



**COUNCIL MEETING OF
THE HUME CITY COUNCIL**

MONDAY, 19 DECEMBER 2022

7:00PM

HUME GLOBAL LEARNING CENTRE CRAIGIEBURN

CONFIRMED 13 FEBRUARY 2023

HUME CITY COUNCIL

Minutes of the
COUNCIL MEETING OF THE HUME CITY COUNCIL
held on Monday, 19 December 2022
at 7:05PM
at the Hume Global Learning Centre Craigieburn

Attendees:	a: Council	Cr Joseph Haweil Cr Karen Sherry Cr Jarrod Bell Cr Trevor Dance Cr Chris Hollow Cr Jack Medcraft Cr Carly Moore Cr Jim Overend	Mayor Deputy Mayor
	b: Officers	Ms Sheena Frost Ms Rachel Dapiran Mr Hector Gaston Mr David Fricke Mr Carl Muller Ms Fiona Shanks Mr Fadi Srour Mr James McNulty Mr John Thomas Ms Joanne Grindrod Ms Jane Mikaele Ms Veronica Rowley	Chief Executive Officer Director City Planning and Places Director City Services & Living Acting Director Infrastructure and Assets Director Customer & Strategy Chief People Officer Chief Financial Officer Manager Planning & Development Acting Manager Governance Senior Governance Officer Governance Officer Governance Officer

Proceedings to be Recorded

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

Gallery Behaviour

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

ORDER OF BUSINESS

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Mayor read the following:

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

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

2. PRAYER

The Mayor read the following:

"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

Apologies have been received from Councillor Jodi Jackson, Councillor Naim Kurt and Councillor Sam Misho for the meeting tonight.

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 Trevor Dance declared a material conflict of interest on item 12.4 Legal Advice.

Councillor Carly Moore declared a material conflict of interest on item 12.3 Contract - Development of the Highlands North Active Open Space.

5. CONGRATULATIONS & CONDOLENCES

CGM12

CONGRATULATIONS MOTION - CELEBRATION OF THE 115TH NATIONAL DAY OF BHUTAN

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

That council writes to Parsu Luitul Sharma, JP, President of the Refugee Communities Association of Australia, the Bhutanese Community in Australia Inc, and the Himalayan Youth Foundation, congratulating them on the successful celebrations of the 115th National Day of Bhutan, which took place over the weekend (Friday 16- Sunday 18 December).

Celebrations included a citizenship event on Friday 16th and a gala dinner last night (Sunday 18th December) both at the Town Hall Broadmeadows.

CARRIED

**CNM375 CONDOLENCES MOTION – QUEENSLAND POLICE
OFFICERS KILLED IN WIEAMBILLA**

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

That council notes and expresses its deep condolences over the killings of two Queensland Police Officers, Mathew Arnorld and Rachel McCrow and a neighbour Alan Dare that were killed in Wieambilla Queensland last week.

CARRIED

6. PUBLIC QUESTION TIME**PQ929 PUBLIC QUESTION - PETER GAVIN**

May I have a copy of the independent Urban Design Report for the 52 O'Shanassy Street Development?

Response Director Planning & Places:

Officers are happy to provide this information and will write to you with the requested information this week.

PQ930 PUBLIC QUESTION - PETER GAVIN

What are Council's expectations in regards to Condition 1 (f) in the 52 O'Shanassy Street development in regards to what they would consider as substantial setbacks and what do they mean in regards to two apartments? Is it 1, 2 or 3 bedroom apartments?

Response Director Planning & Places:

In the event that no appeal is lodged and a permit issued, officers will work with the applicant to draft revised plans that appropriately responds to the urban design advice which informed the conditions. The specific details will be informed at that point as part of a proposed design response. Officers will encourage a mix of dwellings and appropriate setbacks as per the context.

7. OFFICER'S REPORTS

Report No.	Report	Page in Agenda
7.1	75 Mundy Road, Sunbury - Use and development of land for a place of worship and alteration of access to a road in a Transport Zone 2	5
	The Chief Executive Officer read submitted comments from Vincent & Lynette Erasmus, Ali Khadem, Ana & Peter Pinner, Kate Barber & Manuel Mendez Parejo, Gerrit Prent, Jessica Caruso on item 7.1, <i>75 Mundy Road, Sunbury - Use and development of land for a place of worship and alteration of access to a road in a Transport Zone 2</i>	

Councillor Jarrod Bell left the meeting during item 7.1, 75 Mundy Road, Sunbury - Use and development of land for a place of worship and alteration of access to a road in a Transport Zone 2, the time being 7:25 pm.

Councillor Jarrod Bell returned to the meeting during item 7.1, 75 Mundy Road, Sunbury - Use and development of land for a place of worship and alteration of access to a road in a Transport Zone 2, the time being 7:26 pm.

The following members of the gallery addressed the meeting on item 7.1, 75 Mundy Road, Sunbury - Use and development of land for a place of worship and alteration of access to a road in a Transport Zone 2: Derek Barry and Vincent Erasmus.

Moved Cr Chris Hollow, **Seconded** Cr Jim Overend

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 land for a place of worship and alteration of access to a road in a Transport Zone 2, subject to the conditions in Attachment 1.

LOST

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

For

Cr Jarrod Bell
Cr Carly Moore
Cr Karen Sherry

Against

Cr Trevor Dance
Cr Joseph Haweil
Cr Chris Hollow
Cr Jack Medcraft
Cr Jim Overend

Moved Cr Chris Hollow, **Seconded** Cr Jim Overend

That Council, having considered the application on its merits, resolves to issue a Notice of Refusal to Grant a Planning Permit for the use and development of land for a place of worship and alteration of access to a road in a Transport Zone 2, on the following grounds:

- 1. The proposal results in an unacceptable land use within the Green Wedge Zone, contrary to the purpose and decision guidelines of Clause 35.04 of the Hume Planning Scheme.**
- 2. The proposal limits the ability for land management and agricultural uses to be undertaken.**
- 3. The built form will be unacceptably dominant within the rural landscape and is an inappropriate outcome for the site and surrounds.**
- 4. The proposal is contrary to the orderly planning of the area.**

CARRIED

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

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

Report No.	Report	Page in Agenda
7.2	Naming of Community Centres	29

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

Councillor Jack Medcraft left the meeting during item 7.2 and did not vote, the time being 8:03 pm.

That Council:

Approves the following Community Centre names:

- **Kalkallo North Community Centre, for the new centre located in Koeks Vista, Kalkallo.**
- **Mickleham South Community Centre, for the new centre located in Brossard Road, Mickleham.**

CARRIED

Report No.	Report	Page in Agenda
7.3	Waste and Resource Recovery Strategy	31

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

That Council:

- 2.1 Adopts the Waste and Resource Recovery Strategy**
- 2.2 Approves the implementation of a fortnightly universal Food and Garden Organics (FOGO) service commencing on 1 July 2024 with a further report to Council on the service plan for service delivery**
- 2.3 Endorses officers to immediately commence implementation of the Waste and Resource Recovery Strategy Action Plan**

CARRIED

Report No.	Report	Page in Agenda
7.4	75 Coopers Road, Bulla - Use and buildings and works associated with Domestic Animal Boarding (Outdoor Canine Daycare facility)	67

The following member of the gallery Mr Chris Templeton, addressed the meeting on item 7.4, *75 Coopers Road, Bulla - Use and buildings and works associated with Domestic Animal Boarding (Outdoor Canine Daycare facility)*

Councillor Jack Medcraft returned to the meeting during item 7.4, *75 Coopers Road, Bulla - Use and buildings and works associated with Domestic Animal Boarding (Outdoor Canine Daycare facility)*, the time being 8:13 pm.

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

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 use and buildings and works associated with Domestic Animal Boarding (Outdoor Canine Day Care facility) at 75 Coopers Road, Bulla, subject to the conditions set out in Attachment 1 noting that 1C should incorporate the words unless without the prior written consent of officers.

CARRIED

Report No.	Report	Page in Agenda
7.5	Statutory Planning Monthly Report - November 2022	93

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

That the report be noted.

CARRIED

Report No.	Report	Page in Agenda
7.6	Investigation into the Implementation of a Waste Charge	109

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

That Council:

- 2.1 Separates the costs of waste, recycling and resource recovery service delivery from the general rates and endorses the implementation of a waste services charge, commencing from the 2023-24 financial year.
- 2.2 Receives a further report in February 2023 recommending the methodology for the implementation of a waste services charge.
- 2.3 Develops a detailed community education campaign to support the implementation of the waste service charge
- 2.4 Notes the community engagement completed to date through the development of the Waste and Resource

Recovery Strategy and that further community engagement will be undertaken through the draft 2023-24 budget

CARRIED

Report No.	Report	Page in Agenda
7.7	Temporary Change to the Chief Executive Officer's Delegation 20 December 2022 to 6 February 2023	117

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

Councillor Carly Moore left the meeting during item 7.7 Temporary Change to the Chief Executive Officer's Delegation 20 December 2022 to 6 February 2023 and did not vote, the time being 8:44 pm.

- 2.1 That in accordance with section 11(1) of the Local Government Act 2020, Council amends its instrument of delegation to the Chief Executive Officer for the period 20 December 2022 to 6 February 2023 for a temporary increase in the current limitation on the power delegated to the CEO to award the following contracts:

Contract No.	Contract Name
30 22 3386	Management and Operation of the Riddell Road Landfill and Resource Recovery Centre, Sunbury
30 21 3318	Provision of Conservation & Land Management Services
30 20 3184	Supply and Delivery of Three Street Sweepers
30 22 3390	Manufacture, Supply, Installation and Commissioning of Prefabricated Units Fully Accessible, Fully Automated Public Toilets
30 22 3396	Mt Holden Path and Fencing Works
30 22 3360	Construction of Playground at Aitken Hill

- 2.2 That in accordance with section 11(1) of the Local Government Act 2020, Council amends its instrument of delegation to the Chief Executive Officer for the period 20 December 2022 to 6 February 2023 for a temporary increase in the current limitation on the power delegated to the CEO not exceeding \$3 million (including GST) for other tenders which may arise.

CARRIED

Report No.	Report	Page in Agenda
7.8	Chief Executive Officer Annual Report on the Performance and Activities of Community Asset Committees	119

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

Councillor Carly Moore returned to the meeting during item 7.8 Chief Executive Officer Annual Report on the Performance and Activities of Community Asset Committees, the time being 8:48pm.

- 2.1 THAT Council notes this report as being the Chief Executive Officer's annual report to Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under section 47 of the *Local Government Act 2020*.**

CARRIED

Report No.	Report	Page in Agenda
7.9	Update of Councillor Portfolios	125

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

Councillor Jim Overrend left the meeting during item 7.9 Update on Councillor Portfolios, the time being 8:48 pm.

That the item be deferred to a later meeting in 2023.

CARRIED

Report No.	Report	Page in Agenda
7.10	Civic Events Schedule 2023	131

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

Councillor Jim Overrend returned to the meeting during item 7.10 Civic Events Schedule 2023, the time being 8:49pm.

Councillor Carly Moore left the meeting during item 7.10 Civic Events Schedule 2023, the time being 8:50pm.

- 2.1 That Council approves the Civic functions schedule for 2023 as listed at 9.5.**

- 2.2 Notes additional events may be added in consultation with Mayor, subject to available budget and resources.**

CARRIED

Report No.	Report	Page in Agenda
7.11	Naming Proposal - Kalkallo Recreation Reserve (Community Consultation Results)	133

Moved Cr Chris Hollow, **Seconded** Cr Karen Sherry

THAT Council:

- 2.1 notes the results of community consultation for the proposed name of Kalkallo Recreation Reserve;
- 2.2 endorses the proposal to officially name the reserve located at 45 Toyon Road Kalkallo the Kalkallo Recreation Reserve;
- 2.3 submits the name Kalkallo Recreation Reserve to the Registrar of Geographic Names for their consideration and approval;
- 2.4 notes that the community will be advised of Council's decision on whether to endorse the proposed name of Kalkallo Recreation Reserve, which will consist of:
 - 2.4.1 sending correspondence directly to the same directly affected property owners and residents who originally received a consultation pack on this naming proposal;
 - 2.4.2 sending correspondence directly to any individual that submitted a response to the survey received in the consultation pack, or who made a submission to Council for this naming proposal, and who provided Council with their contact details;
 - 2.4.3 by placing a notice on Council's website and a public notice in local newspapers.
- 2.5 notes that if it endorses the proposed name of Kalkallo Recreation Reserve, and it is subsequently approved by the Registrar of Geographic Names, that signage with the new name will be installed at the reserve.

CARRIED

Report No.	Report	Page in Agenda
7.12	Correspondence received from or sent to Government Ministers or Members of Parliament - November 2022	139

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

Councillor Carly Moore returned to the meeting during item 7.12 Correspondence received from or sent to Government Ministers or Members of Parliament November 2022, the time being 8:55pm.

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

CARRIED

8. NOTICES OF MOTION

Nil

9. ITEMS TO BE TABLED

Nil

10. URGENT BUSINESS

Nil

11. DELEGATES REPORTS

Councillor Joseph Haweil reported the Northern Councils Alliance met for the first time last week in this new term where he was elected chair for 2022-23 year.

SUSPENSION OF STANDING ORDERS

8:58 pm Moved Cr Jarrod Bell, **Seconded** Cr Jim Overend
That standing orders be suspended.

CARRIED**RESUMPTION OF THE MEETING**

9:11 pm Moved Cr Jack Medcraft, **Seconded** Cr Jarrod Bell
That the meeting be resumed.

CARRIED

12. CONFIDENTIAL ITEMS

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

Moved Cr Jim Overend, **Seconded** Cr Chris Hollow

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

12.1 Contract No. - Design and Construct Evans Street Multi-Level Carpark, Sunbury

Item 13.1 is confidential in accordance with Section 3(1)(g(ii)) of the Local Government Act 2020 because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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

11.2 Contract No. - Design and Construction of Pavilion at Bridges Reserve

Item 13.2 is confidential in accordance with Section 3(1)(g(ii)) of the Local Government Act 2020 because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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

12.3 Contract No. - Development of the Highlands North Active Open Space

Item 13.3 is confidential in accordance with Section 3(1)(g(ii)) of the Local Government Act 2020 because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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

12.4 Legal Advice

CARRIED

The meeting was closed to the public at 9:12pm.

13. CLOSURE OF MEETING

The meeting closed at 9:30pm.