



**ORDINARY COUNCIL MEETING OF
THE HUME CITY COUNCIL**

TUESDAY, 15 MARCH 2022

HUME GLOBAL LEARNING CENTRE - CRAIGIEBURN

CONFIRMED - 11 April 2022

HUME CITY COUNCIL

Minutes of the
ORDINARY COUNCIL MEETING OF THE HUME CITY COUNCIL
held on Tuesday, 15 March 2022
at 7.01PM
at the Hume Global Learning Centre, Craigieburn

To:	a: Council	Cr Carly Moore Cr Sam Misho Cr Jarrod Bell Cr Trevor Dance Cr Joseph Haweil Cr Chris Hollow Cr Jodi Jackson Cr Naim Kurt Cr Jack Medcraft Cr Jim Overend Cr Karen Sherry	Mayor Deputy Mayor
	b: Officers	Ms Sheena Frost Mr Hector Gaston Ms Fiona Shanks Mr Michael Sharp Mr Peter Waite Mr Daryl Whitfort Ms Megan Kruger Mr Brad Mathieson	Chief Executive Officer Director Community Services Acting Director Communications, Engagement and Advocacy Director Planning and Development Director Sustainable Infrastructure and Services Director Corporate Services Manager Governance Team Leader Governance

Proceedings to be Recorded

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

Gallery Behaviour

The Mayor reminded the gallery that Council's Code of Meeting Procedures requires the gallery to be silent at all times, and that members of the gallery must not interject or take part in the debate. Any person who is called to order, may be asked to leave the Chamber. The Mayor advised that notwithstanding this, 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 THE TRADITIONAL CUSTODIANS OF THIS LAND

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:

"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

There were no apologies.

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.

Councillor Joseph Haweil declared a general conflict of interest for item COGE318 - *Contract - ICT Professional and Leasing Services (Municipal Association of Victoria Contract ES8111 2021)*.

5. CONDOLENCE MOTIONS

CNM361 CONDOLENCE MOTION - SENATOR KIMBERLEY KITCHING

Moved Cr Joseph Haweil, **Seconded** Cr Jack Medcraft

That Council acknowledge the recent passing of Senator Kimberley Kitching.

CARRIED

CNM362 CONDOLENCE MOTION – JAN HUTCHINSON

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

That Council acknowledge the sad passing of Mrs Jan Hutchinson of Tullamarine.

CARRIED

NOTICE OF MEETING

6. ACTIONS ARISING FROM COUNCIL MINUTES

Cr Dance advised the Meeting that he provided the apology, in accordance with the directions of Council on the 13 September 2021, and that he had discharged his duty in accordance with the Act and the Governance Rules.

In response to a question from the Mayor, the Chief Executive Officer advised that additional information would be circulated to Councillors in relation to whether the apology delivered by Cr Dance complied with the Council Resolution of 13 September 2021, and whether the item would need to be relisted at a future meeting of Council.

7. INFORMAL MEETINGS OF COUNCILLORS

In accordance with Council's Governance Rules, the Chief Executive Officer must ensure that a summary of the matters discussed at an informal meeting of Councillors are tabled at the next convenient council meeting and recorded in the minutes of that council meeting.

6.1 Summary of Matters Discussed at a Meeting Conducted Under the Auspices of Council - February 2022

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

2.1 THAT Council notes the summary of matters discussed at meetings conducted under the auspices of Council, being Strategy and Policy Briefing Sessions, which were held on 7 February and 21 February 2022 and on Wednesday 16 February, being the Western Ave Planning Scheme Amendment C250 Submitters Session.

CARRIED

8. CONFIRMATION OF COUNCIL MINUTES

Minutes of the Ordinary Council Meeting of the 14 February 2022 and Ordinary Council (Town Planning) Meeting of the 28 February 2022, including Confidential Minutes.

Moved Cr Karen Sherry, **Seconded** Cr Joseph Haweil

THAT the Minutes of the Ordinary Council Meeting of the 14 February 2022 and Ordinary Council (Town Planning) Meeting of the 28 February 2022, including Confidential Minutes, be confirmed.

CARRIED

9. RECEIPT OF COUNCIL AND COMMUNITY COMMITTEE MINUTES AND RECOMMENDATIONS TO COUNCIL TO BE ADOPTED

9.1 Minutes of the Municipal Emergency Management Meeting of the Hume City Council held on 19 August 2020, 9 December 2020, 29 January 2021, 5 May 2021, 16 September 2021, and 15 December 2021.

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

THAT the Minutes of the Municipal Emergency Management Meeting of the Hume City Council held on 19 August 2020, 9 December 2020, 29 January 2021, 5 May 2021, 16 September 2021, and 15 December 2021 be noted.

CARRIED

10. PRESENTATIONS**PRESENTATION OF DEPUTY MAYOR MEDALLION**

Councillor Sam Misho was presented with a medallion in recognition of his role as Deputy Mayor.

11. NOTICES OF MOTION

Nil

12. PUBLIC QUESTION TIME

PQ875 ASHLEY DOGAN

QUESTION 1:

When will the roundabout at Donnybrook Road (to access Hume Freeway) be removed and replaced with traffic lights? It takes ONE HOUR to get out of Cloverton estate in the morning.

RESPONSE: (DIRECTOR SUSTAINABLE INFRASTRUCTURE AND SERVICES)

DONNYBROOK ROAD IS A STATE ARTERIAL ROAD AND IS MANAGED BY THE DEPARTMENT OF TRANSPORT. COUNCIL UNDERSTANDS THAT PLANS ARE BEING ADVANCED BY THE DEPARTMENT OF TRANSPORT AND STOCKLAND TO PROVIDE FOR AN UPGRADE OF THE ROUNDABOUT TO IMPROVE THE FLOW OF TRAFFIC ALONG DONNYBROOK ROAD AND REDUCE DELAYS IN ACCESSING THE HUME FREEWAY. THIS UPGRADE IS SUBJECT TO STATE GOVERNMENT FUNDING.

PQ876 ASHLEY DOGAN

QUESTION 2:

When will Donnybrook Road be duplicated to accommodate the extremely overpopulated community in the new estates in Kalkallo and Donnybrook?

RESPONSE: (DIRECTOR SUSTAINABLE INFRASTRUCTURE AND SERVICES)

AS OUTLINED IN THE PREVIOUS RESPONSE, DONNYBROOK ROAD IS MANAGED BY THE DEPARTMENT OF TRANSPORT. COUNCIL CONTINUES TO ADVOCATE TO THE VICTORIAN GOVERNMENT FOR THE MUCH NEEDED DUPLICATION OF DONNYBROOK ROAD AND OTHER ARTERIAL ROADS.

PQ877 CRAIG RHODES

QUESTION 1:

On 14th February 2022 at the Ordinary Council Meeting, The Director of Planning and Development provided a response in relation to question submitted by myself on behalf of a number of residents relating to the premises at 49 Craigieburn Road, Craigieburn being used as a massage business. The Director stated in his response that Council Officers would reinspect the site and undertake an assessment. Since 14th February, significant corroborative evidence that the premises is in contravention of council Home Based Business policy. This evidence includes videos, hearsay conversations with owner stating that no one resides at premises, 10 day observation record and follow-up conversations with Council Investigator have been provided/occurred. Therefore my question to Council is why does the massage business continue to operate when it is still contravening home based business requirements as per my question 2 submitted to council on the meeting of 14th February 2022?

RESPONSE: (DIRECTOR PLANNING AND DEVELOPMENT)

COUNCIL IS AWARE OF THE OF THE MATTER AND ATTEMPTS HAVE BEEN MADE TO REINSPECT THE SITE. AS THE SITE IS SUBJECT TO A CURRENT INVESTIGATION THERE IS NO FURTHER INFORMATION THAT CAN BE PROVIDED AT THIS TIME.

13. OFFICER'S REPORTS

Report No.	Report	Page in Agenda
HE127	Hume City Annual Gambling Report 2020-2021	13

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

- 2.1 That Council notes the contents of this annual report on gambling in Hume City.**

CARRIED

Report No.	Report	Page in Agenda
HE128	Rough Sleeping COVID Pilot - 9 month progress report	21

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

That Council:

- 2.1 notes the achievements of the Homelessness Pathway Officer; and**
- 2.2 gives consideration, as part of its 2022/23 budget deliberations, to extend the rough sleeping pilot project for an additional 12-month period.**

Councillor Joseph Haweil left the meeting after the motion was moved on item *HE128 - Rough Sleeping COVID Pilot – 9 month progress report*, the time being 7.56pm.

Councillor Joseph Haweil returned to the meeting prior to the vote on item *HE128 - Rough Sleeping COVID Pilot – 9 month progress report*, the time being 7:58pm, and voted on the item.

CARRIED

Report No.	Report	Page in Agenda
HE129	Hume Health and Wellbeing Plan 2021-2025 Adoption Moved Cr Chris Hollow, Seconded Cr Karen Sherry That Council adopts the Hume Health and Wellbeing Plan 2021-2025 and Year 1 Action Plan 2022-2023.	29
CARRIED		
Report No.	Report	Page in Agenda
CC145	Stronger Hume - COVID-19 Adaptation and Resilience Plan Moved Cr Jarrod Bell, Seconded Cr Naim Kurt That Council adopts the Stronger Hume; COVID-19 Adaptation and Resilience Plan, as shown in Attachment 1.	133
CARRIED		
Report No.	Report	Page in Agenda
SU619	Planning Scheme Amendment C250 - 140-204 Western Avenue and 47-67 and 69-99 Wright Street, Westmeadows - Consideration of Submissions Dr Graeme Pollock OAM, Ms Kaylene Wilson, and Mr Peter Barbetti. addressed Council regarding item <i>SU619 - Planning Scheme Amendment C250 - 140-204 Western Avenue and 47-67 and 69-99 Wright Street, Westmeadows - Consideration of Submissions</i> . The Chief Executive Officer also read a statement that had been submitted by Mr David Hall. Moved Cr Sam Misho, Seconded Cr Naim Kurt That Council: <ol style="list-style-type: none">1. considers all submissions, including late submissions, in accordance with Section 22(2) of the <i>Planning and Environment Act 1987</i>.2. abandons Amendment C250 in accordance with Section 23(1)(c) of the <i>Planning and Environment Act 1987</i>.3. notifies the Minister for Planning in writing of its decision on Planning Scheme Amendment C250 in accordance with Section 28(1) of the <i>Planning and Environment Act 1987</i>.4. publishes a notice of the decision to abandon the amendment on the Council internet site outlining the reasons for the decision in accordance with Section 28 of the <i>Planning and Environment Act 1987</i>.	173
CARRIED		

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

For

Cr Jarrod Bell
 Cr Trevor Dance
 Cr Joseph Haweil
 Cr Chris Hollow
 Cr Jodi Jackson
 Cr Naim Kurt
 Cr Sam Misho
 Cr Jim Overend
 Cr Karen Sherry

Against

Cr Jack Medcraft
 Cr Carly Moore

Report No.	Report	Page in Agenda
SU620	<p>Amendment C253 - 105 Vineyard Road, Sunbury</p> <p>Ms Julie Lancashire addressed Council regarding item <i>SU620 - Amendment C253 - 105 Vineyard Road, Sunbury</i>.</p> <p>Councillor Naim Kurt left the meeting, the time being 9:20pm before a motion was moved on item <i>SU620 - Amendment C253 - 105 Vineyard Road, Sunbury</i>.</p> <p>Councillor Jim Overend left the meeting, the time being 9:21pm before a motion was moved on item <i>SU620 - Amendment C253 - 105 Vineyard Road, Sunbury</i>.</p> <p>Councillor Naim Kurt returned to the meeting, the time being 9:23pm prior to a motion was moved on item <i>SU620 - Amendment C253 - 105 Vineyard Road, Sunbury</i>.</p> <p>Councillor Jim Overend returned to the meeting, prior to a motion was moved on item <i>SU620 - Amendment C253 - 105 Vineyard Road, Sunbury</i>, the time being 9:24pm.</p> <p>Moved Cr Jarrod Bell, Seconded Cr Karen Sherry</p> <p>That Council, having considered all submissions:</p> <p>2.1 refers the Amendment and all unresolved submissions to an Independent Planning Panel in accordance with Section 23(1)(b) and 23(2) of the <i>Planning and Environment Act 1987</i>,</p> <p>2.2 requests the Minister for Planning to appoint a Panel for Planning Scheme Amendment C253 in accordance with Part 8 of the <i>Planning and Environment Act 1987</i>.</p>	229

CARRIED

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

For	Against
Cr Jarrod Bell	Cr Jodi Jackson
Cr Trevor Dance	
Cr Joseph Haweil	
Cr Chris Hollow	
Cr Naim Kurt	
Cr Jack Medcraft	
Cr Sam Misho	
Cr Carly Moore	
Cr Jim Overend	
Cr Karen Sherry	

Report No.	Report	Page in Agenda
GE602	Community Engagement Policy Review	245

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

That Council:

- 2.1 notes the key findings of the policy review (see 9.2).**
- 2.2 endorse the revised *Community Engagement Policy* and notes the next review for the policy is scheduled for 2027.**

CARRIED

Councillor Jack Medcraft left the meeting after the Motion had been moved on item *GE602 - Community Engagement Policy Review*, the time being 9:34pm and did not return to the meeting.

14. PETITIONS AND JOINT LETTERS

PJL300 Petition requesting for the left turning lane to become a multi-lane at the intersection of Somerset Road and Hume Highway, Campbellfield

A petition has been received containing 107 compliant signatures, requesting for the left turning lane to become a multi-lane at the intersection of Somerset Road and Hume Highway, Campbellfield.

Moved Cr Joseph Haweil, **Seconded** Cr Karen Sherry

That the petition be received, circulated to Councillors, and the first named signatory of the petition be advised that the matter has been referred to the Manager Assets.

CARRIED

15. DEPUTATIONS

Nil

16. URGENT BUSINESS

Nil

17. DELEGATES REPORTS

Nil

18. GENERAL BUSINESS

Moved: Cr Carly Moore, **Seconded:** Cr Karen Sherry

That the General Business section of the Agenda be deferred to the meeting of 28 March 2022.

CARRIED

19. CONFIDENTIAL MATTERS

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

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

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

COSU196 Extending Procurement Australia Contract 2110-0503 – Mobile Bins

Item COSU196 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 commercial in confidence information.

COGE317 Sunbury Multi-level Carpark Project

Item COGE317 is confidential in accordance with Section 3(1)(a) of the Local Government Act 2020 because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

The specified grounds apply because details regarding a development agreement between Hume City Council and the Victorian Government Department of Transport are included which are subject to non-disclosure clauses. Procurement is currently underway to enter into a contract with a preferred builder and the release of commercial information may compromise probity.

COGE318 Contract - ICT Professional and Leasing Services (Municipal Association of Victoria Contract ES8111 2021)

Item COGE318 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.

CARRIED

The meeting was closed to the public at 9.43pm.

Report No.	Report	Page in Agenda
COGE317	Sunbury Multi-level Carpark Project Moved Cr Jarrod Bell, Seconded Cr Karen Sherry That Council requests the Minister for Planning call in VCAT matters P11956/2021 and P12016/2021 exercising powers under Section 58 of Schedule 1 of the <i>Victorian Civil and Administrative Tribunal Act 1998</i>, and that the decision be made public.	279

CARRIED

The meeting was reopened to the public at 9.48pm.

19. CLOSURE OF MEETING

The meeting closed at 9.48pm.

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COUNCILLOR CARLY MOORE
MAYOR