

**PRESENT**

The Mayor, Councillor Greg Conkey OAM  
Councillor Yvonne Braid OAM  
Councillor Paul Funnell  
Councillor Dan Hayes  
Councillor Vanessa Keenan  
Councillor Rod Kendall  
Councillor Kerry Pascoe

**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)
Manager Finance	(Mrs C Rodney)
Manager City Strategy	(Mr T Kell)
Manager Executive Support	(Mr S Gray)
Manager Technical & Strategy	(Mr P Ross)
Senior Project Manager	(Mr D Woods)
Land and Real Property Coordinator	(Ms D Wright)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mr J Lang)
Governance Officer	(Ms B King)
Audit, Risk and Governance Officer	(Mrs S Karpanen)

**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 Councillor D Tout on the Motion of Councillors P Funnell and D Hayes.

**LEAVES OF ABSENCE**

Council note that a leave of absence was granted to Councillor T Koschel (13 May 2019 to 27 May 2019 inclusive).

**CONFIRMATION OF MINUTES**

**CM-1      ORDINARY COUNCIL MEETING - 13 MAY 2019**

**19/168      RESOLVED:**  
On the Motion of Councillors D Hayes and P Funnell

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 13 May 2019 be confirmed as a true and accurate record.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

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

Against the Motion

**DECLARATIONS OF INTEREST**

Councillor K Pascoe declared a Pecuniary Interest in RP- 3 INDEXING AND APPLICATION OF CONTRIBUTION RATES OF THE CITY OF WAGGA WAGGA SECTION 94 CONTRIBUTIONS PLAN 2006 - 2019 AND THE CITY OF WAGGA WAGGA S94A LEVY CONTRIBUTIONS PLAN 2006 the reason being that he currently has a development application submitted to Council and vacated the chamber during its consideration.

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

**NOM-1 NOTICE OF MOTION - FLOOD MODELLING SOFTWARE**

**19/169 RESOLVED:**  
On the Motion of Councillors V Keenan and D Hayes

That a report be presented to the next Ordinary Meeting of Council outlining the capacity and current use of Council’s waterRIDE flood modelling software with an identified budget for potentially increasing Council’s use of the program through the consideration of a permanent dedicated resource with high level training, software upgrades or increased licences as part of the discussion for the 2019/20 budget.

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

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

Against the Motion

**PROCEDURAL MOTION - ENGLOBO**

**19/170 RESOLVED:**  
On the Motion of Councillors D Hayes 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-1, RP-2, RP-4 to RP-8, M-1, CONF-2, CONF-3, CONF-5 and CONF-6, be adopted as recommended in the business papers

**CARRIED**

**REPORTS FROM STAFF**

**RP-1 PLANNING PROPOSAL TO AMEND THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 - GUMLY GUMLY**

**19/171 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a note the submissions and results of the cumulative flood impact study**
- b support the revision of two planning proposals for Gumly Gumly to amend the Wagga Wagga Local Environmental Plan 2010**
- c revise and submit the two planning proposals to the Department of Planning and Environment for Gateway Determination**
- d prepare an amendment to the Wagga Wagga Development Control Plan 2010 to be exhibited alongside the planning proposal, addressing development concerns outlined in the report**
- e receive a further report after receiving the revised Gateway Determinations from the Department of Planning and Environment, and the subsequent public exhibition period:**
  - i addressing any submissions made in respect of the planning proposals**
  - ii proposing adoption of the planning proposals unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**

**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  
K Pascoe

Against the Motion

**RP-2 DRAFT PLANNING PROPOSAL LEP18/0012 - ADJUSTMENT OF ZONE BOUNDARIES AT LOT 1 DP 605970 AND INCREASE TO MINIMUM LOT SIZE CONTROL TO PART LOT 1 DP 605970 ON HOLBROOK ROAD**

**19/172 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a support the planning proposal LEP18/0012 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 amendment deemed to be substantial and requiring a further public exhibition period**

**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  
K Pascoe

Against the Motion

**RP-3 INDEXING AND APPLICATION OF CONTRIBUTION RATES OF THE CITY OF WAGGA WAGGA SECTION 94 CONTRIBUTIONS PLAN 2006 - 2019 AND THE CITY OF WAGGA WAGGA S94A LEVY CONTRIBUTIONS PLAN 2006**

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 6.08pm.

**19/173 RESOLVED:**  
On the Motion of Councillors D Hayes and R Kendall

**That Council:**

- a authorise the General Manager or their delegate to make amendments to the City of Wagga Wagga Section 94 Contributions Plan 2006 – 2019 and the City of Wagga Wagga S94A Levy Contributions Plan 2006, which will change the indexation of contributions payable from quarterly to annually effective from 1 July 2019**
- b note that for clarity, an additional amendment will be made to the City of Wagga Wagga Section 94 Contributions Plan 2006 – 2019 to ensure that all development applications, complying development certificates and planning proposals determined before 1 July 2019, and any subsequent amendments of these will be required to pay the contributions under this Plan**
- c note that Council staff are lobbying IPART to make the appropriate changes in legislation and the Guidelines to allow utilisation of the Local Government Cost Index within contribution plans in preference to the requirement to use the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

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

Against the Motion

Councillor K Pascoe re-entered the chamber, the time being 6.09pm.

**RP-4 ROAD CLOSURE - COUNCIL ROAD WITHIN LOT 2 DP 631591, BORAMBOLA**

**19/174 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a note that the Crown Land Legislation Amendment Act 2017 has changed the process for closure of Council public roads**
- b propose the closure of the unnamed, unformed and unmaintained road within Lot 2 DP 631591 at Borambola**
- c provide public notice of the proposal as per the Roads Act 1993 (as amended by the Crown Land Legislation Amendment Act 2017, schedule 3)**
- d 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**

For the Motion

- Y Braid OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe

Against the Motion

**RP-5 PROPOSED LICENCE TO TARCUTTA MENSHEd - 8 BENT STREET, TARCUTTA**

**19/175 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council**

- a enter into a licence agreement with Tarcutta Men’s Shed Incorporated upon the following terms**
  - i Location - former Tarcutta RFS shed at 8 Bent Street, Tarcutta (Lot 136 DP 757255)**
  - ii Period - one (1) year commencing 1 July 2019**
  - iii Licence fee – in accordance with Council’s minimum community licence fee adopted for the 2019/2020 financial year**
- b undertake public notice advertising of the intention to grant a licence under in accordance with s47A and s47 of the Local Government Act 1993**
- c authorise lodgement of a development application for change of use to community purposes**
- d delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of the Council**
- e authorise the affixing of Council’s common seal to all relevant documents as required**
- f delegate authority to the General Manager, or their delegate to renew the licence for a further period of one (1) year on 1 July 2020 at the discretion of Council**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

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

Against the Motion



**RP-6 FINANCIAL PERFORMANCE REPORT AS AT 30 APRIL 2019**

**19/176 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a approve the proposed 2018/19 budget variations for the month ended 30 April 2019 and note the balanced budget position as presented in this report**
- b provide \$300 financial assistance to the South Wagga Anglican Church in accordance with Section 356 of the Local Government Act 1993**
- 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 30 April 2019 in accordance with section 625 of the Local Government Act 1993**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

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

Against the Motion

**RP-7 WAGGA WAGGA MAIN CITY LEVEE BANK - PROJECT UPDATE**

**19/177 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a note the contents of the report**
- b 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  
Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

Against the Motion

**RP-8      RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE**

**19/178      RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council receive and note 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  
K Pascoe

Against the Motion

**COMMITTEE MINUTES**

**M-1      AIRPORT ADVISORY COMMITTEE MEETING - 1 MAY 2019**

**19/179      RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council receive the minutes of the Airport Advisory Committee Meetings held on 1 May 2019.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

- Y Braid OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe

Against the Motion

**QUESTIONS/BUSINESS WITH NOTICE**

1. Councillor P Funnell requested that a letter of congratulations be sent from the Mayor to the Prime Minister, The Hon Scott Morrison MP and Member for Riverina, The Hon Michael McCormack MP on their recent election win.
2. Councillor D Hayes asked if a request was put forward to Council regarding line marking for the parking bays located on Morgan Street between Murray and Thorne Street. Director Commercial Operations will provide an update to Councillor D Hayes directly.
3. Councillor K Pascoe asked for an update to be provided in the next available Councillor Bulletin regarding the Pomingalarna Reserve and Cycling Complex.

**CLOSED COUNCIL**

**19/180 RESOLVED:**  
On the Motion of Councillors D Hayes and V Keenan

**That the Council now resolve itself into a Closed Council, the time being 6.12pm.**

**CARRIED**

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

**CONFIDENTIAL REPORTS**

**CONF-1 2018/19 LOAN FACILITY**

**19/181 RESOLVED:**  
On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a utilise an internal loan from the Livestock Marketing Centre Reserve for \$1,328,319 to be repaid over a 5-year term to fund the projects identified as part of Tranche 1 in the body of the report**
- b authorise the General Manager or their delegate to enter into a Loan Facility with the Commonwealth Bank of Australia for up to \$2,276,773 to fund the projects identified as part of Tranche 2 in the body of the report**
- c utilise an internal loan from the Livestock Marketing Centre Reserve for up to \$2,328,021 to be repaid over a 10-year term to fund the projects identified as part of Tranche 3 in the body of the report**
- d authorise the affixing of Council’s Common Seal to all necessary 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  
K Pascoe

Against the Motion

**CONF-2 ASHMONT RISING MAIN - PROPOSED ACCESS LICENCE AND ACQUISITION FOR EASEMENT**

**19/182 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a delegate authority to the General Manager or their delegate to acquire an easement to drain sewage within 64 Pearson Street, Ashmont (Lot 1 DP 798753) as outlined in the body of this report**
- b delegate authority to the General Manager or their delegate to enter into an access licence, if required, to facilitate constriction of infrastructure**
- 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 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
- K Pascoe

Against the Motion

**CONF-3 RFQ2019-535 SUPPLY OF ONE WATER TRUCK**

**19/183 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a accept the offer of Wagga Trucks Pty Ltd for one Volvo FM11 Water Truck for the amount of \$262,461.00 excluding GST**
- b authorise the General Manager or their delegate to enter into a contract with Wagga Trucks Pty Ltd for the supply of one Volvo FM11 Water Truck unit for the amount of \$262,461.00 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
- K Pascoe

**CONF-4 PROPOSED ACQUISITION OF LAND**

**19/184 RESOLVED:**  
On the Motion of Councillors K Pascoe and V Keenan

**That Council:**

- a delegate authority to the General Manager or their delegate to negotiate the purchase of land identified in the body of the report in accordance with the terms outlined in the body of this report**
- b delegate authority to the General Manager or their delegate to enter into a contract for the acquisition of land on behalf of Council**
- c delegate authority to the General Manager or their delegate to execute any necessary agreements on behalf of Council**
- d authorise the affixing of Council’s common seal to all relevant documents as required**

- e upon acquisition classify the land as operational land in accordance with the provisions of Section 31 of the Local Government Act 1993
- f delegate authority to the General Manager or their delegate to seek Ministerial approval in accordance with the requirements of Section 410 of the Local Government Act 1993, and as outlined within this report
- g approve the budget variations as detailed in the Financial Implications section of the report

CARRIED

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- Y Braid OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe

**CONF-5 PROPOSED EXPANSION OF SUB-LEASE AREA - ENCORE AVIATION PTY LTD**

**19/185 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a agree to vary the existing sub-lease agreement with Encore Aviation Pty Ltd to include an additional lease area as per the terms set out in the body of this report
- b delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of the Council
- c authorise the affixing of Council's common seal to all relevant documents as required
- d 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

- Y Braid OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe

Against the Motion

**CONF-6 WAGGA WAGGA AIRPORT REVIEW**

**19/186 RESOLVED:**  
On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a note the recommendation from the Airport Advisory Committee**
- b approve the proposal from the airport consultant to undertake a review of Wagga Airport, including the additional scope item to benchmark depreciation**
- c approve the budget variations as detailed in the Financial Implications section of the report**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

- Y Braid OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- K Pascoe

Against the Motion



**REVERSION TO OPEN COUNCIL**

**19/187 RESOLVED:**  
On the Motion of Councillors V Keenan and D Hayes

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 6.36pm.**

**CARRIED**

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 6.39pm.

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MAYOR