

PRESENT

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

IN ATTENDANCE

General Manager	(Mr P Thompson)
Director Community	(Mrs J Summerhayes)
Director Commercial Operations	(Ms C Angel)
Director Regional Activation	(Mr M Keys)
Manager Procurement Services	(Mr D Butterfield)
Manager Audit, Risk & Governance	(Ms I Hensley)
Manager City Strategy	(Mr T Kell)
Manager Corporate Strategy & Communications	(Mr S Gray)
Manager Technical & Strategy	(Mr P Ross)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mr S Shaw)
Manager Council Businesses	(Mr D Woods)

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.

PROCEDURAL MOTION - SUSPENSION OF STANDING ORDERS

20/077 RESOLVED:
On the Motion of Councillors V Keenan and T Koschel

That Council suspend standing orders for the Mayor, Councillor Greg Conkey OAM to unveil a plaque to commemorate the 150th Anniversary of the Proclamation of the Municipality, the time being 6:01pm.

CARRIED

PROCEDURAL MOTION - RE-INSTATE STANDING ORDERS

20/078 RESOLVED:
On the Motion of Councillors P Funnell and T Koschel

That Council re-instate standing orders, the time being 6:20pm.

CARRIED

APOLOGIES

An apology for non-attendance was received and accepted for Councillor Kerry Pascoe and Director Corporate Services, Mrs Natalie Te Pohe.

CARRIED

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 24 FEBRUARY 2020

20/079 RESOLVED:
On the Motion of Councillors D Hayes and D Tout

That the Minutes of the proceedings of the Ordinary Council Meeting held on 24 February 2020 be confirmed as a true and accurate record.

CARRIED

DECLARATIONS OF INTEREST

Councillor R Kendall declared a Significant, Pecuniary Interest in CONF-2 - RFT2020-25 ROAD PAVEMENT MATERIAL SUPPLY the reason being that a Director of one of the tenderers is a business associate of his and vacated the chamber during its consideration.

Councillor P Funnell declared a Non-Significant, Non-Pecuniary Interest in CONF-4 - CODE OF CONDUCT MATTER the reason being that he is named in the report and remained in the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/080 RESOLVED:
On the Motion of Councillors P Funnell and R Kendall

That Council bring forward consideration of ENGLOBO to precede the public discussion forum.

CARRIED

PROCEDURAL MOTION - ENGLOBO

20/081 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That the standing orders be varied for the meeting as set out hereunder:

- Items where councillors wish to speak
- Items where no councillors wish to speak
- Confidential
- Matter of urgency
- Closure of Meeting

That RP-4, RP-6 to RP-10, RP-12 to RP-14, M-2, CONF-1 and CONF-3, be adopted as recommended in the business papers

CARRIED

PUBLIC DISCUSSION FORUM

RP-1 DCP AMENDMENT - MANAGEMENT OF ADDITIONS, SECONDARY DWELLINGS AND INFILL DEVELOPMENT WITHIN THE HERITAGE CONSERVATION AREA

- Mr Chris Roche – Speaking against the report
- Dr Michael Whitelaw – Speaking against the report

R-3 DUNNS ROAD

- Mr Wayne Lennon – Speaking in favour of the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/082 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council bring forward consideration of the following report to follow the public discussion forum:

- **RP-1 DCP AMENDMENT - MANAGEMENT OF ADDITIONS, SECONDARY DWELLINGS AND INFILL DEVELOPMENT WITHIN THE HERITAGE CONSERVATION AREA**
- **R-3 DUNNS ROAD**

CARRIED

RP-1 DCP AMENDMENT - MANAGEMENT OF ADDITIONS, SECONDARY DWELLINGS AND INFILL DEVELOPMENT WITHIN THE HERITAGE CONSERVATION AREA

20/083 RESOLVED:
On the Motion of Councillors P Funnell and D Hayes

That Council:

- a place the proposed DCP amendment in relation to heritage on public exhibition from 21 March 2020 to 18 April 2020 (inclusive) and invite public submissions on the amendment until 2 May 2020**
- b place the proposed DCP amendment in relation to the site-specific control for Coedong Lane on public exhibition from 21 March 2020 to 18 April 2020 (inclusive) and invite public submissions on the amendment until 2 May 2020**
- c receive a further report following the exhibition and submissions period
 - i Addressing any submissions made in respect of the amendments**
 - ii Proposing adoption of the amended DCP unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period****

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-3 DUNNS ROAD

20/084 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council:

- a accept the Federal Government grant of \$5,804,356 as a contribution towards the total cost of \$8,291,937 for the construction of Dunns Road**
- b contribute \$2,487,581 towards the construction of Dunns Road**
- c delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council**
- d proceed to complete the detailed survey and design of Dunns Road in line with the approved grant application**
- e proceed with the preparation of a review of environmental factors/environmental impact statement (REF/EIS), co-ordinate relevant service authority infrastructure relocations, and commence negotiations for land acquisitions where appropriate**
- f approve for the Dunns Road project outlined within the report (which is currently included in the Potential Projects listing) to be included in the 2019/20 and 2020/21 Capital Works Delivery Program**
- g approve the budget variation for the timing of the works as detailed in the Financial Implications section of the report**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - DEFERRING COSTS AND CHARGES FOR NEW BUSINESSES

20/085 RESOLVED:
On the Motion of Councillors T Koschel and P Funnell

That Council receive a report:

- a outlining the current support provided to new businesses**
- b outlining the Council related fees/costs that new businesses may have to pay to be established**
- c outlining the current strategies in attracting new businesses to the Wagga LGA**
- d exploring options for providing further assistance for new businesses and associated costs**
- e that includes risk management strategies that may be considered in respect to this report**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

NOM-2 NOTICE OF MOTION - TRAFFIC MANAGEMENT IN THE NORTHERN GROWTH AREA

20/086 RESOLVED:
On the Motion of Councillors P Funnell and D Hayes

That Council:

- a receive a report by September 2020 presenting the methodology and solutions for traffic management in the Northern Growth Area (Estella and surrounding suburbs), and the connectivity options to the city**
- b write to Transport for NSW (RMS) and relevant NSW Government Ministers calling for the immediate release of the ‘Wagga Traffic Corridor Study’**
- c develop a communications and engagement plan to inform and present traffic management plans to the community**

CARRIED

RECORD OF VOTING ON THE MOTION

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

REPORTS FROM STAFF

RP-1 - DCP AMENDMENT - MANAGEMENT OF ADDITIONS, SECONDARY DWELLINGS AND INFILL DEVELOPMENT WITHIN THE HERITAGE CONSERVATION AREA was moved forward to follow the public discussion forum.

RP-2 DA19/0603 - ALTERATIONS AND ADDITIONS INCLUDING REAR EXTENSION AND GARAGE AT 93 BEST STREET, WAGGA WAGGA, LOT 17 SECTION 49 DP 759031

20/087 RESOLVED:
On the Motion of Councillors R Kendall and D Hayes

That Council defer consideration of RP-2 DA19/0603 - ALTERATIONS AND ADDITIONS INCLUDING REAR EXTENSION AND GARAGE AT 93 BEST STREET, WAGGA WAGGA, LOT 17 SECTION 49 DP 759031 pending the outcome of the amendment to the DCP as per RP-1 - MANAGEMENT OF ADDITIONS, SECONDARY DWELLINGS AND INFILL DEVELOPMENT WITHIN THE HERITAGE CONSERVATION AREA

CARRIED

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

Division

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

RP-3 – DUNNS ROAD was moved forward to follow the public discussion forum.

RP-4 PROPOSED NEW BUS ZONES

20/088 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a endorse the recommendations of the Traffic Committee in respect of two business items that were distributed to members electronically on 10 February 2020 and that relate to the:**

- i the extension of an existing BUS ZONE on the western side of Fitzmaurice Street, immediately north of the intersection with Johnston Street, by a length of 12 metres
- ii establishment of a new BUS ZONE in Macleay Street at the front of the TAFE NSW Wagga Wagga campus

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-5 KINCAID STREET - CENTRE OF ROAD PARKING - REVIEW OF TRIAL

20/089 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council make the parking arrangements in the centre of Kincaid Street permanent with the changes outlined in the body if this report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-6 WAGGA WAGGA SPECIAL ACTIVATION PRECINCT (SAP)

20/090 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council provide in-principle support for the draft Wagga Wagga Special Activation Precinct Masterplan being placed on public exhibition to enable community consultation and engagement.

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-7 DRAFT REGIONAL PROCUREMENT PREFERENCE POLICY

20/091 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a note that the Audit, Risk and Improvement Committee have provided feedback at their meeting on 20 February 2020 that has been incorporated into the draft Regional Procurement Preference Policy – POL 064**
- b endorse the draft Regional Procurement Preference Policy – POL064 and place on exhibition for a period of 28 days from 21 March 2019 and invite public submissions for 42 days until 2 May 2020 on the draft Regional Procurement Preference Policy – POL 064**
- c receive a further report following the public exhibition and submission period:
 - i addressing any submission made in respect of the draft Regional Procurement Preference Policy – POL 064**
 - ii proposing adoption of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period****

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-8 PROPOSED NEW FEE FOR THE 2019/20 FEES AND CHARGES

20/092 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a note that there were no public submissions received during the exhibition period**
- b adopt the following new fee for inclusion in the 2019/20 Fees and Charges:**

Item Number	Fee and Charge Description	Pricing Policy ID	2019/20 Fee (exclusive of GST)	GST	2019/20 Fee (inclusive of GST)	Basis
NEW	Domestic Waste Management Service Charge – Provision of 1,100L General Waste bins to Multi Unit Developments (Non Strata) Provided on application and Council Officer approval. Charged per bin, per year and is in addition to the Domestic Waste Management	C	\$650.00	\$0.00	\$650.00	Each Bin

	<p>Service Charge – Multi Unit Developments (Non Strata) and additional bins service charges.</p>					
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CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-9 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS

20/093 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council endorse submitting the motion outlined in the report to the National General Assembly of Local Government Annual Conference on 14 to 17 June 2020.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-10 RFT2020-10 PROVISION OF INTERNAL AUDIT SERVICES

20/094 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council, in accordance with Clause 178(3)(f) of the Local Government (General Regulation) 2005 (LG Regulation) formally declines to accept any tender for the reason that it will carry out internal audit services using employed staff.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Councillor T Koschel vacated the chamber, the time being 7:44pm.

Councillor T Koschel re-entered the chamber, the time being 7:45pm.

RP-11 PERFORMANCE REPORT - JULY TO DECEMEBER 2019

20/095 RESOLVED:
On the Motion of Councillors P Funnell and D Hayes

That Council accept the Performance Reports against Council’s Combined Delivery Program and Operational Plan 2019/2020 as at December 2019.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-12 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

20/096 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-13 LIVESTOCK MARKETING CENTRE - DELIVERY FAN DRAFT IMPROVEMENTS

20/097 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council approve the budget variations listed in the financial section to be sourced from the Livestock Marketing Centre reserve.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-14 GREGADOO WASTE MANAGEMENT FACILITY - NEW WEIGHBRIDGE INFRASTRUCTURE, APPROACH ROADS AND CONTROL OF ACCESS

20/098 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council approve the budget variations detailed in the financial section of the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

COMMITTEE MINUTES

M-1 CRIME PREVENTION WORKING GROUP

20/099 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council receive the minutes of the Crime Prevention Working Group held on 24 February 2020.

CARRIED

RECORD OF VOTING ON THE MOTION

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

M-2 AUDIT RISK AND IMPROVEMENT COMMITTEE - 20 FEBRUARY 2020

20/100 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council endorses the recommendations contained in the minutes of the Audit, Risk and Improvement Committee Meeting held on 20 February 2020.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Councillor P Funnell vacated the chamber, the time being 7:59pm.

Councillor P Funnell re-entered the chamber, the time being 8:00pm.

QUESTIONS/BUSINESS WITH NOTICE

- 1. Councillor D Hayes requested advice COVID-19 in particular:
 - What ways are Council preparing for COVID-19 in line with NSW Health
 - Is the Senior Citizens Centre operational
 - Noting Council’s position on flexible working arrangements and protections in place for of vulnerable workers, has Council activated its Disaster Recovery Framework
 - Do we need to lift curfews on supermarket delivery times
 - What delegation of authority is available to the Mayor and General Manager between meetings for time sensitive matters
 - What is Council’s position on future Council Meetings and potential quorum issues
 - Have Council asked its contractors of essential services of the strategies they have in place to manage COVID-19 in the services they provide

General Manager, Peter Thompson, Director Operations Caroline Angel and Director Community, Janice Summerhayes provided a verbal update on what actions Council have taken to date including:

- Adopting NSW Government approach for all Council staff
 - Ensuring health services are available and assist to slow the spread of the virus
 - Cancellation of major events in accordance with direction of NSW Health
 - Developing uniformed plans of Council’s essential services in conjunction with regional Joint Organisations
 - Reviewing with a focus to deliver essential services, facilities and operational needs to the community
 - Lobbying State Government for legislative change so that Councillors can attend meetings remotely
- 2. Councillor D Hayes requested advice on if Council are providing a submission on the NSW 20 Year Waste Strategy Issues Papers and Plastics Plan Discussion Paper?
 - 3. Councillor V Keenan requested advice to be provided to Councillors prior to the next Council meeting on what Council’s plan is in the event a quorum cannot be met at a future Council meeting, to ensure continuity of business at the Councillor level.

- 4. Councillor V Keenan requested Council lobby the NSW Government to consider amendment to legislation and the Model Code of Conduct to allow remote participation of Councillors at a Council Meeting.
- 5. Councillor R Kendall requested the Mayoral Honour Board in the Historic Council Chambers be updated.
- 6. Councillor R Kendall requested information on Council’s position and future consideration of disability transport and easily accessible pick up and movement spots.
- 7. Councillor T Koschel thanked and expressed appreciation to the Mayor, Greg Conkey OAM, General Manager, Peter Thompson, Member for Wagga Wagga, Dr Joe McGirr and Wagga Wagga Mardi Gras event organiser Holly Conroy for the press conference held on Friday 13 March 2020, including the livestreaming of the press conference, in announcing the cancellation of the 2020 Wagga Wagga Mardi Gras in the wake of COVID-19. He also extended thanks and appreciation to Holly Conroy for her organisation and contribution of the Mardi Gras event and the manner in which she conducted herself in cancellation of the event.
- 8. Councillor T Koschel requested advice on if Council has a policy on Notice of Motions and timeframes for reporting back to Council.
- 9. Councillor P Funnell acknowledged and congratulated Graeme Falconer and organisers of the Blackdog Institute Ride for a very successful event held over the weekend.
- 10. Councillor P Funnell expressed his disappointment to the organisers of the beach party facilitated following the cancellation of the Mardi Gras, posted on Facebook.
- 11. The Mayor, G Conkey OAM extended his thanks and appreciation to the Wagga Wagga Mardi Gras event organiser Holly Conroy, for the outstanding leadership she showed in the press conference held on 13 March 2020, during an extremely difficult time for her with the cancellation of the 2020 Wagga Wagga Mardi Gras event. He stated that he was very impressed with her statements on that day and future correspondence he has had with her.
- 12. The Mayor, G Conkey OAM commented on the difficult time being experienced by the community and Council due to COVID-19 and the cancellation of major events in the City now and in the coming months. He stated the significant flow on effect and economic impact to the community over an extended period to come.
- 13. The Mayor, G Conkey OAM expressed this thanks and appreciation to staff for the organisation of the Council Meeting in the Historic Council Chambers to commemorate the 150th Anniversary.

CLOSED COUNCIL

20/101 RESOLVED:
On the Motion of Councillors D Tout and R Kendall

That the Council now resolve itself into a Closed Council, the time being 8:16pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 RFT2020-16 ENTWINE LANDSCAPING DESIGN AND CONSTRUCT

20/102 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005, decline all tenders for the RFT2020-16 Design and Construct Entwine Landscaping works**
- b pursuant to clause 178(3)(e) of the Local Government (General Regulation) 2005, authorise the General Manager, or their delegate, to enter into negotiations with any person with the intention of entering into a contract for the Entwine Landscaping works**
- c authorise the General Manager or their delegate to enter into a contract, using Council’s Common Seal if required, should negotiations be successful**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

CONF-2 RFT2020-25 ROAD PAVEMENT MATERIAL SUPPLY

Councillor R Kendall declared a Significant, Pecuniary Interest and vacated the chamber, the time being 8:26pm.

20/103 RESOLVED:
On the Motion of Councillors P Funnell and D Hayes

That Council defers consideration of CONF-2 - RFT2020-25 ROAD PAVEMENT MATERIAL SUPPLY pending a request for further information.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

Councillor R Kendall re-entered the chamber, the time being 8:27pm.

CONF-3 FOREST HILL TENNIS COURTS

20/104 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a accept transfer of ownership of the Forest Hill Tennis Club land being Lot 2 DP 401907 and Lot 1 DP 103311 from the Forest Hill Tennis Club Incorporated for nil cost**
- b agree to write off outstanding Council rates owed by the Forest Hill Tennis Club Incorporated in the amount of \$2,237.26**
- c upon transfer classify the land as operational land in accordance with the provisions of s31 of the Local Government Act 1993**
- d delegate authority to the General Manager or their delegate to complete and execute the any necessary documents on behalf of Council**
- e authorise the affixing of Council’s common seal to all relevant documents as required**

f approve the budget variations as detailed in the Financial Implications section of the report

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

At this stage of the meeting Director Community, Mrs J Summerhayes, Director Commercial Operations, Ms C Angel, Director Regional Activation, Mr M Keys, Manager Procurement Services, Mr D Butterfield and Manager Corporate Strategy & Communications, Mr S Gray vacated the Chamber the time being vacated 8:27pm.

Councillor T Koschel vacated the chamber, the time being 8:48pm.

CONF-4 CODE OF CONDUCT MATTER

20/105 RESOLVED:
On the Motion of Councillors P Funnell and D Tout

- 1. That the Council notes it is in receipt of a final investigation report submitted to the Council for consideration in accordance with the Code of Conduct and Administrative Procedures for the Code of Conduct, and which has been made available to Councillors with the confidential business paper for this meeting.**
- 2. That the Council notes the findings made by the investigator that Councillor Koschel breached clauses 3.2, 3.7(c) and 3.10(c) of Council’s Code of Conduct (June 2019) by breaching general conduct, harassment and discrimination and bullying provisions against a community member.**
- 3. That the Council take no action in relation to the final investigation report.**
- 4. That the reason(s) for not accepting their recommendation as included in the final investigation report) is that there is insufficient grounds to conclude a breach of the Code of Conduct.**

5. That Council requests the Complaints Coordinator notify the Office of Local Government NSW of the Council’s decision not to adopt the investigator’s recommendation and the reason(s) for it, in accordance with the Administrative Procedures for the Code of Conduct (adopted June 2019).

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
P Funnell
D Tout

Against the Motion

D Hayes
V Keenan
R Kendall

Councillor T Koschel re-entered the chamber, the time being 9:32pm.

At this stage of the meeting Director Community, Mrs J Summerhayes, Director Commercial Operations, Ms C Angel, Director Regional Activation, Mr M Keys, Manager Procurement Services, Mr D Butterfield and Manager Corporate Strategy & Communications, Mr S Gray re-entered the Chamber the time being vacated 9:32pm.

REVERSION TO OPEN COUNCIL

20/106 RESOLVED:
On the Motion of Councillors P Funnell and D Tout

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 9:34pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 9:37pm.

.....
MAYOR