

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

MONDAY, 28 JUNE 2021

CONFIRMED - 12 JULY 2021

HUME CITY COUNCIL

Minutes of the

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

held on Monday, 28 June 2021

at 7:00PM

held online via www.hume.vic.gov.au

To: a: Council Cr Joseph Haweil Mayor

Cr Jack Medcraft
Cr Jarrod Bell
Cr Trevor Dance
Cr Chris Hollow
Cr Jodi Jackson
Cr Naim Kurt
Cr Carly Moore
Cr Jim Overend

Cr Karen Sherry

b: Officers Ms Roslyn Wai Interim Chief Executive Officer

Mr Joel Farrell Acting Director Communications, Engagement

Deputy Mayor

and Advocacy

Mr Hector Gaston Director Community Services

Mr Michael Sharp Director Planning and Development

Mr Peter Waite Director Sustainable Infrastructure and Services

Mr Daryl Whitfort Director Corporate Services

Mr James McNulty Manager Statutory Planning and Building

Control Services

Ms Megan Kruger Manager Governance
Ms Joanne Grindrod Governance Support 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 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, he 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 andacknowledges 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

Cr Sam Misho had advised he will be an apology for the 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.

Councillor Joseph Haweil disclosed a Conflict of Interest on item CC134 – *Invitation to join Refuge Welcome Zone Leadership Group*, due to close association.

5. CONDOLENCE MOTIONS

Nil.

6. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

That Council:

Report No.	Report	Page in Agenda
CC133	Event Sponsorship Funding Program - Round 1	5
	Moved Cr Carly Moore, Seconded Cr Jack Medcraft	

2.1 Reallocates \$94,000 of unspent event sponsorship funds from the 2020/21 financial year into the 2021/22 budget.

- 2.2 Endorses the allocation of \$120,113 to the nominated groups for Round 1 of the Event Sponsorship Funding Program as listed in Attachment 1.
- 2.3 Notes that Round 2 applications opened on 1 April 2021 and close on 30 June 2021. Round 2 is for events held between 1 January 2022 and 30 June 2022.
- 2.4 Notes that a review of the current Event Sponsorship Funding Program, and Sponsorship Policy (POL/174) will be undertaken following conclusion of Round 2 applications, ensuring that the program continues to remain fit-for-purpose and responsive to community needs.

CARRIED

Report No.	Report	Page in
CC134	Invitation to join Refugee Welcome Zone Leadership Group	Agenda 15

Cr Joseph Haweil, having declared a disclosure of Conflict of Interest in item CC134 – *Invitation to join Refuge Welcome Zone Leadership Group*, left the Chair, and left the meeting prior to the motion being moved, the time being 7:10 pm, and did not vote on the item.

Deputy Mayor Cr Jack Medcraft assumed the Chair.

Moved Cr Karen Sherry, Seconded Cr Naim Kurt

That Council:

- 2.1 joins the Refugee Council of Australia (RCOA) Refugee Welcome Zone Leadership Group.
- 2.2 notes that the cost to join the Refugee Welcome Zone Leadership Group is \$5,000 annually.

CARRIED

Deputy Mayor Cr Jack Medcraft left the Chair and returned to his seat.

Cr Joseph Haweil returned to the meeting, the time being 7:15 pm, and resumed the Chair.

Report No.	Report	Page in Agenda
SU561	28 Powlett Street Sunbury- The development of two double storey dwellings and one single storey dwelling to the rear of the existing dwelling.	19
	Moved Cr Jack Medcraft, Seconded Cr Karen Sherry	
	That Council, having considered the application on its mobjections received, resolves to issue a Notice of Decision Planning Permit for the development of two double storand one single storey dwelling to the rear of the existing a Powlett Street, Sunbury subject to the conditions in Attack	on to Grant a rey dwellings dwelling at 28

CARRIED

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

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

Report No. Report Page in Agenda
SU562 75 Pasley Street, Sunbury - The development of land for four double storey dwellings

The Interim Chief Executive Officer read out a submitted statement to Council on behalf of Mr Michael Osborne, Ms Elizabeth and Mr John Bonner and Ms Bethany Follett Mr Patrick and Cauchi-Town Planning Consultant MPIA

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 development of four double storey dwellings at 75 Pasley Street Sunbury, subject to the conditions in Attachment 1

CARRIED

Report No. Report Page in Agenda
SU563 380 Lancefield Road Sunbury - Use and development of the land for a Place of Assembly (meditation retreat), caretaker's dwelling and native vegetation removal

Moved Cr Karen Sherry, Seconded Cr Jack Medcraft

That Council, having considered the application on its merits, resolves to issue a Notice of Decision to Grant a Planning Permit for the use and development of the land for a Place of Assembly (meditation retreat), caretaker's dwelling and native vegetation removal at 380 Lancefield Road Sunbury subject to the conditions in Attachment 1.

CARRIED

Report No. Report Page in Agenda
SU565 4 Sheldon Court Gladstone Park - The development of land for two dwellings

Moved Cr Jarrod Bell, Seconded Cr Jack Medcraft

That Council, having considered the application on its merits, resolves to issue a Notice of Decision to Grant a Planning Permit, and allow the development of land for two dwellings at 4 Sheldon Court, Gladstone Park subject to the conditions in Attachment 1.

CARRIED

Report No. Report Page in Agenda SU566 Statutory Planning Monthly Report - May 2021 159

Moved Cr Jarrod Bell, Seconded Cr Karen Sherry

That the report be noted.

Cr Jack Medcraft left the meeting after the motion was moved on item *Statutory Planning Monthly Report - May 2021*, the time being 7:44pm

Cr Jack Medcraft returned to the meeting during discussion and prior to the vote on item *Statutory Planning Monthly Report - May 2021*, the time being 7:45pm

CARRIED

Report No. Report Page in Agenda
GE532 Correspondence received from or sent to Government Ministers or Members of Parliament - May 2021

Moved Cr Jack Medcraft, Seconded Cr Jarrod Bell
That Council notes this report on correspondence received from or sent to Government Ministers or Members of Parliament.

CARRIED

Report No. Report Page in Agenda
GE533 Virtual Meeting Consultation Paper Submission 273

Moved Cr Karen Sherry, Seconded Cr Carly Moore

That Council:

- 2.1 Determines a preference of the three options proposed by Local Government Victoria at question 2 of the consultation paper, being Option 3.
- 2.2 Delegates to the Director Corporate Services to finalise and submit the Submission to Local Government Victoria by 30 June 2021, including the response to recommendation 2.1.

Cr Naim Kurt left the meeting after the motion was moved on item GE533 - *Virtual Meeting Consultation Paper Submission*, the time being 8:34pm

Cr Naim Kurt returned to the meeting during discussion and prior to the vote on item GE533 - *Virtual Meeting Consultation Paper Submission*, the time being 8:35pm

CARRIED

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

For Against
Cr Karen Sherry Cr Trevor Dance
Cr Naim Kurt Cr Jodi Jackson
Cr Chris Hollow
Cr Jarrod Bell

Cr Jack Medcraft Cr Joseph Haweil Cr Carly Moore Cr Jim Overend

Report No. Report Page in Agenda
GE534 2021/22 Annual Budget Adoption and Declaration of Rates and Charges Page in Agenda

The Interim Chief Executive Officer read out a submitted statement to Council on behalf of Ms Nicola Mundt.

Moved Cr Carly Moore, Seconded Cr Jack Medcraft

- 2.1 That Council adopts the Budget having considered submissions received and the details of the 2021/22 Annual Budget (attachment 1), which includes:
 - 2.1.1 Section 1 Link to the integrated planning and reporting framework
 - 2.1.2 Section 2 Services and service performance indicators
 - 2.1.3 Section 3 Financial statements
 - 2.1.4 Section 4 Notes to the financial statements including detailed information relating to general rates and charges
 - 2.1.5 Section 5 Financial performance indicators
 - 2.1.6 Section 6 Schedule of fees and charges
- 2.2 That in accordance with Section 158 of the 1989 Act, Council declare a General Rate of 0.32344 cents in the dollar of the Capital Improved Value within the municipal district for all rateable land for the rating period commencing 1 July 2021 and ending 30 June 2022.
- 2.3 That in accordance with Section 169 of the 1989 Act, Council grant an Agricultural Land Use Rebate of 23% of the General Rate to those owners who undertake works that address land degradation issues including weed and pest animal control. To be eligible, landowners must be using their land primarily for agricultural land use activities and implement satisfactory land management work. For the 2021/22 financial year, the Agricultural Land Use Rebate will be offered to landholders who already receive the rebate within the urban growth zone for the next two years only (after which, such properties will no longer be eligible for any rebate).
- 2.4 That for the 2021/22 financial year, a new Primary Producer Rate Rebate be offered to landholders outside the urban growth zone which will be calculated at 30% of the General Rate. The eligibility criteria for the Primary Producer Rate Rebate is similar to that under the Agricultural Land Use Rebate, however there is a requirement on landholders to prove to Council that they are trying to operate an agricultural business from their agricultural activity.
- 2.5 That Council grants an additional pensioner rate rebate of \$39.00 per rateable property to those applicants who qualify for a rate rebate within the meaning of the State Concessions Act 2004 over and above that provided by the State Government. This rebate is to be granted on the same terms and conditions that provides for the State

- Government funded rebate without separate application in accordance with Section 171 of the 1989 Act.
- 2.6 That Council declares that all rates for rateable land be determined by multiplying the Capital Improved Value of the rateable land by the relevant General Rate indicated at 2.2 above.
- 2.7 That in accordance Section 167 (1) of the 1989 Act, the general rates and service charges be payable by four instalments. The gazetted instalment dates as fixed by the Minister are as follows: 30 September 2021, 30 November 2021, 28 February 2022 and 31 May 2022.
- 2.8 That in accordance with Section 167 (2A) of the 1989 Act, Council will not be offering the lump sum payment option.
- 2.9 That in accordance with Section 172 of the 1989 Act, Council declares that a person pay interest at the rate specified in the Penalty Interest Rates Act 1983 on any general rates or charges which that person is liable to pay and have not been paid from 1 July 2021.
- 2.10 That in accordance with Section 159 of the 1989 Act, Council declares that a municipal charge will not be levied against any rateable land on which a municipal charge may be levied for the rating period commencing on 1 July 2021 and ending on 30 June 2022.
- 2.11 That in accordance with Section 162 of the 1989 Act, Council declares annual service charges for the disposal of refuse per collection services for rateable and non-rateable properties for the period commencing 1 July 2021 and ending 30 June 2022; where each occupied serviced rateable property is entitled to one 140L garbage service and one 240L recycle service without charge; as follows:

Waste Service Option	Per Service
Optional Garbage Charges	
Garbage (upgrade from 140L to 240L)	115.00
Garbage (additional service 240L)	265.50
Garbage (additional service140L)	153.40
Garbage (additional 80L)	88.40
Garbage discount (80L first service)	20.50 discount
Optional Recycling Charges	
Recycle (additional 140L or 240L)	69.90
Recycle (upgrade from 140L to 360L)	34.10
Recycle (additional 360L)	104.60
Optional Organics Charges	
Organics 140L service	85.10
Organics 240L service	108.30
Organics 140L additional service	85.10
Organics 240L additional service	108.30

2.12 That an amount of \$209.31m be declared as the amount Council intends to raise from the general rates and charges for the period from 1 July 2021 to 30 June 2022 as follows:

2.12.1	General Rates Agricultural Land Use Rebate Council Pension Rebate	\$ (\$ (<u>\$</u>	188,249,773 Less 765,000)Less 538,200)
	Total rates	\$	186,946,573
	Service Charge – Recycling and	Gaı	rbage \$ 290,000
2.12.2	Special rates and charges	\$	5,647
	Service Charge – Organics	\$	3,300,000
	Projected Supplementary Rate In	CO	me \$4,000,000
	Rates interest	\$	845,000
	Total Rates and Service Charges	\$	195,387,220
	Rates in lieu	\$	13,919,751
		\$	209,306,971

- 2.13 That Council endorses the following adjustments to the proposed Budget which take into account budget submissions received from the community. The impact of these changes on the Budget as a result of including the items listed at 9.1 below are as follows:
 - 2.13.1 An increase of \$0.1 million to total income. (\$473.69 million to \$473.79 million).
 - 2.13.2 An increase of \$0.12 million to the total expenditure. (\$334.09 million to \$334.21 million).
 - 2.13.3 A reduction of \$0.02 million to the operating result. (\$139.60 million to \$139.58 million).
 - 2.13.4 An increase of \$0.02 million to total liabilities. (\$102.17 million to \$102.19 million)
 - 2.13.5 A decrease of \$0.02 million in total equity. (\$4.56590 billion to \$4.56588 billion)
 - 2.13.6 A decrease of \$0.47 million in cash and cash equivalents. (\$192.89 million to \$192.42 million)
 - 2.13.7 An increase of \$0.47 million in Council's capital works program (\$110.91 million to \$111.38 million).
- 2.14 That Council endorses the schedule of fees and charges with an effective commencement date of 1 July 2021.
- 2.15 That Council acknowledges and thanks all submitters to the budget process for their input.
- 2.16 That Council writes to all submitters with responses and outcomes of their submissions.
- 2.17 That the adopted Budget be placed on Councils website.

That in accordance with Section 94 of the Act, Council resolves to send a copy of the Budget to the Minister for Local Government.

Amendment

Moved Cr Naim Kurt, Seconded Cr Jodi Jackson

That the Budget include \$120,000 for an ongoing mural arts program, with the amendment being that the report notes the following proposed changes to the budget being on the following points:

- 2.13.6 A decrease of \$0.59 million in cash and cash equivalents. (\$192.89 million to \$192.3 million).
- 2.13.7 An increase of \$0.59 million in Council's capital works program (\$110.91 million to \$111.50 million)

To allow for the funding of this program within the budget.

CARRIED

The substantive motion was then put.

- 2.1 That Council adopts the Budget having considered submissions received and the details of the 2021/22 Annual Budget (attachment 1), which includes:
 - 2.1.1 Section 1 Link to the integrated planning and reporting framework
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- 2.5 That Council grants an additional pensioner rate rebate of \$39.00 per rateable property to those applicants who qualify for a rate rebate

- within the meaning of the State Concessions Act 2004 over and above that provided by the State Government. This rebate is to be granted on the same terms and conditions that provides for the State Government funded rebate without separate application in accordance with Section 171 of the 1989 Act.
- 2.6 That Council declares that all rates for rateable land be determined by multiplying the Capital Improved Value of the rateable land by the relevant General Rate indicated at 2.2 above.
- 2.7 That in accordance Section 167 (1) of the 1989 Act, the general rates and service charges be payable by four instalments. The gazetted instalment dates as fixed by the Minister are as follows: 30 September 2021, 30 November 2021, 28 February 2022 and 31 May 2022.
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- 2.11 That in accordance with Section 162 of the 1989 Act, Council declares annual service charges for the disposal of refuse per collection services for rateable and non-rateable properties for the period commencing 1 July 2021 and ending 30 June 2022; where each occupied serviced rateable property is entitled to one 140L garbage service and one 240L recycle service without charge; as follows:

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Organics 140L service	85.10
Organics 240L service	108.30
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Organics 240L additional service

108.30

\$ 209,306,971

2.12 That an amount of \$209.31m be declared as the amount Council intends to raise from the general rates and charges for the period from 1 July 2021 to 30 June 2022 as follows:

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	Agricultural Land Use Rebate	(\$	765,000)Less
	Council Pension Rebate	(<u>\$</u>	538,200)
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	Service Charge – Recycling and	Gaı	bage \$ 290,000
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	Rates interest	\$	845,000
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- 2.15 That Council acknowledges and thanks all submitters to the budget process for their input.
- 2.16 That Council writes to all submitters with responses and outcomes of their submissions.
- 2.17 That the adopted Budget be placed on Councils website.
- 2.18 That in accordance with Section 94 of the Act, Council resolves to send a copy of the Budget to the Minister for Local Government.
- 2.19 That the Budget include \$120,000 for an ongoing mural arts program, with the amendment being that the report notes the following proposed changes to the budget being on the following points:

- 2.19.6 A decrease of \$0.59 million in cash and cash equivalents. (\$192.89 million to \$192.3 million).
- 2.19.7 An increase of \$0.59 million in Council's capital works program (\$110.91 million to \$111.50 million)

CARRIED

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

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

Cr Jack Medcraft left the meeting after the vote on item GE534 - 2021/22 Annual Budget Adoption and Declaration of Rates and Charges, the time being 9:26pm, and returned to the meeting, the time being 9:28pm.

Reports Not Otherwise Dealt With

Moved Cr Jarrod Bell, Seconded Cr Chris Hollow

Report No.	Report	Page in Agenda
SU564	8 Bee Court, Craigieburn- The development of one double storey dwelling to the front of the existing single storey dwelling.	105
SU567	Amendment C247 – 225-285 Donnybrook Road (Merrifield South)	175
SU568	CCTV Camera Policy Review – 2021	197
GE531	Adoption of Revenue and Rating Plan	209

be adopted.

CARRIED

Report No.	Report	Page in
SU564	8 Bee Court, Craigieburn- The development of one double storey dwelling to the front of the existing single	Agenda 105
	storey dwelling.	

Moved Cr Jarrod Bell, Seconded Cr Chris Hollow

That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to grant a planning permit for the development of one double storey dwelling to the front of the existing single storey dwelling at 8 Bee Court, Craigieburn subject to the grounds of refusal identified in Attachment 1.

CARRIED

Report No. Report Page in Agenda SU567 Amendment C247 - 225-285 Donnybrook Road 175 (Merrifield South)

Moved Cr Jarrod Bell, Seconded Cr Chris Hollow

That Council:

- 2.1 adopts Amendment C247 in accordance with Section 29(1) of the *Planning and Environment Act* 1987;
- 2.2 submits the adopted Amendment C247 as exhibited to the Minister for Planning for approval in accordance with Section 31(1) of the *Planning and Environment Act* 1987;
- 2.3 signs and seals a Section 173 Agreement between Council, Transport for Victoria and the landowner to require the landowner to deliver Aitken Boulevard between Donnybrook Road and Mount Ridley Road; and
- 2.4. signs and seals a Section 173 Agreement between Council, Transport for Victoria and the landowner to procure road work contributions to State infrastructure identified in the Merrifield North Transport Network Plan.

CARRIED

Report No. Report Page in Agenda SU568 CCTV Camera Policy Review - 2021 197

Moved Cr Jarrod Bell, Seconded Cr Chris Hollow

That Council revoke the previous Hume City Council CCTV Camera Policy adopted 27 November 2017 and adopt the attached Hume City Council CCTV Camera Policy.

CARRIED

Report No. Report Page in Agenda
GE531 Adoption of Revenue and Rating Plan 209

Moved Cr Jarrod Bell. Seconded Cr Chris Hollow

That Council adopt the attached Revenue and Rating Plan.

CARRIED

7. CONFIDENTIAL MATTERS

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

Moved Cr Jim Overend, 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:

Report No.	Title	Reason for Confidential
COED016	Contract - Library Collections, Furniture, Equipment and Associated Requirements	(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
COSU186	Land-in-Kind Agreement with Stockland for the Delivery of Craigieburn R2 Development Contributions Plan Item OS03	(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The specified grounds apply because the details of this Works-in-Kind arrangement can impact Council's current negotiations for other Works-in-Kind arrangements
COSU187	Revised Works-in-Kind and Land- in-Kind Agreement for the delivery of Greenvale Central Development Contributions Plan Item IT02	(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The specified grounds apply because the details of this Works-in-Kind arrangement can impact Council's current negotiations for other Works-in-Kind arrangements
COGE313	Contract No. 30 20 3196 - Construction of Carpark, Access Road and Services at Seabrook Reserve, Broadmeadows	(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

confidence information

COGE314 **Parking Infringement Notice** (a) Council business **Internal Review Refund Scheme** information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. **COGE315 Provision of Council's Insurance** (g(ii)) private commercial 2021/22 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

CARRIED

The meeting was closed to the public at 9:29 pm.

The meeting was not reopened to the public.

8. CLOSURE OF MEETING

The meeting closed at 9:34pm.

COUNCILLOR JOSEPH HAWEIL MAYOR