



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

MONDAY, 7 DECEMBER 2020

VIRTUAL MEETING

accessed via www.hume.vic.gov.au

CONFIRMED - 21 DECEMBER 2020

HUME CITY COUNCIL

**Minutes of the
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**
held on Monday, 7 December 2020
at 7:00PM

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

Present:	a: Council	Cr Joseph Haweil Cr Jarrod Bell Cr Trevor Dance Cr Chris Hollow Cr Jodi Jackson Cr Naim Kurt – joined at 7:03pm Cr Sam Misho Cr Carly Moore Cr Jim Overend Cr Karen Sherry	Mayor
	b: Officers	Mr Domenic Isola Mr Hector Gaston Mr Michael Sharp Ms Roslyn Wai Mr Peter Waite Mr Daryl Whitfort Ms Megan Kruger Ms Joanne Grindrod	Chief Executive Officer Director Community Services Director Planning and Development Director Communications, Engagement and Advocacy Director Sustainable Infrastructure and Services Director Corporate Services Governance Manager 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:

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

An apology was received from Cr Jack Medcraft.

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.

Cr Trevor Dance declared a disclosure of Conflict of Interest in item SU522 - 320 Gap Road, Sunbury - Use and Development of the Land for the Purpose of a Service Station, Restaurant, Associated Signage and Alteration to a Road in a Road Zone, by the way of close association.

Cr Trevor Dance declared a disclosure of Conflict of Interest in item GE480 - Proposed Discontinuance and Sale of R1 on LP74713, Adjoining 650 Hume Highway Craigieburn, by the way of close association.

5. CONDOLENCE MOTIONS**CNM037 CONDOLENCE MOTION - MR TARIK SOLAK AND MR ISMAIL GUL (IZZY BLAZE)**

Cr Naim Kurt

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

That Council acknowledge the recent passing of Community Leader's Mr Tarik Solak and Mr Ismail Gul (Izzy Blaze).

CARRIED

6. OFFICER'S REPORTS

Reports Identified as Requiring Individual Discussion

Report No.	Report	Page in Agenda
HE116	Annual Report on Gaming and Other Gambling Matters	5

Moved Cr Naim Kurt, Seconded Cr Jodi Jackson

2.1 That Council:

2.1.1 notes the Annual Report on Gaming and other Gambling Matters.

2.1.2 publishes the annual report on gaming and other gambling matters on Council's website.

CARRIED

Report No.	Report	Page in Agenda
HE117	Aged Services and Support Service Plan	17

Moved Cr Karen Sherry, Seconded Cr Carly Moore

2.1 That Council adopts the Aged Services and Support Service Plan and notes that implementation will be completed over a period of four years.

CARRIED

Report No.	Report	Page in Agenda
SU521	11 Leech Court, Jacana - The Development of Four Double Storey Dwellings	75

Moved Cr Karen Sherry, Seconded Cr Jodi Jackson

That Council, having considered the application on its merits and the objections received, resolves to refuse the application for the development of four double storey dwellings at 11 Leech Court, Jacana, for the following reasons:

2.1 The proposed development is contrary to the purpose of Clause 32.08 General Residential Zone 1 of the Hume Planning Scheme as the design does not respect existing neighbourhood character.

2.2 The proposed development does not meet the statutory car parking rate under Clause 52.06 of the Hume Planning Scheme.

2.3 The proposed development does not meet the gradient requirements for accessways at Clause 52.06 of the Hume Planning Scheme

2.4 The proposed development does not meet the objective or Standard B1 of Clause 55.02-1 of the Hume Planning Scheme, with regards to Neighbourhood Character.

2.5 The proposed development does not meet the objective or Standard B12 of Clause 55.03-7 of the Hume Planning Scheme, with regards to Safety.

2.6 The proposed development does not meet the objective or Standard B13 of Clause 55.03-8 of the Hume Planning Scheme, with regards to Landscaping.

- 2.7 The proposed development does not meet the objective or Standard B25 of Clause 55.05-2 of the Hume Planning Scheme, with regards to Accessibility.
- 2.8 The proposed development does not meet the objective or Standard B26 of Clause 55.05-2 of the Hume Planning Scheme, with regards to Dwelling Entry.
- 2.9 The proposed development does not meet the objective or Standard B28 of Clause 55.05-4 of the Hume Planning Scheme, with regards to Private Open Space.
- 2.10 The proposed development does not meet the objective or Standard B31 of Clause 55.06-1 of the Hume Planning Scheme, with regards to Design Details.
- 2.11 The proposed development is considered an overdevelopment of the site.

CARRIED

Report No.	Report	Page in Agenda
SU522	320 Gap Road, Sunbury - Use and development of the land for the purpose of a service station, restaurant, associated signage and alteration to a road in a road zone.	105

Cr Trevor Dance, having declared a disclosure of Conflict of Interest in item SU522- 320 Gap Road, Sunbury - Use and Development of the Land for the Purpose of a Service Station, Restaurant, Associated Signage and Alteration to a Road in a Road Zone, left the meeting prior to the motion being moved, the time being 7:33 pm, and did not take part in any discussion or debate on the item.

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

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

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 and development of the land for the purpose of a service station, restaurant, associated signage and alteration to a road in a road zone at 320 Gap Road, Sunbury, subject to the following conditions:

- 2.1 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 must be generally in accordance with the plans submitted with the application (MCL Building Design November 2019 276-19) but modified to show:
 - a) The description of Tenancy 1 (Convenience Store) updated to remove reference to a convenience store and to note that the building is to be used for service station and ancillary services;
 - b) The site plan updated to provide a safe pedestrian access point from the site, by extending the footpath that runs in front of the service station building in the north east of the development area to the edge of Wilsons Lane;
 - c) Provision of a pram crossing (pedestrian crossing of the kerb), opposite the bus stop on the eastern side of Wilsons Lane (adjacent to 56 Wilsons Lane);

- d) A stormwater treatment facility to meet best practice for all driveway and carpark runoff shown on the site layout plan;
 - e) Access to Gap Road designed for entry only movement;
 - f) Access to Wilson Lane designed for Entry/Exit movements;
 - g) Turning lanes, traffic signs, line markings shown on the site plan;
 - h) Relocation of light pole shown on the site plan;
 - i) Landscape plan updated to show:
 - i. the location of all the plants noted on the Plant Schedule sheet;
 - ii. The provision of an additional 6 tall trees including *Corymbia maculata* or *citriodora* along the strip of landscape adjacent to Wilsons Lane and additional 8 of the same species along the frontage of Gap Road;
 - iii. A notation which ensures that landscaping at the entry/exit to Wilsons Lane and exit access point to Gap Road must not exceed 900mm mature height to ensure the sightlines for pedestrians and motorists are maintained.
- 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 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.
- 2.5 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.
- 2.6 The use or development permitted by this permit including construction activities, must not in the opinion of the Responsible Authority adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.
- 2.7 Petrol and/or LPG tankers must be parked wholly within the boundaries of the subject site when storage tanks are being filled.
- 2.8 Mechanical or other repairs to motor vehicles must not be carried out on the subject site.

- 2.9 Fuel deliveries and waste collection associated with the service station must only take place within the following hours unless with the prior written consent of the Responsible Authority:
 - a) 7am to 10pm Monday to Sunday
- 2.10 The use of the restaurant tenancies must only occur from:
 - a) 6am – 10pm Monday to Sunday
- 2.11 The restaurant uses approved under this permit are restricted to a maximum seating capacity of 20 seats each.
- 2.12 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.
- 2.13 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.
- 2.14 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.
- 2.15 Provision must be made on the land for the storage and collection of waste and recyclables. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority. The waste bin area must be provided prior to the commencement of the use permitted by this permit, maintained and used to the satisfaction of the Responsible Authority and must not be used for any other purpose.
- 2.16 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.
- 2.17 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.18 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
- 2.19 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.
- 2.20 Before any trees are removed from site, the trees identified for removal must be examined by a qualified zoologist for the presence of fauna, including those using external nests (e.g. Common Ringtail Possums, bird nests) and tree hollows. If native fauna species are located, they are to be salvaged and relocated in accordance with all relevant legislation.

Department of Transport conditions:

- 2.21** Before the development starts, amended plans for the intersection of Gap Road and Wilsons Lane (showing the two access points) must be submitted to and approved by the Department of Transport (Head, Transport for Victoria). The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application (Site and Floor Plan Reference 276-19 TP2 Sheet 2 of 4 by MCL Building Design Pty Ltd; Circulation Swept Paths IMP190704-DG-(01-02) D, DC-01-03 C dated 8/10/2019 and Proposed Access Arrangement Figure 7 by Impact Traffic Engineering Pty Ltd). The plans must be modified to show:
- a) Access to Gap Road designed for entry only movement.
 - b) Access to Wilson Lane designed for Entry/Exit movements.
 - c) Turning lanes, traffic signs, line markings.
 - d) Relocation of light pole.
 - e) Swept path analysis for the appropriate design and check vehicle for all movements associated with all the proposed access points and uses, including how the largest design vehicle that could be reasonably anticipated to use the site, may enter and exit the development in a forward direction.
 - f) Landscaping at the entry/exit to Wilsons Lane and exit access point to Gap Road must be restricted to 900mm to enhance sight lines and safety of pedestrians.
- 2.22** Before the use approved by this permit commences, the roadworks approved by Condition 21 above must be completed at no cost to and to the satisfaction of the Department of Transport (DoT).
- 2.23** The development must be managed during construction to ensure that it does not compromise the operational efficiency of Robinsons Road or public safety.
- 2.24** All signs must be located within the property boundary.
- 2.25** Signs must not obstruct drivers view of traffic control device or create confusing or dominating background which might reduce the clarity or effectiveness of a traffic control device.
- 2.26** The signs must not be flashing or reflective.
- 2.27** The luminances of the advertising signs must be such that it does not give a veiling luminances to the advertising sign.
- Permit Expiry**
- 2.28** This permit will expire if one of the following circumstances applies:
- the development and use are not started 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 in accordance with Section 69 of the Planning and Environment Act 1987.

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 for this activity may be required from DoT. Please contact DoT prior to commencing any works.

CARRIED

Cr Trevor Dance returned to the meeting, the time being 7:40pm after the vote had been taken on item SU522.

Report No.	Report	Page in Agenda
SU524	7 Churchill Avenue, Tullamarine - Development of three double storey dwellings	149

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

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

That Council, having considered the application on its merits and with regards to the objections, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of three double storey dwellings at 7 Churchill Avenue, Tullamarine, subject to the following conditions:

- 2.1 Before the use and or development permitted by this permit commences, three copies of plans to the satisfaction of the Responsible Authority and Melbourne Water must be submitted to and approved by the Responsible Authority and Melbourne Water. When approved the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans (prepared by Draftmode, dated March 2019) but modified to show:

- (a) An annotation indicating the deck and stairs to dwelling 1 is constructed as 'open' and 'unenclosed'.
 - (b) The storage area to dwelling 1 removed from under the deck.
 - (c) The swimming pool for dwelling 1 constructed 'in-ground' at natural surface levels.
- 2.2 The use and/or development as shown on the endorsed plans or described in the endorsed documents must 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 landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
- (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - (b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - (c) details of surface finishes of pathways and driveways;
 - (d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - (e) landscaping and planting within all open areas;
 - (f) One (1) medium canopy tree within each street frontage to Churchill Avenue (minimum two metres tall when planted); one (1) medium canopy tree in the secluded open space for both dwellings; and screen planting to a minimum height of 3 metres along the rear and side boundaries and a depth of low-scale landscaping along the driveways where practical, around the dwellings and in the site frontage where appropriate;
 - (g) an in-ground irrigation system to all landscaped areas;
 - (h) a tree protection zone and structural root zone for each tree to be retained; and the location and details of root control barriers.
- 2.5 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.
- 2.6 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.

- 2.7 The development permitted by this permit must not in the opinion of the Responsible Authority adversely affect the amenity of the locality.
- 2.8 All works on or facing the boundaries of adjoining properties must be finished and the surface cleaned to a standard that is well presented to neighboring properties in a manner to the satisfaction of the responsible authority.
- 2.9 Outdoor lighting must not be used on the subject land other than that which is normal to a private dwelling.
- 2.10 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.
- 2.11 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.12 Prior to the occupation of the dwellings hereby approved, the stormwater management solutions shown on the approved Plans must be installed and maintained to the satisfaction of the Responsible Authority.
- 2.13 Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
- 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 causing damage/nuisance 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.
- 2.15 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.16 Finished floor levels must not be altered without the consent of the responsible authority.
- 2.17 All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
- 2.18 The existing redundant vehicle crossing is to be removed. The kerb and channel and nature strip to be reinstated to Council's standard.
- 2.19 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.
- 2.20 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.

2.21 Before the development permitted by this permit commences, the permit holder must contact Council's Parks Department Arborists to arrange for:

- a. The removal and/or relocation of the street tree within Churchill Avenue road reserve adjacent to the new vehicle crossing (ID #68225).**

The permit holder must pay the following costs to Council's Park Department:

- b. \$1649.54 (ex. GST) in removal and replacement fees, as part of the crossover application.**

Melbourne Water Conditions:

- 2.22 Finished floor levels of the dwellings must be constructed no lower than 76.60 metres to Australian Height Datum (AHD).**
- 2.23 Finished floor levels of the garages must be constructed no lower than 76.30 metres to AHD.**
- 2.24 Finished surface levels of the carport to Dwelling 1 must be maintained at natural surface levels and must be constructed with the northern, southern and eastern side as 'open' (ie no walls) to allow for the conveyance of floodwaters. No garage door is permitted to the structure.**
- 2.25 A minimum 3.5 metre setback measured from the eastern boundary and maintained at natural surface levels and free of any obstructions is required for the conveyance of floodwaters.**
- 2.26 The deck and stairs to Dwelling 1 must be constructed as 'unenclosed' underneath (ie no plinth boards) to allow for the conveyance of floodwaters.**
- 2.27 The swimming pool to Dwelling 1 must be constructed 'in-ground' at natural surface levels to allow for the conveyance of floodwaters.**
- 2.28 Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the dwellings and driveway ramps.**
- 2.29 The open space areas within the property and landscaping and raingardens located along the eastern boundary must be constructed at natural surface levels and no fill or retaining walls should be used in the development of this land.**
- 2.30 Any new front fence and internal fencing including swimming pool fencing must be 'open style', a minimum of 50% of construction and any new side boundary fencing must be timber paling to allow for the conveyance of overland flow.**
- 2.31 Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.**
- 2.32 The depth of the footings to the development located along the eastern boundary must be adequate to satisfy the angle of repose relative to the drain as per Melbourne Water's specification.**
- 2.33 Any new landscaping located within five (5) metres of the Melbourne Water asset must comply with Melbourne Waters asset protection planting guidelines.**

- 2.34 Prior to the endorsement of plans, a detailed landscape plan of any new landscaping located within five metres of the eastern boundary must be submitted to Melbourne Water for approval.
- 2.35 Any new fencing located along the eastern boundary adjacent to Melbourne Water owned land must be constructed on the title boundary at the full cost of the owner/ developer and to the satisfaction of Melbourne Water.
- 2.36 During the construction phase Melbourne Water owned land is not permitted to be used to provide access to the property.
- 2.37 Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

Permit expiry:

- 2.38 This permit will expire if one of the following circumstances applies:
- the development and use are not started 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 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.

Note: 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.

Notes:

- Melbourne Water: The applicable flood level is 76.30 metres to Australian Height Datum (AHD).
- Drainage Investigation is required for this development (fees apply). Prior to the commencement of the development hereby approved, plans must be submitted to Council's Civil Design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
- Following the Drainage Investigation, and prior to the commencement of the development hereby approved, internal drainage plans to be submitted to Council Civil Design section for approval.
- 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.

- If the pit falls within the crossing relocate the crossing or modify the pit to a heavy-duty channel grated pit.

CARRIED

Report No.	Report	Page in Agenda
SU525	50 Dawson Street, Tullamarine - The development of three double storey dwellings.	

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

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

That Council, having considered the application on its merits and the objection received, resolves to issue a Notice of Decision to refuse the application for the development of three double storey dwellings at 50 Dawson Street, Tullamarine, for the following reasons:

- 2.1 The proposed development is contrary to the policy objective of Clause 22.14-5 (Residential Neighbourhood Character – Tullamarine Local Policy).
- 2.2 The proposed development does not meet the objective or Standard B1 of Clause 55.02-1, with regards to neighbourhood character.
- 2.3 The proposed development does not meet Standard B6 of Clause 55.03-1, with regards to street setback.
- 2.4 The proposed development does not meet the objective or Standard B10 of Clause 55.03-5, with regards to energy efficiency.
- 2.5 The proposed development does not meet the objective or Standard B13 of Clause 55.03-8, with regards to Landscaping.
- 2.6 The proposed development does not meet the objective of B29 of Clause 55.05-5, with regards to solar access to open space.
- 2.7 The proposed development does not meet the objective or Standard B31 of Clause 55.06-1, with regards to Design Detail.

CARRIED

Report No.	Report	Page in Agenda
SU528	265 Oaklands Road Oaklands Junction - The use and development of a Freezing and Cool Storage facility	261

Moved Cr Trevor Dance, **Seconded** Cr Jodi Jackson

That Council, having considered the application for the use and development of a Freezer and Cool Storage facility on its merits and with regards to the objections, resolved to issue a Notice of Refusal to Grant a Planning Permit, at the land of 265 Oaklands Road Oaklands Junction, on the following grounds:

- 2.1 The proposal fails to satisfy policies at Clause 18.04-1S and Clause 18.04-1R of the *Hume Planning Scheme* with regards to the protection of airports from incompatible land uses and intrusion into the declared Prescribe Airspace.

- 2.2 The proposal does not consider or address the National Airports Safeguarding Frameworks or the Melbourne Airport Master Plan, as required by Clause 18.04 of the *Hume Planning Scheme*.
- 2.3 The proposal fails to satisfy policies at Clause 11.01-2R Green Wedges – Metropolitan Melbourne, Clause 12.05-2S Landscapes, Clause 13.02-1S Bushfire Planning, Clause 14.01-1R Protection of agricultural land – Metropolitan Melbourne, Clause 14.02-2S Water quality, and Clause 15.01-6S Design of rural areas, of the *Hume Planning Scheme*.
- 2.4 The proposal fails to satisfy objectives and strategies of Clause 21.02-2 Hume corridor and Clause 21.02-4 Non-urban land, Clause 21.04-3 Landscape character, Clause 21.08-3 Water quality and conservation, of the *Hume Planning Scheme*.
- 2.5 The proposal fails to meet the purpose, and decision guidelines of Clause 35.04 Green Wedge Zone of the *Hume Planning Scheme*.
- 2.6 The proposal fails to meet the decision guidelines of Clause 65.01 of the *Hume Planning Scheme* and Section 60 of the *Planning and Environment Act 1987*, as it does not promote orderly planning.
- 2.7 The proposal does not align with the direction of the Draft Rural HIGAP Strategy, with regards to management of Hume’s Green Wedge Zone and the protection of Melbourne Airport.

CARRIED

Report No.	Report	Page in Agenda
SU530	Sustainability Report 2018/2019	297

Moved Cr Jodi Jackson, **Seconded** Cr Carly Moore

2.1 That Council endorses the Sustainability Report 2018/19.

CARRIED

Report No.	Report	Page in Agenda
GE474	2019/20 Grants Announcements	359

Moved Cr Jarrod Bell, **Seconded** Cr Jodi Jackson

That Council notes the report.

CARRIED

Report No.	Report	Page in Agenda
GE475	Quarterly Financial Report - September 2020	363

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

That the finance report for the three months ended 30 September 2020 be received and noted.

CARRIED

Report No.	Report	Page in Agenda
GE478	Correspondence received from or sent to Government Ministers or Members of Parliament - September and October 2020	383

Moved Cr Naim Kurt, **Seconded** Cr Jim Overend

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
GE480	Proposed discontinuance and sale of R1 on LP74713, adjoining 650 Hume Highway Craigieburn	535

Cr Trevor Dance, having declared a disclosure of Conflict of Interest in item GE480 - *Proposed Discontinuance and Sale of R1 on LP74713, Adjoining 650 Hume Highway Craigieburn*, left the meeting prior to the motion being moved, the time being 8:37 pm, and did not take part in any discussion or debate on the item.

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

That Council:

- 2.1 commence the statutory procedures under section 189 and clause 3 of schedule 10 of the Local Government Act 1989 (Act) to discontinue and sell the road known as R1 on LP74713, being the land contained in certificate of title volume 11402 folio 435 (Road), shown as R1 on the subdivision plan included as Attachment 2;
- 2.2 gives public notice in the Age, Northern Star Weekly, Sunbury & Macedon Star Weekly and on Council's website in accordance with requirements under section 189, 207A and 223 of the Act of its intention to discontinue and sell the Road by private treaty to Humex Properties Pty Ltd (Owner);
- 2.3 in accordance with the requirements set out in section 189 of the Act, resolves that the proposed sale price will be determined by an independent Valuer and the Road will be sold to the Owner for no less than market value;
- 2.4 authorises Council's Chief Executive Officer to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter; and
- 2.5 hear any submissions received pursuant to section 223 of the Act at a meeting to be held before a Committee of the Whole Council (if required).
Should there be no submissions received, Council further resolves:
- 2.6 once having followed all the required statutory procedures pursuant to section 189, 207A and 223 of the Act pursuant to its power under schedule 10, clause 3 of the Act and being of the opinion that the Road is not reasonably required for public use, Council:

- 2.6.1 discontinues and sells the Road to the Owner;
- 2.7 that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette* in respect of the Road discontinuance;
- 2.8 that any rights, powers or interest held by Council or any other public authority in the Road in connection with any sewers, drain pipes, wires or cables under the control of the authority in or near the Road are saved pursuant to section 207C of the Act;
- 2.9 the contract of sale will also require the Owner to:
- 2.9.1 to consolidate the title to the discontinued Road with the title to the Owner's existing property at 650 Hume Highway, Craigieburn immediately following the transfer of the Road to the Owner;
- 2.9.2 decommission and remove all infrastructure within the Road; and
- 2.9.3 submit detailed design plans to Council's Assets department for approval outlining:
- (a) all pavement kerb and footpath connections to the existing Hume Highway to be removed; and
- (b) all remaining existing pavement edge and verge to be reinstated.
- 2.10 the costs to consolidate the Road title with the Owner's adjoining property and to reinstate the existing pavement edge and verge to Council's/VicRoads satisfaction will be completed by the Owner at the Owner's expense.
- 2.11 authorises the Chief Executive Officer or an approved delegate to sign the contract of sale and any other relevant documents to give effect to the discontinuance and sale of the Road to the Owner.

CARRIED

Cr Trevor Dance returned to the meeting, the time being 8:40pm, after the vote had been taken on item GE480.

Reports Not Otherwise Dealt With

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

Report No.	Report	Page in Agenda
SU523	43 Eumarella Street and 44 Gordon Street, Tullamarine - The development of four double storey dwellings	125
SU526	21 Henderson Road Tullamarine - The development of three double storey dwellings	201
SU527	9 Hendricks Crescent, Jacana - Development of three double storey dwellings	233
SU529	Statutory Planning Monthly Report - October 2020	283
GE473	S173 Agreements - Building Over Easement - 1 July 2020 - 30 November 2020	355

GE476	Approved Contracts Report 1 July 2020 - 30 September 2020	373
GE477	Working for Victoria Fund Update	379
GE479	Council Plan 2017-2021 (2020/21 Actions) First Quarter Progress Report	443

be adopted.

CARRIED

Report No.	Report	Page in Agenda
SU523	43 Eumarella Street and 44 Gordon Street, Tullamarine - The development of four double storey dwellings	125

Moved Cr Jarrod Bell, Seconded Cr Carly Moore

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 43 Eumarella Street and 44 Gordon Street Tullamarine, subject to the following conditions:

- 2.1 Before this permit has any force or effect, the boundary realignment for 43 Eumeralla Street and 44 Gordon Street as approved in Hume City Council Planning Permit P22929 must be completed including that the relevant Plan of Subdivision is registered with Land Victoria. An updated certificate of title for 43 Eumeralla Street showing the realigned lots must be provided to the Responsible Authority as evidence of completion before the development commences.
- 2.2 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 must be generally in accordance with the plans submitted with the application (Architectural Home Design Revision date 4 November 2020) but modified to show:
 - A) Upper level habitable room windows on the southern and western elevations of the dwellings to contain obscure glazing to 1.7 metres above sill height in accordance with Standard B22 of the Hume Planning Scheme.
 - B) Provision of bollard lighting to the internal accessway to provide for increased visibility to the development in accordance with Standard B14.
 - C) Provision of 2000 litre water tanks to each dwelling.
 - D) The western boundary fence clearly shown on the plans and all internal fencing to be a minimum of 1.8m in height.
- 2.3 The development as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the written consent of the Responsible Authority

- 2.4 Before works associated with the development commence, a STORM report (or equivalent) that achieves a minimum of 100% rating for the development must be provided to the satisfaction of the Responsible Authority.
- 2.5 Once the development permitted by this permit has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
- 2.6 All boundary fencing must be erected prior to the occupation of the dwellings at the developers cost.
- 2.7 The landscape areas 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.
- 2.8 The development permitted by this permit must not in the opinion of the Responsible Authority adversely affect the amenity of the locality.
- 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 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.
- 2.11 All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
- 2.12 Stormwater from all paved areas must be retained within the property and drained to the sites underground stormwater system to the satisfaction of the Responsible Authority.
- 2.13 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.14 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into council's drains or watercourses during construction.
- 2.15 The proposed crossover must have a minimum clearance of 2.5m to any tree unless otherwise agreed by Council's Parks Department.
- 2.16 This permit will expire if one of the following circumstances applies:
 - a) The development is not started within three years of the date of this permit; or
 - b) 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 in accordance with Section 69 of the *Planning and Environment Act 1987*.

Notes

1. If a request for an extension of commencement/completion dates is made out of time, 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. An “application for legal point of stormwater discharge” is required to be submitted to council prior to connection to the drainage system.
3. 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.
4. Any structure built over an easement requires council and relevant service authorities approval.
5. Drainage investigation is required for this development (fees apply). Plans to be submitted to council’s civil design section for assessment. This will determine if on-site detention system, upgrading of council’s existing drainage pipes or new drainage pipes are required by the owners/developers.
6. Following the drainage investigation, internal drainage plans to be submitted to council civil design section for approval.
7. Any structure built over an easement requires Council and relevant service authorities approval.
8. Asset Protection Permit must be obtained from Council if any work is carried out within the road reserve.
9. No vehicles are to park behind the garages or car space of Units 2, 3 and 4. No structure is permitted within the turning area, this includes entry steps, verandah posts and landscaping.
10. Consultation with Councils Garbage Service to agree on the format of garbage collection.
11. 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.
12. Any service relocation associated with the works are to be approved by the Service Authorities and at the owners cost.
13. The proposed vehicle crossing is located in front of the existing Electricity pit on Eumarella Street. Jemena approval is required for any works in vicinity of this pit.

CARRIED

Report No.	Report	Page in Agenda
SU526	21 Henderson Road Tullamarine - The development of three double storey dwellings	201

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

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 21 Henderson Road Tullamarine, subject to the following conditions:

- 2.1 Before the development permitted by this permit commences, amended 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 generally in accordance with the plans prepared by Nate Adams Building Design dated 4 March 2020, but modified to show:**
 - 2.1.1 The provision of visibility splays, in accordance with the requirements of Clause 52.06, associated with the accessway.**
 - 2.1.2 Tree Protection Zones in accordance with Condition 7 and 9.**
 - 2.1.3 Landscaping in accordance with Condition 7.**
- 2.2 The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**
- 2.3 Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with the prior consent of the responsible authority.**
- 2.4 The development permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.**
- 2.5 The external materials, finishes and paint colours of the approved building must be to the satisfaction of the responsible authority.**
- 2.6 Any equipment required for refrigeration, air-conditioning, heating, and the like must be located appropriately on the land/building and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.**
- 2.7 Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions. It must show:**
 - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed;**

- b. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - c. Details of surface finishes of pathways and driveways;
 - d. A planting schedule of all proposed trees, shrubs, and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - e. Landscaping and planting within all open areas;
 - f. Two medium - large canopy trees (minimum two metres tall when planted) in the site frontage to Henderson Street and understory landscaping, and one small canopy tree in each of the areas of secluded space as well as screen planting on side and rear boundaries where practical;
 - g. An in-ground irrigation system to all landscaped areas;
 - h. The location and details of root control barriers;
 - i. Tree protection zones for the street tree at the front of 21 Henderson Road, and tree protection zones for any trees with root zones within the subject site.
- 2.8 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.
- 2.9 The street tree in the nature strip of 21 Henderson Street must be protected through construction, using the following measures:

T1 - Tree Protection Zone

- a. The tree protection zone shall be the length of the nature strip, excluding legal crossings, adjacent to where work is being undertaken;
- b. A 1.8m high continuous chain wire mesh fence is to be erected along the kerbing of the tree protection zone;
- c. The fence is to be put in place prior to commencement of site work and remain in place until site work has been completed;
- d. The fence shall be repositioned at the instruction of either a Road Management Officer or a Council Arborist;
- e. Once site work has been completed the fence may be moved to the next work site;
- f. The fence is to be put in place prior to commencement of work at the new site and remain in place until work at that site has been completed;
- g. The fence shall not be moved towards the trunk of the tree(s) without the prior written consent of a Council Arborist.

T2 - Restricted Activities

- a. None of the following activities shall be permitted within the dripline of the tree(s):
 - b. Alter soil levels or the water table through filling, excavation, or compaction of soils;
 - c. Damage root systems through amputation, cutting or crushing or exposure to the weather;
 - d. Cause damage to the tree(s) through fire, storage of materials or chemicals;
 - e. Poison the tree through the release of substances toxic to the tree(s), either directly into or onto the tree(s), or into or onto the soil within the dripline of the tree(s);
 - f. No chemicals or other materials are to be stored or mixed within the dripline of the tree(s);
 - g. No machinery is to be driven inside or stored inside the dripline of the tree(s);
 - h. No work (including pruning) shall be conducted on the tree(s) without the prior written consent of a Council Arborist;
 - i. With the exception of work in the road itself, all excavation within the drip line of any tree shall be undertaken by either hydro excavation or air spade;
 - j. Disposing of water used to wash down machinery (e.g. concrete mixers) on the root plate of the tree(s) or be allowed to run off on to the root plate of the tree(s).
- 2.10** The measures within the approved Stormwater Management Plan must be implemented and maintained to the satisfaction of the responsible authority.
- 2.11** Areas set aside for 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 plans 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.
- 2.12** Areas set aside for the parking and movement of vehicles as shown on the endorsed plans 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 and vehicles that will use that crossing. The location, design and construction of the vehicle crossing must be approved by the responsible authority after first obtaining a road opening permit from Council.
- 2.14** Any existing unused vehicle crossings not required as a part of the development hereby permitted must be removed and replaced with kerb and channel, footpath, and nature strip to the satisfaction of the responsible authority.

- 2.15 Vehicles must not be parked within the shared accessway.
- 2.16 Any services within the road reserve that require relocation must be approved by the relevant service authority and any such relocation must be made at the owner's or developer's cost.
- 2.17 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.
- 2.18 Drainage investigation is required for this development (fees apply). Plans to be submitted to Council's Civil Design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers
- 2.19 Following the Drainage Investigation, internal drainage plans to be submitted to Council Civil Design section for approval.
- 2.20 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. All stormwater storage tanks must be the overflow pipe connected to the legal point of discharge.
- 2.21 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.
- 2.22 Effluent or polluted drainage must not be allowed to discharge beyond the boundaries of the subject land onto other land or any street or road or directly or indirectly into any watercourse.
- 2.23 Stormwater from all paved areas must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
- 2.24 No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
- 2.25 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.26 This permit will expire if one of the following circumstances applies:
 - a. the development is not started within three years of the date of this permit; or
 - b. 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:

- a. before or within six months after the permit expiry date, where the development allowed by the permit has not yet started; or

- b. within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Permit Notes:

- If a request for an extension of commencement/completion dates is made out of time allowed by the conditions 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.
- Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
- Prior to commencement of any works within the road reserve or require alteration/connection to the Council's drainage assets in the road reserve/easement, 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.
- An application for a 'Consent to Dig in the Road Reserve' permit for both vehicle crossings are 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.
- Any structure built over an easement requires Council and relevant service authorities.

CARRIED

Report No.	Report	Page in Agenda
SU527	9 Hendricks Crescent, Jacana - Development of three double storey dwellings	233

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

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 9 Hendricks Crescent, Jacana, subject to the following conditions:

- 2.1 Before the development commences, amended 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 generally in accordance with the plans prepared by PD Studio (dated 06/07/2020), but modified to show:**
- A. Mailboxes provided to all dwellings and located facing the road frontage in accordance with Australia Post requirements.**
 - B. A notation on the plans which ensures that the wall of the garage to Dwelling 1 along the western boundary is no more than 3 metres above natural ground level.**

- C. A notation added to the plan to show the hatched area adjacent to the existing crossover for Dwelling 3 labeled 'existing crossover splay removed and kerb and channel and nature strip reinstated'.
 - D. The render finish to the first floor elevations (described on the materials schedule as areas 'B') to be replaced with horizontal weatherboard, stria cladding or similar on all dwellings.
 - E. Eaves provided to the ground and first floor of Dwelling 1 along the north and west elevations.
 - F. The fence height around SPOS of Dwelling 1 at road frontage to be increased to 1.8 metres in height.
 - G. A solid feature fence with a maximum height of 1.5 metres along the driveway to Dwelling 1 on the western boundary to be shown on the site plan (excluding area needed for the visibility splay which must not contain fencing more than 900mm in height).
 - H. The landscape plan amended to show:
 - a. Tree protection fencing around the street tree on Fraser Court to be maintained for the period of construction.
 - b. An additional medium-large native canopy tree and understory planting in the front area of Dwelling 1 adjacent to Hendricks Road.
 - c. Native shrubs along the fenceline of the secluded private open space (SPOS) of Dwelling 1 facing Hendricks Road.
 - d. A native small-medium canopy tree and understory planting in the SPOS of Dwelling 1.
 - e. An additional small-medium native canopy tree and understory planting in the SPOS of Dwelling 3.
 - f. The kangaroo grass shown in the SPOS of Dwelling 1 to be replaced with a scrub that grows a taller mature height and planting provided along the entire length of the SPOS fronting Fraser Court.
- 2.2 The layout of the site and/or the size of the proposed buildings and works and 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 The stormwater management solutions shown on the approved stormwater plans must be installed and maintained to the satisfaction of the Responsible Authority.
- 2.4 All fencing shown on the endorsed plans must be erected prior to the occupation of the dwellings at the developers cost.
- 2.5 The landscape areas 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.

- 2.6 The development permitted by this permit must not in the opinion of the Responsible Authority adversely affect the amenity of the locality.
- 2.7 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.
- 2.8 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.
- 2.9 All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
- 2.10 Stormwater from all paved areas must be retained within the property and drained to the sites underground stormwater system.
- 2.11 Any cut or fill must not interfere with the natural overland stormwater flow.
- 2.12 No polluted and / or sediment laden runoff is to be discharged directly or indirectly into council's drains or watercourses during construction.
- 2.13 This permit will expire if one of the following circumstances applies:
 - a) The development is not started within three years of the date of this permit; or
 - b) 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 in accordance with Section 69 of the *Planning and Environment Act 1987*.

Notes

1. If a request for an extension of commencement/completion dates is made out of time, 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. An “application for legal point of stormwater discharge” is required to be submitted to council prior to connection to the drainage system.
3. 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.
4. Any structure built over an easement requires Council and relevant service authorities approval.

5. Drainage investigation is required for this development (fees apply). Plans to be submitted to Council's civil design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
6. Following the drainage investigation, internal drainage plans to be submitted to Council civil design section for approval.
7. Prior to commencement of development the developer must gain the consent of Jemena for the location of the crossover to Dwelling 2.

CARRIED

Report No.	Report	Page in Agenda
SU529	Statutory Planning Monthly Report - October 2020	283

Moved Cr Jarrod Bell, **Seconded** Cr Carly Moore
That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
GE473	S173 Agreements - Building Over Easement - 1 July 2020 - 30 November 2020	355

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

That Council notes the listing of all Agreements under *Section 173 of the Planning and Environment Act 1987* dealt with under delegation between 1 July 2020 and 30 November 2020 (Attachment 1).

CARRIED

Report No.	Report	Page in Agenda
GE476	Approved Contracts Report 1 July 2020 - 30 September 2020	373

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

That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
GE477	Working for Victoria Fund Update	379

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

That Council notes the report.

CARRIED

Report No.	Report	Page in Agenda
GE479	Council Plan 2017-2021 (2020/21 Actions) First Quarter Progress Report	443
	Moved Cr Jarrod Bell, Seconded Cr Carly Moore	
	That Council notes the progress of actions and indicators of the Council Plan 2017-2021 (2020/21 Actions) [refer Attachments One and Two].	
		CARRIED

7. CONFIDENTIAL MATTERS

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

Moved Cr Carly Moore, **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
COGE303	Capital Works Report 2020/21 - September 2020 Update	(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.
COGE304	Rate Arrears as at 30 September 2020	(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

CARRIED

The meeting was closed to the public at 8:42pm.

The meeting did not reopen to the public.

6. CLOSURE OF MEETING

The meeting closed at 8:54pm.

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COUNCILLOR JOSEPH HAWEIL
MAYOR