



Minutes

Extraordinary Council Meeting

6.00pm, Tuesday 22 November 2022

Richmond Town Hall

1. Statement of recognition of Wurundjeri Woi-wurrung Land

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- | | |
|-----------------------|--------------|
| • Cr Sophie Wade | Mayor |
| • Cr Edward Crossland | Deputy Mayor |
| • Cr Stephen Jolly | Councillor |
| • Cr Claudia Nguyen | Councillor |
| • Cr Amanda Stone | Councillor |

Council officers

- | | |
|-----------------|--|
| • Sue Wilkinson | Chief Executive Officer |
| • Ivan Gilbert | Group Manager Chief Executive’s Office |
| • Wei Chen | Director Corporate, Business and Finance |
| • Mary Osman | Director Planning and Place Making |
| • Rhys Thomas | Senior Governance Advisor |
| • Mel Nikou | Governance Officer |

Leave of absence

- | | |
|--------------------------|------------|
| • Cr Gabrielle de Vietri | Councillor |
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Apologies

- | | |
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| • Cr Herschel Landes | Councillor |
| • Cr Anab Mohamud | Councillor |
| • Cr Bridgid O’Brien | Councillor |

Cr Amanda Stone noted that she will be absent from the Council meetings on Monday 28 November and Tuesday 6 December 2022 and asked that her apologies be recorded.

3. Declarations of conflict of interest (Councillors and staff)

No declarations were made.

4. Council business reports

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4.1 Proposed Discontinuance of Part of Otter Street, Collingwood

Reference	D22/288364
Author	Bill Graham - Coordinator Valuations
Authoriser	Director Corporate, Business and Finance

RECOMMENDATION

1. That Council acting under clause 3 of schedule 10 of the Local Government Act 1989 (Act):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road shown marked as Lot 1 on the title plan attached as Attachment 1 to this report (Road), being part of the land remaining in Crown Grant no. 23120, is not reasonably required for public use for the reasons set out in this report, to discontinue the Road;
 - (b) directs 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*;
 - (c) directs that once discontinued, the Road be transferred to Council pursuant to section 207D of the Act;
 - (d) authorises the Chief Executive Officer to sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to Council; and
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance of the Road.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Crossland

1. That Council acting under clause 3 of schedule 10 of the Local Government Act 1989 (Act):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road shown marked as Lot 1 on the title plan attached as Attachment 1 to this report (Road), being part of the land remaining in Crown Grant no. 23120, is not reasonably required for public use for the reasons set out in this report, to discontinue the Road;
 - (b) directs 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*;
 - (c) directs that once discontinued, the Road be transferred to Council pursuant to section 207D of the Act;
 - (d) authorises the Chief Executive Officer to sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to Council; and
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance of the Road.

CARRIED UNANIMOUSLY

4.2 Proposed Discontinuance of Road at Cambridge Street, Collingwood

Reference	D22/289712
Author	Bill Graham - Coordinator Valuations
Authoriser	Director Corporate, Business and Finance

RECOMMENDATION

1. That Council acting under clause 3 of schedule 10 of the *Local Government Act 1989* (LGA 1989):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the LGA 1989, and being of the opinion that the road shown marked as Lot 1 on the title plan attached as **Attachment One** to this report (Title Plan), being part of the land contained in Crown Portions 52 & 53, parish of Jika Jika and part of the land remaining in Conveyance Book F No 262 (Road), is not reasonably required for public use for the reasons set out in this report, to discontinue the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the LGA 1989 is to be published in the *Victoria Government Gazette*;
 - (c) directs that once discontinued the Road be transferred to Council pursuant to section 207D of the LGA 1989;
 - (d) authorises the Chief Executive Officer to sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to Council; and
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not affected by the discontinuance of the Road.
2. That Council, acting under section 114 of the *Local Government Act 2020* (LGA 2020):
 - (a) resolves that, having complied with the required statutory procedures pursuant to section 114 of the LGA 2020, to grant a pedestrian carriageway easement over that part of the Road shown marked 'E-1' on the Title Plan in favour of the property at 33 Peel Street, Collingwood (Easement) being the land contained in certificate of title volume 11595 folio 703, for the consideration of \$1; and
 - (b) authorises the Chief Executive Officer to sign any documents required to be signed in connection with the grant of the Easement and its registration on title.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

1. That Council acting under clause 3 of schedule 10 of the *Local Government Act 1989* (LGA 1989):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the LGA 1989, and being of the opinion that the road shown marked as Lot 1 on the title plan attached as **Attachment One** to this report (Title Plan), being part of the land contained in Crown Portions 52 & 53, parish of Jika Jika and part of the land remaining in Conveyance Book F No 262 (Road), is not reasonably required for public use for the reasons set out in this report, to discontinue the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the LGA 1989 is to be published in the *Victoria Government Gazette*;
 - (c) directs that once discontinued the Road be transferred to Council pursuant to section 207D of the LGA 1989;
 - (d) authorises the Chief Executive Officer to sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to Council; and
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not affected by the discontinuance of the Road.
2. That Council, acting under section 114 of the *Local Government Act 2020* (LGA 2020):
 - (a) resolves that, having complied with the required statutory procedures pursuant to section 114 of the LGA 2020, to grant a pedestrian carriageway easement over that part of the Road shown marked 'E-1' on the Title Plan in favour of the property at 33 Peel Street, Collingwood (Easement) being the land contained in certificate of title volume 11595 folio 703, for the consideration of \$1; and
 - (b) authorises the Chief Executive Officer to sign any documents required to be signed in connection with the grant of the Easement and its registration on title.

CARRIED UNANIMOUSLY

Conclusion

The meeting concluded at 6.09pm.

Confirmed Tuesday 6 December 2022

Mayor