

**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)
Financial Sector Manager	(Mrs N Te Pohe)
Community Sector Manager	(Mrs J Summerhayes)
Commercial Operations Sector Manager	(Mrs C Angel)
Commercial Development Sector Manager	(Mr P Somerville)
Manager Audit, Risk & Governance	(Mrs I Hensley)
Manager Finance	(Mrs C Rodney)
Manager Project Operations	(Mr S Postma)
Manager Executive Support	(Mr S Gray)
Senior Town Planner	(Mrs C Rocks)
Project Manager	(Mr D Woods)
Project Advisor	(Mr C Richardson)
Strategic Partner – Corporate Governance & Risk	(Mrs N Johnson)
Project Communications Officer	(Miss S Post)
Governance Officer	(Miss B King)
Acting Manager Community Services	(Mrs C Campbell)
Technical and Production Coordinator	(Mrs L Collins)

**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 received.

**CONFIRMATION OF MINUTES**

**CM-1      ORDINARY COUNCIL MEETING - 12 DECEMBER 2016**

**17/001      RESOLVED:**  
On the Motion of Councillors T Koschel and R Kendall

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 12 December 2016 be confirmed as a true and accurate record.**

**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

**DECLARATIONS OF INTEREST**

Councillor R Kendall declared a Pecuniary Interest in RP-2 DA16/0660 - ALTERATIONS AND ADDITIONS INCLUDING THIRD STOREY AND SECONDARY DWELLING - 58 LAKEHAVEN DRIVE, LAKE ALBERT, Lot 16 DP 775377 the reason being that the property abuts the rear property boundary of his residence and vacated the chamber during its consideration.

Councillor D Tout declared a Significant, Non Pecuniary Interest in CONF-4 RFT2017/12 HIRED PLANT, FLEET AND EQUIPMENT the reason being that one of his direct staff and her husband were one of the companies who expressed an interest in that tender and were successful in being added to the list of suppliers and vacated the chamber during its consideration.

Councillor G Conkey declared a Significant, Pecuniary Interest in RP-3 DA16/0364 – SHOP TOP HOUSING 2 BEDROOM DWELLING the reason being that his son and daughter in law are part owners of Romanos and vacated the chamber during its consideration.

The General Manager, Mr Alan Eldridge declared a Non-Pecuniary Interest in RP-2 DA16/0660 - ALTERATIONS AND ADDITIONS INCLUDING THIRD STOREY AND SECONDARY DWELLING - 58 LAKEHAVEN DRIVE, LAKE ALBERT, Lot 16 DP 775377 the reason being that he lives in Lakehaven Drive and vacated the chamber during its consideration.

Councillor R Kendall declared a Pecuniary Interest in CONF-4 RFT2017/12 HIRED PLANT, FLEET AND EQUIPMENT the reason being that one of the tenderers is a business associate and vacated the chamber during its consideration.

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

**NOM-1 NOTICE OF MOTION - RIVER SAFETY PROGRAM**

**17/002 RESOLVED:**  
On the Motion of Councillors V Keenan and P Funnell

**That Council, in consultation with Royal Lifesaving Australia and other relevant stakeholders, investigate options for improving river safety within the Wagga Local Government Area as part of the 2017/18 budget process that includes:**

- a review of safety signage and costed recommendations**
- b review of potential costs and funding sources as well as investigating the effectiveness of reinstating a lifeguard program at Wagga Beach**
- c development and implementation of an annual river safety communications campaign through social media and existing Council communication platforms**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

<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	
K Pascoe	
D Tout	

**NOM-2 NOTICE OF MOTION - CONFERENCE CENTRE PROJECT**

**17/003 RESOLVED:**

On the Motion of Councillors D Hayes and V Keenan

**That Council receives:**

- a a Councillor workshop on the impact of the proposed clay target building to the current plans for a multi-purpose stadium at Equex, masterplan for Bolton Park, and the recently approved PCYC building, as well as any other future plans impacting upon a conference centre**
- b a report that examines strategies on how to work closer with State and Federal members to avoid replication of facilities and allow planning to occur that can factor in all options**

**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

**PROCEDURAL MOTION - ENGLOBO**

**17/004 RESOLVED:**  
On the Motion of Councillors P Funnell 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 be adopted as recommended in the business papers.

**CARRIED**

**REPORTS FROM STAFF**

**RP-1 DA16/0585 - MULTI-DWELLING HOUSING - 2 x 3 BED DWELLINGS (EXISTING DWELLING RETAINED) - 16B BROAD STREET WAGGA WAGGA NSW 2650**

**17/005 RESOLVED:**  
On the Motion of Councillors D Hayes and T Koschel

That Council approve DA16/0585 for multi-unit development at 16B Broad Street Wagga Wagga NSW 2650, subject to the conditions outlined in the Section 79C Assessment Report for DA16/0585 with the addition of the following conditions:

- 2 (a) Prior to the release of a Construction Certificate, plans shall be submitted to the satisfaction of the Commercial Sector Manager or their delegate, showing the existing gravel laneway to be upgraded to provide a consistent cross fall to a kerb or dish drain and adequate stormwater works for discharge into Broad Street/laneway.

Prior to occupation of the site, the laneway shall be sealed with a two-coat bitumen seal in accordance with Council’s Engineering Guidelines including any preparation of the pavement base layers. The plans shall identify existing services in the laneway and any service adjustments required as a result of the works. Levels in the laneway shall match all existing driveways currently serviced by the laneway. All works are at full cost to the developer.

REASON: To provide for the drainage of stormwater and increase the capacity of the road system in the locality of the proposed development. Sections 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

**30 (a) All laneway works shall be completed in accordance with Condition 2 (a) and to the satisfaction of Council prior to occupation of the development.**

REASON: To provide for the drainage of stormwater and increase the capacity of the road system in the locality of the proposed development. Sections 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

**CARRIED**

[Click here for DA 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
- K Pascoe
- D Tout

**RP-2 DA16/0660 - ALTERATIONS AND ADDITIONS INCLUDING THIRD STOREY AND SECONDARY DWELLING - 58 LAKEHAVEN DRIVE, LAKE ALBERT, Lot 16 DP 775377**

Councillor R Kendall declared a Pecuniary Interest and vacated the chamber, the time being 6:39pm.

The General Manager, Mr Alan Eldridge declared a Pecuniary Interest and vacated the chamber, the time being 6.39pm.

**17/006 RESOLVED:**

On the Motion of Councillors T Koschel and K Pascoe

**That Council approve DA16/0660 for alterations and additions including a third storey and secondary dwelling at 58 Lakehaven Drive, Lake Albert, Wagga Wagga NSW Lot 16 DP 775377, subject to conditions outlined in the Section 79C Assessment Report attached.**

**CARRIED**

[Click here for DA16/0660 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  
T Koschel  
K Pascoe  
D Tout

Councillor R Kendall re-entered the chamber at 6:40pm.

General Manager, Mr Alan Eldridge re-entered the chamber , the time being 6.40pm



**RP-3 DA16/0364 - SHOP TOP HOUSING 2 BEDROOM DWELLING**

The Mayor, Councillor G Conkey OAM declared a Pecuniary Interest and vacated the chair and the chamber, the time being 6:40pm.

The Deputy Mayor, Councillor D Tout assumed the chair, the time being 6.40pm.

**17/007 RESOLVED:**  
On the Motion of Councillors P Funnell and T Koschel

**That Council approve DA16/0364 for Shop Top Housing development at 80 Fitzmaurice Street Wagga Wagga NSW 2650, subject to conditions outlined in the Section 79C Assessment Report for DA16/0364.**

**CARRIED**

[Click here for DA16/0364 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	
P Funnell	
D Hayes	
V Keenan	
R Kendall	
T Koschel	
K Pascoe	
D Tout	

Councillor D Tout vacated the chair, the time being 6.54pm.

The Mayor, Councillor G Conkey OAM re-entered the chamber and assumed the chair, the time being 6:54pm.

**RP-4 ANNUAL DISCLOSURE OF PECUNIARY INTEREST RETURNS - NEW COUNCILLORS AND DESIGNATED STAFF**

**17/008 RESOLVED:**  
On the Motion of Councillors P Funnell and R Kendall

**That the Register of Disclosure of Interest Returns, as tabled at the meeting, and containing returns for newly elected Councillors and newly appointed staff who are Designated Persons, be received by Council.**

**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-5 PROPOSED ESTABLISHMENT OF A DETENTION BASIN ON LOT 2 DP 702330 AT BOOROOMA**

**17/009 RESOLVED:**  
On the Motion of Councillors P Funnell and T Koschel

**That Council defer PROPOSED ESTABLISHMENT OF A DETENTION BASIN ON LOT 2 DP 702330 AT BOOROOMA pending further information from the General Manager.**

**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 FINANCIAL PERFORMANCE REPORT AND QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2016**

**17/010 RESOLVED:**  
On the Motion of Councillors R Kendall and D Tout

**That Council:**

- a approve the proposed 2016/17 budget variations for the month ended 31 December 2016 and note the deficit budget of (\$72K) 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 December 2016 in accordance with Section 625 of the Local Government Act 1993**

**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

**COMMITTEE MINUTES**

**M-1 RIVERINA REGIONAL LIBRARY ADVISORY COMMITTEE MINUTES - 30 NOVEMBER 2016**

**17/011 RESOLVED:**  
On the Motion of Councillors K Pascoe and P Funnell

**That Council:**

- a receive and note the minutes of the Riverina Regional Library Advisory Committee Meeting held on 30 November 2016**
- b endorse the inclusion of \$20,000 additional funding for the Mobile Library collection in the 2017-18 budget**
- c endorse the cost of this funding increase to be divided amongst the member Councils that use the mobile library on the same basis that existing mobile costs are allocated, that being on a percentage of use basis**
- d endorse the Mobile Library collections allocation to be subject to the agreed RRL funding model, which applies the annual rate pegging variation to operational costs**

**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

**QUESTIONS/BUSINESS WITH NOTICE**

The following Questions/Business with Notice were raised to be addressed in the next available Business Paper.

1. Councillor P Funnell made a statement regarding a complaint of potential illegal dumping at the former Gas works project site.
2. Councillor D Hayes requested information on how the Complaint handling process works and why all staff can't take the complaint.
3. Councillor D Hayes raised a query regarding what contact Council has had with the Defence Force at Forest Hill and whether there is a key contact person.
4. Councillor D Hayes raised a query regarding where the answers to the Questions/Business with Notice are stored?
5. Councillor V Keenan raised a query regarding the General Manager's recent visits to Nordlingen and Tamworth and asked when is the General Manager going to submit a report to Council on these visits?
6. Councillor V Keenan noted that several Councils across NSW provide detailed information relating to Tenders in the Ordinary meeting of Council. Albury City and Waverly City Council place information relating to tenders in the open meeting of Council. In the interests of transparency will Council staff commence reporting Tender recommendations to the Ordinary meeting of Council?
7. Councillor V Keenan raised a query regarding the process for lodging Notice of Motions. Can Councillors see a final draft or alternatively receive a template report for Councillors to use?
8. Councillor V Keenan acknowledged the Indian community of Wagga on Australia Day.
9. Councillor T Koschel acknowledged the contribution of Council staff and the Australia day Committee for the Australia Day celebrations.
10. Councillor T Koschel raised a query regarding a request for a donation from the Tolland cycling club. Why did this request not come back through to Councillors?
11. Councillor K Pascoe raised a query regarding an application for units in Beckwith street. A response hasn't been received back from Council regarding additional conditions. What response went back to the applicant?
12. Councillor K Pascoe requested a status report on DA16/0526.

- 13. The Mayor, Councillor G Conkey OAM acknowledged the contribution of Council staff and the Australia Day Committee for the Australia day celebrations.
- 14. The Mayor, Councillor G Conkey OAM acknowledged a recent National Water Polo championship that he attended at the Oasis. He stated how good the Oasis is looking.
- 15. The Mayor, Councillor G Conkey OAM thanked the Australia Day ambassador.

**CLOSED COUNCIL**

**17/012 RESOLVED:**  
On the Motion of Councillors P Funnell and V Keenan

**That the Council now resolve itself into a Closed Council, the time being 7.20pm.**

**CARRIED**

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

**CONFIDENTIAL REPORTS**

**CONF-1 DISCHARGE OF MORTGAGE**

**17/013 RESOLVED:**  
On the Motion of Councillors K Pascoe and D Tout

**That Council:**

- a approve to discharge the mortgage over the property noted in the body of this report**
- b authorise the General Manager or their delegate, to execute any necessary documents on behalf of Council**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

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

Against the Motion

T Koschel  
K Pascoe  
D Tout

**CONF-2 WAGGA WAGGA MAIN CITY LEVEE – STAGE 1 TENDER AND REVIEW OF ENVIRONMENTAL FACTORS DETERMINATION**

**17/014 RESOLVED:**

On the Motion of Councillors D Tout and R Kendall

**That Council:**

- a approve the Review of Environmental Factors for the Main City and North Wagga Levee as the determining authority under Part 5 of the EPA Act 1997**
- b noting the urging from the Deputy Secretary of the NSW Office of Environment and Heritage to proceed to tender to determine actual costs:**
  - i approve for release of the tender for Stage 1 as requested in correspondence from the Deputy Secretary of the NSW Office of Environment and Heritage dated 4 November 2016**
  - ii receive a report detailing:**
    - tenders received including a comparison of tenders received to the original approved stages and costs**
    - advice in regard to any further discussions that may need to be held with levee funding partners**
    - a suggested timeline moving forward including funding and operational milestones and trigger points**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
G Conkey OAM  
D Hayes  
V Keenan  
R Kendall  
T Koschel  
D Tout

Against the Motion  
Y Braid  
P Funnell  
K Pascoe

**CONF-3 RFT2017/05 SUPPLY OF SWIMWEAR AND ACCESSORIES**

**17/015 RESOLVED:**  
On the Motion of Councillors D Hayes and P Funnell

**That Council:**

- a accept the tenders submitted by Speedo Australia Pty Ltd and Zoggs Pty Ltd for the supply of swimwear and swim accessories as a non-exclusive contract for the period of three years commencing 1 March 2017**
- b authorise the General Manager or his delegate to enter into a contract with Speedo Australia Pty Ltd and Zoggs Pty Ltd**
- c authorise the General Manager or his delegate to extend the contract for up to 2 x 12 month periods in accordance with the contract terms and conditions**
- d 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
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout



**CONF-4 RFT2017/12 HIRED PLANT, FLEET AND EQUIPMENT**

Councillor R Kendall declared a Pecuniary Interest and vacated the chamber, the time being 8.21pm.

Councillor D Tout declared a Pecuniary Interest and vacated the chamber and did not return, the time being 8:21pm.

**17/016 RESOLVED:**

On the Motion of Councillors D Hayes and T Koschel

**That Council:**

- a accept the offers from those Tenderers outlined in Table 2 of the report for the provision of hired plant, fleet and equipment**
- b authorise the General Manager, or their delegate to enter into Contracts in accordance with the Tenderers identified in Table 2**
- 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
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- T Koschel
- K Pascoe

Councillor R Kendall re-entered the chamber, the time being 8.25pm.

**CONF-5 EXTRAORDINARY AUDIT AND RISK COMMITTEE MINUTES - 15 DECEMBER 2016**

**17/017 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council endorse the recommendations contained in the minutes of the Extraordinary Audit and Risk Committee Meeting held on 15 December 2016.**

**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

**REVERSION TO OPEN COUNCIL**

**17/018 RESOLVED:**  
On the Motion of Councillors K Pascoe and R Kendall

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8.29pm.**

**CARRIED**

**REPORT OF PROCEEDINGS OF CLOSED COUNCIL**

**17/019 RESOLVED:**  
On the Motion of Councillors P Funnell and R Kendall

**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 8.31pm.**

.....  
MAYOR