



**COUNCIL MEETING OF
THE HUME CITY COUNCIL**

MONDAY, 27 MARCH 2023

7:00PM

TOWN HALL BROADMEADOWS

CONFIRMED 11 APRIL 2023

HUME CITY COUNCIL

Minutes of the
COUNCIL MEETING OF THE HUME CITY COUNCIL
held on Monday, 27 March 2023
at 7:00PM
at the Town Hall Broadmeadows

Attendees:	a: Council	Cr Joseph Haweil Cr Karen Sherry Cr Jarrod Bell Cr Trevor Dance Cr Chris Hollow Cr Jodi Jackson Cr Naim Kurt Cr Jack Medcraft Cr Sam Misho	Mayor Deputy Mayor
	b: Officers	Ms Sheena Frost Ms Rachel Dapiran Mr Hector Gaston Mr Adam McSwain Mr Carl Muller Ms Fiona Shanks Mr Fadi Srour Ms Megan Kruger Mr Chris Bradbury Ms Joanne Grindrod Ms Veronica Rowley	Chief Executive Officer Director City Planning and Places Director City Services & Living Director Infrastructure and Assets Director Customer & Strategy Chief People Officer Chief Financial Officer Manager Governance Senior Integrity Officer Senior Governance Officer Governance Officer

Proceedings to be Recorded

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

Gallery Behaviour

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

ORDER OF BUSINESS**1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

The Mayor read the following:

"Hume City Council recognises the rich Aboriginal heritage within the municipality and acknowledges the Wurundjeri Woi-wurrung, which includes the Gunung Willam Balluk clan, as the Traditional Custodians of this land.

Council embraces Aboriginal and Torres Strait Islander living cultures as a vital part of Australia's identity and recognises, celebrates and pays respect to the existing family members of the Wurundjeri Woi-wurrung and to Elders past, present and future."

2. PRAYER

The Mayor read the following:

Hume City's religious diversity strengthens and enriches community life and supports the well-being of the citizens of Hume City. Hume City Council acknowledges the importance of spiritual life and the leadership offered by the Hume Interfaith Network (HIN). In recognition of the religious diversity of residents in Hume City Council has invited the HIN to take responsibility for the opening prayer at Council meetings. This evening's prayer will be led by Ahmed Kucukali, from the Muslim community, on behalf of the HIN.

Mr Ahmed Kucukali read the meeting prayer.

In the name of God, the Most Gracious, the Most Merciful.
All praise is due to God, the Lord of the Universe;
You alone we worship, and to You alone we turn for help.
Guide us to the straight path:
We gather to make decision for our community.

May we use only our best skills and judgment keeping ourselves impartial and neutral as we consider the merits and pitfalls of each matter that is placed before us and always act in accordance with what is best for our community and our fellow citizens.

3. APOLOGIES

Cr Jim Overend and Cr Carly Moore were apologies for this meeting.

4. DISCLOSURE OF INTEREST

Councillors' attention is drawn to the provisions of the *Local Government Act 2020* and Council's Governance Rules 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

Nil.

5. CONGRATULATIONS & CONDOLENCES

5.1 Presentation of Awards – Departing Manager Governance

Cr Joseph Haweil read out a commendation for Ms Megan Kruger, departing Manager Governance.

Cr Karen Sherry, Cr Jarrod Bell, Cr Sam Misho, and Cr Jack Medcraft wished Ms Kruger well for her new role and thanked her for her service to Hume City Council.

CNM379 CONDOLENCE MOTION - MR PETER FREE

Moved Cr Trevor Dance, **Seconded** Cr Jack Medcraft

That Council acknowledges the sad passing of Sunbury resident, Mr Peter Free.

CARRIED

CGM20 CONGRATULATIONS MOTION - ISLAMIC COMMUNITY ON THE START OF RAMADAN

Moved Cr Naim Kurt, **Seconded** Cr Sam Misho

That Council congratulates our Islamic community on the start of Ramadan. May this month bring peace, joy and prosperity to all.

CARRIED

CGM21 CONGRATULATIONS MOTION - GPAN

Moved Cr Jarrod Bell, **Seconded** Cr Karen Sherry

That Council acknowledges and congratulates Good People Act Now (GPAN) on their 10 year birthday.

CARRIED

CGM22 CONGRATULATIONS MOTION - STATE U16 BOYS SUNBURY BASKETBALL ASSOCIATION

Moved Cr Jarrod Bell, **Seconded** Cr Jack Medcraft

That Council congratulates Finn McGinty, Sam Haslett, Alex Gray and Sonny Maxwell of the Sunbury Basketball Association on their appointment to the State U16 boys team.

CARRIED

CGM23 CONGRATULATIONS - SUNFEST

Moved Cr Jarrod Bell, **Seconded** Cr Jack Medcraft

That Council writes to Craig McTaggart and the organising committee of the Sunbury Community Festival otherwise known as SUNFEST to congratulate them on an outstanding Sunfest over the weekend.

CARRIED

CGM24 CONGRATULATIONS MOTION - AKITU

Moved Cr Joseph Haweil, **Seconded** Cr Sam Misho

That Council acknowledges and congratulates the Assyrian and Chaldean communities on their New Year festival known as Akitu.

CARRIED

6. CONFIRMATION OF COUNCIL MINUTES

Minutes of the Council Meeting held on 14 March 2023, including Confidential Minutes.

Moved Cr Jarrod Bell, **Seconded** Cr Karen Sherry

THAT the Minutes of the Council Meeting held on 14 March 2023, including Confidential Minutes, be confirmed.

CARRIED

7. PUBLIC QUESTION TIME**PQ950 PUBLIC QUESTION – SURDAR UNEL**

We have an ongoing parking issue in our street. Every so often we are fined for parking on the nature strip due to the road being so narrow, but we have no choice. I have taken the initiative and paid for indented parking in front of my property but we also can do with indented parking bays across the road in front of the reserve where so many people come to make use of the playground that is available. These people also risk receiving parking fines. I would also like to add that Council contractors who service the area park their trucks on the nature strip but somehow do not receive fines. Is this is fair and justified. I believe that there are plans for parking bays in our street and would like to request that this project is looked at as soon as possible. We are sick and tired of paying fines.

When will we get indented parking bays built alongside Redgum reserve?

RESPONSE: DIRECTOR INFRASTRUCTURE & ASSETS

Leatherwood Grove is classified as a narrow road as defined in the *'Hume City Parking on Narrow Streets Policy'*. Residents of Leatherwood Grove requested Council provide street length indented parking bays in October 2022 and February 2023.

Parking surveys were done on Leatherwood Grove in November 2022 which identified that the street meets warrants for street length indented parking bays. Based on its priority the indicative timing for Council to construct parking bays is approximately 2025/26. Please note this is subject to change based on the results of other surveys and the priority of projects.

The section of Leatherwood Grove adjacent to Redgum Reserve is 5.5m wide, which allows parking on one side of the road but not both sides simultaneously. However, the recently constructed indented parking bay in front of property no. 21 means there is enough space for motorists to park on-street opposite the parking bay.

The design of indented parking bays for the street will allow parking on both sides of the street. This may be achieved through a combination of partially indented bays on either side of the street or fully indented bays on one side, leaving enough space to park on-street on the other side.

PQ951 PUBLIC QUESTION – SUZY ROBERTS

If the Australian Government, ACMA, Optus, Vodaphone etc. and Hume City Council all are registered corporations or companies, then all entities have the same legal status as the Hume City Council.

Alternatively, under Section 109 of the Commonwealth of Australia Constitution, it states "When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid."

Which jurisdiction does the Hume City Council acknowledge with regards to placement and to the operations of any mobile phone towers placed in Hume?

RESPONSE: CITY PLANNING & PLACES

Council moderates the use and development of land within it's municipality by assessing proposals against the provisions contained within the Hume Planning Scheme. The Planning Scheme is created under the provisions of the Planning & Environment Act 1987 and applies to all private land within Victoria.

Clause 52.19-1 of the Hume Planning Scheme (Telecommunications Facility) requires a planning permit for buildings and works for a telecommunications facility, unless it meets one of the several exemptions, including uses/works listed in the Telecommunications Act 1997, facilities under a certain size, like for like replacement or to provide additional coverage during maintenance of an existing facility. If an exemption from the need to obtain a planning permit is satisfied, Council is not required to authorise the location of the Telecommunication facility in question.

Operation of mobile phone towers in Australia is governed by the Telecommunications Act 1997 (Cth).

PQ952 PUBLIC QUESTION – SEAN MULCAHY

What action is Council taking or could Council take under the Summary Offences Act in response to reports of neo-Nazi graffiti and stickers targeting LGBT youth groups being placed on Council buildings in Sunbury?

RESPONSE: DIRECTOR CITY SERVICES & LIVING

Following a recent spate of neo-Nazi graffiti and stickers being placed across a number of Council and government facilities in Sunbury, including the Sunbury Youth Centre, Council actively removed offending material and referred the matter to the Victoria Police for information and follow up.

Council actively removes any such graffiti or stickers from Council facilities when and if it occurs.

Victoria Police are authorized to deal with neo-Nazi symbols under the state's laws. In Victoria, it is illegal to display or promote materials that incite hatred against a particular group of people or promote racism or prejudice. This includes neo-Nazi symbols, which are associated with the promotion of white supremacy and the denigration of minority groups.

If a member of the public becomes aware of neo-Nazi symbols or materials being displayed in public, they can report it to the Victoria Police. The police will investigate the matter and take appropriate action, which may include confiscating the materials, prosecuting the offender under anti-discrimination laws, or taking other measures to prevent the promotion of hate speech and discrimination.

It's important to note that in addition to the legal consequences, promoting neo-Nazi symbols and ideologies can have serious social and moral implications. Such symbols and ideologies are widely considered to be offensive, harmful, and unacceptable in a civil society.

PQ953 PUBLIC QUESTION – SEAN MULCAHY

In light of these disturbing reports, will Council establish an LGBTIQ+ advisory committee to inform Council on actions that could be taken to make the City safer for LGBTIQ+ residents?

RESPONSE: DIRECTOR CITY SERVICES & LIVING

There are no current plans to establish Hume City Council LGBTIQ+ advisory committee.

Council officers work closely with local providers and residents to deliver a range of education and awareness programs, activities and supports for the LGBTIQ+ community.

The Hume City Council Social Justice Charter is a document that outlines the council's commitment to promoting social justice and equality within the community. The purpose of the charter is to provide a framework for the council's policies, strategies, and decision-making processes that support social justice principles and ensure that all members of the community have access to equal opportunities and fair treatment.

PQ954 PUBLIC QUESTION – GREG PERKINS

I refer to the application for the development of 4 Millar Road, Tullamarine by Your Design Group (I assume Your Design Group Pty. Ltd.) and the Council response under the Hume Planning Scheme.

Why can't similar processes be applied by Council with regards to applications and policies by Hume City Council when Telstra Ltd or Optus Ltd. wish to develop Council land for mobile phone towers?

RESPONSE: DIRECTOR CITY PLANNING & PLACES

Council moderates the use and development of land within the municipality by assessing proposals against the provisions contained within the Hume Planning Scheme. Not all uses or developments require a planning permit. A planning permit is required for the proposed development at 4 Millar Road in Tullamarine (Application Number P24704) as it is triggered by Clause 32.08-06 of the planning scheme for the development of two or more dwellings on a lot.

Clause 52.19-1 of the Hume Planning Scheme (Telecommunications Facility) requires a planning permit for buildings and works for a telecommunications facility, unless it meets one of the several exemptions, including uses/works listed in the Telecommunications Act 1997, facilities under a certain size, like for like replacement or to provide additional coverage during maintenance of existing facility. If an exemption from the need to obtain a planning permit is satisfied, Council is not required to authorise the location of the Telecommunication facility in question and therefore does not undertake an assessment.

PQ955 PUBLIC QUESTION -KERYN WELLS

In accordance with Darebin's great example, would Hume Council consider placing defibrillators in our municipality's sporting complexes to protect the well-being of our most at risk population.

RESPONSE: DIRECTOR CITY SERVICES & LIVING

Hume City Council is committed to the wellbeing of the Hume community.

To support this, defibrillators are installed at over 45 sporting reserves and 30 community facilities across Hume.

In addition to this, in 2019 Council established a community grant category that supports community groups to purchase defibrillators. To date, Council has funded 18 organisations to install defibrillators in the community, providing further support to the local community in the event of a cardiac emergency.

PQ956 PUBLIC QUESTION – KEVIN BALAAM

This question refers to the State of Council Assets Reports 2022 attached to the agenda item 8.3 State of Council Assets 2022. It appears that paths within Parks and Open Spaces have a greater replacement value (per metre) than paths along Roads.

The figures given show the replacement value of the footpaths is approximately \$120 per metre. Within road reserves, the replacement value is about \$108 per m, and within open space reserves it is about \$196 per m.

Does that mean replacing paths in open space reserves costs more than paths along roads despite roadways probably requiring much more consideration for: in-ground infrastructure (eg pipes, cables); other infrastructure (eg power poles, light poles); and traffic management, particularly for abutting properties?

DIRECTOR INFRASTRUCTURE & ASSETS

It is correct that the replacement cost for paths in reserves is higher than for roadside footpaths. The unit rate is per linear metre, but the preferred width for paths in reserves is wider than for roadside paths. Council's preferred width for a path in a reserve is 3 metres, versus a typical roadside footpath width of 1.5 metres. Paths in reserves are also designed to be driven on by maintenance vehicles which requires the path to be deeper (eg. needs more concrete).

PQ957 PUBLIC QUESTION - KEVIN BALAAM

The project page on Participate Hume for the improvement of the Maygar Greybox Woodland in Broadmeadows/Dallas informs that construction begins mid-2023.

Could the Council please provide an update of the project and include progression of the contribution to providing any pedestrian and cyclist access through to, and around the industrial estate in the Northcorp Boulevard area?

RESPONSE: DIRECTOR CITY PLANNING & PLACES

Initial due diligence investigations undertaken in 2022 identified the need for a more detailed assessment to be conducted as there is significant remnant and scattered indigenous vegetation present throughout the reserve. Construction is now programmed to take place in 2024 and the Hume webpage will be updated to reflect the revised timing.

A connection to the Northcorp Industrial Estate was not part of the original scope of this project and is being explored separately.

8. OFFICER'S REPORTS

Report No.	Report	Page in Agenda
8.1	<p>4 Millar Road, Tullamarine - Development of nine double storey dwellings</p> <p>Robyn Gray provided a comment to the gallery on <i>item 8.1 4 Millar Road Tullamarine – Development of nine double storey dwellings</i>.</p> <p>Moved Cr Sam Misho, Seconded Cr Jack Medcraft</p> <p>Councillor Joseph Haweil vacated the chair and left the meeting during discussion on <i>item 8.1 4 Millar Road Tullamarine – Development of nine double storey dwellings</i>, and did not vote on the item the time being 8:04pm.</p> <p>Cr Karen Sherry took over the chair at 8:04pm</p> <p>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 nine double storey dwellings at 4 Millar Road, Tullamarine, subject to the conditions in Attachment 1.</p>	5

CARRIED

Report No.	Report	Page in Agenda
8.2	80 Blackwells Lane Bulla – use and development of the land for a transfer station, a new dwelling and convert the existing dwelling into an office to be used in conjunction with the proposed transfer station	47

Councillor Joseph Haweil returned to the meeting and took over the chair, the time being 8:09pm.

Cr Karen Sherry vacated the chair at 8:09pm

Councillor Jack Medcraft left the meeting during discussion on the item 8.2 *80 Blackwells Lane Bulla – use and development of the land for a transfer station, a new dwelling and convert the existing dwelling into an office to be used in conjunction with the proposed transfer station*, the time being 8:09pm.

Councillor Jack Medcraft returned to the meeting during discussion on the item 8.2 *80 Blackwells Lane Bulla – use and development of the land for a transfer station, a new dwelling and convert the existing dwelling into an office to be used in conjunction with the proposed transfer station*, the time being 8:14pm.

Moved Cr Jarrod Bell, **Seconded** Cr Karen Sherry

That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the use and development of the land for a transfer station, a new dwelling and convert the existing dwelling into an office for the transfer station located at 80 Blackwells Lane Bulla, on the grounds outlined in attachment 1.

CARRIED

Report No.	Report	Page in Agenda
8.3	State of Council Assets 2022	63

Moved Cr Karen Sherry, **Seconded** Cr Sam Misho

Councillor Jarrod Bell left the meeting during discussion on the item 8.3 *State of Council Assets 2022*, and did not vote on the item the time being 8:20pm.

2.1 That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
8.4	Correspondence received from or sent to Government Ministers or Members of Parliament - February 2023	91

The Chief Executive Officer read a comment submitted by Mr Kevin Balaam regarding the "Maintenance of Road network within Hume City"

Councillor Jarrod Bell returned to the meeting, during the reading of the public comment the time being 8:22pm.

Councillor Karen Sherry left the meeting, during the discussion on the item *8.4 Correspondence received from or sent to Government Ministers or Members of Parliament - February 2023* the time being 8:23pm.

Councillor Karen Sherry returned to the meeting during the discussion on the item *8.4 Correspondence received from or sent to Government Ministers or Members of Parliament - February 2023*, the time being 8:24pm.

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

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

CARRIED

9. NOTICES OF MOTION

9.1 NOM23/012 - Cr Joseph Haweil

Moved Cr Joseph Haweil, **Seconded** Cr Sam Misho

That Council supports the forthcoming Eid Festival in Broadmeadows (April), organised by the Annual Islamic Eid Show Inc through an in-kind sponsorship of \$6,000 (excl GST), which would support event costs, including venue hire, event permits, bins and the cost of printing and installing a promotional banner for the event (on Council's existing display sign located at Pascoe Vale Road).

CARRIED

MINUTES

10. ITEMS TO BE TABLED

Nil

11. URGENT BUSINESS

Nil

12. DELEGATES REPORTS

Nil

13. CONFIDENTIAL ITEMS

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

Moved Cr Jack Medcraft, **Seconded** Cr Sam Misho

THAT Council close the meeting to the public pursuant to section 66(2) of the *Local Government Act 2020* to consider the following items:

13.1 Contract - Contaminated Land, Landfill and Environmental Audit Consultancy Services (MAV Contract CL7700-2021)

Item 14.1 is confidential in accordance with Section 3(1)(g(ii)) of the Local Government Act 2020 because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The specified grounds apply because the report contains sensitive financial information and business names.

13.2 Contract - Trade Park Drive, Tullamarine - Road Reconstruction

Item 14.2 is confidential in accordance with Section 3(1)(g(ii)) of the Local Government Act 2020 because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The specified grounds apply because it contains information regarding contractual matters for a tender.

CARRIED

The meeting was closed to the public at 8:43pm.

The meeting was not reopened to the public.

14. CLOSURE OF MEETING

The meeting closed at 8:57pm.