PRESENT

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

IN ATTENDANCE

Acting General Manager (Mrs J Summerhayes)
Director Finance (Mrs N Te Pohe)
Director Commercial Operations (Ms C Angel)
Manager Finance (Mrs C Rodney)
Manager Community Services (Ms M Scully)
Manager Executive Support (Mr S Gray)
Manager Operations (Mr S Otieno)
Manager City Development (Mr P O’Brien)
Manager Marketing & Communications (Ms E Stuart)
Manager City Strategy (Mr T Kell)
Gregadoo Waste Management Facility Manager (Mr G Pym)
Cultural Officer (Mr T Kurylowicz)
Corporate Governance Coordinator (Mrs N Johnson)
Communications & Engagement Officer (Mr J Lang)
Governance Officer (Ms B King)

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

An apology for non-attendance was received and accepted for Mr Peter Thompson, General Manager on the Motion of Councillors V Keenan and T Koschel.

CARRIED

LEAVE OF ABSENCE

That Council note that a leave of absence was granted at the Ordinary Council Meeting 17 December 2018 to Councillor P Funnell for 17 December 2018 to 4 February 2019 inclusive.

CONFIRMATION OF MINUTES

CM-1 EXTRAORDINARY COUNCIL MEETING - 10 DECEMBER 2018

19/001 RESOLVED:
On the Motion of Councillors D Tout and V Keenan

That the Minutes of the proceedings of the Extraordinary Council Meeting held on 10 December 2018 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion  Against the Motion
Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout
CM-2       ORDINARY COUNCIL MEETING - 17 DECEMBER 2018

19/002  RESOLVED:
On the Motion of Councillors T Koschel and D Tout

That the Minutes of the proceedings of the Ordinary Council Meeting held on
17 December 2018 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

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

DECLARATIONS OF INTEREST

Councillor K Pascoe declared a Pecuniary Interest in CONF-3 RFT2019-21 CIVIC
THEATRE AIR-CONDITIONING UPGRADE the reason being that one of the
Tenderers named in report works for him and vacated the chamber during its
consideration.

Councillor D Tout declared a Significant, Non-Pecuniary Interest in RP-7 2019
MAYORESS CONCERT the reason being that he is a volunteer and on the board of
Carevan who are a recipient of the concert and vacated the chamber during its
consideration.

Mrs Janice Summerhayes declared a Non-Pecuniary Interest in RP-2 AMENDMENT
TO THE WAGGA WAGGA LEP 2010 TO REDUCE THE MINIMUM LOT SIZE
PROVISIONS APPLICABLE TO LOTS 1 - 3 DP 818428, LOTS 1 - 12 DP 860586 AND
LOTS 1 - 7 DP 1110942, LOCATED AT LLOYD ROAD, PLANE TREE DRIVE AND
STRINGYBARK PLACE, SPRINGVALE the reason being that she is aware of a
resident living in the area but not known as part of the subject land and remained in
the chamber during its consideration.
PUBLIC DISCUSSION FORUM

RP-1  DA18/0572 DOUBLE GARAGE, CARPORT, SHED AND SECONDARY DWELLING AT 17 WOLLUNDRY AVENUE, WAGGA WAGGA NSW 2650. LOT A DP165574

- Mrs Gabrielle Roche – Speaking against the report
- Mrs Gwenyth Carruthers – Speaking against the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

19/003  RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council bring forward consideration of RP-1 DA18/0572 DOUBLE GARAGE, CARPORT, SHED AND SECONDARY DWELLING AT 17 WOLLUNDRY AVENUE, WAGGA WAGGA NSW 2650, LOT A DP165574 to follow the public discussion forum.

CARRIED

RP-1  DA18/0572 DOUBLE GARAGE, CARPORT, SHED AND SECONDARY DWELLING AT 17 WOLLUNDRY AVENUE, WAGGA WAGGA NSW 2650. LOT A DP165574

A Motion was moved by Councillors R Kendall and D Hayes

That Council approve DA18/0572 for a Double Garage and Secondary Dwelling at 17 Wollundry Avenue, Wagga Wagga NSW 2650 subject to conditions outlined in the Section 4.15 Assessment Report.

An AMENDMENT was moved by Councillor Y Braid OAM and seconded by Councillor T Koschel

That Council defer consideration of DA18/0572 DOUBLE GARAGE, CARPORT, SHED AND SECONDARY DWELLING AT 17 WOLLUNDRY AVENUE, WAGGA WAGGA NSW 2650. LOT A DP165574 until a future Council meeting to allow for further consideration of emergency service access.

RECORD OF VOTING ON THE AMENDMENT

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The AMENDMENT on being put to the meeting was Lost.
19/004 RESOLVED:
On the Motion of Councillors R Kendall and D Hayes

That Council approve DA18/0572 for a Double Garage and Secondary Dwelling at 17 Wollundry Avenue, Wagga Wagga NSW 2650 subject to conditions outlined in the Section 4.15 Assessment Report.

RECORD OF VOTING ON THE MOTION

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

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 IMPROVE APPROACH TO TRAFFIC RELATED MATTERS

19/005 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council requests a report to look at models to improve the approach by Wagga Wagga City Council in relation to traffic related matters, with a focus on, but not limited to the following:

a. a proactive approach
b. improve pathways and ability for the community members to request matters to be examined
c. utilise the existing Traffic Committee as an expert technical advisory group only
d. clear pathways for decision making

RECORD OF VOTING ON THE MOTION

For the Motion: Y Braid OAM, G Conkey OAM, D Hayes, V Keenan, R Kendall, T Koschel, K Pascoe, D Tout
Against the Motion:
COUNCILLOR REPORTS

CR-1 COUNCILLOR REPORT - SWITCH 2018 CONFERENCE, COFFS HARBOUR, 28-30 NOVEMBER 2018 – COUNCILLOR D HAYES

19/006 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council receive and note this report.

CARRIED

RECORD OF VOTING ON THE MOTION

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

CR-2 COUNCILLOR REPORT - SWITCH 2018 CONFERENCE, COFFS HARBOUR, 28-30 NOVEMBER 2018 – COUNCILLOR D TOUT

19/007 RESOLVED:
On the Motion of Councillors D Tout and K Pascoe

That Council receive and note this report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion Against the Motion
Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout
PROCEDURAL MOTION - ENGLOBO

19/008 RESOLVED:
On the Motion of Councillors T Koschel 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-2 to RP-6, RP-8 and CONF-2, be adopted as recommended in the business papers.

CARRIED

REPORTS FROM STAFF

RP-1 DA18/0572 DOUBLE GARAGE, CARPORT, SHED AND SECONDARY DWELLING AT 17 WOLLUNDARY AVENUE, WAGGA WAGGA NSW 2650. LOT A DP165574 was moved forward for the public discussion forum.

RP-2 AMENDMENT TO THE WAGGA WAGGA LEP 2010 TO REDUCE THE MINIMUM LOT SIZE PROVISIONS APPLICABLE TO LOTS 1 - 3 DP 818428, LOTS 1 - 12 DP 860586 AND LOTS 1 - 7 DP 1110942, LOCATED AT LLOYD ROAD, PLANE TREE DRIVE AND STRINGYBARK PLACE, SPRINGVALE

19/009 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall
That Council:

a support the planning proposal LEP18/0006 and addendum prepared to amend the Wagga Wagga Local Environmental Plan 2010

b submit a planning proposal to the Department of Planning and Environment for Gateway Determination

c receive a further report after the public exhibition period;

i addressing any submissions made in respect of the planning proposal

ii proposing adoption of the planning proposal 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                        Against the Motion
Y Braid OAM                           
G Conkey OAM                          
D Hayes                                
V Keenan                               
R Kendall                              
T Koschel                              
K Pascoe                               
D Tout                                 

RP-3              PROPOSED AMENDMENT 15 OF THE WAGGA WAGGA 
DEVELOPMENT CONTROL PLAN 2010 - ADVERTISING SIGNAGE IN 
RURAL AREAS RELATING TO MAJOR RECREATION FACILITIES

19/010              RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

a  support the Amendment 15 of the Wagga Wagga Development Control Plan 2010

b  place the amendment on public exhibition from 2 February 2019 to 1 March 2019 (inclusive) and invite public submissions on the amendment until 15 March 2019

c  receive a further report following the exhibition and submission period
   i  addressing any submissions made in respect of the amendment
   ii proposing adoption of the amendment unless there are any recommended amendments deemed to be substantial and requiring further public exhibition period

CARRIED

RECORD OF VOTING ON THE MOTION

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

This is page 8 of the MINUTES of the ORDINARY MEETING OF COUNCIL of the Council of the CITY OF WAGGA WAGGA held on 29 JANUARY 2019.
RP-4  PROPOSED VOLUNTARY PLANNING AGREEMENT FOR ENVIRONMENTAL LAND ASSOCIATED WITH DA 17/0572 - LOT 39 GENISTA PLACE

19/011  RESOLVED:  
On the Motion of Councillors T Koschel and R Kendall

That Council:

a  note that there were no public submissions received during the public exhibition period for the draft Genista Place Voluntary Planning Agreement including the Explanatory Note relating to Lot 39 DP1085747 and associated with DA17/0572

b  authorise the General Manager or their delegate to execute the Genista Place Voluntary Planning Agreement including the Explanatory Note and any other relevant documents on behalf of Council relating to Lot 39 DP1085747 and associated with DA17/0572

c  authorise the affixing of the Wagga Wagga City Council common seal to all relevant documents as required

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion
RP-5   FINANCIAL PERFORMANCE REPORT AS AT 31 DECEMBER 2018

19/012   RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

a approve the proposed 2018/19 budget variations for the month ended 31 December 2018 and note the balanced budget position as presented in this report

b provide financial assistance of the following amounts in accordance with Section 356 of the Local Government Act 1993:
   i)  Wagga Wagga & Region Suicide Prevention Network Inc.  $ 90.00
   ii) Uranquinty Tennis Club   $ 90.00
   iii) Doin’ it for Drought affected Kids Charity   $ 245.00

c 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

d note details of the external investments as at 31 December 2018 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 OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout
RP-6 DEACCESSIONING OF TWO ARTWORKS FROM THE PUBLIC ART COLLECTION

19/013 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

a authorise the deaccessioning of the artworks #32 Peace and #34 Ziegler Avenue Park Project from Council’s Public Art Collection register

b authorise Council Officers to dispose of the artworks as outlined in this report, and in accordance with POL 109 Public Art Policy

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-7 2019 MAYORESS CONCERT

Councillor D Tout declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 6:40pm.

19/014 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

a support the Mayoress School Spectacular Charity Concert in 2019

b include funding for the 2019 Mayoress School Spectacular Charity Concert in the draft 2019/20 budget

CARRIED

RECORD OF VOTING ON THE MOTION

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

Councillor D Tout re-entered the chamber, the time being 6:42pm.

**RP-8 CLASSIFICATION AND CATEGORISATION OF CROWN LAND MANAGED BY COUNCIL**

**19/015  RESOLVED:**
On the Motion of Councillors T Koschel and R Kendall

That Council:

a make application to the Minister administering the Crown Land Management Act 2016 to categorise Crown Reserves managed by Council as recommended by this report

b delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

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RP-9 OASIS FEES AND CHARGES

19/016 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:
a note there were no public submissions received during the exhibition period
b note that there is a proposed addition to the Fees and Charges wording, which will allow the General Manager to approve set period(s) where the admission fees may reduce up to a maximum of 100%
c endorse the inclusion of the following new information in Council’s 2018/19 Fees and Charges

Oasis Regional Aquatic Centre

While Oasis fees have been set based on competitive market rates, and also on maximising visitation to the centres, from time to time a reduced pricing point may be offered up to a maximum of 50% of the approved price, and advertised to support a promotion aimed at increasing participation and / or attracting new customers. Where temperatures are forecast to reach 41 degrees Celsius and above according to the Bureau of Meteorology on the prior day, this reduced pricing point for admission fees will increase to 100%. A reduced pricing point will require Management Approval

A discounted pricing point will be offered for a specified period of time only and all conditions will be advertised

d pursuant to Sections 377 and 378 of the Local Government Act 1993, delegate authority to the General Manager or their delegate, the ability to approve pricing concessions in accordance with the above changes to the Fees and Charges

e note the Mayor’s decision made on 17 January 2019, in accordance with Section 226 (d) of the Act, to provide free entry for casual use to the Oasis Regional Aquatic Centre when the temperature according to the Bureau of Meteorology exceeds 41 degrees Celsius

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion Against the Motion
Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout
RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

a) note there were no public submissions received during the exhibition period for the proposed new fees

b) adopt the following new fees and charges for 2018/19 from 1 February 2019

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Fee and Charge Description</th>
<th>Pricing Policy</th>
<th>Basis</th>
<th>2018/19 Per Pick Up</th>
<th>2018/19 Annual Charge</th>
</tr>
</thead>
</table>
| NEW FEE     | Commercial Waste Management Service Fee – One Bin Service
The choice of any one of the following bins:
- 240L fortnightly general waste bin
- 240L fortnightly recycling bin
- 240L weekly FOGO bin
Applicable for Non-Residential (Commercial) and Non Rateable properties. | C | Per Service | N/A | $165.00 |
| 0898        | Commercial Waste Management Service Fee – Two Bin Service
The option of any combination of two bins:
- 240L fortnightly general waste bin
- 240L fortnightly recycling bin
- 240L weekly FOGO bin
If the above basic service is provided any additional bins are | C | Per Service | N/A | $330.00 |
available at $110.00 per bin (excludes upsizes).  

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

QUESTIONS/BUSINESS WITH NOTICE

The following Questions/Business with Notice were raised and will be addressed in the next available Business paper:

1. Councillor D Hayes raised the following traffic related matters:
   - Improve safety at the intersection of Dunns Road and Holbrook Road
   - Improve safety at the intersection of Smith Street and the Sturt Highway
   - Improve safety at the intersection of Coleman Street and Macleay Street
   - Status update on parking arrangements near the old Ambulance station in Johnston Street

2. Councillor D Hayes requested an update on Poly-Fluoroalkyl Substances (PFAS) including any changes in Forest Hill, in particular Councils Sewerage Treatment Plant and pond.

CLOSED COUNCIL

19/018  RESOLVED:
On the Motion of Councillors D Hayes and K Pascoe

That the Council now resolve itself into a Closed Council, the time being 6.59pm.  

CARRIED

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

CONF-1 PROPOSED SOLAR FARM LEASE AT BOMEN - EXPRESSION OF INTEREST

19/019 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council defer consideration of PROPOSED SOLAR FARM LEASE AT BOMEN - EXPRESSION OF INTEREST pending a further workshop with Councillors.

CARRIED

RECORD OF VOTING ON THE MOTION

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

CONF-2 2019-14 GREEN WASTE PROCESSING

19/020 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

a rescind the Council resolution from the 17 December 2018 Council Meeting, Minute Number 18/478 being:

That Council:

a accept the offer of McMahons Earthmoving Pty Ltd (ABN: 35 121 753 884) for the provision of Green Waste Processing in the schedule of rates submitted in their offer

b authorise the General Manager or their delegate to enter into a contract with McMahons Earthmoving Pty Ltd (ABN: 35 121 753 884) for the provision of Green Waste Services for a period of 24 months

c authorise the General Manager or their delegate to extend the contract for a 12 month period at the sole discretion of Council as provisioned for in the Contract
d authorise the affixing of Council’s Common Seal to all relevant documents as required

b accept the offer of Davis Earthmoving & Quarrying Pty Ltd (ABN: 89 001 288 400) for the provision of Green Waste Processing for the schedule of rates submitted in their offer

c authorise the General Manager or their delegate to enter into a contract with Davis Earthmoving & Quarrying Earthmoving Pty Ltd (ABN: 89 001 288 400) for the provision of Green Waste Services for a period of 24 months

d authorise the General Manager or their delegate to extend the contract for a 12 month period at the sole discretion of Council as provisioned for in the Contract

e 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                    
D Hayes                         
V Keenan                        
R Kendall                       
T Koschel                       
K Pascoe                        
D Tout                          

CONF-3 RFT2019-21 CIVIC THEATRE AIR-CONDITIONING UPGRADE

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 7:11pm.

19/021 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

a accept the offer of Allstaff Airconditioning (ACT) Pty Ltd (ABN: 43 101 213 843) for the Civic Theatre Airconditioning Upgrade in the lump sum amount of $401,670 +GST

b authorise the General Manager or their delegate to enter into a contract with Allstaff Airconditioning (ACT) Pty Ltd (ABN: 43 101 213 843) for the Civic Theatre Air conditioning Upgrade

c authorise the affixing of Council’s Common Seal to all relevant documents as required
d 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  
D Hayes  
V Keenan  
R Kendall  
T Koschel  
D Tout

Councillor K Pascoe re-entered the chamber, the time being 7:12pm.

REVERSION TO OPEN COUNCIL

19/022 RESOLVED: On the Motion of Councillors D Hayes and R Kendall

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 7.12pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7.13pm.

.......................................................... MAYOR