

PRESENT

The Mayor, Councillor Greg Conkey OAM
Councillor Yvonne Braid
Councillor Paul Funnell
Councillor Dan Hayes
Councillor Vanessa Keenan
Councillor Rod Kendall
Councillor Tim Koschel
Councillor Kerry Pascoe
Councillor Dallas Tout

IN ATTENDANCE

General Manager	(Mr A Eldridge)
Acting Financial Sector Manager	(Mr C Richardson)
Community Sector Manager	(Mrs J Summerhayes)
Commercial Operations Sector Manager	(Mrs C Angel)
Commercial Development Manager	(Mr P Somerville)
Manager Special Projects	(Mr J Bolton)
Acting Manager City Strategy	(Mrs C Priest)
Manager Finance	(Mrs C Rodney)
Manager Community Services	(Ms M Scully)
Manager Procurement Services	(Mr D Butterfield)
Acting Manager Development Services	(Mrs A Gray)
Manager Civic Theatre	(Ms C Campbell)
Team Leader Visitor Economy	(Ms F Hamilton)
Strategic Partner – Strategy & Communications	(Mr B Koschel)
Corporate Strategy Coordinator	(Ms S Wallace)
Cultural Officer	(Ms T Miller)
Land and Real Property Coordinator	(Ms D Wright)
Communications Officer Public/Media	(Mr J Lang)
Communications & Engagement Officer	(Miss S Post)
Corporate Governance & Risk Coordinator	(Mrs J Watkins)

PRAYER

Almighty God,

Help protect our Mayor, elected Councillors and staff.

Help Councillors to govern with justice, integrity, and respect for equality, to preserve rights and liberties, to be guided by wisdom when making decisions and settling priorities, and not least of all to preserve harmony.

Amen.

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of this Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Community members present.

APOLOGIES

No apologies were received.

PRESENTATIONS

- Presentation to Wagga Wagga City Council - Tidy Towns Sustainable Communities Committee from the Tidy Towns Chairperson, Mr John Rumens
- Presentation from Mr Brad Bohun, Crowe Horwath, regarding RP-1 – 2015/16 AUDITED FINANCIAL STATEMENTS

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 31 OCTOBER 2016

Councillor K Pascoe declared an interest and vacated the Chamber, the time being 6:16pm.

16/299 RESOLVED:
On the Motion of Councillors V Keenan and R Kendall

That the Minutes of the proceedings of the Ordinary Council Meeting held on 31 October 2016 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
Y Braid
G Conkey OAM
P Funnell
D Hayes
V Keenan
R Kendall
T Koschel
D Tout

Against the Motion

Councillor K Pascoe re-entered the meeting, the time being 6:17pm.

DECLARATIONS OF INTEREST

Councillor P Funnell declared a Non Significant Non-Pecuniary Interest in PSRP-11 WAGGA FUTSAL - SECTION 356 DONATION REQUEST the reason being that his son plays futsal and remained in the chamber during its consideration.

Councillor D Hayes declared a Non Significant Non-Pecuniary Interest in PSRP-8 PETITION - MORGAN STREET TIMED PARKING ZONES AND LINEMARKING OF PARKING SPACES the reason being that he works in a building on that site and remained in the chamber during its consideration.

Community Sector Manager, Ms J Summerhayes, declared a Non-Pecuniary Interest in PSRP-11 WAGGA FUTSAL - SECTION 356 DONATION REQUEST the reason being that her husband is a volunteer coach as part of the Wagga Futsal junior cup competition and remained in the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in PSRP-5 AMENDMENT NUMBER 11 TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN the reason being that the proposed amendments may have an impact on his future Development Applications that will be considered by Council and vacated the chamber during its consideration.

Councillor R Kendall declared a Pecuniary Interest in CONF-2 RFT2017/03 DESIGN AND CONSTRUCT REPLACEMENT OF THREE TIMBER BRIDGES the reason being that a director of one of the tenderers is a business associate and vacated the chamber during its consideration.

Councillor R Kendall declared a Pecuniary Interest in CONF-4 RFT2017/09 ROAD PAVEMENT MATERIAL SUPPLY the reason being that a director of one of the tenderers is a business associate and vacated the chamber during its consideration.

Councillor R Kendall declared a Pecuniary Interest in CONF-5 RFT2017/013 LAKEHAVEN REAR OF BLOCK DRAINAGE INSTALLATION the reason being that the drainage will directly service his home, be built on the land containing his home and is likely to impact the value of his property and vacated in the chamber during its consideration.

Councillor Y Braid declared a Non-Significant Non-Pecuniary Interest in CONF-7 PROPOSED ACQUISITION OF LAND AT MOUNT AUSTIN FOR ROAD WIDENING the reason being that she is a Life Member of the Haven and vacated the chamber during its consideration.

Councillor K Pascoe declared a Significant Non-Pecuniary Interest in CONF-1 RFT2017/02 CIVIC CENTRE AIRCONDITIONING GROUND SOURCED HEAT PUMP REPLACEMENT the reason being that one of the tenderers does contract work for his company and vacated the chamber during its consideration.

Councillor K Pascoe declared a Non-Significant Non-Pecuniary Interest in CONF-8 AIRPORT SUB-LEASE TO BROMLEY & RWEK PTY LTD the reason being that the

applicant is a member of the same Rotary Club and vacated the chamber during its consideration.

The Mayor, Councillor G Conkey OAM declared a Non-Significant Non-Pecuniary Interest in CONF-8 AIRPORT SUB-LEASE TO BROMLEY & RWEK PTY LTD the reason being that the applicant is a member of the same Rotary Club and remained in the chamber during its consideration.

Councillor V Keenan declared a Non-Significant Non-Pecuniary Interest in RP-6 CONSIDERATION FOR CREATION OF A "COMMUNITY WORKS RESERVE" as she works in the industry and remained in the chamber during its consideration.

General Manager, Mr A Eldridge, declared a Pecuniary Interest in CONF-5 RFT2017/013 LAKEHAVEN REAR OF BLOCK DRAINAGE INSTALLATION the reason being that he lives in Lake Haven and the work will occur behind his residence and vacated the chamber during its consideration.

General Manager, Mr A Eldridge declared a Pecuniary Interest in CONF-8 AIRPORT SUB-LEASE TO BROMLEY & RWEK PTY LTD the reason being that he is the trustee of the company that owns the lease and vacated the chamber during its consideration.

Councillor K Pascoe vacated the Chamber, the time being 6:23pm.

REPORTS FROM POLICY AND STRATEGY COMMITTEE

PS-1 POLICY AND STRATEGY COMMITTEE MEETING - 7 NOVEMBER 2016

The Mayor, Councillor G Conkey OAM requested Councillors to nominate any recommendations from the minutes they wished to discuss.

16/300 RESOLVED:

On the Motion of Councillors P Funnell and D Hayes

That the Minutes of the Policy and Strategy Committee Meeting held on 7 November 2016 be confirmed and recommendations numbered PSCM-1, PSRP-1, PSRP-6 to PSRP-11 contained therein be adopted.

CARRIED

REPORTS FROM STAFF

PSRP-2 DA16/0517 - USE OF EXISTING EXTENSION, SHED, ATTACHED COVERED AREA & CARPORT - LOT 192 DP 842236 - 80 VEALE ST ASHMONT NSW 2650

16/301 RESOLVED:
On the Motion of Councillors P Funnell and R Kendall

That Council approve DA16/0517 for the use of an existing extension, shed, attached covered area & carport at 80 Veale Street Ashmont NSW 2650, subject to the conditions outlined in the Section 79C Assessment Report for DA16/0517.

CARRIED

[Click here for DA16/0517 Adopted Conditions.](#)

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS – SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

<u>For the Motion</u>	<u>Against the Motion</u>
Y Braid	
G Conkey OAM	
P Funnell	
D Hayes	
V Keenan	
R Kendall	
T Koschel	
D Tout	

PSRP-3 DA16/0533 - ATTACHED CARPORT - LOT 40 DP 261008, 57 PUGSLEY AVENUE, ESTELLA

16/302 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council approve DA16/0533 for an Attached Carport at 57 Pugsley Avenue, Estella subject to the conditions outlined in the Section 79C Assessment Report for DA16/0533.

CARRIED

[Click here for DA16/0533 Adopted Conditions.](#)

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS – SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- D Tout

PSRP-4 DA16/0554 - ADDITIONS & ALTERATIONS. STRATA PLAN 17008 UNIT A, 112-116 TOMPSON STREET, WAGGA WAGGA

16/303 RESOLVED:
On the Motion of Councillors R Kendall and P Funnell

That Council approve DA16/0554 for Alterations and Additions at 112-116 Tompson Street, Wagga Wagga subject to the conditions outlined in the Section 79C Assessment Report for DA16/0554.

CARRIED

[Click here for DA16/0554 Adopted Conditions.](#)

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS – SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- D Tout

PSRP-5 AMENDMENT NUMBER 11 TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010

Councillor K Pascoe declared a Pecuniary Interest and remained absent from the Chamber.

16/304 RESOLVED:
On the Motion of Councillors D Tout and R Kendall

That Council endorse the exhibition of the proposed amendment number 11 to the Wagga Wagga Development Control Plan 2010 in accordance with the Environmental Planning and Assessment Act 1979 public consultation provisions.

CARRIED

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS – SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

<u>For the Motion</u>	<u>Against the Motion</u>
Y Braid	
G Conkey OAM	
P Funnell	
D Hayes	
V Keenan	
R Kendall	
T Koschel	
D Tout	

Councillor K Pascoe re-entered the Chamber, the time being 6:26pm.

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION TO ALTER RESOLUTION 16/276 - COUNCIL MEETING AND COMMITTEE STRUCTURE

16/305 RESOLVED:
On the Motion of Councillors P Funnell and T Koschel

That Council alter part (a) of resolution 16/276 - COUNCIL MEETING AND COMMITTEE STRUCTURE from 31 October 2016 to read as follows:

- a endorse a schedule of a monthly Council Meeting and the establishment of a monthly Planning Standing Committee for this term of Council**
 - i amend the Code of Meeting Practice to allow Public Addresses at both Council and Standing Committee Meetings**
 - ii receive a further report outlining the Terms of Reference of the Planning Standing Committee**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

- Y Braid
- G Conkey OAM
- P Funnell
- T Koschel
- K Pascoe
- D Tout

Against the Motion

- D Hayes
- V Keenan
- R Kendall

REPORTS FROM STAFF

RP-1 2015/16 AUDITED FINANCIAL STATEMENTS

16/306 RESOLVED:
On the Motion of Councillors V Keenan and T Koschel

That Council:

- a receive the Auditor’s Report on the Financial Statements for the year ended 30 June 2016**
- b invite any public submissions in respect of the audited financial reports in accordance with Section 420 of the Local Government Act 1993**
- c receive a presentation from Mr Brad Bohun, Crowe Horwath**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

- Y Braid
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

Against the Motion

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

16/307 RESOLVED:
On the Motion of Councillors P Funnell and R Kendall

That Council bring forward for consideration item RP-6 CONSIDERATION FOR CREATION OF A "COMMUNITY WORKS RESERVE" to follow RP-1 2015/16 AUDITED FINANCIAL STATEMENTS

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

RP-6 CONSIDERATION FOR CREATION OF A "COMMUNITY WORKS RESERVE"

16/308 RESOLVED:
On the Motion of Councillors P Funnell and D Tout

That Council:

- a) refer public art funding to the next budget review process and be considered in workshop discussions
- b) consider the fixing of a dollar value for public art expenditure as part of the process referred to in (a)
- c) outcomes from budget review workshops to be used in review of POL 109 Public Art Policy at the relevant time in 2017

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

- Y Braid
- G Conkey OAM
- P Funnell
- T Koschel
- K Pascoe
- D Tout

Against the Motion

- D Hayes
- V Keenan
- R Kendall

Councillor P Funnell vacated the Chamber, the time being 7:18pm.

RP-2 COMMUNITY ENGAGEMENT PROGRAM

16/309 RESOLVED:
On the Motion of Councillors K Pascoe and D Hayes

That Council:

- a adopt the expanded approach to community engagement through the use of Council’s education and engagement vehicle ‘Charlie’ as outlined in the report**
- b endorse the updated Community Engagement Strategy to reflect the new engagement methods introduced by Council**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

Against the Motion

RP-3 COMMUNITY STRATEGIC PLAN REVIEW

16/310 RESOLVED:
On the Motion of Councillors R Kendall and D Hayes

That Council:

- a place the draft Community Strategic Plan (CSP) on public exhibition for 28 days commencing 22 November 2016 and concluding on 20 December 2016**
- b receive submissions from the community in relation to this document throughout the exhibition period**
- c consider a further report addressing submissions received at the February 2017 Council meeting**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

RP-4 CODE OF CONDUCT ANNUAL REPORT

16/311 RESOLVED:
On the Motion of Councillors D Hayes and K Pascoe

That Council note the contents of this report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan

R Kendall
T Koschel
K Pascoe
D Tout

RP-5 FINANCIAL PERFORMANCE REPORT OCTOBER 2016

16/312 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a approve the variations to the 2016/17 original budget for the month ended 31 October 2016 and note the deficit budget of (\$62K) as presented in this report**
- b note the Responsible Accounting Officer’s reports, in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3: Clause 203) that the financial position of Council is satisfactory having regard to the original estimates of income and expenditure and the recommendations made above**
- c note details of the external investments as at 31 October 2016 in accordance with Section 625 of the Local Government Act.**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
Y Braid
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

RP-6 CONSIDERATION FOR CREATION OF A "COMMUNITY WORKS RESERVE" was brought forward for consideration following RP-1 2015/16 AUDITED FINANCIAL STATEMENTS.

RP-7 MAJOR EVENTS FUNDING REQUESTS

16/313 RESOLVED:

On the Motion of Councillors D Hayes and K Pascoe

That Council:

- a note that two applications for Major Events Sponsorship have been received for Major Event Sponsorship funding from; Borambola Wines for the inaugural Vivid Wagga Wagga and from Jason Steven Productions for a feature film Chasing Comets to be filmed in Wagga Wagga**
- b authorise the General Manager or his delegate to enter into an agreement with Borambola Wines Festival to the amount of \$20,000 ex GST**
- c authorise the General Manager or his delegate to enter into an agreement with Jason Stevens Film Productions to the amount of \$20,000 ex GST**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

QUESTIONS/BUSINESS WITH NOTICE

The following Questions/Business with Notice were raised for noting with no response required:

1. Councillor D Tout noted upcoming stories on Wagga Wagga on SBS World News this Tuesday, Wednesday and Thursday.
2. The Mayor, Councillor G Conkey OAM raised the OneVoice event and the 160 years stage lights launched recently at the Museum and Civic Theatre and praised those involved in both events.

CLOSED COUNCIL

16/314 RESOLVED:
On the Motion of Councillors K Pascoe and D Tout

That the Council now resolve itself into a Closed Council, the time being 7:42pm.

CARRIED

AT THIS STAGE OF THE MEETING THE PRESS AND PUBLIC GALLERY RETIRED FROM THE COUNCIL MEETING.

At this stage of the meeting, the Chairperson called a short recess, the time being 7:42pm.

The Chairperson reconvened the meeting, the time being 7:52pm.

ENGLOBO

16/315 RESOLVED:
On the Motion of Councillors D Tout and V Keenan

That CONF-3 be adopted as recommended in the business papers

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
Y Braid
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

CONFIDENTIAL REPORTS

CONF-1 RFT2017/02 CIVIC CENTRE AIRCONDITIONING GROUND SOURCED HEAT PUMP REPLACEMENT

Councillor K Pascoe declared a Significant Non-Pecuniary Interest and vacated the Chamber, the time being 7:53pm.

16/316 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a accept the offer of Care Mechanical Services Pty Ltd for the ground sourced heat pump replacement in the lump sum amount of \$462,780 excluding GST and authorise the General Manager to enter into a contract with Care Mechanical Services Pty Ltd for the fresh air energy recovery ventilation upgrade**
- b authorise the affixing of Council’s Common Seal to all relevant documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- D Tout

Councillor K Pascoe re-entered the Chamber, the time being 7:54pm.

**CONF-2 RFT2017/03 DESIGN AND CONSTRUCT REPLACEMENT OF THREE
TIMBER BRIDGES**

Councillor R Kendall declared a Pecuniary Interest and vacated the Chamber, the time being 7:54pm.

16/317 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a accept the offer of Ladex Construction Group Pty Ltd for the design and construct replacement of three timber bridges in the lump sum amount of \$582,479.00 excluding GST**
- b authorise the General Manager to enter into a Contract with Ladex Construction Group Pty Ltd for the design and construct replacement of three timber bridges**
- c authorise the affixing of Council’s Common Seal to all revelant documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- T Koschel
- K Pascoe
- D Tout

CONF-3 RFT2017/04 SPRAYED BITUMINOUS SURFACING

16/318 RESOLVED:
On the Motion of Councillors D Tout and V Keenan

That Council:

- a accept the offer of Bitupave Limited t/a Boral Asphalt for provision of sprayed bituminous surfacing in the schedule of rates submitted with the tender and authorise the General Manager to enter into a contract with Bitupave Limited t/a Boral Asphalt for provision of sprayed bituminous surfacing**

- b authorise the affixing of Council’s Common Seal to all relevant documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

CONF-4 RFT2017/09 ROAD PAVEMENT MATERIAL SUPPLY

Councillor R Kendall declared a Pecuniary Interest and remained absent from the Chamber during this item.

16/319 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

That Council:

- a in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 (LG Regulation), decline to accept any of the tenders submitted in response to the RFT**
- b in accordance with 178(3)(e) of the LG Regulation, authorise the General Manager to enter into direct negotiations with any person with a view to entering into a contract in relation to the subject matter of the RFT**
- c note that the reason for declining to invite fresh tenders or applications is that it is not expected that further market testing will provide a more satisfactory result**
- d note that the reason for entering into negotiations is that the evaluation identified inconsistencies between the tender specifications and operational requirements**
- e authorise the General Manager subject to successful negotiations to enter into contracts in relation to the subject matter of the RFT**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- T Koschel
- K Pascoe
- D Tout

The General Manager, Mr A Eldridge, declared a Pecuniary and vacated the Chamber, the time being 8:07pm.

CONF-5 RFT2017/013 LAKEHAVEN REAR OF BLOCK DRAINAGE INSTALLATION

Councillor R Kendall declared a Pecuniary Interest and remained absent from the Chamber during this item.

16/320 RESOLVED:
On the Motion of Councillors K Pascoe and V Keenan

That Council:

- a in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 (LG Regulation), decline to accept any of the tenders submitted in response to the RFT**
- b in accordance with 178(3)(e) of the LG Regulation, authorise the General Manager to enter into direct negotiations with any person whether they were a tenderer or not with a view to entering into a contract in relation to the subject matter of the RFT**
- c note that the reason for declining to invite fresh tenders or applications is that it is not expected that further market testing will provide a more satisfactory result**
- d note that the reason for determining to enter into negotiations is the terms and conditions are at variance with those of the tender documentation and will be negotiated to settle the final terms of the contract**
- e subject to successful negotiations authorise the General Manager to enter into a contracts for the subject matter of this tender**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- T Koschel
- K Pascoe
- D Tout

Councillor R Kendall and the General Manager, Mr A Eldridge, re-entered the Chamber, the time being 8:10pm.

CONF-6 RFT2016/017 CIVIC THEATRE AUDITORIUM SEATING

16/321 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 (LG Regulation), decline to accept any of the tenders submitted in response to the RFT**
- b in accordance with 178(3)(e) of the LG Regulation, authorise the General Manager to enter into direct negotiations with any person whether they were a tenderer or not with a view to entering into a contract in relation to the subject matter of the RFT**
- c note that the reason for declining to invite fresh tenders or applications is that it is not expected that further market testing will provide a more satisfactory result**
- d note that the reason for determining to enter into negotiations is the terms and conditions are at variance with those of the tender documentation and will be negotiated to settle the final terms of the contract.; and**
- e subject to successful negotiations authorise the General Manager to enter into a contracts for the subject matter of this tender**
- f note and approve the budget variation/s as detailed in the budget section of the report**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

Y Braid
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

CONF-7 PROPOSED ACQUISITION OF LAND AT MOUNT AUSTIN FOR ROAD WIDENING

Councillor Y Braid declared a Non-Significant Non-Pecuniary Interest and vacated the Chamber, the time being 8:23pm.

16/322 RESOLVED:

On the Motion of Councillors K Pascoe and T Koschel

That Council:

- a agree to acquire part 156 Bourke Street, Mount Austin for road widening upon the terms outlined in the body of this report**
- b upon acquisition agree to dedicate the land as public road**
- c delegate authority to the General Manager to execute all necessary documents on behalf of Council**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Councillor Y Braid re-entered the Chamber, the time being 8:28pm.

The General Manager, Mr A Eldridge, declared a Pecuniary interest and vacated the Chamber, the time being 8:28pm.

CONF-8 AIRPORT SUB-LEASE TO BROMLEY & RWEK PTY LTD

Councillor K Pascoe declared a Non-Significant, Non-Pecuniary Interest and vacated the Chamber, the time being 8:28pm.

16/323 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council:

- a agree to enter into a sub-lease agreement with RWEK Pty Ltd (ACN 131 060 163) and Bromley, Craig upon the terms outlined in the body of this report**
- b delegate authority to the Mayor and Chief Financial Officer to execute any necessary documents on behalf of Council**
- c note and approve the budget variation/s as detailed in the budget section of the report**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- D Tout

Councillor K Pascoe and the General Manager, Mr A Eldridge, re-entered the Chamber, the time being 8:32pm.

CONF-9 DEDICATION OF LOT Y DP36287 AT BOLGER AVENUE, MOUNT AUSTIN AS PUBLIC ROAD

16/324 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council:

- a agree to accept dedication of Lot Y DP 36287 at Bolger Avenue, Mount Austin as public road**
- b delegate authority to the General Manager to execute all necessary documents on behalf of Council**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

CONF-10 NIGHTLIGHTS 2017 COMMISSION

16/325 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a appoint the person recommended in the report for the NightLights 2017 Projection Masterclass and Commission**
- b authorise the affixing of Council’s Common Seal to all relevant documents as required**
- c advise the unsuccessful expression of interest applicants in writing**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- Y Braid
- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

PROCEDURAL MOTION - SUSPENSION OF STANDING ORDERS

16/326 RESOLVED:
On the Motion of Councillors V Keenan and T Koschel
That Council suspend standing orders, the time being 8:41pm.

CARRIED

PROCEDURAL MOTION - RE-INSTATE STANDING ORDERS

16/327 RESOLVED:
On the Motion of Councillors D Tout and K Pascoe
That Council re-instate standing orders, the time being 8:54pm.

CARRIED

REVERSION TO OPEN COUNCIL

16/328 RESOLVED:
On the Motion of Councillors K Pascoe and D Tout
That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8:55pm.

CARRIED

REPORT OF PROCEEDINGS OF CLOSED COUNCIL

16/329 RESOLVED:
On the Motion of Councillors K Pascoe and T Koschel
That the recommendations contained in the report of the proceedings of the Closed Council be adopted.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8:55pm.

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MAYOR