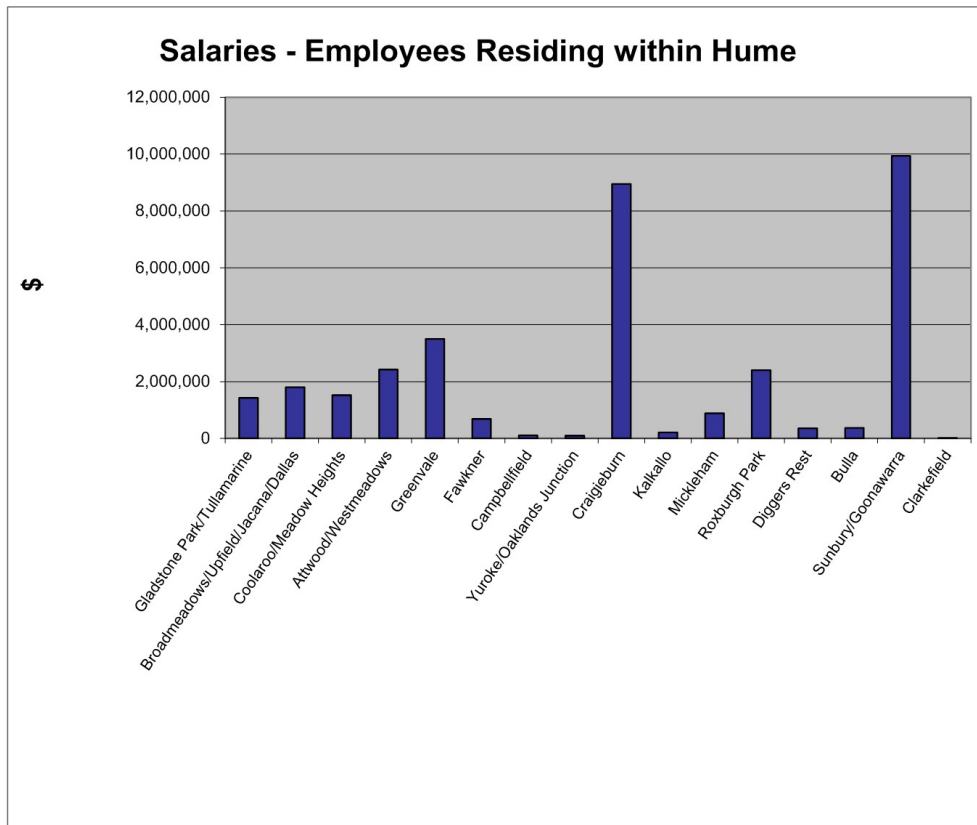
Attachment 5

Employees Residing within Hume

As at 31 March 2020

Postcode	Suburb	Gross Salaries \$
3043	Gladstone Park/Tullamarine	1,426,666
3047	Broadmeadows/Upfield/Jacana/Dallas	1,801,484
3048	Coolaroo/Meadow Heights	1,521,248
3049	Attwood/Westmeadows	2,425,427
3059	Greenvale	3,498,812
3060	Fawkner	683,284
3061	Campbellfield	104,289
3063	Yuroke/Oaklands Junction	98,487
3064	Craigieburn	8,947,710
3064	Kalkallo	205,537
3064	Mickleham	880,507
3064	Roxburgh Park	2,397,681
3427	Diggers Rest	353,012
3428	Bulla	370,782
3429	Sunbury/Goonawarra	9,936,581
3430	Clarkefield	16,549
<b>Total</b>		<b>34,668,059</b>

Total number of employees paid that reside within Hume was 935.



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<b>REPORT NO:</b>	GE433
<b>REPORT TITLE:</b>	Correspondence received from or sent to Government Ministers or Members of Parliament - April 2020
<b>AUTHOR:</b>	Yuri Guzman, Manager Information and Technology; Paul White, Coordinator Knowledge Management
<b>DIVISION:</b>	Corporate Services
<b>FILE NO:</b>	HCC04/13
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Redevelopment of the Broadmeadows Train Station</i></li><li>2. <i>Invitation to tour Banksia Gardens Estate</i></li><li>3. <i>Funding to support citizenship ceremonies</i></li><li>4. <i>Road occupation charge</i></li><li>5. <i>Congratulating on appointment as a Cabinet Minister - Ros Spence MP</i></li><li>6. <i>Local Support and Stimulus Package - Seeking the support of State government</i></li><li>7. <i>Traffic survey results - Johnstone Street</i></li><li>8. <i>Children in foster care</i></li><li>9. <i>Jackson Hill connector via Yirrangang Road</i></li><li>10. <i>Connecting Greenvale and Kalkallo to the Yarra Valley Water Community Sewage Program</i></li><li>11. <i>Valley Park Redevelopment – Future Community Centre Development</i></li></ol>

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**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 Council's record keeping system during April 2020 is summarised below:

Table 1	Correspondence in relation to general business 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: GE433 (cont.)**

**TABLE 1 CORRESPONDENCE IN RELATION TO COUNCIL GENERAL BUSINESS ITEMS**

	<b>Subject</b>	<b>Minister or Member of Parliament</b>	<b>Date Received / Sent</b>	<b>Responsible Officer</b>	<b>Council Minute Ref</b>	<b>Attachment</b>
Outwards	GENERAL BUSINESS - Correspondence requesting information regarding Broadmeadows Train Station improvements	Member for Broadmeadows	31/03/2020	Media & Advocacy Officer	MED275	1
Outwards	GENERAL BUSINESS - Invitation to tour Banksia Gardens Estate	Minister for Housing Member for Broadmeadows	31/03/2020	Manager Urban & Open Space Planning	SHE034	2
Outwards	GENERAL BUSINESS - Financial assistance sought for the provision of citizenship ceremonies	Minister for Immigration, Citizenship and Multicultural Affairs	2/04/2020	Manager Governance	MED276	3
Outwards	GENERAL BUSINESS - Correspondence regarding road occupation charge	Minister for Roads	17/04/2020	Manager Assets	HAW066	4
Outwards	GENERAL BUSINESS - Congratulations to the Hon. Ros Spence MP	Minister for Multicultural Affairs, Community Sport and Youth	17/04/2020	Manager Communication s & Events	HAW069	5
Outwards	COVID-19 - Local Support and Stimulus Package – Seeking the support of State Government	Premier of Victoria	17/04/2020	CEO	GE420	6
Outwards	GENERAL BUSINESS - correspondence regarding traffic survey results – Johnstone St/Broadmeadows Deviation Road	Member for Yuroke Member for Sunbury Member for Broadmeadows	22/04/2020	Manager Assets	KUR082	7
Outwards	GENERAL BUSINESS - Letter of acknowledgement to Fiona Patten MLC relating to children in foster care	Ms Fiona Patten MLC - Member for Northern Metropolitan Region	22/04/2020	Manager family and Youth Services	POR156	8

**REPORT NO: GE433 (cont.)**

**TABLE 2 GENERAL CORRESPONDENCE THAT MAY BE OF INTEREST TO COUNCILLORS**

	<b>Subject</b>	<b>Minister or Member of Parliament</b>	<b>Date Received / Sent</b>	<b>Responsible Officer</b>	<b>Council Minute Ref</b>	<b>Attachment</b>
Outwards	Jackson Hill connector via Yirrangang Road through to Buckland Way - Construction timeline - Request that road construction commences as a matter of urgency	Member for Sunbury	8/04/2020	Manager Assets		9
Outwards / Inwards	Connecting Greenvale and Kalkallo to the YVW Community Sewage Program	Mr Craig Ondarchie MP - State Member for the Northern Metropolitan Region	8/04/2020	Director Sustainable Infrastructure and Services		10
Outwards	Valley Park Redevelopment – Future Community Centre Development	Department of Health and Human Services  CC: Member for Broadmeadows	26/04/2020	Director Community Services		11

**TABLE 3 CORRESPONDENCE IN RELATION TO GRANT / FUNDING OPPORTUNITIES**

NIL						
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REPORT NO: GE433 (cont.)

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– OFFICE OF THE MAYOR –



Our File: HCC18/447 (HCC-CM20/103)  
Enquiries: Isabella Olivieri  
Telephone:

1079 PASCOE VALE ROAD  
BROADMEADOWS  
VICTORIA 3047

Postal Address:  
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www.hume.vic.gov.au

Wednesday, 20 March 2020

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

Dear Mr McGuire

Frank.

**RE: REDEVELOPMENT OF THE BROADMEADOWS TRAIN STATION**

Hume City Council at its meeting of Tuesday 10 March 2020, resolved:

*“That Council writes to the Member for Broadmeadows, Frank McGuire, asking:*

- 1. When will the \$4 million allocation for improvements to Broadmeadows Station be completed, including extra parking,*
- 2. What exact plans have been drawn up to make this station more attractive.”*

Broadmeadows Train Station was recently ranked Victoria’s fifth worst train station in RACV’s *On Track Survey* and is the only station within a Metropolitan Activity Centre ranked in the 10 worst stations list. The station continues to drop in ranking despite minor upgrades made in recent years. Hume City Council is therefore requesting that the Victorian Government prioritise a full redevelopment of the train station precinct.

I draw your attention to the announcement you made on Thursday, 30 January 2020 to deliver more than \$1 million of improvements to Broadmeadows station.

Minor cosmetic upgrades are not enough and a full redevelopment of the site is needed to support one of Melbourne’s most important transport hubs.

In addition to renewal of the station, there is a need to address the significant demand for commuter car parking at Broadmeadows. I note your assistance to date in advocating to the Minister for Public Transport on this matter. I would appreciate an update on steps to secure funding from the State Government’s Commuter Car Park fund towards provision of new dedicated car parking near the Broadmeadows Train Station.

Yours sincerely

A handwritten signature in cursive script that reads 'Carly Moore'.

**CR CARLY MOORE  
MAYOR**

*THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK*

– OFFICE OF THE MAYOR –

Our File: HCC18/277 (HCC-CM20/102)  
Enquiries: Greg McLaren  
Telephone:



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Wednesday, 25 March 2020

The Hon Richard Wynne MP  
Minister for Planning  
Minister for Housing  
Level 15, 8 Nicholson Street  
EAST MELBOURNE VIC 3002

Dear Minister

**RE: INVITATION TO TOUR BANKSIA GARDENS ESTATE AND BROADMEADOWS**

Hume City Council at its meeting of 10 March 2020 resolved:

*“That Council writes to the Minister for Housing and the Minister for Planning along with the pertinent representatives of the Department of Health and Human Services and our local Member of Parliament, Frank McGuire, to tour Banksia Gardens Estate and the areas of Broadmeadows and Meadow Heights where there are significant Office of Housing land holdings to better understand the need for redevelopment.”*

Hume is aware of your commitment to the delivery of high quality affordable rental housing that is suitable for the diverse needs of Victorians and that renewal of Public Housing is a priority for the State Government.

Council wrote to you on 15 February 2019, inviting you to tour Broadmeadows and inspect the areas of Broadmeadows and Meadow Heights where there is public housing. Mr Nick Foa, the then Director of Housing, wrote to Council indicating that a visit would be arranged. While productive discussions with the Department of Health and Human Services on renewal opportunities have since ensued, a tour is still to be arranged.

Current circumstances preclude the opportunity to meet face to face, however Council would welcome a discussion via teleconference.

I once again extend an invitation for you to tour Banksia Gardens Broadmeadows, visit Meadow Heights and view the opportunities for renewal in Broadmeadows with local representatives and Mr Frank McGuire MP, State Member for Broadmeadows once the situation with the Novel Coronavirus (COVID-19) is resolved.

Should you require further information or assistance in relation to this matter, please contact Mr Greg McLaren, Manager Urban and Open Space Planning on \_\_\_\_\_ or via email at \_\_\_\_\_.

Yours sincerely

A handwritten signature in cursive script that reads 'Carly Moore'.

**CR CARLY MOORE  
MAYOR**

cc: Mr Frank McGuire MP, State Member for Broadmeadows  
Steve Dunn, Project Director, Strategic Housing Policy Branch, Department of Health and Human Services





– OFFICE OF THE MAYOR –

Our File: HCC18/277 (HCC-CM20/102)  
Enquiries: Greg McLaren  
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Wednesday, 25 March 2020

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

Dear Mr McGuire *Frank*

**RE: SEEKING SUPPORT FOR RENEWAL OF PUBLIC HOUSING**

Hume City Council at its meeting of 10 March 2020 resolved:

*“That Council writes to the Minister for Housing and the Minister for Planning along with the pertinent representatives of the Department of Health and Human Services and our local Member of Parliament, Frank McGuire, to tour Banksia Gardens Estate and the areas of Broadmeadows and Meadow Heights where there are significant Office of Housing land holdings to better understand the need for redevelopment.”*

Council acknowledges your ongoing commitment and advocacy for revitalisation in Broadmeadows.

In February 2019, Council wrote inviting you, the Minister for Housing and the Minister for Planning and yourself to tour Broadmeadows and inspect the areas of Broadmeadows and Meadow Heights where there is public housing. Following which Mr Nick Foa, the then Director of Housing, wrote to Council indicating that a visit would be arranged. While productive discussions with the Department of Health and Human Services on renewal opportunities have since ensued, a tour is still to be organised.

Current circumstances preclude the opportunity to meet face to face, however a discussion could be arranged by other means ie via teleconference.

When the time is right I would welcome the opportunity to extend an invitation to the Minister to tour Banksia Gardens Broadmeadows and visit Meadow Heights, together with you and local representatives, including potentially the reformed Broadmeadows Revitalisation Board to view the opportunities for renewal in Broadmeadows.

.../2

- 2 -

Should you require further information or assistance in relation to this matter, or suggestions in relation to the proposed Ministerial visit please contact Mr Greg McLaren, Manager Urban and Open Space Planning on [redacted] or via email at [redacted]

Yours sincerely



**CR CARLY MOORE**  
**MAYOR**

---

cc: Steve Dunn, Project Director, Strategic Housing Policy Branch, Department of Health and Human Services

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Our File: HCC18/447 (HCC-CM20/104)  
Enquiries: Gavan O'Keefe  
Telephone:



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Wednesday, 1 April 2020

The Hon David Coleman MP  
Minister for Immigration, Citizenship and Multicultural Affairs  
PO BOX 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Minister

**RE: ALLOCATION OF FUNDING TO SUPPORT CITIZENSHIP CEREMONIES**

Hume City Council at its meeting held on Tuesday, 10 March 2020 resolved:

*"That Council write to the Minister for Immigration, Border Control and Home Affairs, David Coleman, seeking financial assistance in providing Citizenship Ceremonies for new Australian Citizens in Hume."*

Council has seen a significant increase in the number of Citizens attending ceremonies within the Hume municipality, with a 94% increase in the number of candidates conferred in the 2018 calendar year compared to 2019, resulting in almost double the number of Citizenship Ceremonies held in the same 12-month period (15 ceremonies held in 2018 compared to 27 ceremonies held in 2019).

Scheduling this high number of ceremonies comes at a significant cost to Council and to the ratepayers of Hume City. This is further complicated with the availability of staff, with most staff working outside of normal business hours at Citizenship Ceremonies, in addition to their regular business hour roles and workload.

Council, when safe to do so, will need to consider increasing the number of ceremonies to accommodate the Department of Home Affairs' preferred wait-time of less than three months. Based on the information last provided by the Department, Council anticipates that it would need to hold ceremonies for at least 600 candidates per month for three months. At no point has any allocation of funding been offered to Council to assist in the processing of these citizenship candidates or the holding of additional ceremonies.

I therefore request that you consider Council's request to provide financial assistance to process the increased number of Citizenship Ceremonies that Council is expected to schedule.

Please do not hesitate to contact Council's Manager Governance, Mr Gavan O'Keefe on should you wish to discuss these matters further.

Yours sincerely

A handwritten signature in black ink that reads 'Carly Moore'.

**CR CARLY MOORE  
MAYOR**

*THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK*

– OFFICE OF THE MAYOR –

Our File: HCC18/447 (HCC-CM20/74)  
Enquiries: David Fricke  
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Friday, 17 April 2020

The Hon Jaala Pulford MLC  
Minister for Roads  
Level 20, 1 Spring Street  
MELBOURNE VIC 3000

Dear Minister

**RE: ROAD OCCUPATION CHARGE**

Hume City Council at its meeting of 10 March 2020 resolved:

*"That Council writes to the Hon Jaala Pulford MP, Minister for Roads, Road Safety and the TAC and the Department of Transport:*

- 1. Welcoming the State Government's announcement on 6 March 2020 of the introduction of the Road Occupation Charge.*
- 2. Seeking advice on whether the State Government intends to extend the Road Occupation Charge beyond the 11 inner-city Councils identified by the Department of Transport, and if so at what point; and,*
- 3. Reaffirming that like residents of the inner-city, residents of outer-metropolitan/Interface councils and growth areas also experience negative impacts when private parties occupy arterial roads. These impacts include the exacerbation of already congested traffic conditions.*
- 4. Requesting advice from the Minister and the Department as to what measures the State Government is taking to address the genuine frustrations of long-suffering residents in outer-metropolitan growth areas, including as a result of private parties occupying arterial roads."*

I have subsequently been advised that the commencement date for the new charge has been deferred indefinitely due to the coronavirus pandemic. Prior to the new commencement date, Council would appreciate your consideration of the matters outlined above.

Traffic congestion is one of the issues of greatest concern for our community, particularly on many of our arterial roads that are already sub-standard for the increasing traffic they carry. Council would therefore be interested to see this initiative extended beyond the initial inner-Melbourne area and awaits your advice.

Should you require any further information, please contact David Fricke, Manager Assets on

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Carly Moore'.

**CR CARLY MOORE  
MAYOR**

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– OFFICE OF THE MAYOR –



Our File: HCC18/447 (HCC-CM20/185)  
Enquiries: Carmel Ganino  
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Friday, 17 April 2020

The Hon Ros Spence MP  
Minister for Multicultural Affairs  
Minister for Community Sport  
Minister for Youth  
PO Box 132  
CRAIGIEBURN VIC 3064

Dear Minister *ROS*

Hume City Council at its meeting of 14 April 2020 resolved:

*"That Council writes to The Hon Ros Spence MP, Minister for Multicultural Affairs, Community Sport and Youth congratulating her on her appointment as a Cabinet Minister on 23 March 2020 by the Premier."*

On behalf of Hume City Council, I congratulate you on your recent appointment to the roles of Minister for Multicultural Affairs, Minister for Community Sport and Minister for Youth.

The Victorian community is very fortunate to have the support of a Minister who, for many years, has provided exceptional advocacy for their local community.

Victoria's multicultural community will benefit greatly from the leadership you have already demonstrated across the spectrum of diverse community groups that exist in Hume.

Hume's youth and sporting community have also had great support from you. This is particularly exemplified through your extensive advocacy, which has secured funding for community centres and sporting facilities in Hume's growing suburbs.

Once again, congratulations on your well-deserved appointments and we look forward to continuing to work with you.

Yours sincerely

A handwritten signature in cursive script that reads 'Carly Moore'.

**CR CARLY MOORE  
MAYOR**

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– OFFICE OF THE MAYOR –

Our File: HCC13/513  
Enquiries: Domenic Isola  
Telephone:



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Friday, 17 April 2020

The Hon Daniel Andrews MP  
Premier of Victoria  
1 Treasury Place  
MELBOURNE VIC 3002

Dear Premier

We are all experiencing the terrible impacts of COVID-19 and on behalf of the Hume community, Hume City Council thanks you and your team for their efforts and tireless work. The programs and support systems in place, your safe-guarding measures to stop the spread of COVID-19 and your timely and decisive leadership are greatly appreciated by all of us.

Council at its meeting of 14 April 2020, adopted a support and stimulus package aimed to help those in Hume City who have been adversely impacted by COVID-19. The measures include:

1. A contribution of up to \$250,000 to provide for and support the local community through food parcels, food packages and other essential goods. This will be coordinated through local charities and organisations operating in Hume.
2. Support to businesses impacted by this crisis by providing:
  - 2.1 a grant program for Small Business to the value of \$1 million;
  - 2.2 the waiver of food act registrations in the 2020/21 year;
  - 2.3 the waiver of all outdoor dining area permit fees and licence fees for 2020/21; and
  - 2.4 rent relief for tenants occupying Council facilities for up to six months on a case by case basis where the tenant can demonstrate that their business has been adversely impacted by COVID-19.
3. In addition to not charging interest for the last rate instalment for 2019/20, the waiver of charging interest on the late payments for the first and second instalment of rate payments in the 2020/21 year up to 31 December 2020.
4. Supports to local sporting clubs and community groups by providing the following:
  - 4.1 In addition to the waiver of lease and hire charges for the last quarter of 2019/20, the waiver of 100% of the lease and ground use charges for the first six months and 50% of the last six months of the 2020/21 financial year, this equates to a three-month charge only;
  - 4.2 \$250,000 to support sporting clubs impacted by COVID-19 through the inability to participate in their relevant organised sport, by way of grants up to \$5,000 to assist sporting clubs with their operational expenses in 2020/21; and
  - 4.3 The doubling of the Community Grants Program for 2020/21 with the total value of community grants to be distributed to be \$900,000.

.../2

- 2 -

Council has not cut services or reduced its capital spending to support and fund these measures. In fact, Council has a view that it needs to increase its own infrastructure and projects spending. To this end, Council will deliver a capital program of close to \$400 million over the next four years.

Whilst these measures will help, there is still more to do and we seek to work with your Government to continue to provide support and stimulus to the Hume community.

Council seeks your support in releasing State funding to fast track works. It would be an ideal time to release financial assistance grants, growing suburbs grants, sport and recreation grants as soon as possible. This will allow Council to further support activity, jobs and economic prosperity. Council will continue with its ambitious capital program and the release of any support funding by the State Government will only generate more works, economic stimulus and jobs into the economy

Hume City Council also considers there are other ways that the State Government can directly support reducing the cost to Council and burden on the community.

It may be an appropriate time to postpone the implementation of the increased landfill levy and it may also be an appropriate time to defer the Local Government elections. Any such cost reductions will only benefit our community, not just by reducing expenses but also providing for greater certainty, leadership and decision making at this crucial time.

Finally, Council is exempt from applying for Job Keeper Payments, however staff across Council's Leisure Centres and Learning Facilities have a limited role in these services because of their closure. Whilst Council continues to support these staff and redeploy them, it would seem that the Job Keeper program was established for this very purpose. Your support and advocacy to the Federal Government would be welcomed.

Yours sincerely



**CR CARLY MOORE  
MAYOR**

cc: Ms Ros Spence MP, State Member for Yuroke  
Mr Josh Bull MP, State Member for Sunbury  
Mr Frank McGuire MP, State Member for Broadmeadows

– OFFICE OF THE MAYOR –



Our File: HCC18/447 (HCC-CM20/169)  
Enquiries: David Fricke  
Telephone:

1079 PASCOE VALE ROAD  
BROADMEADOWS  
VICTORIA 3047

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Friday, 17 April 2020

Ms Ros Spence MP  
State Member for Yuroke  
PO Box 132  
CRAIGIEBURN VIC 3064

Dear Ms Spence <sup>ROS</sup>

**RE: BROADMEADOWS DEVIATION ROAD AND JOHNSTONE STREET,  
WESTMEADOWS – REQUEST FOR INTERSECTION UPGRADE**

Hume City Council at its meeting of 14 April 2020 resolved:

*“That a letter under the Mayor’s signature be sent to the Department of Transport (DoT) to inform them of the results of our traffic survey of Johnstone Street and Broadmeadows Road Deviation intersection and the need for signalisation and lane improvements, and that our three local state members be informed of the results.”*

Council has concerns regarding the safety and operation of the unsignalised T-intersection of Broadmeadows Deviation Road and Johnstone Street, Westmeadows. A traffic investigation has been undertaken which identified an increase in casualty crashes at the intersection, in addition to significant congestion on the northern leg of the intersection and high traffic volumes on Broadmeadows Deviation Road and Johnstone Street.

The intersection is comprised of three legs: Broadmeadows Deviation Road (arterial road) to the west, Johnstone Street (arterial road) to the east and Johnstone Street (local road) to the north. At the intersection on the east-west arterial roads, there is one through traffic lane in each direction and exclusive right and left turn lanes into Johnstone Street (local road). Traffic volumes on Broadmeadows Deviation Road and Johnstone Street have increased to more than 25,000 vehicles per day.

An analysis of DoT’s Road Crash Information System (RCIS) database indicates there have been four recorded injury crashes at the intersection in the most recently available 5-year period. The majority of crashes involved a right turn vehicle departing the northern leg of the intersection (Johnstone Street Local Road) failing to give way to east bound traffic on Broadmeadows Deviation Road.

If traffic signals were installed at the intersection, movements on all approaches could be controlled and reduce the conflict of right turning vehicles from Johnstone Street (local road) with through vehicles on Broadmeadows Deviation Road. This would directly address the existing crash trend at the intersection, reducing the likelihood of crashes.

.../2

- 2 -

Council's analysis also identified that a traffic signal upgrade of the intersection would require the provision of additional lanes on the eastern and western legs to prevent delays for through traffic. Council therefore also requests that Broadmeadows Deviation Road and Johnstone Street be prioritised for duplication.

Should you require any further information, please contact Mr David Fricke, Manager Assets on

Yours sincerely



---

**CR CARLY MOORE**  
**MAYOR**



– OFFICE OF THE MAYOR –



Our File: HCC18/447 (HCC-CM20/169)  
Enquiries: David Fricke  
Telephone:

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Friday, 17 April 2020

Mr Josh Bull MP  
State Member for Sunbury  
PO Box 635  
SUNBURY VIC 3429

Dear Mr Bull

*Josh,*

**RE: BROADMEADOWS DEVIATION ROAD AND JOHNSTONE STREET,  
WESTMEADOWS – REQUEST FOR INTERSECTION UPGRADE**

Hume City Council at its meeting of 14 April 2020 resolved:

*“That a letter under the Mayor’s signature be sent to the Department of Transport (DoT) to inform them of the results of our traffic survey of Johnstone Street and Broadmeadows Road Deviation intersection and the need for signalisation and lane improvements, and that our three local state members be informed of the results.”*

Council has concerns regarding the safety and operation of the unsignalised T-intersection of Broadmeadows Deviation Road and Johnstone Street, Westmeadows. A traffic investigation has been undertaken which identified an increase in casualty crashes at the intersection, in addition to significant congestion on the northern leg of the intersection and high traffic volumes on Broadmeadows Deviation Road and Johnstone Street.

The intersection is comprised of three legs: Broadmeadows Deviation Road (arterial road) to the west, Johnstone Street (arterial road) to the east and Johnstone Street (local road) to the north. At the intersection on the east-west arterial roads, there is one through traffic lane in each direction and exclusive right and left turn lanes into Johnstone Street (local road). Traffic volumes on Broadmeadows Deviation Road and Johnstone Street have increased to more than 25,000 vehicles per day.

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If traffic signals were installed at the intersection, movements on all approaches could be controlled and reduce the conflict of right turning vehicles from Johnstone Street (local road) with through vehicles on Broadmeadows Deviation Road. This would directly address the existing crash trend at the intersection, reducing the likelihood of crashes.

.../2



- 2 -

Council's analysis also identified that a traffic signal upgrade of the intersection would require the provision of additional lanes on the eastern and western legs to prevent delays for through traffic. Council therefore also requests that Broadmeadows Deviation Road and Johnstone Street be prioritised for duplication.

Should you require any further information, please contact Mr David Fricke, Manager Assets on .....

Yours sincerely



---

**CR CARLY MOORE**  
**MAYOR**

– OFFICE OF THE MAYOR –



Our File: HCC18/447 (HCC-CM20/169)  
Enquiries: David Fricke  
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Friday, 17 April 2020

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

Dear Mr McGuire *Frank*

**RE: BROADMEADOWS DEVIATION ROAD AND JOHNSTONE STREET,  
WESTMEADOWS – REQUEST FOR INTERSECTION UPGRADE**

Hume City Council at its meeting of 14 April 2020 resolved:

*"That a letter under the Mayor's signature be sent to the Department of Transport (DoT) to inform them of the results of our traffic survey of Johnstone Street and Broadmeadows Road Deviation intersection and the need for signalisation and lane improvements, and that our three local state members be informed of the results."*

Council has concerns regarding the safety and operation of the unsignalised T-intersection of Broadmeadows Deviation Road and Johnstone Street, Westmeadows. A traffic investigation has been undertaken which identified an increase in casualty crashes at the intersection, in addition to significant congestion on the northern leg of the intersection and high traffic volumes on Broadmeadows Deviation Road and Johnstone Street.

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An analysis of DoT's Road Crash Information System (RCIS) database indicates there have been four recorded injury crashes at the intersection in the most recently available 5-year period. The majority of crashes involved a right turn vehicle departing the northern leg of the intersection (Johnstone Street Local Road) failing to give way to east bound traffic on Broadmeadows Deviation Road.

If traffic signals were installed at the intersection, movements on all approaches could be controlled and reduce the conflict of right turning vehicles from Johnstone Street (local road) with through vehicles on Broadmeadows Deviation Road. This would directly address the existing crash trend at the intersection, reducing the likelihood of crashes.

.../2

- 2 -

Council's analysis also identified that a traffic signal upgrade of the intersection would require the provision of additional lanes on the eastern and western legs to prevent delays for through traffic. Council therefore also requests that Broadmeadows Deviation Road and Johnstone Street be prioritised for duplication.

Should you require any further information, please contact Mr David Fricke, Manager Assets on

Yours sincerely



---

**CR CARLY MOORE**  
**MAYOR**

– OFFICE OF THE MAYOR –



Our File: HCC18/447 (HCC-CM20/179)  
Enquiries: Anne Mallia  
Telephone:

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Friday, 17 April 2020

Ms Fiona Patten MLC  
Member for Northern Metropolitan Region  
Unit 1/747 Sydney Road  
BRUNSWICK VIC 3056

Dear Ms <sup>Fiona,</sup> Patten

**RE: INTRODUCTION OF PARLIAMENTARY BILL TO EXTEND THE LEAVING CARE AGE IN VICTORIA TO 21**

Hume City Council at its meeting of 14 April 2020 resolved:

*"That Council writes to Fiona Patten MLC acknowledging her efforts in highlighting concerns relating to issues encountered by foster children and the lack of support they are afforded on attaining 18 years of age".*

On behalf of Hume City Council, I would like to thank you for your advocacy to ensure that all children in foster and kinship care can elect to stay home until they are 21 years of age.

Hume City Council acknowledges the significant number of young people who, due to circumstances beyond their control, cannot live with their parents and subsequently find themselves in the care of the state or in foster care. It is pleasing to hear that a possible extension to the leaving care age will ensure that outcomes for young people will be enhanced.

Yours sincerely

A handwritten signature in cursive script that reads 'Carly Moore'.

**CR CARLY MOORE  
MAYOR**

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– OFFICE OF THE MAYOR –

Our File: HCC18/470 (IN2020/10488)  
Enquiries: David Fricke  
Telephone:



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Wednesday, 8 April 2020

Mr Josh Bull MP  
Member for Sunbury  
PO Box 635  
SUNBURY VIC 3429

Dear Mr Bull *Josh*

**RE: TIMELINE FOR CONSTRUCTION OF YIRRANGAN ROAD, SUNBURY**

Thank you for your letter dated 10 March 2020 regarding the timeline for construction of Yirrangan Road, Sunbury.

Council is aware of the importance to the Sunbury community of providing an alternative connection to the Calder Freeway. Planning and design for Yirrangan Road is an action in the current Council Plan and this is underway. Investigative works such as cultural heritage assessment, land survey, ecological study and geotechnical investigation are proceeding and a detailed schedule has been developed. A Planning Permit will be required and the cultural heritage and ecological investigations are legal requirements for this. Council has also scheduled funding in its forward Capital Works Program for the completion of design, land acquisition, planning approval and construction.

Yirrangan Road is a uniquely complex project. Council has only taken on responsibility for delivery of part of Yirrangan Road since the earlier 'Viaduct Way' proposal was found to be unfeasible. Therefore, while you are correct that property owners in Jacksons Hill were given advice about the provision of a connector road, this referred to the earlier Viaduct Way proposal rather than Yirrangan Road.

Council officers initially discussed the proposed Gap Road level crossing removal with representatives of Level Crossing Removal Projects Victoria (LXRP) in July and August 2019. At that stage, Council was advised that the project was only at the stage of developing a reference design and that construction was not anticipated until 2024. This aligned well with Council's indicative schedule for construction of Yirrangan Road, which would see construction completed mid-2023.

In late March 2020, officers were contacted by Rail Projects Victoria (RPV) and several discussions have since taken place. Officers have been advised that major construction is now scheduled to commence in 2021/22 and be completed in 2023. Officers raised the concern that this was a change from the previous advice from LXRP and that Council would not be able to complete the Yirrangan Road connection before road closures required for construction of the level crossing removal project.

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- 2 -

Unfortunately, it is not possible for Yirrangan Road to be constructed earlier. Some of the key reasons for this include:

1. To construct the road, Council needs to secure the land from several private properties. The alignment of the road in the gazetted Sunbury South PSP prepared by the VPA is not the same as the existing Public Acquisition Overlay (PAO) in the Hume Planning Scheme so Council cannot compulsorily acquire the land. Through the current VPA planning scheme amendment to introduce the Infrastructure Contribution Plan (ICP) for the Sunbury South PSP area into the Hume Planning Scheme, the VPA has proposed a new PAO along the proposed alignment. This planning scheme amendment is not expected to be gazetted until early to mid-2021. Until this new PAO is introduced into the Hume Planning Scheme, Council has no guaranteed means of securing the land. Further, unless the road remains an identified project for development contributions in the gazetted final Sunbury ICP, Council is not in a position to secure the required development contributions to deliver the full road on the alignment in the gazetted Sunbury South PSP.
2. Work on the Cultural Heritage study commenced in October 2019 and was due to be completed in August 2020. However, this is now facing an unknown delay as both Council's contracted Heritage Advisor and the Registered Aboriginal Party have advised that no new field work is able to be conducted under current COVID-19 social distancing guidelines. This is primarily for the protection of the participating Aboriginal Elders who are deemed to be in a high-risk group.
3. An Approved Cultural Heritage Management Plan (CHMP) is legally required by the *Aboriginal Heritage Amendment Act 2016* prior to the commencement of any high impact activity. This is delaying soil investigative works, decisions to design a bridge or culvert crossing over Harpers Creek, as well as determining the extent and nature of archaeological salvage or protection that is required prior to construction. Council's project officers are working with our Heritage Advisor for options to continue the investigative stage of the project.
4. Melbourne Water approval will be required for the above creek crossing.
5. Geotechnical investigation was scheduled to commence in September 2020 but cannot proceed until the CHMP is ready.
6. A functional design needs to be undertaken for the railway underpass (SS-RD-04-5 in the ICP) to ensure that road levels are correct where it will intersect with Yirrangan Road and to satisfy VicTrack and any future works proposed on the rail corridor.
7. Further work on the design of the road, with consideration of additional information from points 2 to 6 may alter the ultimate alignment of the road. Therefore, it would not be appropriate to initiate property acquisition until this is resolved, regardless of the issue outlined in point 1.

I appreciate the desire for Yirrangan Road to be opened before the closure of Gap Road/Station Street is required for the level crossing removal project however, as outlined above, there are a range of complexities that prevent Council from being able to complete the project ahead of the recently advised schedule for the level crossing removal.

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- 3 -

Council will continue to work with RPV and LXR as required, to plan for how best to manage traffic during work on the level crossing removal project.

To help ensure the timely delivery of Yirrangan Road, I seek your support in ensuring that the new PAO as outlined in point 1 is supported and that the road remains an identified project in the Sunbury ICP when the planning scheme amendment is considered for approval by the Minister for Planning next year.

Should you have any queries or require further information in relation to this matter, please do not hesitate to contact Council's Manager Assets, Mr David Fricke on

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Yours sincerely



**CR CARLY MOORE  
MAYOR**

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Thank you for looking into that. I will pass on the information to Mr Ondarchie.

Kind regards,

Nick



Nicholas Johnston | Advisor | Mr Craig Ondarchie MP  
State Member for the Northern Metropolitan Region  
27A Axis Business Centre, 797 Plenty Road, South Morang Vic 3752  
9422 0099

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**From:** Peter Waite

**Sent:** Wednesday, 8 April 2020 4:41 PM

**To:** Nick Johnsto

**Cc:** Aida Baptista

; Anthony Knight

Georgina Snell

**Subject:** Sewage to Greenvale and Kalkallo

Good afternoon Nick,

Thank you for your enquiry.

I have followed up on your query with Anthony Knight, Council's Coordinator Public Health who advises that:

*"Previous communication with YVW stated that their Community Sewerage Program was set until 2023 and that the next review of servicing priorities would be 2021. They also noted that properties that are able to contain wastewater onsite in accordance with the EPA Code of Practice for Onsite Domestic Wastewater Management are not typically considered for the provision of a subsidised sewerage service under the Community Sewerage Program. However, any properties requested for servicing are reviewed by YVW to confirm whether they meet the legislative servicing criteria.*

*The size of the blocks on Greenvale are larger than blocks in Kalkallo and are better suited to retaining their waste, however, I have been in communication with YVW to request a copy of their servicing criteria, so to enable Council to work towards a submission for the addition of properties to the Community Sewerage Program when the review opens in 2021. At the moment, I have not been informed when in 2021 this will be.*

*I know some of the factors YVW consider are the ability of properties to contain wastewater onsite, local demographics, environmental sensitivity and the logistics of sewerage network delivery, but have requested further details of the submission process and assessment criteria, which will hopefully increase the likelihood of having the properties in Greenvale and Kalkallo included in the community sewerage program.*

*I do also note, that any properties agreed to be serviced by YVW are fed into their servicing prioritisation model to determine the recommended servicing timeframe. The current end to the program is estimated to be 2033".*

Regards

Peter

**Peter Waite**

**Director Sustainable Infrastructure and Services**



Hume City Council  
1079 Pascoe Vale Road Broadmeadows Vic 3047  
PO Box 119 Dallas Vic 3047

[www.hume.vic.gov.au](http://www.hume.vic.gov.au)

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**From:** Nick Johnston  
**Sent:** Tuesday, 7 April 2020 3:50 PM  
**To:** Peter Waite  
**Subject:** RE: Sewage to Greenvale & Kalkallo

Hi Peter,

I hope you and your team are well and staying safe during this current crisis.

Mr Ondarchie has asked me to reach out to see if there has been any new developments in relation to the connecting Greenvale and Kalkallo to the YVW Community Sewage Program (Since we last spoke – week of 24/2/20). I understand that during the current circumstances this may not be a priority issue, but if there have been any updates you could provide it would be greatly appreciated.

Many thanks,

Nick.



Nicholas Johnston | Advisor | Mr Craig Ondarchie MP  
State Member for the Northern Metropolitan Region  
27A Axis Business Centre, 797 Plenty Road, South Morang Vic 3752  
9422 0099

Our File: HCC10/637 (IN2020/09464)  
Enquiries: Hector Gaston  
Telephone:



Thursday, 26 March 2020

Ms Annette Parker  
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Dear Ms Parker

**RE: VALLEY PARK REDEVELOPMENT – FUTURE COMMUNITY CENTRE DEVELOPMENT**

I acknowledge receipt of your letter dated 6 March 2020 in relation to the conclusion of the Valley Park Redevelopment in Westmeadows and the request to meet with Council officers to discuss the outstanding matter of the construction of a community facility within the precinct.

On behalf of Hume City Council, I would like to convey my disappointment with the decision reached by the Department of Health and Human Services not to proceed with the delivery of a community facility. Council continues to support the outcomes from the Valley Park Social Infrastructure Needs Assessment (2019) which confirmed that there is a need for the delivery of a small-scale community facility to support the delivery of key foundation community services and programs in this development.

It is regrettable that the Department can not see the need for such a facility. Council and the Hume community expects that the State Government delivers on its commitments. It is unreasonable to complete the development of Valley Park but leave this important piece of community infrastructure out.

Given the Department of Health and Human Services' desire to finalise the closure of this project including the non-delivery of the community facility, Hume City Council requests that the Department of Health and Human Services forwards to Council the \$100,000.00 payment as documented in the 2012 Land Exchange Agreement. Hume City Council will, in due time, give consideration as to how best the funds can be expended to support the needs of the Valley Park community.

As you can appreciate, given the current circumstances, Council officers are unable to commit to your request to meet and discuss alternative options where the funding contribution can be utilised for community benefit. Hume City's immediate and necessary focus at this time is in managing and responding to the Novel Coronavirus (COVID-19) Pandemic and related considerations for the Hume community.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Isola', is written over a horizontal line.

**DOMENC ISOLA**  
**CHIEF EXECUTIVE OFFICER**

cc: Mr Frank McGuire MP, State Member for Broadmeadows

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