

**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 Kerry Pascoe  
Councillor Dallas Tout

**IN ATTENDANCE**

General Manager	(Mr P Thompson)
Director Corporate Services	(Mrs N Te Pohe)
Director Community	(Mrs J Summerhayes)
Director Commercial Operations	(Ms C Angel)
Director Regional Activation	(Mr M Keys)
Manager Audit, Risk & Governance	(Ms I Hensley)
Manager Finance	(Mrs C Rodney)
Manager Council Business	(Mr D Woods)
Manager Community Services	(Ms M Scully)
Manager Corporate Strategy & Communications	(Mr S Gray)
Manager Procurement Services	(Mr D Butterfield)
Manager Project Delivery	(Mr R Shah)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Project Coordinator	(Mr T Lemerle)
Visitor Economy & Events Coordinator	(Ms F Hamilton)
Communications & Engagement Officer	(Mr S Shaw)
Corporate Governance Coordinator	(Mrs N Johnson)

**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.

**CONDOLENCE AND SYMPATHY**

The Mayor, Councillor Greg Conkey OAM extended condolences and sympathy to the family of the late Mr Arthur Summons and recognised his significant contribution to the City, in particular his distinguished sporting career and contribution to Wagga Wagga City Council as a Alderman from 1971 to 1977.

**CONFIRMATION OF MINUTES**

**CM-1      ORDINARY COUNCIL MEETING - 11 MAY 2020**

**20/172      RESOLVED:**  
On the Motion of Councillors D Hayes and T Koschel

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 11 May 2020 be confirmed as a true and accurate record.**

**CARRIED**

**DECLARATIONS OF INTEREST**

Councillor R Kendall declared a Significant Non-Pecuniary Interest in RP-6 TEMPORARY AMENDMENTS TO COUNCIL'S FINANCIAL HARDSHIP POLICY - POL 102 AND DEBT MANAGEMENT POLICY - POL 017 the reason being that he is a Director of a company that intends to make an application to Council and vacated the meeting during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in CONF-7 - TENANT HARDSHIP the reason being that he is a Director of a company referred to in the report and vacated the meeting during its consideration.

Councillor V Keenan declared a Significant Non-Pecuniary Interest in RP-5 - FINANCIAL PERFORMANCE REPORT AS AT 30 APRIL 2020 the reason being that she is a member of the Wagga Women’s Health Centre Management Committee and vacated the meeting during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-1 - DA19/0603 - ALTERATIONS AND ADDITIONS INCLUDING REAR EXTENSION AND GARAGE AT 93 BEST STREET, WAGGA WAGGA, LOT 17 SECTION 49 DP 759031 the reason being that the proponent is a business associate of his and vacated the meeting during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-7 - DA17/0663.02 - REQUEST FOR DEFERRAL OF DEVELOPER CONTRIBUTIONS - SEWERAGE - 50 EDWARD ST WAGGA WAGGA NSW 2650 the reason being that his company is involved in developer contributions processes and vacated the meeting during its consideration.

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest in RP-5 - FINANCIAL PERFORMANCE REPORT AS AT 30 APRIL 2020 the reason being that the business he works for is named in the report and remained in the meeting during its consideration.

Councillor P Funnell declared a Non-Significant, Non-Pecuniary Interest in NOM-4 NOTICE OF MOTION - ACCESS TO GREEN SPACES AT SCHOOLS the reason being his wife is employed by and his family are involved in a non-systemic school and remained in the meeting during its consideration.

**PROCEDURAL MOTION - CHANGE OF STANDING ORDERS**

**20/173 RESOLVED:**  
On the Motion of Councillors V Keenan and T Koschel

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

**CARRIED**

**PROCEDURAL MOTION - ENGLOBO**

**20/174 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

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-2 to RP-4, RP-9, RP-10, CONF-1 to CONF-6 and CONF-8, be adopted as recommended in the business papers.

**CARRIED**

Councillor K Pascoe declared a Pecuniary Interest and vacated the meeting, the time being 6:10 pm.

**PUBLIC DISCUSSION FORUM**

**RP-1 DA19/0603 - ALTERATIONS AND ADDITIONS INCLUDING REAR EXTENSION AND GARAGE AT 93 BEST STREET, WAGGA WAGGA, LOT 17 SECTION 49 DP 759031**

- Greg Bannon – speaking in favour of the report

**PROCEDURAL MOTION - CHANGE OF STANDING ORDERS**

**20/175 RESOLVED:**  
On the Motion of Councillors T Koschel and R Kendall

That Council bring forward consideration of DA19/0603 - ALTERATIONS AND ADDITIONS INCLUDING REAR EXTENSION AND GARAGE AT 93 BEST STREET, WAGGA WAGGA, LOT 17 SECTION 49 DP 759031 to follow the public discussion forum.

**CARRIED**

**RP-1 DA19/0603 - ALTERATIONS AND ADDITIONS INCLUDING REAR EXTENSION AND GARAGE AT 93 BEST STREET, WAGGA WAGGA, LOT 17 SECTION 49 DP 759031**

Councillor K Pascoe declared a Pecuniary Interest and remained vacated from the meeting.

**20/176 RESOLVED:**  
On the Motion of Councillors D Hayes and P Funnell

**That Council approve DA19/0603 for alterations and additions to the dwelling house at 93 Best Street Wagga Wagga NSW 2650, having regards to the draft amendments to the DCP, subject to conditions outlined in the attached optional conditions of consent.**

**CARRIED**

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

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

Against the Motion

Councillor K Pascoe re-entered the chamber, the time being 6:15pm.

**MAYORAL MINUTE**

**MM-1 MAYORAL MINUTE - RIVERINA WATER DIVIDEND**

**20/177 RESOLVED:**  
On the Motion of The Mayor, Councillor G Conkey OAM

**That Council:**

- a delegate authority to the General Manager to negotiate alternative options with Riverina Water County Council’s General Manager**
- b receive a further report after the finalisation of negotiations**

**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
- K Pascoe
- D Tout

Against the Motion

**MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**NOM-1 NOTICE OF MOTION - EMPLOYEE EXPENSES**

A Motion was moved by Councillors P Funnell and T Koschel

That Council:

- a adopt a position of no increases in salaries, wages or payments for the year 2020/2021 to Councillors, contracted senior staff and all other employees.
- b approach LGNSW, the Office of Local Government and the relevant unions to negotiate and establish a legal framework for this implementation
- c notify the Premier the Hon. Gladys Berejiklian MP, NSW Treasurer the Hon. Dominic Perrottet MP, and the Minister for Local Government the Hon. Shelley Hancock MP of this position of council

The Motion on being put to the meeting was LOST.

**RECORD OF VOTING ON THE MOTION**

For the Motion

- Y Braid OAM
- P Funnell
- T Koschel

Against the Motion

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

**NOM-2 NOTICE OF MOTION - LOCAL GOVERNMENT ELECTIONS**

A Motion was moved by Councillors P Funnell and Y Braid OAM

That Council:

- a write to the Minister for Local Government Minister, the Hon. Shelley Hancock MP requesting that local government elections be held in September 2020 as originally scheduled (or as close as possible)
- b take this motion to the Riverina Joint Organisation (RJO) and Canberra Region Joint Organisation (CRJO) seeking support in this request

The Motion on being put to the meeting was LOST.

**RECORD OF VOTING ON THE MOTION**

For the Motion  
P Funnell  
K Pascoe

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

**NOM-3 NOTICE OF MOTION - NOTICE OF MOTIONS**

**20/178 RESOLVED:**  
On the Motion of Councillors T Koschel and P Funnell

**That Council receives a report by the end of June 2020 that:**

- a **builds or amends its current policy for Notice of Motions and resolutions**
- b **include a time frame for Notice of Motions and resolutions to come back to Councillors**
- c **builds a register on Council’s website, so the community can track Notice of Motions and resolutions and update everyone when reports are due back to Council**

**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
- K Pascoe
- D Tout

**NOM-4 NOTICE OF MOTION - ACCESS TO GREEN SPACES AT SCHOOLS**

**20/179 RESOLVED:**  
On the Motion of Councillors D Hayes and T Koschel

**That Council receive a report on developing partnerships with schools and the Department of Education to re-open green spaces at schools that have been fenced off, in particular Koorungal High School and Mount Austin High School.**

**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
- K Pascoe
- D Tout

**NOM-5 NOTICE OF MOTION - PEDESTRIAN CROSSING ON LAKE ALBERT ROAD**

**20/180 RESOLVED:**  
On the Motion of Councillors D Hayes and T Koschel

**That Council receives a report exploring options to improve pedestrian safety on the Lake Albert Road pedestrian crossing at Sacred Heart Primary School during hours outside of the school zone times.**

**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
- K Pascoe
- D Tout

**REPORTS FROM STAFF**

**RP-1 - DA19/0603 - Alterations and additions including rear extension and garage at 93 Best Street, Wagga Wagga, Lot 17 Section 49 DP 759031 was moved forward to follow the public discussion forum.**

**RP-2 RIVERINA JOINT ORGANISATION**

**20/181 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council reaffirm its commitment to the Riverina Joint Organisation (RivJO).**

**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
- K Pascoe
- D Tout

**RP-3 INTEGRATED PLANNING AND REPORTING - DRAFT LONG TERM FINANCIAL PLAN 2021/30 AND COMBINED DELIVERY PROGRAM AND OPERATIONAL PLAN 2020/21**

**20/182 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a place the following documents on public exhibition for 28 days commencing 26 May 2020 and concluding on 23 June 2020:**
  - i draft Combined Delivery Program and Operational Plan 2020/21**
  - ii draft Fees and Charges for the financial year 2020/21**
  - iii draft Long-Term Financial Plan 2021/30**
- b invite submissions from the community in relation to these documents throughout the exhibition period**
- c review the timing of the draft capital works program during the exhibition period**
- d receive a further report after the public exhibition period**
  - i addressing any submissions made in respect of the draft documents**
  - ii proposing adoption of the draft Combined Delivery Program and Operational Plan 2020/21, draft Fees and Charges 2020/21 and the draft Long-Term Financial Plan 2021/30 including revised timing of capital works program**
- e defer the review of financial assistance to community organisations which was to take effect from 2020/21 financial year**
- f approve the continued use of the 2019/20 Fees and Charges until the 2020/21 Fees and Charges are adopted by Council, following the 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
- K Pascoe
- D Tout

Against the Motion

**RP-4 INDICATIVE FINANCIAL IMPACT OF COVID-19 ON COUNCIL'S 2019/20 BUDGET**

**20/183 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a note the current indicative financial impact compiled by staff of COVID-19 on Council’s 2019/20 Budget**
- b will be provided with further updates from staff as the 2019/20 financial year progresses**
- c note that the estimated financial impact due to COVID-19 on the 2020/21 budget has been included in the draft Long Term Financial Plan budget**
- d will be provided with updates on the financial impact of COVID-19 on the 2020/21 budget as part of the monthly financial performance reporting requirements**

**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  
 K Pascoe  
 D Tout

Against the Motion

**RP-5 FINANCIAL PERFORMANCE REPORT AS AT 30 APRIL 2020**

Councillor V Keenan declared a Significant Non-Pecuniary Interest and vacated the meeting, the time being 7:15pm.

**20/184 RESOLVED:**  
On the Motion of Councillors D Hayes and R Kendall

**That Council:**

- a approve the proposed 2019/20 budget variations for the month ended 30 April 2020 and note the proposed deficit budget position as a result of COVID-19 with the impacts from COVID-19 to be presented in a separate 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 the details of the external investments as at 30 April 2020 in accordance with section 625 of the Local Government Act 1993**
- d note the impact of COVID-19 on Council’s investment portfolio, as provided by Council’s independent investment advisor**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

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

Councillor V Keenan re-entered the meeting, the time being 7:16pm.

**RP-6 TEMPORARY AMENDMENTS TO COUNCIL'S FINANCIAL HARDSHIP POLICY - POL 102 AND DEBT MANAGEMENT POLICY - POL 017**

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the meeting, the time being 7:16pm.

**20/185 RESOLVED:**

On the Motion of Councillors D Hayes and T Koschel

**That Council:**

- a note the considerable current and future financial impact the community is facing in light of the COVID-19 pandemic**
- b approve the proposed temporary amendments to Council’s Financial Hardship Policy POL102 retrospectively from 31 March 2020 to 27 September 2020, being the date that the Government will continue to provide the JobKeeper payments, noting that the temporary amendments will continue to remain until the date the Australian Government determines for JobKeeper payments**
- c note the change in the title from Financial Hardship Policy to Financial Hardship – Payment Arrangements and Waiving of Interest Policy**

- d approve suspending the debt recovery proceedings outlined in section 2.1.4 and 2.1.5 of Council’s Debt Management Policy POL017, with the exception of entering payment arrangements, for the period 31 March 2020 to 30 June 2020 for any new outstanding amounts, consistent with prior approvals in relation to this matter
- e provide public notice of the proposed amendments to ensure the community is aware of the new provisions
- f implement the amendments to the Policy provisions and if public submissions are received in opposition to the proposed amendments, the matter is to be considered by Council at the next available Council meeting
- g note the financial impact to Council from providing the fee waivers as outlined within this report

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	
T Koschel	
K Pascoe	
D Tout	

Councillor R Kendall re-entered the meeting, the time being 7:17pm.

**RP-7 DA17/0663.02 - REQUEST FOR DEFERRAL OF DEVELOPER CONTRIBUTIONS - SEWERAGE - 50 EDWARD ST WAGGA WAGGA NSW 2650**

Councillor K Pascoe declared a Pecuniary Interest and vacated the meeting, the time being 7:17pm.

A motion was moved by Councillors D Hayes and T Koschel

That Council:

- a defer the timing of payment of Section 64 Sewer infrastructure contribution required under Development Consent DA17/0663.02 for the development of Lot 12 DP 1178547, 50 Edward Street Wagga Wagga such that the contribution is required to be paid prior to the issue of an Occupation Certificate for stage 2 (hotel and commercial building) of the development or such earlier event that Council may specify to call upon payment of the bank guarantee

- b require, prior to the release of a Construction Certificate for stage 2 (hotel and commercial building) of the development, the provision of an unconditional bank guarantee in Councils favour from ILC Commercial Pty LTD for the full amount of the outstanding Section 64 Sewer infrastructure contributions
- c require that the applicant apply for and obtain a modification to Development Consent DA17/0663.02, so that the Consent Conditions are consistent with parts a) and b) of this resolution

The Motion on being put to the meeting was LOST.

**RECORD OF VOTING ON THE MOTION**

For the Motion  
G Conkey OAM  
R Kendall

Against the Motion  
Y Braid OAM  
P Funnell  
D Hayes  
V Keenan  
T Koschel  
D Tout

Councillor K Pascoe re-entered the meeting, the time being 7:38pm.

**RP-8      EVENTS STRATEGY AND ACTION PLAN 2020-2024**

**20/186      RESOLVED:**  
On the Motion of Councillors V Keenan and T Koschel

**That Council:**

- a **note all submissions and feedback received relating to the exhibited Events Strategy and Action Plan 2020-2024**
- b **adopt the Events Strategy and Action Plan 2020-2024 with the recommended changes as detailed in 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  
K Pascoe  
D Tout

Against the Motion

**RP-9 14 SEPTEMBER 2020 COUNCIL MEETING**

**20/187 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council endorse an Ordinary Council Meeting be held on Monday, 14 September 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             |                           |
| K Pascoe              |                           |
| D Tout                |                           |

**RP-10 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE**

**20/188 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council receive and note the report.**

**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             |                           |
| K Pascoe              |                           |
| D Tout                |                           |

**COMMITTEE MINUTES**

**M-1 TRAFFIC COMMITTEE – MEETINGS HELD 28 APRIL 2020 AND 14 MAY 2020**

**20/189 RESOLVED:**  
On the Motion of Councillors D Hayes and D Tout

**That Council:**

- a receive the Minutes of the Extraordinary Traffic Committee meeting held on 28 April 2020
- b receive the Minutes of the Ordinary Traffic Committee Meeting held on 14 May 2020
- c endorse the recommendations of the Traffic Committee in respect of both meetings except the following:
  - i. RP-1 from 14 May 2020 - Raye Street sight board installation
  - ii. RP-1 (a) and (c) from 29 April 2020 - children’s crossing on Estella Road
- d install a compliant pedestrian crossing on Estella Road at the same location of the proposed children’s crossing mentioned in (c) above and consider a pedestrian refuge be installed as well other relevant safety measures
- e request Transport for NSW to reduce speed on Estella Road to 50km

**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  
K Pascoe  
D Tout

Against the Motion



**QUESTIONS/BUSINESS WITH NOTICE**

Councillor P Funnell requested a review of sewer charges to the Show Society in particular the mechanism for calculating sewer charges for the Showground.

Councillor P Funnell requested advice on the program and timeframe for farmers to attend the Livestock Marketing Centre given the easing of COVID-19 restrictions.

Councillor D Hayes congratulated staff involved in the new initiative for the Lost Lanes event.

Councillor K Pascoe congratulated all Council staff in particular customer service staff regarding the reopening of Council’s Customer Service Centre.

**CLOSED COUNCIL**

**20/190 RESOLVED:**  
On the Motion of Councillors T Koschel and R Kendall

**That the Council now resolve itself into a Closed Council, the time being 8:15pm.**

**CARRIED**

**CONFIDENTIAL REPORTS**

**CONF-1 2019/20 LOAN FACILITY**

**20/191 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a authorise the General Manager or their delegate to enter into a Loan Facility with the Commonwealth Bank of Australia for up to:**
  - i \$2,617,836 to fund the projects identified as part of Tranche 1 in the body of the report**
  - ii \$6,526,746 to fund the projects identified as part of Tranche 2 in the body of the report**
  - iii \$574,593 to fund the projects identified as part of Tranche 3 in the body of the report**
  - iv \$2,251,112 to fund the projects identified as part of Tranche 4 in the body of the report**
- b authorise the affixing of Council’s Common Seal to all necessary documents as required**

**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
- K Pascoe
- D Tout

**CONF-2 RFT2020-01 RIFL HUB 2 AND 3 DESIGN AND CONSTRUCT**

**20/192 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a in accordance with Clause 178 of the Local Government (General Regulation) 2005, decline all tenders for the RFT2020-01 RIFL Hub 2 Design and Construct for the following reasons:**
  - 1. The General terms of Contract issued with the tender require some amendment to include provisions to provide for the rights and obligations of the parties in the COVID-19 management issues impact on delivery of the contract works; and**
  - 2. While each tender has responded to the requirements of the tender there is a need to further clarify tender pricing options for the delivery of some optional items which will be detailed when the construction design is completed**
  - 3. There is a need to clarify and detail the delivery schedule to align the schedule with the Agreement to lease currently being finalised with Visy Logistics Pty Ltd**
  - 4. These matters do not substantially impact or alter the tenders submitted and the contract will be awarded to the preferred tender obtained from the public competitive tender process which has been conducted**
- b pursuant to clause 178(3)(e) authorise the General Manager or their delegate to enter into negotiations with the submitting tenderer(s) initially, with a view to finalising contractual terms in relation to the design and construction of the RIFL Hub 2 and 3**
- c receive a further report for consideration on the outcome of negotiations**

**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
- K Pascoe
- D Tout

**CONF-3 RFT2020-15 ASHMONT PUMP STATION, SEWER AND RISING MAIN**

**20/193 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a accept the offer of Quay Civil Pty Ltd (ABN: 42 167 246 399) for the Ashmont Pump Station, Gravity Sewer and Rising Main works for their lump sum amount of \$1,209,721.65 excluding GST**
- b authorise the General Manager or their delegate to enter into a contract with Quay Civil Pty Ltd (ABN: 42 167 246 399) for the Ashmont Pump Station, Gravity Sewer and Rising Main for their lump sum amount of \$1,209,721.65 excluding GST**
- c 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 OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

**CONF-4 RFT2020-28 MUSEUM REDEVELOPMENT DESIGN & CONSTRUCTION**

**20/194 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005, decline all tenders for the RFT2020-28 Museum Redevelopment Design & Construction 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 Museum Redevelopment Design & Construction works**
- c in accordance with clause 178(4)(b) of the Local Government (General Regulation) 2005, the reasons for entering into direct negotiations are that none of the tenders submitted completely satisfy Council’s requirements and modifications are required before a contract can be executed, which cannot be done without entering into negotiations.**
- d 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  
Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
T Koschel  
K Pascoe  
D Tout

Against the Motion

**CONF-5 RFT2020-21 CATTLE FAN DRAFT CONSTRUCTION LMC**

**20/195 RESOLVED:**

On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a accept the offer of Proway Livestock Equipment Pty Ltd (ABN: 64 071 312 804) for the construction of a cattle fan draft in the lump sum amount of \$349,976.70 excluding GST**
- b authorise the General Manager or their delegate to enter into a contract with Proway Livestock Equipment Pty Ltd (ABN: 64 071 312 804 for the construction of a cattle fan draft for their lump sum amount of \$349,976.70 excluding GST**
- c 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 OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

**CONF-6 RFT2020-30 LIVESTOCK MARKETING CENTRE SHEEP YARD DESIGN & CONSTRUCTION**

**20/196 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a accept the offer of Proway Livestock Equipment Pty Ltd (ABN: 64 071 312 804) for the design and construction of sheep yards in the lump sum amount of \$2,268,768.18 excluding GST**
- b authorise the General Manager or their delegate to enter into a contract with Proway Livestock Equipment Pty Ltd (ABN: 64 071 312 804) for the design and construction of sheep yards for their lump sum amount of \$2,268,768.18 excluding GST**
- c authorise the affixing of Council’s Common Seal to all relevant documents as required**

**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
- K Pascoe
- D Tout

Against the Motion

**CONF-7 TENANT HARDSHIP**

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the meeting, the time being 8:16pm.

**20/197 RESOLVED:**

On the Motion of Councillors D Hayes and T Koschel

**That Council:**

- a note the mandatory Code of Conduct for Commercial Rent Relief was introduced by the Federal Government in response to the COVID-19 pandemic in April 2020**
- b grant a rent reduction to the Leisure Company Disability Service Ltd in the amount of \$5,234.63 (excluding GST) as outlined in the body of this report**
- c waive the rent increase due 1 June 2020**
- d note changes to the Local Government (General) Regulation 2005 section 413J mean that public notice actions under S610E of the Local Government Act 1993 are not required**

**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
- K Pascoe
- D Tout

Councillor R Kendall re-entered the chamber, the time being 8:18pm.

**CONF-8 SEWER EASMENT ACQUISITION - 112 HARRIS ROAD,  
GOBBAGOMBALIN - LOT 1 DP1253252**

**20/198 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a delegate authority to the General Manager or their delegate to acquire an easement for sewage within 112 Harris Road, Gobbagombalin (Lot 1001 DP 1253252) as outlined in the body of this report**
- b delegate authority to the General Manager or their delegate to enter into an access licence over 112 Harris Road, Gobbagombalin (Lot 1001 DP 1253252) for construction purposes as outlined in the body of this report**
- c delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council**
- d authorise the affixing of Council’s common seal to all relevant documents required**

**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  
K Pascoe  
D Tout

Against the Motion



**REVERSION TO OPEN COUNCIL**

**20/199 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8:18pm.**

**CARRIED**

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8:21pm.

.....  
MAYOR