



COUNCIL MEETING MINUTES

**Tuesday 12 December, 2023
6.30pm**

**Community Hall
Braybrook Community Hub
107–139 Churchill Avenue
Braybrook**

MEMBERSHIP

Councillor Cuc Lam (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Bernadette Thomas
Councillor Anthony Tran

To be confirmed at the Council Meeting
to be held on 20 February 2024

TABLE OF CONTENTS

1. Commencement of Meeting and Welcome	5
2. Apologies	5
3. Leave of Absence	5
4. Disclosures of Conflicts of Interest.....	5
5. Public Question Time	5
6. Confirmation of Minutes of Meeting.....	12
6.1. Confirmation of the Minutes of the Council Meeting - 21 November 2023....	12
6.2. Confirmation of the Confidential Minutes of the Council Meeting - 21 November 2023.....	12
7. Reports from Committees	12
8. Petitions.....	12
9. Officer Reports.....	13
9.1. Intercultural Maribyrnong Strategy 2023 - 2026	13
9.2. Draft Reducing Harm from Alcohol and Other Drugs Policy 2023-2028	13
9.3. Integrated Water Management Plan.....	14
9.4. Footscray Park Update - Thomson Water Gardens and Playspace	14
9.5. Maribyrnong Aquatic Strategy 2023	15
9.6. Pennell Reserve Master Plan	16
9.7. Draft Lae Street Nursery Site Concept Plan	17
9.8. Awarding of Contract No.1236-23 Provision of Maribyrnong Aquatic Centre (MAC) HVAC Upgrade Construction	17
9.9. Awarding of Contract No. 1230-23 Road Resheeting Works 2022-2023 - Rosamond Road	18
9.10. Discontinuance of Road Abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon and Sale of Part of the Road	18
9.11. Audit and Risk Committee Bi-Annual Report - October 2023	19
9.12. Governance Report - November 2023	20
10. Notices of Motion.....	20
11. Councillor Question Time	20
12. Urgent Business	20
13. Confidential Business	20

14. Meeting Closure.....	21
---------------------------------	-----------

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.32pm.

The Chair made the following acknowledgement:

"We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present".

PRESENT

Councillor Cuc Lam (Chair)
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Bernadette Thomas
Councillor Anthony Tran

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Director Community Services, Lucas Gosling
Director Infrastructure Services, Patrick Jess
Director Corporate Services, Lisa King
Director Planning and Environment, Laura Jo Mellan
Manager Governance and Commercial Services, Phil McQue
Manager Customer Engagement, Lauren McKenzie
Manager Community Development Positive Aging and Inclusion,
Melissa Eastwood
Governance Officer, Jessica Abela

2. APOLOGIES

An apology was received from Councillor Sarah Carter.

3. LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

5. PUBLIC QUESTION TIME

Public Question Time commenced at 6.35pm and Council received 17 questions. Two questions were disallowed under Councils' Governance Rules.

Councillor Crawford joined the meeting at 6.36pm.

Kate Breen asked the following questions

1. An update to the 2011 Maribyrnong Housing Strategy was endorsed for public consultation and the basis of a planning amendment by Council on 26 June 2018. Council's website states that following Victorian Government changes the Strategy was required to be updated and the amendment subsequently did not proceed. Can Council please provide an update on the status of this work and when a revised Housing Strategy is expected to be available for public consultation?

Response: *The Chief Executive Officer advised that Council endorsed a draft housing strategy for public consultation in 2018. However, progress on this strategy was put on hold due to a restructuring of the Victorian Planning System by the State Government.*

We are aware that our community's housing needs have likely changed since the 2018 strategy was prepared, with new data also available as a result of the 2021 ABS Census.

Council will be preparing a new strategy that complies with new Victorian Government requirements to plan for our City's future housing needs, with engagement with the community in 2024.

2. Despite 9,390 new dwellings built in Maribyrnong between 2011 and 2022 representing a 30% increase in dwellings (Census 2022), the rates of affordability have significantly declined, evidenced by an average rental increase of 45% across all dwelling types (source: Department Fairness, Families and Housing Rental Report).

What is Council's plan to respond to the decreasing housing affordability, particularly for our most vulnerable and lowest income households, and will Council commit to developing a specific Social and Affordable Housing plan to set out its targets and plan of action to respond to this important issue?

Response: *The Chief Executive Officer answered stating housing affordability is a critical matter in the City of Maribyrnong, and indeed across all of Australia.*

Housing affordability is impacted by a range of factors, including market forces and tax incentives. Council has joined an alliance of nine inner Melbourne councils, called M9, to collectively advocate to State and Federal Government to prioritise housing affordability and delivery of social housing.

Locally Council is undertaking a range of actions to improve affordable and social housing outcomes. This includes working with the Victorian Government to facilitate public housing renewal and seeking affordable housing in new private sector developments.

The development of the 2024 Housing Strategy will consider social and affordable housing.

Patrick Lacey asked 3 questions. The Chief Executive Officer advised that questions 1 and 3 have been disallowed under Council's Governance Rules and will not be read aloud.

2. Is Cr Clarke still, as his public Council website profile indicates, a member of the First Nations Advisory Council?

Response: *The Chief Executive Officer confirmed that at the 21 November Council meeting, Cr Clarke was re-appointed to the First Nations Advisory Committee for 2024.*

Nick Groves asked the following question

1. In April, I asked Council to consider installing traffic calming measures in Victoria St, Footscray (in the section between the Middle Footscray underpass and Barkley St). Officers conducted a traffic survey but failed to reveal the results or follow up the request.
I would like to ask Council if there is any intention of installing speed humps along Victoria St, as well as updated line marking (at a minimum - separated bike lanes would be better) to ensure road users are forced to obey the new 40km per hour limit.

I ask this as a resident of Victoria St who witnesses the excessive speed and near misses every day.

Response: *The Chief Executive Officer answered by stating Council's Transport team has undertaken traffic surveys at this location and are working on upgrade options to best manage speed and road safety for Budget consideration. Council's Manager Engineering & Transport, Peter White would be pleased to meet with you to discuss further.*

Travis Larcombe asked the following questions

1. What is Council doing to support its Palestinian and Middle-Eastern communities who are being impacted by the ongoing genocide in Gaza and the uptick in Islamophobic violence and activity in Australia?

Response: *The Chief Executive Officer advised Council is aware of the impacts that discrimination and racism have on wellbeing and has prepared for endorsement the Intercultural Maribyrnong Strategy, the final version of which will be considered at tonight's Council Meeting. The Strategy articulates Council's position on these issues. 'Discrimination, racism, and exclusion reduce the health and wellbeing of individuals and make society poorer for the lack of opportunity to share, learn and grow from others.*

To address this, Council is committed to:

- *Raising awareness of racism and how it affects individuals and the broader community.*
- *Identifying, promoting, and building on positive programs to prevent and reduce racism.*
- *Empower communities and individuals to take action to prevent and reduce racism and to seek help when it occurs.'*

Council is aware that there have been increasing tensions in some communities across Melbourne because of the conflict in the Middle-East. While there have been no recent specific reports of Islamophobic violence locally, Council remains committed to the wellbeing of all members of the community. Any matters pertaining to incidences of violence should also be raised with Victoria Police. We are monitoring emerging tensions and will work with partner organisations to determine appropriate responses.

Given the complexity of these issues Council will connect with local community leaders and other local assets in order to determine the appropriate responses.

2. Are Councillors aware of whether council has any contracts with businesses or organisations with ties to Israel?

Response: *The Chief Executive Officer stated Councillors would be unaware of such information at this stage. Part 9 of the 'Supporting Peace in Gaza and Palestine' Motion requires that a report will be tabled at a future Council meeting in regards to contracts of companies with ties to Israel.*

3. How is Council working to promote stronger ties and understanding between the Middle-Eastern / Muslim communities and the wider Maribyrnong community, to ensure that all people feel safe?

Response: *The Director Community Services answered stating Council's adoption of the Intercultural Maribyrnong Strategy is a commitment to celebrating Maribyrnong's richly diverse community.*

The programs that Council delivers across its community centres, libraries, through our recreation, festivals and activation, and the arts and culture teams are inclusive and welcoming to all communities and intend to build connections and understanding. For example Council's festival programming in the last year have included the Ethiopian Festival, the Human Rights Arts and Film Festival and Diwali Festival all of which have included and represented people from many cultural backgrounds.

Community centres are also engaged in programming that builds community capacity and strong social connection through events such as the biannual Harmony Feast Picnics and events held during Refugee Week.

Council's Family Inclusive Literacy Program engages many parents and young people from Muslim and middle-eastern backgrounds. The multicultural playgroups which operate across many community venues encourage participation across cultural backgrounds including families from Muslim and middle-eastern backgrounds. Council's libraries also offer bi-lingual story time and other activities that invite diverse participation and that acknowledge Council's diverse community.

Council is building an inclusive social fabric through its programs that connect people across cultures. This programming is supported by strong policy frameworks such as the Social Justice and Intercultural Maribyrnong Strategy 2023-2026.

Councillor Anthony Tran joined the meeting at 6.44pm.

Kate Wills asked the following questions

1. One of the questions I asked at the November Council meeting was directed to Cr Thomas. I would like to ask the same question, however this time direct it to the Mayor Councillor Lam. 207 residents in the local area have expressed how important it is to improve safety on Suffolk Street, signing a petition calling for council to address amenity and safety in the area. Do you consider 207 signatures to be demonstrative of an important issue impacting the lives of residents? Are you or do you plan to meet with Victoria Police about the issue and do you regularly meet local police to discuss community safety?

Response: *Councillor Lam advised that Council meet regularly with the local Victoria Police to discuss and advocate for safety of all residents and the community.*

2. Can Council please review a recent decision not to remove the massive tree situated in front of the property in question in the petition 'Eliminate Illegal Activity and Public and Private Nuisance on Suffolk St'. This tree fully obscures the street light and creates a dark, sheltered area that's great for drug dealing, loitering, domestic violence and other unsavoury activity. It makes the area feel unsafe at night. Given that there's a lot of antisocial activity on the corner of Suffolk and Montgomery Streets, it would be great if council considered other options for this nature strip.

Response: *The Director Infrastructure Services responded by advising trees are a valued environmental asset for the Maribyrnong community and Council's goal, where possible, is to retain mature trees in order to maintain and improve canopy cover across the city. All street tree are inspected and pruned on a 16 month cycle, to ensure vegetation clearance over footpaths, roads, street lighting and overhead electrical wires.*

To ensure the spread and intensity of light produced by the street light at the corner of Suffolk and Montgomery Streets meets Australian Standard, Council has engaged a suitably qualified consultant to undertake an 'Lux test', with results expected to be received by the end of December. Should the Lux results not meet standard, Council officers will work with the local power authority, Jemena, to upgrade the lighting.

3. Everybody tells us that it's not right that we should have to put up with what's happening at the corner of Suffolk/Montgomery Sts, and yet nothing is being resolved in a permanent way. Will council provide us with one, accountable, single point of contact who can speak to us with a guaranteed response, as well as speaking to Victoria Police, EPA, the Fire Brigade and other stakeholders, to help advocate for stronger action? All of these organisations are wasting resources regularly attending incidents at this location.

Response: *The Chief Executive Officer confirmed Council's Director Planning and Environment is the point of contact for issues pertaining to Council's General Purposes Local Law and other related legislation which Council has obligations to enact.*

Council has no authority or jurisdiction over other agencies and emergency services, however it does work with and liaise these agencies and emergency services where appropriate.

Robert Asquith asked the following questions

1. The high occupancy of the Hopkins/Moore Street commercial car park demonstrates that people are willing to pay for car parking, and this lost revenue could make a significant contribution to the Council's budget. Similarly, residential parking permits are grossly undervalued: even in the Footscray Activity Centre, it is entirely free to store one private property on public land 24/7, and less than 18 cents per day to park two cars 24/7.

Why then do the most Council owned car parking spaces still allow partial or entirely free parking at great expense to the community who subsidise the upkeep and maintenance of this valuable public land?

EXTENSION OF PUBLIC QUESTION TIME

Public Question Time was extended at 6.50pm.

A motion was moved by Councillor Michael Clarke, seconded by Councillor Jorge Jorquera, That Council extend Public Question Time for a further 15 minutes.

CARRIED

Response: *The Director of Infrastructure Services confirmed Council has commenced a review of its Integrated Transport Strategy which was adopted in April 2012. In regard to parking, the review will include consideration of Council's Parking Management Policy, Parking Permit Policy and the parking arrangements and facilities to address immediate and longer term demands for transport infrastructure and services across the City.*

2. Council's 'Parking Management Policy 2017' includes a road space user hierarchy to "optimise the performance of a particular area and the overall transport network". It defines that in an Activity Centre the users of public and active transport (rank 2) should have priority over customers (rank 4), loading zones (rank 5), and local employees (rank 10), all of whom are assumed without qualification to have arrived by car.

How is Council implementing this Strategy and the hierarchy in the Footscray Activity Centre and in particular on Hopkins/Barkly Street where bike riding is dangerous and marginalised by on-street parking?

Response: *The Director Infrastructure Services answered stating a range of active transport projects have successfully been implemented in the Footscray Activity Centre over recent years in line with Council's Policy. The Hopkins Street / Barkly Street corridor is a distributor road where road use allocation is generally more complex with competing demand for all modes of transport. Well-developed infrastructure planning and design for the corridor and community engagement will be required over time to best meet the Policy objectives, road user needs and road safety.*

3. Council's 'Parking Management Policy 2017' has three principles. Principle 1 says: "Ideally, the occupancy of parking facilities should be high enough to ensure that they are occupied at a level that justifies the supply..." This is putting the horse before the cart, or in this case the park before the car.

When the Policy is next reviewed (it was due in 2022), will the intrinsic 1 of 2 value of public land be appropriately prioritised above a self-fulfilling and zero-sum-game approach of car parking provision?

Response: *The Chief Executive Officer advised the comments have been noted and will be considered with the review of existing Parking Policies adopted in 2017.*

Beth Gilbert asked the following question

1. The recommendation is for council to discontinue the unmade road at the rear of 157 Pilgrim St and for council to retain ownership. The item states that abutting owners are fully responsible for boundary fence costs. How does council reconcile this recommendation when it does not comply with the Fences Act 1968 (Vic)? The Act states that the Adjoining Owners must share the cost. Council holds title and have confirmed the land will not be used as a public park or reserve. Therefore under the Act, Council is the Owner and must share the costs of boundary fences with Adjoining Owners.

Response: *The Director of Corporate Services stated the discontinuance of the road abutting 155, 157, 159 Pilgrim Street and 2 Henry Street Seddon and the proposal to sell the discontinued road enclosed within the property of 159 Pilgrim Street complies with the Fences Act 1968 as the properties in question all have appropriate fencing structures already installed, with no changes proposed.*

Brian Sanderson asked the following questions

1. Referring to recent discussions regarding the conflict in the Middle East, does Council feel that debating motions which have nothing to do with the remit of Council is a productive use of time and ratepayer money?

Response: *The Chief Executive Officer confirmed Council considered and resolved to endorse the 'Supporting Peace in Gaza and Palestine' Notice of Motion at the 21 November 2023 Council Meeting.*

2. Can Council please advise the number of staff hours which have been dedicated to the original motion and subsequent recession motion, including the cost to the ratepayers of these staff? This should include time spent in meetings, dealing with the media, emails and phone calls.

Response: *The Chief Executive Officer confirmed that her role as the Chief Executive Officer is to ensure the organisation implements Council decisions in a timely and efficient manner. All officer time allocated to affecting this Council resolution was absorbed into Council's operational costs and is therefore unable to be quantified.*

Notwithstanding the above, a Notice of Rescission Motion was received within the required 24 hours of this Motion being resolved upon. As prescribed under Council's Governance Rules, the Chief Executive Officer was therefore not able to take any further action in relation to the 'Supporting Peace in Gaza and Palestine' Motion, pending consideration of the Notice of Rescission Motion, which was subsequently withdrawn on 7 December 2023.

3. The meeting rules only allow questions which relate to the duties, functions and powers of Council. Why is it then that Councillors are not bound by the same rules? Will the CEO commit to only allowing motions in the future which directly relate to the legislated requirements of Council, rather than motions which clearly do nothing more than aim to raise the profile of individuals who clearly have ambitions for higher office.

Response: *The Chief Executive Officer confirmed the 'Supporting Peace in Gaza and Palestine' Notice of Motion complied with Clause 22 of Council's Governance Rules and was therefore required to be accepted as an Item of Business by the Chief Executive Officer. The Motion resolved upon by Council is not considered ultra-vires.*

Public Question Time concluded at 6.58pm.

6. CONFIRMATION OF MINUTES OF MEETING

6.1. Confirmation of the Minutes of the Council Meeting - 21 November 2023

To present for confirmation, the minutes of the Council Meeting held on 21 November 2023.

Councillor Thomas left the meeting at 6:59 pm.

Council Resolution

That Council confirms the minutes of the Council Meeting held on 21 November 2023.

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

Councillor Thomas returned to the meeting at 7:00 pm.

6.2. Confirmation of the Confidential Minutes of the Council Meeting - 21 November 2023

To present for confirmation, the confidential minutes of the Council Meeting held on 21 November 2023.

Council Resolution

That Council confirms the confidential minutes of the Council Meeting held on 21 November 2023.

Moved: Cr Simon Crawford
Seconded: Cr Michael Clarke

CARRIED

7. REPORTS FROM COMMITTEES

Nil

8. PETITIONS

Nil

9. OFFICER REPORTS

9.1. Intercultural Maribyrnong Strategy 2023 - 2026

For Council to note the findings of the second phase of the Intercultural Maribyrnong Strategy Engagement Report undertaken to finalise the draft Intercultural Maribyrnong Strategy, and to present the final Intercultural Maribyrnong Strategy 2023-2026 for adoption.

Council Resolution

That Council endorses the final Intercultural Maribyrnong Strategy 2023-2026, shown at Attachment Two.

Moved: Cr Michael Clarke
Seconded: Cr Anthony Tran

CARRIED

9.2. Draft Reducing Harm from Alcohol and Other Drugs Policy 2023-2028

To present a draft Reducing Harm from Alcohol and Other Drugs Policy 2023-2028 and seek Council's endorsement to release the draft document for public consultation.

Council Resolution

That Council:

- 1. Notes that the key updates to the draft Reducing Harm from Alcohol and Other Drugs Policy 2022-2028 (the Draft Policy), shown in this Report;*
- 2. Endorses the commencement of community engagement; and*
- 3. Notes that once engagement is complete, a further report will be presented to Council noting the outcome of the engagement and recommending next steps.*

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

9.3. Integrated Water Management Plan

To present the draft Integrated Water Management Plan for consideration and seek endorsement to release the draft plan for public consultation.

Council Resolution

That Council:

1. *Endorse the release of the draft Integrated Water Management Plan, as shown in Attachment One to this report, for community consultation and engagement with key stakeholders including Melbourne Water, Greater Western Water, Department Energy, Environment and Climate Action (DEECA) and Environment Protection Authority (EPA); and*
2. *Note that a further report will be presented to Council seeking adoption of the draft Integrated Water Management Plan following community consultation and stakeholder engagement.*

Moved: Cr Simon Crawford
Seconded: Cr Bernadette Thomas

CARRIED

9.4. Footscray Park Update - Thomson Water Gardens and Playspace

To recommend proposed works and planning to address risks associated with the Thomson Water Gardens and Regional Playspace within Footscray Park, following the Coronial Investigation into two separate drowning incidents in the Thomson Water Gardens.

Council Resolution

That Council:

- 1. Note the Coroner's Finding into Death Without Inquest Reports, 18 September 2023;*
- 2. Approve the closure and future relocation of the Footscray Park Regional Play Space;*
- 3. Approve the restoration of the Thomson Water Gardens incorporating recommendations from the Coroner;*
- 4. Investigate options for an alternative location for a regional Play Space; and*
- 5. Refer associated works for future budget consideration.*

Moved: Cr Bernadette Thomas

Seconded: Cr Jorge Jorquera

CARRIED

Councillor Crawford left the meeting at 7:26 pm.

Councillor Crawford returned to the meeting at 7:28 pm.

9.5. Maribyrnong Aquatic Strategy 2023

To seek Council adoption of the Maribyrnong Aquatic Strategy 2023, following public consultation.

Council Resolution

That Council:

1. *Adopt the Maribyrnong Aquatic Strategy 2023, shown at Attachment One; and*
2. *Refer the actions of the Maribyrnong Aquatic Strategy 2023 for future budget consideration.*

Moved: Cr Anthony Tran
Seconded: Cr Simon Crawford

CARRIED

Councillor Jorquera left the meeting at 7:29 pm.

Councillor Jorquera returned to the meeting at 7:32 pm.

9.6. Pennell Reserve Master Plan

To seek Council adoption of the Pennell Reserve Master Plan following community consultation on the draft Master Plan.

Council Resolution

That Council:

1. *Notes the feedback received from a range of sources on the Draft Pennell Reserve Master Plan;*
2. *Adopts the Pennell Reserve Master Plan 2023; shown at Attachment One;*
3. *Resolves to cease the Southern Cross Archery Clubs use of Pennell Reserve within 12 months and support investigations into their relocation, and*
4. *Refer the actions from the Pennell Reserve Master Plan 2023 to future budget consideration.*

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

9.7. Draft Lae Street Nursery Site Concept Plan

To present the draft Lae Street Nursery Site Concept Plan for consideration and adoption by Council.

Council Resolution

That Council:

- 1. Note the deliberative engagement process undertaken to inform the development of the Lae Street Nursery Site Concept Plan;*
- 2. Thank the members of the Community Advisory Group for their contribution to the deliberative engagement process;*
- 3. Adopt the Lae Street Nursery Concept Plan, shown at Attachment One; and*
- 4. Refer the actions from the Lae Street site concept plan to future budget consideration.*

Moved: Cr Michael Clarke
Seconded: Cr Bernadette Thomas

CARRIED

9.8. Awarding of Contract No.1236-23 Provision of Maribyrnong Aquatic Centre (MAC) HVAC Upgrade Construction

To seek Council approval to award Contract No 1236-23 Provision of MAC HVAC Replacement to JPC Air Conditioning Pty Ltd, part of the Capital Works & Asset Improvement Program for FY23/24, reference CAP31 and 157.

Council Resolution

That Council:

- 1. Awards Contract No 1236-23 Provision of MAC HVAC Replacement construction to JPC Air Conditioning Pty. Ltd. for the total contract sum of \$2,292,518.50 (exc GST); and*
- 2. Authorises the Chief Executive Officer to execute Contract No 1236-23 Provision of MAC HVAC Replacement construction to JPC Air Conditioning Pty. Ltd.*

Moved: Cr Michael Clarke
Seconded: Cr Bernadette Thomas

CARRIED

9.9. Awarding of Contract No. 1230-23 Road Resheeting Works 2022-2023 - Rosamond Road

To seek Council approval to award Contract No 1230-23 Rosamond Road - Road Resheeting Works 2022-2023 to Boral Resources (VIC) Pty Ltd.

Council Resolution

That Council:

1. *Awards Contract No 1230-23 Rosamond Road - Road Resheeting Works 2023-2024 to Boral Resources (VIC) Pty Ltd for the total sum of \$2,369,260.61 (exc. GST) and*
2. *Authorises the Chief Executive Officer to execute Contract No 1230-23 Rosamond Road – Road Resheeting Works 2023-2024 to Boral Resources (VIC) Pty Ltd.*

Moved: Cr Anthony Tran
Seconded: Cr Michael Clarke

CARRIED

9.10. Discontinuance of Road Abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon and Sale of Part of the Road

To inform Council of the outcome of the public notice completed pursuant to section 223 of the *Local Government Act 1989 (Act)* and to seek Council approval to finalise the Proposal which involves:

- discontinuance of the road abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon (Road);
- selling that part of the Road enclosed within 159 Pilgrim Street to the owners of 159 Pilgrim Street (owners of 159); and
- retaining that part of the Road enclosed within 157 Pilgrim Street in Council's ownership, due to the owners of 157 Pilgrim Street (owners of 157) declining Council's offer to sell that part of the Road enclosed within their property, at this time.

Council Resolution

That Council:

1. *Notes that one submission was received in response to the public notice given under sections 207A and 223 of the Local Government Act 1989 (Vic);*
2. *Thanks the submitters for their written submission;*
3. *Considers Attachment 2 of this Report which is a copy of the written submission received and Attachment 3 which outlines the Council officer response to the written submission;*
4. *Having considered the written submission, authorises the Chief Executive Officer to undertake all statutory procedures pursuant to its powers under clause 3 of Schedule 10 of the Act to discontinue the road abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon being the road contained in certificate of title volume 01560 folio 997, shown outlined in red in Attachment 1 (Road); and*
5. *Authorises the Chief Executive Officer to:*
 - a. *sell the part of the discontinued Road enclosed within the property at 159 Pilgrim Street, Seddon to the owners of that property for no less than \$18,000 plus GST, being 59% below the market value; and*
 - b. *retain ownership of the part of the discontinued Road enclosed within the property at 157 Pilgrim Street, Seddon; and*
 - c. *execute all necessary documentation relating to this matter; and*
 - d. *notify the Owners of 157 and 159 Pilgrim Street of Council's decision.*

Moved: Cr Bernadette Thomas
Seconded: Cr Michael Clarke

CARRIED

9.11. Audit and Risk Committee Bi-Annual Report - October 2023

This report presents the Audit and Risk Committee Bi-Annual Report – October 2023 for noting by Council.

Council Resolution

That Council note the Audit and Risk Committee Bi-Annual Report – October 2023.

Moved: Cr Michael Clarke
Seconded: Cr Simon Crawford

CARRIED

9.12. Governance Report - November 2023

The purpose of this report is to receive and note the record of informal meetings of Councillors for November 2023, and compliance and governance matters as they arise.

Council Resolution

That Council notes the November 2023 Governance Report, containing the record of informal meetings of Councillors, which will be made available on Council's website for the term of the current Council.

Moved: Cr Simon Crawford
Seconded: Cr Bernadette Thomas

CARRIED

10. NOTICES OF MOTION

Nil

11. COUNCILLOR QUESTION TIME

Councillor Bernadette Thomas asked the Chief Executive Officer whether Council has commenced advocacy with the State Government to lower the speed limit between Moreland Street and Hopkins Street Bridge to improve safety conditions, especially given the tragic accident recently.

The Chief Executive Officer responded that Council has commenced discussions with the Department of Transport and Planning, Victoria Police and the local state member.

Councillor Question Time closed 7.59pm

12. URGENT BUSINESS

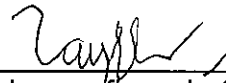
Nil.

13. CONFIDENTIAL BUSINESS

Nil

14. MEETING CLOSURE

The Chair declared the meeting closed at 8.01pm.



To be confirmed at the Council Meeting
to be held on 20 February 2024.

Chair, Cr Cuc Lam