

# MINUTES

for the Special Meeting of Council held in the COUNCIL CHAMBER - 104 HOVELL STREET WODONGA, VIC on WEDNESDAY, 4 NOVEMBER 2009

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## Present

Cr M Byatt (Mayor)

Cr A Collins (Deputy Mayor)

Cr E Foulston

Cr L Mahood

Cr A Speedie

Cr R Wangman

## In Attendance

Mr J Louw                      Acting Chief Executive Officer

Ms P Harrington            Director Community Development



**LIVE  
WORK  
INVEST**

**1. Calling To Order**

The Acting Chief Executive Officer called the meeting to order and introduced the Mayor, Cr Mark Byatt.

**2. Statement Of Acknowledgement**

The Mayor read the following:

*We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders and to Elders from other communities who may be here today.*

**3. Apologies And Requests For Leave Of Absence**

An apology was received from Cr Chris Ferguson.

**4. Declaration Under Acts, Regulations, Codes Or Local Laws**

Nil.

**5. Declaration By Councillors Of Any Conflict Of Interest**

Nil.

**6. Officer Reports For Determination**

6.1 SECTION 223 SUBMISSION - LOT 1, 23 STANLEY STREET, 3  
WODONGA

**7. Confidential Business**

Nil.

**8. Close Of Meeting**

There being no further business the meeting closed at 6.16 PM.

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**Chairperson**

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**Date**

**SECTION 223 SUBMISSION - LOT 1, 23 STANLEY STREET, WODONGA**

**PURPOSE OF REPORT**

This special meeting of Council is being held to hear from persons who have requested to be heard in support of a section 223 submission on Lot 1, 23 Stanley Street, Wodonga.

**BACKGROUND**

At its meeting of 17 August 2009 Council resolved to give public notice of its intention to sell, by Public Auction or Private Treaty, Lot 1 of a proposed Plan of Subdivision of 23 Stanley Street, Wodonga. The public notice invited submissions on the proposed sale in accordance with Section 223 of the *Local Government Act 1989* (the Act), as shown below.

**INTENTION TO SELL**

**Wodonga City Council (council) gives notice under Section 189 of the Local Government Act 1989 (Act) that it intends to sell council owned land described below.**

The parcel of land and improvements which council intends to sell is Lot 1 of a proposed Plan of Subdivision of 23 Stanley Street, Wodonga being part of Certificate of Title Volume 8220, Folio 217 and is shown as "Lot 1" on the accompanying plan.

Council intends to sell the land by Public Auction or private treaty.

Any person may make a written submission on the proposed sale pursuant to Section 223 of the Local Government Act 1989.

Only submissions received by council by 5pm on Wednesday, October 21, 2009 shall be considered.

Please note that unless a submitter advises council to the contrary, the submission may be made available to the public, as part of a council agenda.

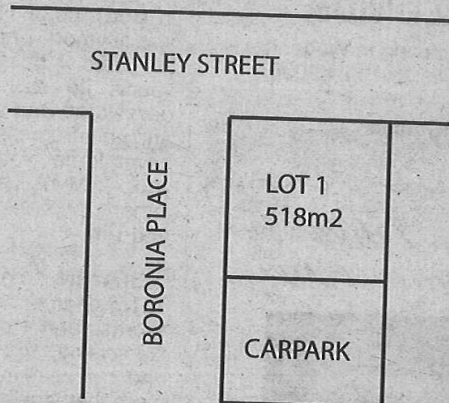
**Any person who has made a written submission to council and requested that he or she be heard in support of their written submission is entitled to appear before a meeting of council or a committee appointed for this purpose.**

**Where a person wishes to be heard by council they must advise of such in their written submission.**

If required council will meet for this purpose at 6pm on Wednesday, November 4, 2009 in the committee room, council offices, Level 2, Hovell Street, Wodonga.

Submissions should be made to the Chief Executive Officer, and can be hand delivered to council's office at 104 Hovell Street, Wodonga or posted to the following address;

The Chief Executive Officer  
Wodonga City Council  
P.O.Box 923  
Wodonga. VIC 3690



The diagram is a site plan showing a rectangular area bounded by Stanley Street to the north and Boronia Place to the west. The area is divided into two sections: the upper section is labeled 'LOT 1 518m2' and the lower section is labeled 'CARPARK'.

**SECTION 223 SUBMISSION - LOT 1, 23 STANLEY STREET, WODONGA (cont'd)**

Council is required to consider all submissions prior to making a decision. One submission has been received from Coinda Family Support Group Inc. and the signatory, Liz Pogson, President, along with up to two other members of the Committee of Management, have requested to be heard in support of the submission. A copy of the Coinda submission has been forwarded to councillors.

The submitters have been advised of the following procedure:

- All councillors have received a copy of your submission.
- You will have up to 15 minutes to speak to your submission.
- Your comments, or a summary of them, may be included in a report to the Council meeting of 16 November 2009.
- Your comments should be in support of your written submission.
- Other than to clarify procedural matters through the Chairperson, there will be no opportunity to ask questions of the Council.
- There will be no questions directed at you while you speak to your submission. The Chair or councillors may ask questions of you once you have finished speaking to the submission in order to clarify or explore matters raised.
- You are requested to please observe any directions that the Chairperson may give.

This hearing is part of the legislative process by which Council considers submissions received through the section 223 process. A full report on the section 223 process, including a summary of the written submission and minutes of the presentation made at this Special council meeting, will be included in the agenda of the Ordinary meeting of Council scheduled for Monday, 16 November 2009.

**RECOMMENDATION**

That Council note the presentation made in support of the Section 223 submission - lot 1, 23 Stanley Street, Wodonga, and that a summary of the presentation be included in a report to the ordinary meeting of Council scheduled for 16 November 2009.



**SECTION 223 SUBMISSION - LOT 1, 23 STANLEY STREET, WODONGA (cont'd)**

*At this point the Mayor welcomed three representatives from Coinda to be heard in relation to the organisations section 223 submission. Coinda was represented by Liz Pogson, Jaime Gay, and Judith McKeown.*

*In their presentation the speakers confirmed the offer made by the organisation in its section 223 submission to purchase the land at lot 1, 23 Stanley Street, Wodonga. The speakers highlighted the strength of the committee of management, the successful fund raising campaign of recent weeks, and the importance of the organisation to local families within Wodonga and across the wider region.*

*Further, the representatives of Coinda undertook to provide Council with written confirmation, subsequent to their section 223 submission, to the effect that the organisation had secured funding to proceed with the purchase.*

*Finally, it was noted that a more detailed summary of the presentation would be provided in an officer's report on the section 223 process that would be considered at the Council meeting of 16 November 2009.*

**MOTION**

CRS. LISA MAHOOD / ANNA SPEEDIE

That the recommendation be adopted.

(CARRIED)