

**PRESENT**

- The Deputy Mayor, Councillor Dallas Tout (Chairperson)
- Councillor Yvonne Braid
- Councillor Paul Funnell
- Councillor Dan Hayes
- Councillor Vanessa Keenan
- Councillor Rod Kendall
- Councillor Kerry Pascoe

**IN ATTENDANCE**

- |   |                     |
|---|---------------------|
| Acting General Manager                          | (Mr R Knight)       |
| Chief Financial Officer                         | (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                | (Ms I Hensley)      |
| Manager Finance                                 | (Mrs C Rodney)      |
| Manager People & Culture                        | (Mrs N Lofts)       |
| Manager City Strategy                           | (Mr T Kell)         |
| Manager Executive Support                       | (Mr S Gray)         |
| Manager Procurement Services                    | (Mr D Butterfield)  |
| Manager Operations                              | (Mr S Jewell)       |
| Project Advisor                                 | (Mr C Richardson)   |
| Asset Remediation Engineer                      | (Mr P Ross)         |
| Strategic Asset Planner (Parks & Recreation)    | (Mr B Creighton)    |
| Strategic Partner – Corporate Governance & Risk | (Mrs N Johnson)     |
| Project Manager                                 | (Mr S Darby)        |
| Project Management Supervisor                   | (Mr D Christiansen) |
| Senior Town Planner                             | (Mrs A Gray)        |
| Senior Town Planner                             | (Mr A Stander)      |
| Land & Real Property Coordinator                | (Ms D Wright)       |
| Acting Corporate Strategy Coordinator           | (Ms N Smith)        |
| Communications & Engagement Officer             | (Mr J Lang)         |
| 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.

**LEAVES OF ABSENCE**

**17/020 RESOLVED:**  
On the Motion of Councillors P Funnell and K Pascoe

**That a leave of absence be granted to The Mayor, Councillor G Conkey OAM and Councillor T Koschel for 27 February 2017.**

**CARRIED**

**PRESENTATION**

Wagga View – Community Strategic Plan 2040

**CONFIRMATION OF MINUTES**

**CM-1      ORDINARY COUNCIL MEETING - 30 JANUARY 2017**

**17/021      RESOLVED:**

On the Motion of Councillors K Pascoe and R Kendall

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 30 January 2017 be confirmed as a true and accurate record.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**DECLARATIONS OF INTEREST**

Councillor D Hayes declared a Significant Non-Pecuniary Interest in RP – 16 SECTION 356 DONATION REQUEST - WAGGA WAGGA & SURROUNDS MAKE-A-WISH BRANCH the reason being that he is Vice President of the Wagga Wagga and Surrounds Make a Wish Branch who are asking for a waiver in fees and vacated the chamber during its consideration.

Councillor D Hayes declared a Significant Non-Pecuniary Interest in CONF-1 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS the reason being that a person nominated for the Sister City Community Committee donated to the election campaign and vacated the chamber during its consideration.

Councillor D Tout declared a Significant Non-Pecuniary Interest in RP – 3 DA15/0637 - PROPOSED TREE REMOVAL AT CHARLES STURT UNIVERSITY SOUTH CAMPUS LOCATED AT HELY AVENUE, TURVEY PARK the reason being that he is an employee of Charles Sturt University and his manager has been involved in discussions and vacated the chamber during its consideration.

Councillor D Tout declared a Significant Non-Pecuniary Interest in RP – 16 SECTION 356 DONATION REQUEST - WAGGA WAGGA & SURROUNDS MAKE-A-WISH BRANCH the reason being that he is a member of the committee and vacated the chamber during its consideration.

Councillor D Tout declared a Significant Non-Pecuniary Interest in CONF-1 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS the reason being that a family member is named within the paper for the Sister City Community Committee and vacated in the chamber during its consideration.

Councillor R Kendall declared a Non-Significant Non-Pecuniary Interest in RP – 2 DA16/0723 - 2 LOT SUBDIVISION, 51 SHAW STREET, WAGGA WAGGA, NSW, 2650, LOT B DP357110 the reason being that a councillor is the applicant and remained in the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in CONF-3 RFT2017/15 FERNLEIGH ROAD STORMWATER DRAIN REFURBISHMENT AND TRICKLE FLOW INSTALLATION the reason being that a business associate is a director of one of the tenderers and vacated the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in CONF-4 RFT2017/17 WAGGA WAGGA LAWN CEMETERY SECTION TWELVE EXTENSION the reason being that a business associate is a director of one of the tenderers and vacated the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in CONF-6 RFT2017/12 HIRED PLANT, FLEET AND EQUIPMENT the reason being that a business associate is a director of one of the tenderers and vacated the chamber during its consideration.

Councillor P Funnell declared a Non-Significant Non-Pecuniary Interest in RP-3 DA15/0637 - PROPOSED TREE REMOVAL AT CHARLES STURT UNIVERSITY SOUTH CAMPUS LOCATED AT HELY AVENUE, TURVEY PARK the reason being that family are involved in the school (St Mary MacKillop Colleges) located on adjoining land to Charles Sturt University and remained in the chamber during its consideration.

Councillor V Keenan declared a Significant Non-Pecuniary Interest in CONF-1 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS the reason being that a person nominated for the Sister City Community Committee donated to the election campaign and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP – 2 DA16/0723 - 2 LOT SUBDIVISION, 51 SHAW STREET, WAGGA WAGGA, NSW, 2650, LOT B DP357110 the reason being that he is a director of DAVTIL Pty Ltd, the applicant, and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP – 4 REV16/0001 - MULTI-DWELLING HOUSING (6 UNITS) WITH COMMUNITY TITLE SUBDIVISION - REVIEW OF REFUSAL DETERMINATION (INCLUDING AMENDMENT TO PLANS) 17 ALBURY STREET, WAGGA WAGGA LOT A, DP 309100 the reason being that he has property opposite the site for sale and vacated the chamber during its consideration.

Councillor K Pascoe declared a Non-Significant Non-Pecuniary Interest in RP - 21 PROPOSED ESTABLISHMENT OF A DETENTION BASIN ON LOT 2 DP 702330 AT BOOROOMA the reason being that he purchased land from the Diocese named in the report and remained in the chamber during its consideration.

**PROCEDURAL MOTION - ELECT A NEW CHAIRPERSON**

**17/022 RESOLVED:**  
On the Motion of Councillors K Pascoe and V Keenan

**That Council elect a Chairperson to Chair the meeting due to the Deputy Mayor vacating the Chair and the Chamber for RP-3 DA15/0637 - PROPOSED TREE REMOVAL AT CHARLES STURT UNIVERSITY SOUTH CAMPUS LOCATED AT HELY AVENUE, TURVEY PARK, RP-16 SECTION 356 DONATION REQUEST - WAGGA WAGGA & SURROUNDS MAKE-A-WISH BRANCH and CONF-1 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS.**

**CARRIED**

Councillors Pascoe and Keenan nominated Councillor R Kendall.  
Councillor Kendall accepted the nomination.

There being no other nominations, Councillor R Kendall was elected to Chair the meeting for consideration of RP-3, RP-16 and CONF-1 due to the Deputy Mayor vacating the Chair and the chamber.

**PROCEDURAL MOTION - CHANGE OF STANDING ORDERS**

**17/023 RESOLVED:**  
On the Motion of Councillors P Funnell and D Hayes

**That Council bring forward consideration of RP-3 DA15/0637 - PROPOSED TREE REMOVAL AT CHARLES STURT UNIVERSITY SOUTH CAMPUS LOCATED AT HELY AVENUE, TURVEY PARK and RP-4 REV16/0001 - MULTI-DWELLING HOUSING (6 UNITS) WITH COMMUNITY TITLE SUBDIVISION - REVIEW OF REFUSAL DETERMINATION (INCLUDING AMENDMENT TO PLANS) 17 ALBURY STREET, WAGGA WAGGA LOT A, DP 309100 to follow the public discussion forum for each item.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

The Deputy Mayor, Councillor D Tout declared a Significant Non-Pecuniary Interest and vacated the Chair and the chamber, the time being 6:18pm.

Councillor R Kendall assumed the Chair, the time being 6:18pm.

**PUBLIC DISCUSSION FORUM**

**RP-3 DA15/0637 - PROPOSED TREE REMOVAL AT CHARLES STURT UNIVERSITY SOUTH CAMPUS LOCATED AT HELY AVENUE, TURVEY PARK**

- Mrs Bianca Ellis – Speaking against the report

**RP-3 DA15/0637 - PROPOSED TREE REMOVAL AT CHARLES STURT UNIVERSITY SOUTH CAMPUS LOCATED AT HELY AVENUE, TURVEY PARK**

**17/024 RESOLVED:**  
On the Motion of Councillors V Keenan and D Hayes

**It is recommended that DA15/0637 for the Removal of trees at Charles Sturt University South Campus, located at Hely Avenue, Turvey Park be approved, subject to the conditions outlined in the Section 79C Assessment Report with the following amendment to Condition 3, Note 2 as follows:**

**NOTE 2: Additional planting in accordance with the DCP provisions may be required as part of any future development and/or any Master Plan on the site.**

**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
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe

Councillor R Kendall vacated the Chair, the time being 6:44pm.

The Deputy Mayor, Councillor D Tout re-entered the chamber and assumed the Chair at 6:44pm.

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 6:46pm.

**PUBLIC DISCUSSION FORUM**

**RP-4 REV16/0001 - MULTI-DWELLING HOUSING (6 UNITS) WITH COMMUNITY TITLE SUBDIVISION - REVIEW OF REFUSAL DETERMINATION (INCLUDING AMENDMENT TO PLANS) 17 ALBURY STREET, WAGGA WAGGA LOT A, DP 309100**

- Mrs Dorothy Evans – Speaking against the report
- Mr Matt Burke and Mr Ken Howell – Speaking against the report
- Mr Bradley Parkin – Speaking in favour of the report

**RP-4 REV16/0001 - MULTI-DWELLING HOUSING (6 UNITS) WITH COMMUNITY TITLE SUBDIVISION - REVIEW OF REFUSAL DETERMINATION (INCLUDING AMENDMENT TO PLANS) 17 ALBURY STREET, WAGGA WAGGA LOT A, DP 309100**

**17/025 RESOLVED:**  
On the Motion of Councillors R Kendall and D Hayes

**That Council approve s82A Review Application REV16/0001 for Multi Dwelling Housing (6 units) with Community Title Subdivision subject to the conditions listed in the attached Section79C Assessment report.**

**CARRIED**

[Click here for DA 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> |
|-----------------------|---------------------------|
| D Hayes               | Y Braid                   |
| V Keenan              | P Funnell                 |
| R Kendall             |                           |
| D Tout                |                           |

Councillor K Pascoe re-entered the chamber, the time being 7:16pm.

**MAYORAL MINUTE**

**MM-1 SUSPENSION OF PROHIBITED ALCOHOL CONSUMPTION ZONE - FOOD AND WINE FESTIVAL, 25 MARCH 2017**

**17/026 RESOLVED:**  
On the Motion of The Deputy Mayor, Councillor D Tout

**That Council endorse the suspension of the prohibited alcohol consumption zone in the Wollundry Lagoon Precinct for the Food and Wine Festival between 10pm and 11pm on Saturday 25 March 2017.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

| <u>For the Motion</u> | <u>Against the Motion</u> |
|-----------------------|---------------------------|
| Y Braid               |                           |
| P Funnell             |                           |
| D Hayes               |                           |
| V Keenan              |                           |
| R Kendall             |                           |
| K Pascoe              |                           |
| D Tout                |                           |



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

**NOM-1 NOTICE OF MOTION - COMPLAINTS MANAGEMENT FRAMEWORK**

**17/027 RESOLVED:**

On the Motion of Councillors D Hayes and V Keenan

**That Council receives a report in conjunction with the review of POL 103 Complaints Handling Policy which outlines a strategy and/or improvements to meet the following goals:**

- a improve the ease in which community members can make complaints, especially online**
- b a clear and simple user guide outlining the complaints process including:
 
  - i a way to clearly communicate the process for complaints that cannot be managed immediately**
  - ii explaining the difference between council complaints and Code of Conduct complaints**
  - iii expected timeframes****
- c explore the need and/or creation of a multi-lingual document**
- d to create a process in which council can respond to complaints that are not made directly to council eg: social media, traditional media**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**PROCEDURAL MOTION - ENGLOBO**

**17/028 RESOLVED:**  
On the Motion of Councillors R Kendall and P Funnell

**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-13, RP-14, RP-15, RP-17, RP-18 and RP-20 be adopted as recommended in the business papers**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**REPORTS FROM STAFF**

**RP-1      RESPONSES TO QUESTIONS/BUSINESS WITH NOTICE**

**17/029      RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council receive and note the report outlining responses to Questions/Business with Notice.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

| <u>For the Motion</u> | <u>Against the Motion</u> |
|-----------------------|---------------------------|
| Y Braid               |                           |
| P Funnell             |                           |
| D Hayes               |                           |
| V Keenan              |                           |
| R Kendall             |                           |
| K Pascoe              |                           |
| D Tout                |                           |

**RP-2      DA16/0723 - 2 LOT SUBDIVISION, 51 SHAW STREET, WAGGA WAGGA, NSW, 2650, LOT B DP357110**

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 7:34pm.

**17/030      RESOLVED:**  
On the Motion of Councillors D Hayes and R Kendall

**That Council approve DA16/0723 for a 2 Lot Subdivision subject to the conditions outlined in the Section 79C Assessment Report.**

**CARRIED**

[Click here for DA 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             |                           |
| D Tout                |                           |

Councillor K Pascoe re-entered the chamber, the time being 7:37pm.

RP-3 DA15/0637 - PROPOSED TREE REMOVAL AT CHARLES STURT UNIVERSITY SOUTH CAMPUS LOCATED AT HELY AVENUE, TURVEY PARK was moved forward for consideration after the Public discussion forum.

RP-4 REV16/0001 - MULTI-DWELLING HOUSING (6 UNITS) WITH COMMUNITY TITLE SUBDIVISION - REVIEW OF REFUSAL DETERMINATION (INCLUDING AMENDMENT TO PLANS) 17 ALBURY STREET, WAGGA WAGGA LOT A, DP 309100 was moved forward for consideration after the Public discussion forum.

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

A Motion was moved by Councillors R Kendall and K Pascoe

That Council, after consideration of the public submissions received, adopt amendment number 11 to the Wagga Wagga Development Control Plan 2010 as exhibited.

The Motion, on being put to the meeting, was LOST.

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

For the Motion

R Kendall  
K Pascoe

Against the Motion

Y Braid  
P Funnell  
D Hayes  
V Keenan  
D Tout

**RP-6 AMENDMENT NUMBER 12 TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010**

**17/031RESOLVED:**

On the Motion of Councillors R Kendall and K Pascoe

**That Council, after considering the public submissions, adopt amendment number 12 to the Wagga Wagga Development Control Plan 2010 with the minor variation identified in the report.**

**CARRIED**

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

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-7 AMENDMENT TO THE DEVELOPMENT CONTROL PLAN 2005 - CHAPTER 42 - FOREST HILL**

Councillor D Hayes vacated the chamber, the time being 7:47pm.

Councillor D Hayes re-entered the chamber, the time being 7:48pm.

**17/032 RESOLVED:**

On the Motion of Councillors R Kendall and K Pascoe

**That Council defer consideration of RP-7 AMENDMENT TO THE DEVELOPMENT CONTROL PLAN 2005 - CHAPTER 42 - FOREST HILL pending a Councillor workshop.**

**CARRIED**

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

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-8 PUBLIC FORUMS**

**17/033 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council:**

- a endorse the introduction of the following forums, in addition to the existing public address forum at Council meetings, as methods for the public to address Councillors on matters of interest:**
  - (i) Public Forum – Development Assessment and Policy, and**
  - (ii) Public Access Session**
- b endorse the schedule of Public Forum - Development Assessment and Policy meetings for the period April 2017 to December 2017 as outlined in the report**
- c adopt the Public Forum – Development Assessment and Policy Terms of Reference**
- d adopt the Public Access Session Guidelines with the following amendment:**
  - Both the Public Access Session and the Public Forum – Development Assessment and Policy meeting be held on the same night one week prior to a scheduled Council meeting**
  - The Public Access Session to be held at 5:30pm to conclude no later than 6:00pm to be followed by the Public Forum – Development Assessment and Policy meeting**
- e delegate authority to the General Manager, in consultation with the Mayor, to change/cancel a date and/or time of an Ordinary Council meeting or Public Forum - Development Assessment and Policy meeting, if deemed appropriate**
- f receive a report at March 2017 Ordinary Council meeting proposing updates to the Code of Meeting Practice as may be required**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
 Y Braid  
 P Funnell  
 D Hayes  
 V Keenan  
 R Kendall  
 K Pascoe  
 D Tout

Against the Motion

**RP-9 LIVESTREAMING OF COUNCIL MEETINGS**

**17/034 RESOLVED:**  
On the Motion of Councillors P Funnell and D Hayes

**That Council:**

- a resolve to trial livestreaming (video and audio) of the Open Session of Ordinary Meetings of Council for a period of not less than six (6) months and not more than nine (9) months**
- b authorise the General Manager or his delegate to undertake the necessary procurement, budget allocation and other steps necessary to undertake the livestreaming trial**
- c request the General Manager or his delegate provide a report to Council on the outcomes of the livestreaming trial**
- d approve the budget variations as mentioned in the report**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
Y Braid  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe  
D Tout

Against the Motion

**RP-10 WAGGA TRANSPORT STUDY**

**17/035 RESOLVED:**  
On the Motion of Councillors P Funnell and D Hayes

**That Council:**

- a receive the independent Peer Review and Summary of Findings prepared by MR Cagney**
- b request the General Manager or his delegate to place the Peer Review and Summary of Findings document on public exhibition for a period of 28 days from 1 March to 29 March 2017, and invite public submissions on the Peer Review and Summary of Findings document**
- c receive a further report following the public exhibition period:**
  - (i) addressing any submission made**
  - (ii) providing an overview of the submissions for consideration to be incorporated into the Wagga Wagga Integrated Transport Strategy**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
Y Braid  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe  
D Tout

Against the Motion



**RP-11 WAGGA VIEW - COMMUNITY STRATEGIC PLAN 2040**

**17/036 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a endorse the draft Wagga View Community Strategic Plan be adopted as the Wagga View Community Strategic Plan 2040, on behalf of the community**
- b commit to ongoing communication, reporting and engagement with stakeholders on the plan**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

|   |                           |
|---|---------------------------|
| <u>For the Motion</u><br>Y Braid<br>P Funnell<br>D Hayes<br>V Keenan<br>R Kendall<br>K Pascoe<br>D Tout | <u>Against the Motion</u> |
|---|---------------------------|

Councillor P Funnell vacated the chamber, the time being 8:38pm.

**RP-12 LINGIARI PARK DEVELOPMENT**

**17/037 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council approve the proposed budget variation of \$210,000 from the Section 94 Reserve for the development of Lingiari Park.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

|  |                           |
|--|---------------------------|
| <u>For the Motion</u><br>Y Braid<br>D Hayes<br>V Keenan<br>R Kendall<br>K Pascoe<br>D Tout | <u>Against the Motion</u> |
|--|---------------------------|

Councillor P Funnell re-entered the chamber, the time being 8:39pm.

**RP-13 FINANCIAL PERFORMANCE REPORT AS AT 31 JANUARY 2017**

**17/038 RESOLVED:**

On the Motion of Councillors R Kendall and P Funnell

**That Council:**

- a approve the proposed 2016/17 budget variations for the month ended 31 January 2017 and note the reduced deficit budget of (\$14K) 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 January 2017 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
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-14 RENEWAL OF COMMUNITY, CULTURAL AND SPORTING GROUP OCCUPANCY AGREEMENTS**

**17/039 RESOLVED:**  
On the Motion of Councillors R Kendall and P Funnell

**That Council:**

- a agree to delegate authority to the General Manager or their delegate to negotiate renewal of the community, cultural or sporting association lease and licence agreements detailed in the body of this report**
- b delegate authority to the General Manager or his delegate to execute the agreements on behalf of the Council**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-15 REVALUTION OF LAND VALUES BASE DATE 1 JULY 2016**

**17/040 RESOLVED:**  
On the Motion of Councillors R Kendall and P Funnell

**That Council:**

- a receive and note the contents of the report on the 2016 Revaluation for the City of Wagga Wagga**
- b note that the recently received Revaluation of Land Values supplied by the NSW Valuer General with a base date 1 July 2016 and to be applied from 2017/18 rating year, will have no effect on the City’s total rates income for 2017/18 which will only increase by the 1.5% IPART set rate peg**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-16 SECTION 356 DONATION REQUEST - WAGGA WAGGA & SURROUNDS MAKE-A-WISH BRANCH**

The Deputy Mayor, Councillor D Tout declared a Significant Non-Pecuniary Interest and vacated the Chair and the chamber, the time being 8:40pm.

Councillor R Kendall assumed the Chair, the time being 8:40pm.

Councillor D Hayes declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 8:40pm.

**17/041 RESOLVED:**  
On the Motion of Councillors K Pascoe and P Funnell

**That Council donate up to \$200 to the Wagga Wagga & Surrounds Make-A-Wish Branch as detailed in the report under section 356 of the Local Government Act 1993.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- V Keenan
- R Kendall
- K Pascoe

Councillor D Hayes re-entered the chamber, the time being 8:41pm.

Councillor R Kendall vacated the Chair, the time being 8:41pm.

The Deputy Mayor, Councillor D Tout re-entered the chamber and assumed the Chair, the time being 8:41pm.

**RP-17 SECTION 356 DONATION - WAGGA WOMEN'S HEALTH CENTRE**

**17/042 RESOLVED:**

On the Motion of Councillors R Kendall and P Funnell

**That Council donate \$1,906.50 to The Wagga Women's Health Centre in accordance with Section 356 of the Local Government Act 1993.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-18 SECTION 356 DONATION REQUEST - SPECIALIST MEDICAL RESOURCES FOUNDATION**

**17/043 RESOLVED:**

On the Motion of Councillors R Kendall and P Funnell

**That Council donate \$620 to The Specialist Medical Resources Foundation in accordance with section 356 of the Local Government Act 1993.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-19 LAKE ALBERT STORMWATER HARVESTING**

**17/044 RESOLVED:**  
On the Motion of Councillors P Funnell and R Kendall

**That Council defer consideration of Lake Albert Stormwater Harvesting following a Councillor workshop.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-20 ABORIGINAL PLACES PLAN OF MANAGEMENT**

**17/045 RESOLVED:**  
On the Motion of Councillors R Kendall and P Funnell

**That Council:**

- a note that no submissions were received during the period of public exhibition**
- b endorse the General Manager to sign the Aboriginal Places Plan of Management (Appendix C)**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**RP-21 PROPOSED ESTABLISHMENT OF A DETENTION BASIN ON LOT 2 DP 702330 AT BOOROOMA**

**17/046 RESOLVED:**  
On the Motion of Councillors P Funnell and R Kendall

**That Council:**

- a undertake to consult with Harness Racing NSW in relation to possible alternative water detention basin options**
- b in the event that none are identified:
  - (i) agree to the establishment of a drainage detention basin on Lot 2 DP702330, Kingsford Smith Road at Boorooma**
  - (ii) agree to accept compensation from the Catholic Diocese of Wagga Wagga as outlined in the body of this report**
  - (iii) delegate authority to the General Manager or his delegate to execute any necessary documents on behalf of Council**
  - (iv) 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
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**QUESTIONS/BUSINESS WITH NOTICE**

No questions/business with notice were raised.

**CLOSED COUNCIL**

**17/047 RESOLVED:**  
On the Motion of Councillors K Pascoe and D Hayes

**That the Council now resolve itself into a Closed Council, the time being 9:11pm.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

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

At this stage of the meeting, the Chair called a short recess, the time being 9:11pm.

The Chair resumed the meeting, the time being 9:17pm.

**CONFIDENTIAL REPORTS**

**PROCEDURAL MOTION – DEALING WITH CONF-1 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS**

**17/048 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council consider CONF-1 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS as four separate items being:**

- **CONF-1(a) Appointment of Advisory Committee Members – Audit and Risk Committee**



- CONF-1(b) Appointment of Advisory Committee Members - Museum of the Riverina Community Committee
- CONF-1(c) Appointment of Advisory Committee Members – Sister City Community Committee
- CONF-1(d) Appointment of Advisory Committee Members – Public Art Panel

CARRIED

**CONF-1(a) APPOINTMENT OF ADVISORY COMMITTEE MEMBERS - AUDIT AND RISK COMMITTEE MEMBERS**

**17/049 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council appoint four independent representatives to Audit & Risk Committee as outlined in this report.**

CARRIED

**RECORD OF VOTING ON THE MOTION**

| <u>For the Motion</u> | <u>Against the Motion</u> |
|-----------------------|---------------------------|
| Y Braid               |                           |
| P Funnell             |                           |
| D Hayes               |                           |
| V Keenan              |                           |
| R Kendall             |                           |
| K Pascoe              |                           |
| D Tout                |                           |

**CONF-1(b) APPOINTMENT OF ADVISORY COMMITTEE MEMBERS – MUSEUM OF THE RIVERINA**

**17/050 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council appoint four community representatives to Museum of the Riverina Community Committee as outlined in this report.**

CARRIED

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**CONF-1(c) APPOINTMENT OF ADVISORY COMMITTEE MEMBERS - SISTER CITY COMMUNITY COMMITTEE**

Councillor D Hayes declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 9:21pm.

Councillor V Keenan declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 9:21pm.

The Deputy Mayor, Councillor D Tout declared a Significant Non-Pecuniary Interest and vacated the Chair and the chamber, the time being 9:21pm.

Councillor R Kendall assumed the Chair, the time being 9:21pm.

Due to a lack of quorum, no decision was made in relation to CONF-1(c) APPOINTMENT OF ADVISORY COMMITTEE MEMBERS – SISTER CITY COMMUNITY COMMITTEE and the matter was deferred to the next meeting.

Councillor R Kendall vacated the Chair, the time being 9:22pm.

The Deputy Mayor, Councillor D Tout re-entered the chamber and assumed the Chair, the time being 9:22pm.

Councillor D Hayes re-entered the chamber, the time being 9:22pm.

Councillor V Keenan re-entered the chamber, the time being 9:22pm.

**CONF-1(d) APPOINTMENT OF ADVISORY COMMITTEE MEMBER - PUBLIC ART PANEL**

**17/051 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council appoint one industry representative and two community representatives to Public Art Panel as outlined in this report.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**PROCEDURAL MOTION - ENGLOBO**

**17/052 RESOLVED:**  
On the Motion of Councillors R Kendall and D Hayes

**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 CONF-2 and CONF-5, be adopted as recommended in the business papers**  
**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**CONF-2 MULTI PURPOSE STADIUM - OUTCOME OF NEGOTIATIONS**

**17/053 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a authorise the General Manager to continue negotiations with Zauner Constructions to achieve the savings contained in this report**
- b given that 1) above is achieved, authorise the General Manager to enter into a Contract with Zauner Constructions Pty Ltd for the design and construction of The Multi-Purpose Stadium**
- 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
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**CONF-3 RFT2017/15 FERNLEIGH ROAD STORMWATER DRAIN REFURBISHMENT AND TRICKLE FLOW INSTALLATION**

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 9:25pm.

**17/054 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council:**

- a accept the offer of Ladex Constructions Pty Ltd for the Construction of Fernleigh Road stormwater drain refurbishment and trickle flow installation at a cost of \$382,702.50 excluding GST**
- b authorise the General Manager or his delegate to enter into a Contract with Ladex Constructions Pty Ltd for the Construction of Fernleigh Road stormwater drain refurbishment and trickle flow installation**
- c authorise the affixing of Council’s Common Seal to all relevant documents as required**

- d note and approve the budget variation of \$97,251.86 as detailed in Table 3 and Financial Implications of this report

CARRIED

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

Y Braid  
P Funnell  
D Hayes  
V Keenan  
K Pascoe  
D Tout

**CONF-4 RFT2017/17 WAGGA WAGGA LAWN CEMETERY SECTION TWELVE EXTENSION**

Councillor R Kendall declared a Significant Non-Pecuniary Interest and remained absent from the chamber during this time.

**17/055 RESOLVED:**

On the Motion of Councillors D Hayes and V Keenan

**That Council:**

- a accept the offer of Ladex Construction Group for the construction of additional burial areas at the Wagga Wagga Lawn Cemetery in the lump sum amount of \$572,565.04 excluding GST and authorise the General Manager or their delegate to enter into a Contract with the aforementioned supplier
- b authorise the fixing of Council's seal to documents as required
- c note and approve the budget variation/s 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  
D Hayes  
V Keenan  
K Pascoe  
D Tout

P Funnell

**CONF-5 RFT2017-14 MINOR CONCRETE WORKS**

**17/056 RESOLVED:**  
On the Motion of Councillors R Kendall and K Pascoe

**That Council:**

- a accept the offers of Elliott’s Concreting and S & K Kenyon Pty Ltd for the supply of minor concrete works in the schedule of rates in their respective tender submissions and authorise the General Manager or their delegate to enter into Contracts with the aforementioned suppliers**
- b authorise the General Manager or his delegate to extend the contract**
- c authorise the fixing of Council’s seal to documents as required**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe
- D Tout

**CONF-6 RFT2017/12 HIRED PLANT, FLEET AND EQUIPMENT**

Councillor R Kendall declared a Significant Non-Pecuniary Interest and remained absent from the chamber during this time.

**17/057 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That Council amend resolution 17/016 part (a) of CONF-4-RFT2017/12 Hired Plant, Fleet and Equipment adopted at the Ordinary Council Meeting on 30 January 2017, to accept the offers from those tenderers outlined in the revised Table Two of this report.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid
- P Funnell
- D Hayes
- V Keenan
- K Pascoe
- D Tout

**REVERSION TO OPEN COUNCIL**

**17/058 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 9:45pm.**

**CARRIED**

Councillor R Kendall re-entered the meeting, the time being 9:47pm.

**REPORT OF PROCEEDINGS OF CLOSED COUNCIL**

**17/059 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**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 9:50pm.

.....  
MAYOR