



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

MONDAY, 26 JULY 2021

VIRTUAL MEETING
accessed via www.hume.vic.gov.au

CONFIRMED - 9 AUGUST 2021

HUME CITY COUNCIL

Minutes of the

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

held on Monday, 26 July 2021

at 7.00PM

Virtual Meeting was livestreamed via www.hume.vic.gov.au

To:	a: Council	Cr Joseph Haweil Cr Jack Medcraft Cr Jarrod Bell Cr Trevor Dance Cr Chris Hollow Cr Jodi Jackson Cr Naim Kurt Cr Sam Misho Cr Carly Moore Cr Jim Overend Cr Karen Sherry	Mayor Deputy Mayor
	b: Officers	Ms Sheena Frost Ms Roslyn Wai Mr Hector Gaston Mr Michael Sharp Mr Peter Waite Mr Daryl Whitfort Mr James McNulty Ms Megan Kruger Ms Joanne Grindrod	Chief Executive Officer Director Communications, Engagement and Advocacy Director Community Services Director Planning and Development Director Sustainable Infrastructure and Services Director Corporate Services Manager Statutory Planning and Building Control Services Manager Governance 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 also advised that as Council is the owner of the copyright of 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.

Gallery Not in Attendance

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:

"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 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

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.

No Councillors declared any Conflict of Interest.

5. CONDOLENCE MOTIONS

CNM044

CONDOLENCE MOTION – MR GRANT FREE

Councillor Jack Medcraft

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

That Council acknowledge the recent passing of Mr Grant Free.

CARRIED

6. NOTICES OF MOTION

NOM417 NOTICE OF MOTION - Cr Carly Moore

Moved Cr Carly Moore, **Seconded** Cr Jarrod Bell

That:

1. Council, under Schedule 7, Section 154, subsection (1) of the Local Government Act 2020 ("the Act"), resolves to make an application to the Local Government Inspectorate's Principal Councillor Conduct Registrar seeking the formation of a Councillor Conduct Panel to make a finding of serious misconduct against Councillor Trevor Dance, on the basis that:
 - a. Councillor Dance failed to comply with the Council's internal arbitration process.
2. The application includes the following circumstances/actions/inactions alleged as constituting serious misconduct:
 - a. On 20 March 2021, Cr Dance made an application seeking a finding of misconduct against Cr Jack Medcraft alleging a breach of the prescribed standards of conduct.
 - b. The Determination of the hearing was tabled at the Ordinary Meeting of Hume City Council on 12 July 2021 noting no breach of the prescribed standards of conduct and making no finding of misconduct against Cr Medcraft.
 - c. The Arbiter's Determination noted that Cr Dance:
 - i. "Does not appear to have appreciated the importance and seriousness of the process with respect to this matter."
 - ii. "... it is concerning that the applicant failed to comply with the Council internal arbitration process (a process which in this case was initiated by him) by not complying [with] the Arbiter's directions that the parties attend the directions hearing and the hearing in person."

CARRIED

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

For

Cr Chris Hollow
Cr Carly Moore
Cr Jarrod Bell
Cr Naim Kurt
Cr Jack Medcraft
Cr Karen Sherry
Cr Sam Misho
Cr Jim Overend
Cr Joseph Haweil

Against

Cr Trevor Dance
Cr Jodi Jackson

7. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
SU574	17-23 Bancell Street Campbellfield - use of land for materials recycling and transfer station	5
	Moved Cr Naim Kurt, Seconded Cr Sam Misho	
	That Council, having reviewed the application, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the use of the land for materials recycling and a transfer station at 17-23 Bancell Street Campbellfield subject to the grounds of refusal in Attachment 1.	
	Cr Jack Medcraft left the meeting after the motion was moved on item SU574 - 17-23 Bancell Street Campbellfield - use of land for materials recycling and transfer station, the time being 7:39pm.	
	Cr Jack Medcraft returned to the meeting during discussion and prior to the vote on item SU574 - 17-23 Bancell Street Campbellfield - use of land for materials recycling and transfer station, the time being 7:40pm.	

CARRIED

Report No.	Report	Page in Agenda
SU576	21-23 Glenbarry Road, Campbellfield - Use of the land for materials recycling	37
	Moved Cr Karen Sherry, Seconded Cr Naim Kurt	
	That Council, having reviewed the application, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the use of the land for materials recycling (tyres) at 21-23 Glenbarry Road Campbellfield subject to the grounds of refusal in Attachment 1.	

CARRIED

Report No.	Report	Page in Agenda
SU578	11 Priorswood Way, Sunbury - Buildings and works for the development of three double storey dwellings in accordance with the endorsed plans	71

The Chief Executive Officer read out a submitted statement to Council on behalf of Uwe Mahler.

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

- 2.1 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 three double storey dwellings at 11 Priorswood Way, Sunbury, subject to the conditions in Attachment 1.**

CARRIED

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

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

Report No.	Report	Page in Agenda
SU579	6 Elgata Close, Meadow Heights - Development of two double storey dwellings to the rear of an existing dwelling	105

Moved Cr Jack Medcraft, **Seconded** Cr Carly Moore

- 2.1 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 double storey dwellings the rear of an existing single storey dwelling at 6 Elgata Close, Meadow Heights subject to the conditions in Attachment 1.**

CARRIED

Report No.	Report	Page in Agenda
SU580	Statutory Planning Monthly Report - June 2021	139

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

- 2.1 That the report be noted.**

CARRIED

Report No.	Report	Page in Agenda
SU581	Melbourne Airport Environs Safeguarding Standing Advisory Committee Update and Council Submission	157

Moved Cr Karen Sherry, **Seconded** Cr Naim Kurt

That Council:

- 2.1 forwards a joint submission to the Melbourne Airport Environs Safeguarding Standing Advisory Committee with Brimbank City Council outlining the matters discussed in this report.**
- 2.2 authorise Council officers to represent Council at the roundtable discussions scheduled by the Standing Advisory Committee.**

Cr Sam Misho left the meeting after the motion was moved on item SU581 - *Melbourne Airport Environs Safeguarding Standing Advisory Committee Update and Council Submission*, the time being 8:35pm.

Cr Sam Misho returned to the meeting during discussion and prior to the vote on item SU581 - *Melbourne Airport Environs Safeguarding Standing Advisory Committee Update and Council Submission*, the time being 8:38pm.

CARRIED

Report No.	Report	Page in Agenda
GE539	Building Control Services Delegations Report 1 April 2021 - 30 June 2021	209

Moved Cr Jarrod Bell, **Seconded** Cr Carly Moore

2.1 That this report be received and noted.

Cr Naim Kurt left the meeting after the motion was moved on item GE539 - *Building Control Services Delegations Report 1 April 2021 - 30 June 2021*, the time being 8:46pm

Cr Naim Kurt returned to the meeting during discussion and prior to the vote on item GE539 - *Building Control Services Delegations Report 1 April 2021 - 30 June 2021*, the time being 8:47pm.

CARRIED

Report No.	Report	Page in Agenda
GE540	Privacy Policy – Review	227

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

2.1 That Council revoke the previous Hume City Council Information Privacy and Health Records Policy adopted 15 March 2016 and adopt the attached Hume City Council Privacy Policy.

CARRIED

Report No.	Report	Page in Agenda
GE541	Correspondence received from or sent to Government Ministers or Members of Parliament - June 2021	235

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

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

CARRIED

Reports Not Otherwise Dealt With**Moved** Cr Carly Moore, **Seconded** Cr Karen Sherry

Report No.	Report	Page in Agenda
SU575	495 Lancefield Road Sunbury - Use and development of a two storey dwelling, associated outbuilding and removal of native vegetation	21
SU577	45 McNabs Road, Keilor - Construct a car port and use and development of an outbuilding for domestic animal boarding	49
GE538	S173 Agreements - Building Over Easement - 1 April 2021 - 30 June 2021	205
GE542	Parking Infringement Notice Internal Review Refund Scheme	275

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU575	495 Lancefield Road Sunbury - Use and development of a two storey dwelling, associated outbuilding and removal of native vegetation	21

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

That Council, having reviewed the application, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the use and development of a two storey dwelling, associated outbuilding and removal of native vegetation at 495 Lancefield Road Sunbury subject to the grounds of refusal in Attachment 1.

CARRIED

Report No.	Report	Page in Agenda
SU577	45 McNabs Road, Keilor - Construct a car port and use and development of an outbuilding for domestic animal boarding	49

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

- 2.1 That Council, having reviewed the application, resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit for the Construct a car port and use and development of an outbuilding for domestic animal boarding at 45 McNabs Road Keilor subject to the grounds of refusal in Attachment 1.

CARRIED

Report No.	Report	Page in Agenda
GE538	S173 Agreements - Building Over Easement - 1 April 2021 - 30 June 2021	205
	Moved Cr Carly Moore, Seconded Cr Karen Sherry	
	2.1 That Council notes the listing of all Agreements under <i>Section 173 of the Planning and Environment Act 1987</i> dealt with under delegation between 1 April 2021 and 30 June 2021 (Attachment 1).	
		CARRIED

Report No.	Report	Page in Agenda
GE542	Parking Infringement Notice Internal Review Refund Scheme	275
	Moved Cr Carly Moore, Seconded Cr Karen Sherry	
	2.1 THAT Council notes the Council Report from 28 June 2021 in relation to adopting a Parking Infringement Notice Internal Review Refund Scheme.	
	2.2 THAT Council notes, in accordance with its resolution of 28 June 2021, that the Council Report in relation to adopting a Parking Infringement Notice Internal Review Refund Scheme is no longer confidential.	
		CARRIED

8. CONFIDENTIAL MATTERS

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

Moved Cr Chris Hollow, **Seconded** Cr Jarrod Bell

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

Report No.	Title	Reason for Confidential
COHE053	Contract – Langama Park Refurbishment Works (Pavilion 2) and New Modular (Pavilion 3)	(g(ii)) 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

CARRIED

The meeting was closed to the public at 9:05pm.

The meeting did not reopen to the public.

9. CLOSURE OF MEETING

The meeting closed at 9:11pm.

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COUNCILLOR JOSEPH HAWEL
MAYOR