



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

**MONDAY, 21 SEPTEMBER 2020**

**VIRTUAL MEETING**

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**CONFIRMED - 21 DECEMBER 2020**



# HUME CITY COUNCIL

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## Minutes of the

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

held on Monday, 21 September 2020

**at 7:00PM**

at the Virtual Meeting of Hume City Council, accessed via [www.hume.vic.gov.au](http://www.hume.vic.gov.au)

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

### **Proceedings to be Recorded**

The Mayor advised that the Council meeting was being livestreamed on Council's website and that an audio recording of the Council meeting would be made and published to Council's website within 2 working days of the meeting.

The Mayor advised that as Council is the owner of the copyright in the livestream and notwithstanding anything appearing on Council's website, any recording, copying or other use of the livestream is strictly prohibited and would therefore constitute a breach of Council's copyright.

The Mayor advised that as members of the gallery could not be in attendance at the meeting, any person wishing to make comment to reports listed on the Agenda, had been requested to submit their comments in advance of the meeting. Provided they are compliant with the *Governance Local Law* 2013 and Council's Code of Meeting Procedures, with the exception of being present at the meeting, these comments would be read out by the Chief Executive Officer.

**ORDER OF BUSINESS****1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND**

The Mayor read the following:

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

**2. PRAYER**

The Mayor advised that Councillors would normally be asked to stand for the Prayer as a sign of respect, however given that the meeting is being conducted online Councillors would not be required to stand on this occasion.

The Mayor read the following:

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

Amen

**3. APOLOGIES**

Nil.

**4. DISCLOSURE OF INTEREST**

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

No Councillors declared any Conflict of Interest.

**5. CONDOLENCE MOTIONS**

**CNM035**

**CONDOLENCE MOTION – ROBERT (BOB) MANTON**

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

**That Council acknowledge the recent passing of Robert (Bob) Manton.**

**CARRIED**

**CNM036**

**CONDOLENCE MOTION – ROBERT (Bobby) WHITE**

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

**That Council acknowledge the recent passing of Robert (Bobby) White.**

**CARRIED**

## 6. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
CC120	RAP Implementation Plan 2020 - 2022 and Aboriginal and Torres Strait Islander Recognition Policy 2020	5

**Moved** Cr Jack Medcraft, **Seconded** Cr Naim Kurt

**That Council:**

- 2.1 endorses the RAP Implementation Plan (2020 -2022) to guide the delivery of Council actions and programs to advance better outcomes for Hume City's Aboriginal and Torres Strait Islander peoples.
- 2.2 rescinds the Aboriginal and Torres Strait Islander Recognition Policy (2016).
- 2.3 adopts the Aboriginal and Torres Strait Islander Recognition Policy (2020).

Cr Jack Medcraft left the meeting after the motion was moved on item CC120 - *RAP Implementation Plan 2020 - 2022 and Aboriginal and Torres Strait Islander Recognition Policy 2020*, the time being 7:16pm.

Cr Jack Medcraft returned to the meeting during the discussion and prior to the vote on item CC120 - *RAP Implementation Plan 2020 - 2022 and Aboriginal and Torres Strait Islander Recognition Policy 2020*, the time being 7:20pm, and voted on the item.

**CARRIED**

Report No.	Report	Page in Agenda
SU506	26-30 Cuthbert Street, Broadmeadows - Use and development of a childcare centre and reduction to the car parking requirements	43

The Chief Executive Officer read out a submitted statement to Council on behalf of Mr Spiro Neofitu.

**Moved** Cr Jack Medcraft, **Seconded** Cr Drew Jessop

**That Council, having considered the application on its merits resolves to grant a Planning Permit for the use and development of a childcare centre and reduction in car parking requirements at 26-30 Cuthbert Street, Broadmeadows, subject to the following conditions:**

- 2.1 Before the development is commenced, all lots comprising the subject land must be consolidated under the Subdivision Act 1988 into a single lot. Evidence of consolidation, being a new Certificate of Title for the consolidated lot, must be submitted to the Responsible Authority.
- 2.2 Before the development is commenced but not prior to the consolidation of the lots required by condition 1, 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 drawn to scale with dimensions, and must be generally in accordance with plans submitted with the application, but modified to show:

- a. All lots consolidated in accordance with condition 1.
  - b. A letterbox in accordance with Australia Post requirements.
  - c. Exterior window and door treatment on WC3 to be altered to prevent a direct line of sight to this area from the public street.
  - d. A notation stating that there must be no gaps in the 1.8m high timber paling fence to be provided on the north, east and west site boundaries.
- 2.3 Before the development is commenced an updated Arborist Report, generally in accordance with the Arborist Report submitted with the application (prepared by Tree Logic dated 27 February 2020), must be submitted to and approved by the Responsible Authority, but be amended to state that tree 6 – Red Ironbark is to be retained and provide construction mitigation measures to ensure that the tree is protected.
- 2.4 Before the development is commenced an amended landscaping plan which includes the below must be submitted to and approved by the Responsible Authority:
- i. Tree Protection fencing around the existing street tree.
  - ii. The tree protection measures consistent with those outlined in the Arborist Report required under condition 2(e).
  - iii. The planting size of proposed plants within the Planting Palette.
  - iv. Irrigation to be shown.
  - v. Dianella ‘Tas Red’ replaced by Dianella ‘little Rev’ or Lomandra ‘Tanika’
  - vi. Dianella caerulea replaced by Dianella ‘little jess’
  - vii. A planting schedule for the raingarden including appropriate species and planting densities. A list of suitable species and planting densities can be found here:  
[https://archive.hume.vic.gov.au/files/sharedassets/hume\\_website/building\\_and\\_planning/statutory\\_planning/factsheets/2.\\_raingardens.pdf](https://archive.hume.vic.gov.au/files/sharedassets/hume_website/building_and_planning/statutory_planning/factsheets/2._raingardens.pdf)
- 2.5 Before the development is commenced an updated stormwater report, generally in accordance with the Sustainable Built Environments report submitted with the application (prepared by 26 February 2020) must be submitted to and approved by the Responsible Authority but amended to include the following details:
- i. How stormwater will be drained to the proposed stormwater treatment devices.
  - ii. A planting schedule for the raingarden including appropriate species and planting densities. A list of suitable species and planting densities can be found here:  
[https://archive.hume.vic.gov.au/files/sharedassets/hume\\_website/building\\_and\\_planning/statutory\\_planning/factsheets/2.\\_raingardens.pdf](https://archive.hume.vic.gov.au/files/sharedassets/hume_website/building_and_planning/statutory_planning/factsheets/2._raingardens.pdf)
  - iii. How stormwater treatment devices will be connected to reuse facilities or legal points of discharge.

- 2.6 The layout of the uses(s) and buildings and works shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 2.7 Before the use and development allowed by this permit commences, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.
- 2.8 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.
- 2.9 Before the development is occupied, the endorsed Waste Management Plan must be implemented and thereafter complied with at all times to the satisfaction of the Responsible Authority.
- 2.10 Except with the prior written consent of the Responsible Authority, the approved use of a childcare centre may operate only between the following times:
  - a. Monday to Friday: 7:00am until 6:00pm
  - b. The outdoor play areas may not be used earlier than 7am on any given day.
- 2.11 Except with the prior written consent of the Responsible Authority, the number of childcare places must not exceed 96 at any one time.
- 2.12 Prior to the use commencing, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
  - a. Unless with the prior written consent of the Responsible Authority, waste collection for the childcare centre on the site must occur only by private waste collection, as per the endorsed Waste Management Plan of Planning Permit P22705.

Before the use commences, an 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 all reasonable costs of the preparation, (and) execution and registration of the Section 173 Agreement.
- 2.13 Receptacles for any form of rubbish or refuse must not be visible from any public road, thoroughfare or common access. Odour must not emit from any receptacles so as to cause unreasonable offence to any persons outside the land.
- 2.14 Any alarm or security system installed on the land associated with the childcare centre must:
  - a. Be silent in accordance with any relevant Australian Standard; and
  - b. Be connected to a registered security firm.
- 2.15 No external sound amplification equipment or loud speakers may be used for the purpose of announcements, broadcasts, playing of music or the like, except with the prior written consent of the Responsible Authority.

- 2.16 Noise levels emanating from the land must not exceed the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
- 2.17 Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land or premises and/or must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the Responsible Authority.
- 2.18 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.
- 2.19 Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
- 2.20 The boundaries of all car spaces, access lanes and the direction in which vehicles should proceed along the lanes must be clearly indicated on the ground to the satisfaction of the Responsible Authority.
- 2.21 All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
- 2.22 The development permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
- 2.23 Storm water from all paved area must be retained within the property and drained to the site's underground storm water system to the satisfaction of the Responsible Authority.
- 2.24 Any cut or fill must not interfere with the natural overland storm water flow.
- 2.25 No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
- 2.26 This permit will expire if one of the following circumstances applies:
  - a. The development and use are 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; or
  - c. The use ceases for two or more years.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

**PERMIT NOTES:**

1. If a request for an extension of commencement/completion dates is made out of time allowed under the *Planning and Environment Act 1987*, 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.



2. A 'Legal Point of Storm water Discharge' permit is must be obtained from Council prior to the commencement of buildings and works.
3. The internal stormwater drainage design must be approved by the relevant Building Surveyor as per the Building Regulation 2006, Reg. 610.
4. Prior to commencement of any works within the road reserve, including alteration/connection to Council's drainage assets, 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.
5. Provision of litter control at stormwater inlet points within carpark and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
6. There is no signage permitted by this permit. Any signage placed on site may only be done so be in accordance with Clause 52.05 of the Hume Planning Scheme.

**CARRIED**

A division was requested: The result of the division was as follows:

<b>For</b>	<b>Against</b>
Cr Carly Moore	Cr Naim Kurt
Cr Ann Potter	Cr Karen Sherry
Cr Leigh Johnson	Cr Geoff Porter
Cr Joseph Haweil	Cr Jana Taylor
Cr Drew Jessop	Cr Jodi Jackson
Cr Jack Medcraft	

<b>Report No.</b>	<b>Report</b>	<b>Page in Agenda</b>
<b>SU508</b>	<b>15 Powlett Street Sunbury - Development of eleven two storey dwellings</b>	<b>85</b>

The Chief Executive Officer read out a submitted statement to Council on behalf of Mr Richard Ashby.

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

**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 eleven (11) double storey dwellings at 15 Powlett Street, Sunbury, subject to the following conditions:**

- 2.1 **Before the development starts, 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 drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plans by Bill Jacobs Pty Ltd dated May 2020 Revision C but modified to show:**
  - a) **The sliding entry gate to be positioned on the east side of the visitor car parking spaces on the entrance driveway.**

- b) The portion of the access driveway along the north of Dwelling 1 to be increased in width to 4.5 metres.
  - c) The second car parking space for Dwelling 3 marked DW3 to be relocated to the northern section of the access driveway.
  - d) The second parking space for Dwelling 6 marked DW6 to be 5.4 metres long with a 5.8 metre wide accessway to the rear.
  - e) Clearly delineate the tandem car parking spaces for Dwelling 4 and Dwelling 5.
  - f) Extend the creekside path to the Macedon Street Boundary.
  - g) Clearly delineate the creek area as common property on the plans.
  - h) An updated landscape plan which uses indigenous species of local provenance
  - i) The changes required by Melbourne Water described in Condition 20
- 2.2 The layout of the site and/or the size of the proposed or existing buildings and works and/or the internal layout and use of the buildings as shown on the endorsed plan/s shall not be altered or modified except with the written consent of the responsible authority.
- 2.3 Once the development permitted by this permit has commenced, it must be continued and completed to the satisfaction of the responsible authority.
- 2.4 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.
- 2.5 Before the development is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.
- 2.6 The development permitted by this permit must not in the opinion of the Responsible Authority adversely affect the amenity of the locality.
- 2.7 Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
- 2.8 Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land or premises and/or must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the Responsible Authority.
- 2.9 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 from the subject land across any road or footpath or onto adjoining land. All stormwater storage tanks must have the overflow pipe connected to the legal point of discharge.

- 2.10 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.11 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.
- 2.12 Stormwater must not be discharged from the subject land other than by means of an underground pipe drain to a Council nominated point of discharge in a road or to an underground pipe drain and the drainage system must be designed to the requirements and satisfaction of the relevant Building Surveyor
- 2.13 Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
- 2.14 The stormwater management solutions shown on the approved plans must be installed and maintained to the satisfaction of the Responsible Authority.
- 2.15 Prior to commencement of works, a Construction Site Environmental Management Plan (CSEMP), must be submitted to and approved by the Responsible Authority to address the potential impacts of construction works. The CSEMP must be in generally in accordance with 'doing it right on subdivision EPA 2004' and address methods for noise, dust, erosion and sediment control, waste and chemical management, flora/fauna protection, weed control, and archeological/heritage impacts.
- 2.16 Prior to commencement of works, all personnel on site must be inducted into the CSEMP and all flora and fauna conservation requirements.
- 2.17 The approved CSEMP must be implemented to the satisfaction of the Responsible Authority.
- 2.18 The Landscape Plan must be updated to include only indigenous species of local provenance to the satisfaction of the Responsible Authority.
- 2.19 Prior to the issue of an occupancy agreement, the owner must enter into an agreement with Council made pursuant to Section 173 of the Planning and Environment Act 1987 to provide for the following for the waterway common property area:
  - a) Weed control
  - b) Revegetation within indigenous species of local provenance
  - c) Biomass management
  - d) Repair and maintenance of the dry-stone wall  
all to the satisfaction of the Responsible Authority

Melbourne Water Conditions

- 2.20 Prior to the endorsement of plans, 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 be modified to show:
- a) An annotation on the landscape plans showing re-vegetation species interfacing the Jacksons Creek waterway corridor in Zones 2 and 4 to be comprised of locally appropriate indigenous species in line with local EVC's (Stream Bank Shrubland and Plains Grassy Woodland).
- 2.21 The dwellings must be constructed with finished floor levels set no lower than 188.9 metres to Australian Height Datum (AHD), which is 600mm above the applicable flood level of 188.3m to AHD.
- 2.22 The garages must be constructed with finished floor levels set no lower than the applicable flood level of 188.3m to AHD.
- 2.23 Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
- 2.24 All setbacks must be maintained as per shown on the submitted plans.
- 2.25 Areas of private open space for any new dwellings must be set at natural surface level.
- 2.26 Prior to the commencement of works a separate application direct to Melbourne Water, must be made and approved of any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.
- 2.27 Revegetation species interfacing the Jacksons Creek waterway corridor in Zones 2 and 4 must be comprised of locally appropriate indigenous species in line with local EVC's (Stream Bank Shrubland and Plains Grassy Woodland). This is required to provide an appropriate interface with between the property and the waterway corridor, and to buffer the waterway corridor from potentially weedy species.

Vic Roads conditions

- 2.28 The site layout (Reference 180208, Sheet 13 dated May 2019) amended to:
- Prevent vehicle access to the site.
  - Enable only one pedestrian access point to the development, at no cost to and to the satisfaction of the Responsible Authority and Department of Transport.
- 2.29 During construction, the development must be managed so as not to compromise the operational efficiency of Macedon Street or public safety.

Department of Environment, Land, Water and Planning conditions

- 2.30. The adjoining Crown land must not be used for access associated with the construction of the approved buildings and works.
- 2.31 The adjoining Crown land must not be used for the storage of materials, machinery or vehicles associated with the construction of the approved buildings and works.
- 2.32 There must be no uncontrolled stormwater run-off to be discharged directly or indirectly onto the adjoining Crown land.
- 2.33 No encroachment or formal access will be allowed to or from the Crown land as a result of the use or development.
- 2.34 This permit will expire if one of the following circumstances applies:
- the development is not commenced within three years of the date of this permit; or
  - the development is not completed within six years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

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

**NOTES:**

- If a request for an extension of commencement/completion dates is made out of time allowed by the 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.
- Any modifications to existing vehicle crossing require 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.
- A Legal Point of Stormwater discharge permit is required to be obtained from Melbourne Water prior to commencement of building and works.
- Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
- The internal stormwater drainage design must be approved by a relevant Building Surveyor under the Building Regulation 2006, Reg. 610.
- Any service relocation associated with the works are to be approved by the Service Authorities and at the owners cost.

- 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.
- Any structure built over an easement requires Council and relevant service authorities approval.

CARRIED

Report No.	Report	Page in Agenda
SU510	Hume City Parking on Narrow Streets Policy	123

Moved Cr Joseph Haweil, **Seconded** Cr Drew Jessop

**That Council:**

- 2.1 notes that community consultation on the draft *Hume City Parking on Narrow Streets Policy (Policy)* was undertaken on Council's *Your Say* web page for a four-week period from 28 April to 27 May 2020.
- 2.2 notes that community feedback of the Policy was favourable with all comments tabled in Attachment 2.
- 2.3 rescinds the previous Policy and adopts the updated Policy as detailed in Attachment 1.
- 2.4 review the Policy and funding allocation after three years of operation.

Cr Ann Potter left the meeting after the motion was moved on item SU510 - *Hume City Parking on Narrow Streets Policy*, the time being 7:55pm.

Cr Ann Potter returned to the meeting during the discussion and prior to the vote on item SU510 - *Hume City Parking on Narrow Streets Policy*, the time being 7:58pm, and voted on the item.

CARRIED

Report No.	Report	Page in Agenda
SU513	Rezoning of land at 105 Vineyard Road, Sunbury - Proposed Planning Scheme Amendment C253	153

The Chief Executive Officer read out a submitted statement to Council on behalf of Ms Julie Lancashire.

Moved Cr Jack Medcraft, **Seconded** Cr Ann Potter

**That Council:**

- 2.1 seek Authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C253 to rezone land at 105 Vineyard Road, Sunbury from an Industrial 3 Zone (IN3Z) to a General Residential Zone (GRZ) and apply the Development Plan Overlay - Schedule 32 (DPO32) to the land, in accordance with Section 8A of the *Planning and Environment Act 1987*.
- 2.2 subject to Ministerial Authorisation, prepares and exhibits Planning Scheme Amendment C253 to the Hume Planning Scheme in accordance with Section 19 of the *Planning and Environment Act 1987*.

- 2.3 allow officers to make any necessary clerical or format changes required to ensure consistency with the new format Planning Scheme.

CARRIED

Report No.	Report	Page in Agenda
SU514	Planning Scheme Amendment C250 - 140-204 Western Avenue and 47-67 and 69-99 Wright Street, Westmeadows - Authorisation	167

The Chief Executive Officer read out a submitted statement to Council on behalf of Ms Helen Van Den Berg, Ms Margaret Shillabeer, Mr Peter Latham and Ms Sheridan Tate

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

**That Council:**

- 2.1 seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C250 to rezone land at 140-204 Western Avenue and 47-67 Wright Street and 69-99 Wright Street, Westmeadows from Farming Zone (FZ) to part General Residential (GRZ) and part Industrial 3 Zone (IN3Z) and apply the Development Plan Overlay – Schedule 31 (DPO31) to the land in accordance with Section 8A of the *Planning and Environment Act 1987*.
- 2.2 subject to Ministerial Authorisation, prepares and exhibits Planning Scheme Amendment C250 to the Hume Planning Scheme in accordance with Section 19 of the *Planning and Environment Act 1987*.
- 2.3 allow officers to make any necessary clerical or format changes required to ensure consistency with the new format Planning Scheme.

Cr Naim Kurt left the meeting after the motion was moved on item SU514 - *Planning Scheme Amendment C250 - 140-204 Western Avenue and 47-67 and 69-99 Wright Street, Westmeadows - Authorisation*, the time being 8:12pm.

Cr Naim Kurt returned to the meeting during the discussion and prior to the vote on item SU514 - *Planning Scheme Amendment C250 - 140-204 Western Avenue and 47-67 and 69-99 Wright Street, Westmeadows - Authorisation*, the time being 8:14pm, and voted on the item.

CARRIED

Report No.	Report	Page in Agenda
GE465	Key Advocacy Project Updates	189

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

**That Council notes the report.**

CARRIED

Report No.	Report	Page in Agenda
GE466	Asset Management Policy and Strategy	191

**Moved** Cr Karen Sherry, **Seconded** Cr Jana Taylor

**2.1 That Council:**

- 2.1.1 rescind the previous Asset Management Policy and Strategy from 2015
- 2.1.2 adopt the Asset Management Policy 2020 (Attachment 1)
- 2.1.3 adopt the Asset Management Strategy 2020 (Attachment 2)

**CARRIED**

Report No.	Report	Page in Agenda
GE467	Temporary Change to the Instrument of Delegation to the Chief Executive Officer	223

The Chief Executive Officer read out a submitted statement to Council on behalf of Mr John Rutherford and Ms Sheriden Tate.

**That Council:**

- 2.1 in accordance with section 11(1) of the *Local Government Act 2020*, amends its instrument of delegation to the Chief Executive Officer for:
  - 2.1.1 a temporary increase in the current limitation on the power delegated to the CEO – to award a contract not exceeding the value of \$1.778 million (including GST); and
  - 2.1.2 inclusion of a new temporary Statutory Planning delegation in accordance with Section 61 of the *Planning and Environment Act 1987* (P&E Act) for the power to determine to recommend that a permit be granted, where there are three or more objections, or to refuse to recommend that a permit be granted.
- 2.2 approves this amendment for the period of 25 October 2020 to 30 November 2020, or until the first Council Meeting (non-Statutory), whichever is the latter.
- 2.3 receive a further report on the use of these temporary delegations at a Council meeting in December 2020.

**Amendment**

**Moved** Cr Ann Potter, **Seconded** Cr Jodi Jackson

**That item 2.1.2 be amended to read:**

**Inclusion of a new temporary Statutory Planning delegation in accordance with Section 61 of the *Planning and Environment Act 1987* (P&E Act) for the power to determine to recommend that a permit be granted, except where there are three or more objections, or to refuse a recommendation that a permit be granted.**

**LOST**



A division was requested for the amendment: The result of the division was as follows:

<b>For</b>	<b>Against</b>
Cr Ann Potter	Cr Carly Moore
Cr Karen Sherry	Cr Jack Medcraft
Cr Jodi Jackson	Cr Geoff Porter
	Cr Naim Kurt
	Cr Leigh Johnson
	Cr Drew Jessop
	Cr Joseph Haweil
	Cr Jana Taylor

**Moved** Cr Drew Jessop, **Seconded** Cr Jack Medcraft

**That Council:**

- 2.1 in accordance with section 11(1) of the *Local Government Act 2020*, amends its instrument of delegation to the Chief Executive Officer for:
 
  - 2.1.1 a temporary increase in the current limitation on the power delegated to the CEO – to award a contract not exceeding the value of \$1.778 million (including GST); and**
  - 2.1.2 inclusion of a new temporary Statutory Planning delegation in accordance with Section 61 of the *Planning and Environment Act 1987* (P&E Act) for the power to determine to recommend that a permit be granted, where there are three or more objections, or to refuse to recommend that a permit be granted.****
- 2.2 approves this amendment for the period of 25 October 2020 to 30 November 2020, or until the first Council Meeting (non-Statutory), whichever is the latter.**
- 2.3 receive a further report on the use of these temporary delegations at a Council meeting in December 2020.**

#### **Amendment**

**Moved** Cr Jodi Jackson

**That item 2.1.2 be removed from the recommendation.**

**The motion failed for want of a seconder.**

The substantive motion was then put.

**That Council:**

- 2.1 in accordance with section 11(1) of the *Local Government Act 2020*, amends its instrument of delegation to the Chief Executive Officer for:
 
  - 2.1.1 a temporary increase in the current limitation on the power delegated to the CEO – to award a contract not exceeding the value of \$1.778 million (including GST); and****

- 2.1.2 inclusion of a new temporary Statutory Planning delegation in accordance with Section 61 of the *Planning and Environment Act 1987* (P&E Act) for the power to determine to recommend that a permit be granted, where there are three or more objections, or to refuse to recommend that a permit be granted.
- 2.2 approves this amendment for the period of 25 October 2020 to 30 November 2020, or until the first Council Meeting (non-Statutory), whichever is the latter.
- 2.3 receive a further report on the use of these temporary delegations at a Council meeting in December 2020.

CARRIED

Report No.	Report	Page in Agenda
GE468	Correspondence received from or sent to Government Ministers or Members of Parliament - August 2020	227
	<b>Moved</b> Cr Jack Medcraft, <b>Seconded</b> Cr Joseph Haweil	
	<b>That Council notes this report on correspondence received from or sent to Government Ministers or Members of Parliament.</b>	

Cr Ann Potter left the meeting after the motion was moved on item GE468 - *Correspondence received from or sent to Government Ministers or Members of Parliament - August 2020*, the time being 9:24pm

Cr Ann Potter returned to the meeting during the discussion and prior to the vote on item GE468 - *Correspondence received from or sent to Government Ministers or Members of Parliament - August 2020*, the time being 9:27pm, and voted on the item.

CARRIED

### Reports Not Otherwise Dealt With

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

Report No.	Report	Page in Agenda
SU507	22 Backhaus Avenue, Sunbury - The development of two double storey dwellings to the rear of the existing dwelling	63
SU509	Statutory Planning Monthly Report - August 2020	109
SU511	Hume Planning Scheme Amendment - Heritage Overlay Corrections	139
SU512	Council Submission to the Melbourne Airport Safeguarding Standing Advisory Committee	147

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU507	22 Backhaus Avenue, Sunbury - The development of two double storey dwellings to the rear of the existing dwelling	63

Moved Cr Leigh Johnson, Seconded Cr Ann Potter

That, having considered the application on its merits and the objections received, Council resolves to issue a Notice of Decision to grant an amendment to Planning Permit P20341 to allow the development of two double storey dwellings at to the rear of the exiting dwelling at 22 Backhaus Avenue Sunbury, subject to the following conditions:

- 2.1 Prior to the commencement of the development hereby approved, Covenant (T332459T) contained on Certificate of Title Volume 09900 Folio 995 on Lot 21 on Plan of Subdivision PS305997T must be removed in its entirety from the title.
- 2.2 The layout of the site and/or the size of the buildings and the internal layout of the buildings as shown on the endorsed plan/s must not be altered or modified except with the written consent of the Responsible Authority.
- 2.3 The development shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 2.4 Once the approved development has started, it must be continued and completed to the satisfaction of the Responsible Authority.
- 2.5 The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the Responsible Authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
- 2.6 Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
- 2.7 Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land or premises and/or must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the Responsible Authority.
- 2.8 All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
- 2.9 All external cladding and roofing of the buildings hereby permitted must be of a non-reflective nature and must be coloured or painted in muted shades satisfactory to the Responsible Authority.
- 2.10 Any services within the road reserve that require relocation must be approved by the relevant service authority and any such relocation must be made at the owner's or developer's cost.

- 2.11 The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the Responsible Authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
- 2.12 The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.
- 2.13 Stormwater must not be discharged from the subject land other than by means of an underground pipe drain to a Council nominated point of discharge in a road or to an underground pipe drain and the drainage system must be designed to the requirements and satisfaction of the relevant Building Surveyor.
- 2.14 Effluent or polluted drainage must not be allowed to discharge beyond the boundaries of the subject land onto other land or any street or road or directly or indirectly into any watercourse.
- 2.15 Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
- 2.16 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.
- 2.17 Finished floor levels must not be altered without the consent of the Responsible Authority.
- 2.18 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.
- 2.19 Before the use starts or the development is occupied or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 2.20 Car spaces, access lanes and driveways shown on the endorsed plan must be kept available for these purposes at all times to the satisfaction of the responsible authority.

- 2.21 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 storage tanks must have the overflow pipe connected to the legal point of discharge.
- 2.22 Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
- 2.23 Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
- 2.24 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.25 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.26 Any redundant vehicle crossing must be removed. The kerb and channel and nature strip must be reinstated.

#### Expiry

- 2.27 This permit will expire if one of the following circumstances applies:
- the development and use are not started within three years of the date of this permit; or
  - the development is not completed within six years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing:

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

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.

#### NOTE:

- a) An approval is required from Council and other responsible authorities for any structures to be built over the easement.
- b) 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.

- c) A Stormwater discharge permit is required from Council.
- d) An application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- e) Any service relocation associated with the works are to be approved by the Service Authorities and at the owners cost.
- f) 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.
- g) A separate underground drainage system is to be designed to cater for the 2nd dwelling and connect to the legal point of discharge for the site. An additional legal point of discharge for the 2nd dwelling may be requested.
- h) Any structure or landscaping within visibility splays of driveway (2.0m along front boundary & 2.5m into property) must be no greater than 900mm in height.
- i) Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians.

CARRIED

Report No.	Report	Page in Agenda
SU509	Statutory Planning Monthly Report - August 2020	109
	Moved Cr Leigh Johnson, <b>Seconded</b> Cr Ann Potter	
	That the report be noted.	

CARRIED

Report No.	Report	Page in Agenda
SU511	Hume Planning Scheme Amendment - Heritage Overlay Corrections	139
	Moved Cr Leigh Johnson, <b>Seconded</b> Cr Ann Potter	

That Council resolves to:

- 2.1 seek authorisation from the Minister for Planning to prepare and exhibit the proposed Heritage Overlay amendment to the Hume Planning Scheme as detailed in Attachment 1.
- 2.2 seek a partial exemption of the notification requirements of exhibition from the Minister for Planning under Section 20(1) of the *Planning and Environment Act 1987*.
- 2.3 authorise Council officers to make required clerical or format changes to the amendment as required as part of the new format Planning Scheme and other Department of Environment, Land, Water and Planning procedural requirements.

CARRIED

Report No.	Report	Page in Agenda
SU512	<b>Council Submission to the Melbourne Airport Safeguarding Standing Advisory Committee</b>	147

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

**That Council:**

- 2.1 forwards a submission to the Melbourne Airport Environs Safeguarding Standing Advisory Committee outlining the matters discussed in this report.
- 2.2 authorise Council officers to represent Council at the public hearings scheduled by the Standing Advisory Committee.

**CARRIED**

#### 7. PETITIONS AND JOINT LETTERS

**PJL293 Petition to request Council enforce the reversal of earthworks excavated without a planning permit at 600 Settlement Road, Sunbury**

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

**That the Petition be received, circulated to Councillors, and the first named signatory of the letter be advised that the matter has been referred to the Acting Manager Statutory Planning and Building Control Services for investigation.**

**CARRIED**

**8. CONFIDENTIAL MATTERS**

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

**Moved** Cr Karen Sherry, **Seconded** Cr Ann Potter

**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*:**

Report No.	Title	Reason for Confidential
COHE045	Contract - Design and Construction of Modular Pavilion at Mt Aitken Reserve, Craigieburn	(d) contractual matter
COCC039	Contract – Construction of a Sports Pavilion at Cloverton AOS, Kalkallo	(d) contractual matter
COCC040	Contract - Refurbishment of Social Pavilion and Change Room at Seth Raistrick Reserve	(d) contractual matter
COSU168	Contract - Provision for the Construction of Concrete Indented Parking Bays and Kerb and Channel Rehabilitation for Hume City Council	(d) contractual matter
COSU169	Contract - Provision of Turf, Parks and Open Space Maintenance Services	(d) contractual matter
COSU170	Contract - Union Road, Somerton - Road Reconstruction	(d) contractual matter
COSU171	Contract - Provision of Minor Road Works for Hume City Council	(d) contractual matter
COSU172	Contract - Provision of Turf Management Works and Services	(d) contractual matter
COSU173	Contract - Provision of Sportsfield Drainage Installation for Hume City Council	(d) contractual matter
COSU174	Hume Planning Scheme Amendment Request - Public Acquisition Overlay for Yirrangana Road, Sunbury	(f) matters relating to legal advice
COSU175	Undertaking Future Capital Works Projects in 2020/21 to Mitigate Delays due to the Golden Sun Moth	(d) contractual matter
COGE300	Designation of Information Provided at a Strategy and Policy Briefing Session as Confidential Information - August 2020	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE301	Chief Executive Officer Performance Review 2019/20	(a) contains information relating to personnel matters

**CARRIED**



The meeting was closed to the public at 9:36pm.

The meeting did not reopen to the public.

**9. CLOSURE OF MEETING**

The meeting closed at 9:51pm.

.....  
**COUNCILLOR CARLY MOORE**  
**MAYOR**

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