



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

**MONDAY, 12 OCTOBER 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, 12 October 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)

To: 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 Council's Governance Rules, 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 meeting during discussion and not vote on the relevant item.

No Councillors declared any Conflict of Interest.

**5. CONDOLENCE MOTIONS**

Nil.

**6. CONFIRMATION OF COUNCIL MINUTES**

Minutes of the Ordinary Council Meeting of 7 September 2020 and the Ordinary Council (Town Planning) Meeting of 21 September 2020, including Confidential Minutes.

**Moved** Cr Jodi Jackson, **Seconded** Cr Leigh Johnson

**THAT the Minutes of the Ordinary Council Meeting of 7 September 2020, including confidential minutes, be confirmed with the amendment that:**

**in relation to item number 10 – Notice of Motion, in the third paragraph down where it states “Councillor Naim Kurt left the meeting prior to the deferral being moved, the time being 7.18pm, and did not vote on the item, or vote as part of the division. Move that this should be struck from the minutes as he did not leave the meeting at that time. Reference to number 11 Public Question Time it refers to: Councillor Naim Kurt returned to the meeting during Public Question Time, the time being 7.21pm, would need to be removed as this is also not correct.**

**CARRIED**

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

**THAT the Minutes of the Ordinary Council (Town Planning) Meeting of 21 September 2020, including Confidential Minutes, be confirmed.**

**CARRIED**

## 7. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
SU515	5 Moore Road, Sunbury - Use and development of the land for a service station, restaurant, access to a road zone and native vegetation removal	3

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, 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 use and development of the land with a service station and restaurant, provide access to a road in a Road Zone and native vegetation removal at 5 Moore Road, Sunbury, subject to the following conditions:**

**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 "Proposed Site Plan by Verve design Reference 17045-DA01 - Revision E1, dated 10 January 2019) but modified to show:**

- a) **Removal of reference to signalisation of the intersection of Moore Road and Vineyard Road Sunbury**
  - b) **Refer to any signage as subject to a separate application**
  - c) **Full floor plans and elevations of the proposed building and canopy areas.**
  - d) **Landscape plans for all landscape elements proposed on the land including opportunities to reduce the visibility of the buildings from Moore Road.**
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.**
  3. **Once the development permitted by this permit has commenced, it must be continued and completed to the satisfaction of the responsible authority.**
  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.**
  5. **Before the use allowed by this permit starts or the development is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.**

6. Before the construction of a building or the construction or carrying out of works on land starts:
  - a) Offsets for the loss or deemed loss of threatened species habitat and native vegetation on land must be secured, offsets must be secured by making a request for offsets to the Secretary to the Department of Environment Land Water and Planning in accordance with the Biodiversity Conservation Strategy (Department of Environment and Primary Industries 2013); and
  - b) any fee payable for securing the offsets through the Secretary to the Department of Environment Land Water and Planning under the Conservation Forests and Land Act 1987 must be paid; and
  - c) the Secretary to the Department of Environment Land Water and Planning must have certified in writing that the relevant fee for the development has been paid and such certification must be submitted to the responsible authority.
7. Petrol and/or LPG tankers must be parked wholly within the boundaries of the subject site when storage tanks are being filled.
8. Mechanical or other repairs to motor vehicles must not be carried out on the subject site.
9. Fuel deliveries and waste collection associated with the service station must only take place unless with the prior written consent of the responsible authority:
  - a) 7am to 10pm Monday to Sunday
10. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
11. 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.
12. 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.
13. 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.
14. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
15. 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.

16. 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

Department of Transport conditions:

17. Before the development starts, a functional layout plan must be submitted to and approved by the Head, Transport for Victoria. The functional layout plan must be generally in accordance with the plans submitted with the application (Proposed Site Plan by Verve design Reference 17045-DA01 - Revision E1, dated 10 January 2019). The plan must show the following:
- a) In accordance with Austroads Guide to Road Design, an auxiliary left turn treatment on Vineyard Road directly into the subject land; and
  - b) All existing and proposed road signage and line marking at the direct access and at the Moore Road intersection with Vineyard Road.
18. Before the use approved by this permit commences, the roadworks and line marking and signage shown on the approved functional layout plan must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria.
19. Before the development starts, the road pavement on the western leg of the Moore Road / Vineyard Road / Old Vineyard Road intersection must be tested by a suitably qualified person to determine the condition of the road pavement to cope with heavy vehicle traffic to the satisfaction of and at no cost to the Head, Transport for Victoria.
20. Before the use approved by this permit commences, the road pavement on the western leg of the Moore Road / Vineyard Road / Old Vineyard Road intersection must be upgraded if testing required by the above condition reveals the existing condition is inadequate for heavy vehicle traffic to the satisfaction of and at no cost to the Head, Transport for Victoria.
21. The development must be managed during construction to ensure that it does not compromise the operational efficiency of Vineyard Road or public safety.
22. All signs must not be flashing, scrolling, or animated.
23. All signs must not 'glare' towards road users.
24. All signs must be installed 'entirely within' the site boundary line.
25. All internally illuminated signs must not have a veiling lighting luminance output of greater than 0.25 cd/2 throughout the driver's approach and must be installed and maintained to ensure they adjust to suit all the varying conditions (day/night/sunny/overcast) by the use of photocells (light sensors).

26. This permit will expire if one of the following circumstances applies:
- the development is not commenced by 31 December 2021 or
  - the development is not completed by 30 June 2022 or
  - the use has not commenced by 31 December 2022

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.
- No advertising, direction or identification sign shall be erected on the land (including flags, windvanes, bunting streamers or other like devices) without the consent of the responsible authority, except where in compliance with Clause 52.05 of the Hume Planning Scheme.
- 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 Council 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.
- Separate approval under the Road Management Act is required from the Head, Transport for Victoria for the Vineyard Road roadworks. Please contact the Department of Transport (Roads) prior to commencing any works.

**CARRIED**



Report No.	Report	Page in Agenda
SU518	7B/1-3 The Gateway Broadmeadows - The use of an existing building for an education centre	65

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

**Moved** Cr Geoff Porter, **Seconded** Cr Jana Taylor

**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 of the land for an education centre at Unit 7B,1/13 The Gateway Broadmeadows, subject to the following conditions:**

- 2.1 The layout of the uses shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 2.2 Except with the prior written consent of the Responsible Authority, the approved use of the education centre may operate only between the following times:
  - a. Monday to Friday (inclusive) – 4:00pm to 8:15pm
  - b. Saturday and Sunday – 9am to 5:15pm
- 2.3 Except with the prior written consent of the Responsible Authority, the number of students must not exceed 15 at any one time.
- 2.4 No external sound amplification equipment or loudspeakers 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.
- 2.5 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.
- 2.6 The use must be managed so that the amenity of the area is not detrimentally affected, including through the:
  - a. transportation of materials, goods, or commodities to or from the subject land;
  - b. appearance of any building, works or materials;
  - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
  - d. presence of vermin; or
  - e. in any other way.
- 2.7 This permit will expire if one of the following circumstances applies:
  - a. The use is not commenced within three years of the date of this permit.
  - b. 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:**

- 2.8 If a request for an extension of commencement/completion dates is made out of time allowed by the expiry condition of this permit, 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.
- 2.9 There is no signage approved by this permit. Signage must only be placed on site in accordance with Clause 52.05 of the *Hume Planning Scheme*.

**CARRIED**

Report No.	Report	Page in Agenda
SU519	20 Goulburn Street, Broadmeadows - Use of land for the purpose of leisure and recreation (Pitch 1 and ancillary office)	81

The Chief Executive Officer read out statements submitted to Council on behalf of Mr Brent Silva, Mr Matthew Lane, Ms Cassandra Lawry, Mr Michael Christo, Mr John Rutherford, Mr Brad Mitchell and Ms Sonja Rutherford.

**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 of land for the purpose of leisure and recreation (Pitch 1 and ancillary office) at 20 Goulburn street, Broadmeadows subject to the following conditions:**

- 2.1 Before the use 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 show:
- (a) Deletion of all references relating to future residential development.
  - (b) A lighting plan which illustrates the direction of lights provided around the sporting fields.
- 2.2 The layout of the site and/or the size of the proposed buildings and the internal layout 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 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.

- 2.4 The use permitted by this permit must not be commenced until:
- (a) the parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the responsible authority;
  - (b) the garden and landscape area(s) shown on the endorsed plan(s) have been planted to the requirements and satisfaction of the responsible authority.
- 2.5 The subject land must be maintained in an orderly and neat manner at all times and its appearance must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.
- 2.6 The use permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the processes carried on;
- (a) the transportation of materials, goods or commodities to or from the subject land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) the presence of vermin, or otherwise.
- 2.7 Deliveries to and from the site (including waste collection) must only take place between 7am and 7pm, unless as part of a normal municipal rubbish collection services.
- 2.8 Outdoor lighting is permitted between the hours of 5.00pm and 10.30pm, Monday to Sunday.
- 2.9 All 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.
- 2.10 All parking bays to be line marked including disabled pavement marking.
- 2.11 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 maintained in a continuously useable condition to the satisfaction of the responsible authority.
- 2.12 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.
- 2.13 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.

- 2.14 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.
- 2.15 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.
- 2.16 This permit will expire if one of the following circumstances applies:
- the use is not started within three years of the date of this permit;
  - the approved use ceases for more than two years.

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 allowed by the permit has not yet started.

**NOTES:**

- If a request for an extension of commencement/completion dates is made out of the time allowed by the expiry 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.
- Except where no permit is required under the provisions of the Hume Planning Scheme, no advertising signs may be constructed or displayed without a permit.

**Amendment**

**Moved** Cr Jodi Jackson

**That the item be deferred for consideration by newly appointed Council at the conclusion of Hume City Council's Caretaker Period.**

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

The substantive motion was then put.

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

**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 of land for the purpose of leisure and recreation (Pitch 1 and ancillary office) at 20 Goulburn street, Broadmeadows subject to the following conditions:**

- 2.1 **Before the use 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 show:**

- (a) Deletion of all references relating to future residential development.
  - (b) A lighting plan which illustrates the direction of lights provided around the sporting fields.
- 2.2 The layout of the site and/or the size of the proposed buildings and the internal layout 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 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.
- 2.4 The use permitted by this permit must not be commenced until:
  - (a) the parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the responsible authority;
  - (b) the garden and landscape area(s) shown on the endorsed plan(s) have been planted to the requirements and satisfaction of the responsible authority.
- 2.5 The subject land must be maintained in an orderly and neat manner at all times and its appearance must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.
- 2.6 The use permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the processes carried on;
  - (a) the transportation of materials, goods or commodities to or from the subject land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) the presence of vermin, or otherwise.
- 2.7 Deliveries to and from the site (including waste collection) must only take place between 7am and 7pm, unless as part of a normal municipal rubbish collection services.
- 2.8 Outdoor lighting is permitted between the hours of 5.00pm and 10.30pm, Monday to Sunday.
- 2.9 All 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.
- 2.10 All parking bays to be line marked including disabled pavement marking.

- 2.11 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 maintained in a continuously useable condition to the satisfaction of the responsible authority.
- 2.12 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.
- 2.13 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.
- 2.14 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.
- 2.15 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.
- 2.16 This permit will expire if one of the following circumstances applies:
- the use is not started within three years of the date of this permit;
  - the approved use ceases for more than two years.
- 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 allowed by the permit has not yet started.

**NOTES:**

- If a request for an extension of commencement/completion dates is made out of the time allowed by the expiry 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.
- Except where no permit is required under the provisions of the Hume Planning Scheme, no advertising signs may be constructed or displayed without a permit.

Cr Ann Potter left the meeting after the motion had been moved on item SU519 - *20 Goulburn Street, Broadmeadows - Use of land for the purpose of leisure and recreation (Pitch 1 and ancillary office)*, the time being 7:30pm.

Cr Ann Potter returned to the meeting during discussion and prior to the vote on item SU519 - 20 Goulburn Street, Broadmeadows - Use of land for the purpose of leisure and recreation (Pitch 1 and ancillary office), the time being 7:32pm, and voted on the item.

**CARRIED**

Report No.	Report	Page in Agenda
<b>GE471</b>	<b>Naming Proposal - Kathleen Aitken Park</b>	<b>135</b>

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

- 2.1 THAT Council approves the progression to the public consultation stage of the proposal to officially name the park which is bound by The Avenue, Lauriston Way and Parkview Drive in Sunbury, Kathleen Aitken Park.**
- 2.2 THAT Council notes that public consultation on this naming proposal, if approved, will not commence until the conclusion of the Election Caretaker Period, which runs from midnight on Tuesday 22 September 2020 to 6pm on Election Day, Saturday 24 October 2020.**

**CARRIED**

Report No.	Report	Page in Agenda
<b>GE472</b>	<b>Annual Report 2019/20</b>	<b>145</b>

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

**That in accordance with the *Local Government Act 1989*, Council adopts the Annual Report (Attachment One) for the year ending 30 June 2020**

Cr Jack Medcraft left the meeting after the motion was moved on item GE472 - *Annual Report 2019/20*, the time being 8:03pm.

Cr Jack Medcraft returned to the meeting during discussion and prior to the vote on item GE472 - *Annual Report 2019/20*, the time being 8:05pm, and voted on the item.

Cr Jack Medcraft left the meeting during discussion on item GE472 - *Annual Report 2019/20*, the time being 8:15pm

Cr Jack Medcraft and returned to the meeting prior to the vote on item GE472 - *Annual Report 2019/20*, the time being 8:17pm, and voted on the item.

Cr Ann Potter left the meeting during discussion and prior to the vote on item GE472 - *Annual Report 2019/20*, the time being 8:25pm, and did not return to vote on the item.

**CARRIED**

Cr Ann Potter returned to the meeting after the vote on item GE472 - *Annual Report 2019/20*, the time being 8:27pm.

**Reports Not Otherwise Dealt With****Moved** Cr Drew Jessop, **Seconded** Cr Jack Medcraft

Report No.	Report	Page in Agenda
SU516	4 Katrina Drive Gladstone Park - Development of two, single storey dwellings and removal of a restrictive covenant	3
SU517	110 The Panorama Mickleham - A site-specific development plan, the variation of the restrictive covenant contained within instrument of transfer V868161G, and the subdivision of land into two lots	37
SU520	Statutory Planning Monthly Report - September 2020	103
GE469	Statutory Meeting and Council Meeting Schedule Following the General Local Election	119
GE470	Naming Proposal - Pinnacle Park	123

be adopted.

**CARRIED**

Report No.	Report	Page in Agenda
SU516	4 Katrina Drive Gladstone Park - Development of two, single storey dwellings and removal of a restrictive covenant	19

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

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 two, single storey dwellings at 4 Katrina Drive Gladstone Park subject to the following conditions:

- 2.1 The permit allows the deletion of the registered restrictive covenant contained in Instrument E819585 registered on 18 May 1973 as it applies to certificate of title Volume 08826 Folio 038.
- 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 Before the development starts a stormwater management plan must be submitted to and approved by the Responsible Authority that responds to the following:
  - i. Meet the current best practice performance objectives for stormwater quality as contained in.
  - ii. the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).



- iii. Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
- 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 Before the development is occupied, landscaping works as shown on the endorsed plan(s) must be completed to the satisfaction of the Responsible Authority.
- 2.7 The landscape areas shown on the endorsed plans must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose.
- 2.8 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.
- 2.9 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.
- 2.10 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.
- 2.11 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.12 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.
- 2.13 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 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.

2.15 The stormwater management solutions shown on the approved plans must be installed and maintained to the satisfaction of the Responsible Authority.

2.16 This permit will expire if one of the following circumstances applies:

- the deletion of the Registered Restrictive covenant is not lodged in the Office of the Registrar of Titles within one year of the date of this permit;
- 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 owner's 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
SU517	110 The Panorama Mickleham - A site-specific development plan, the variation of the restrictive covenant contained within instrument of transfer V868161G, and the subdivision of land into two lots	37

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

2.1 That Council, having considered the proposed development plan application on its merits, resolves to issue a Notice of Refusal to Grant a Development Plan, at the land of 110 The Panorama Mickleham, on the following grounds:

- The proposal would facilitate a subdivision, land use and development outcome that is a contravention of Covenant V868161G as applied to Lot 59 on Plan of Subdivision 416591E.
- The proposal is contrary to the objectives of the Planning and Environment Act 1987, as approving a development plan that reflects a prohibited outcome would not constitute fair or orderly planning.

2.2 That Council, having considered the proposed planning application on its merits and the objections received, resolves to issue a Notice of Refusal to Grant a Planning Permit for the variation the restrictive covenant as it applies to Lot 59 PS 416591E (Volume 10398 Folio 125) contained in the Transfer of Land with dealing number V868161G dated 1 February 1999 by way of the deletion of Clause 1 and 13 in their entirety and subdivision of land into two lots at 110 The Panorama Mickleham, on the following grounds:

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

CARRIED

Report No.	Report	Page in Agenda
SU520	Statutory Planning Monthly Report - September 2020	103

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

That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
GE469	Statutory Meeting and Council Meeting Schedule Following the General Local Election	119

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

2.1 THAT the Hume City Council Meeting Schedule for the period July 2020 to June 2021 be amended as follows:

DATE	MEETING TYPE	VENUE
Thursday, 19 November 2020	Statutory Meeting	Town Hall Broadmeadows or virtual
Monday, 7 December 2020	Ordinary (Town Planning)	Town Hall Broadmeadows or virtual
Monday, 21 December 2020	Ordinary	Town Hall Broadmeadows or virtual

2.2 THAT if the election result is declared by the Victorian Electoral Commission after 19 November 2020, then the Statutory Meeting is held on the first Thursday following the declaration of the election result.

2.3 THAT the Council meeting currently scheduled for Monday, 30 November 2020 be removed from the Hume City Council Meeting Schedule.

2.4 THAT the Statutory Meeting scheduled for 19 November 2020 (or a later date if changed due to the declaration of the election result) be livestreamed on Council's website.

**CARRIED**

Report No.	Report	Page in Agenda
GE470	Naming Proposal - Pinnacle Park	123

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

2.1 THAT Council approves the progression to the public consultation stage of the proposal to officially name a park located at the corner of Errol Boulevard and Balmain Road in Mickleham, Pinnacle Park

2.2 THAT Council notes that public consultation on this naming proposal, if approved, will not commence until the conclusion of the Election Caretaker Period, which runs from midnight on Tuesday 22 September 2020 to 6pm on Election Day, Saturday 24 October 2020.

**CARRIED**

**SUSPENSION OF STANDING ORDERS**

**Moved** Cr Jack Medcraft, **Seconded** Cr Drew Jessop  
**That standing orders be suspended.**

**CARRIED**

Standing orders were suspended at 8.27pm.

Cr Jack Medcraft left the meeting, the time being 8:31pm

Cr Jack Medcraft returned to the meeting, the time being 8:40pm

Cr Drew Jessop left the meeting, the time being 9:00pm

Cr Drew Jessop returned to the meeting, the time being 9:02pm

**Councillor Jack Medcraft**

Cr Medcraft commended the outgoing Council for their work over the term and acknowledged the outgoing Councillors, Cr Porter, Cr Johnson and Cr Taylor for their commitment. Cr Medcraft made special mention of the Mayor and the CEO for their work throughout this difficult time.

**Councillor Drew Jessop**

Cr Drew Jessop thanked the Mayor for her outstanding work through the pandemic. Cr Jessop thanked the outgoing Councillors for their hard work and commitment to their communities for their time on Council.

**Councillor Karen Sherry**

Cr Karen Sherry thanked outgoing Councillors and acknowledged their work on Council. Cr Sherry thanked all the Councillors for their work over the last four years and wished Councillors recontesting the best of luck. Cr Sherry made a special thank you to Cr Moore for her work as Mayor over the last two years.

**Councillor Jodi Jackson**

Cr Jodi Jackson thanked the outgoing Councillors for all of their work and commented on how much she had enjoyed working with them. Cr Jackson made special thanks to Cr Geoff Porter for his mentorship throughout this term of Council.

**Councillor Ann Potter**

Cr Ann Potter shared experiences of outgoing Councillors and thanked them for their input and hard work throughout their term on Council. Cr Potter thanked Cr Moore and other Councillors for their work, especially throughout the pandemic.

**Councillor Joseph Haweil**

Cr Joseph Haweil acknowledged outgoing Councillors for their work during their terms on Council and their commitment to their communities. Cr Haweil thanked Cr Moore for her dedication and leadership as Mayor.

**Councillor Naim Kurt**

Cr Naim Kurt thanked Councillors for their work and dedication throughout their term on Council and wished all the best to the Council members.

**Councillor Carly Moore**

Cr Carly Moore thanked outgoing Councillors for their hard work, and mentioned they would be missed going forward, and wished them all the best in their future work.

**Councillor Jana Taylor**

Cr Jana Taylor thanked colleagues for their well wishes. Cr Taylor thanked and congratulated the CEO and Executive Management Team for their hard work and acknowledged the work of the 2016-2020 Council.

**Councillor Leigh Johnson**

Cr Leigh Johnson thanked his community for giving him the opportunity to represent his ward and he looks forward to the opportunity again in 2024. Cr Johnson thanked Aida Baptista and Megan Anderson of Council, as well as all the staff at Hume. Cr Johnson wished Councillors who were standing good luck for their re-election.

**Councillor Geoff Porter**

Cr Geoff Porter thanked Cr Moore, the CEO and the Executive Management Team for their support, and wished the outgoing Councillors the best for their futures. Cr Porter thanked Cr Potter, Cr Jessop and Cr Medcraft for their friendship over the years, and thanked the Council for their work over the term.

**RESUMPTION OF STANDING ORDERS**

**Moved** Cr Ann Potter, **Seconded** Cr Joseph Haweil

**That standing orders be resumed.**

**CARRIED**

Standing orders were resumed at 9.19pm.

**8. CONFIDENTIAL MATTERS**

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

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

**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
COGE302	Designation of Information Provided at a Strategy and Policy Briefing Session as Confidential Information - September 2020	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

**CARRIED**

The meeting was closed to the public at 9:20pm.

The meeting did not reopen to the public.

**9. CLOSURE OF MEETING**

The meeting closed at 9:25pm.

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