

PRESENT

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

IN ATTENDANCE

General Manager	(Mr P Thompson)
Director Corporate Services	(Mrs N Te Pohe)
Director Community	(Mrs J Summerhayes)
Director Commercial Operations	(Ms C Angel)
Manager Audit, Risk & Governance	(Ms I Hensley)
Manager Finance	(Mrs C Rodney)
Manager Community Services	(Ms M Scully)
Manager Executive Support	(Mr S Gray)
Corporate Governance Coordinator	(Mrs N Johnson)
Strategic Asset Planner (Parks & Recreation)	(Mr B Creighton)
Recreation Officer	(Mr P Cook)
Communications & Engagement Officer	(Mr J Lang)

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.

ACKNOWLEDGEMENT AND CONGRATULATIONS

The Mayor, Councillor G Conkey OAM, acknowledged the 2019 Riverina Queens Birthday Honours List recipients for their contribution and dedication to their communities and offered sincere congratulations on behalf of Council to:

- Dr GP Geraldine Duncan OAM
- Mr David McCann OAM
- Ms Jenny Roberts OAM
- Mr Ian McLeod OAM
- Mr Rodney Smith

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 27 MAY 2019

19/188 RESOLVED:
On the Motion of Councillors K Pascoe and P Funnell

That the Minutes of the proceedings of the Ordinary Council Meeting held on 27 May 2019 be confirmed as a true and accurate record.

CARRIED

DECLARATIONS OF INTEREST

Councillor T Koschel declared a Significant, Non Pecuniary Interest in RP-6 Mobile Food Vending Trail Extension the reason being that he works with outlets that are competitors of the food vans and vacated the chamber during its consideration.

PUBLIC DISCUSSION FORUM

RP-4 ADOPTION OF CODE OF MEETING PRACTICE

- Mrs Diana Shield – Speaking in favour of the report
- Pr Tharren Hutchinson – Speaking in favour of the report
- Mrs Mary Kidson – Speaking against the report
- Ms Caitlin Langley – Speaking against the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

19/189 RESOLVED:
On the Motion of Councillors P Funnell and D Hayes

That Council bring forward consideration of RP-4 ADOPTION OF CODE OF MEETING PRACTICE to follow the public discussion forum.

CARRIED

RP-4 ADOPTION OF CODE OF MEETING PRACTICE

A Motion was moved by Councillors P Funnell and D Hayes

That Council:

- a note the public submissions received during the exhibition period
- b receive and note the petition
- c in 3.10 of the Code of Meeting Practice replace “of the Monday before the meeting is to be held” to “one week (7 days) before the notice required in 3.7”
- d add 3.9 (a) stating “In non-emergencies, notice of three (3) business days, exclusive of the day of the meeting, is required to be provided to Councillors”
- e amend Section 4.2 - replace “by 12.00pm on the day of the meeting before the date on which the public forum is to be held” to “at least four (4) business hours prior to the beginning of the public forum”
- f add to the Code of Meeting Practice the following:

10.20 (a) prior to asking the original mover of the motion to speak to the motion the chair person shall ask if there is any person who wishes to speak against the motion

If the mover of a motion declines the opportunity to speak first to the motion they moved, they forfeit their opportunity to speak to the motion (not the amendments) and are only awarded a right of reply”
- g adopt the draft Code of Meeting Practice as amended in (c), (d), (e) and (f)

An AMENDMENT was moved by Councillor D Hayes and seconded by Councillor V Keenan

That Council:

- a note the public submissions received during the exhibition period
- b receive and note the petition
- c amend Section 3.7 of the Code of Meeting Practice replace “three business days” to “one week (7 days)”.

- d in 3.10 of the Code of Meeting Practice replace “of the Monday before the meeting is to be held” to “three (3) business days before the notice required in 3.7”
- f adopt the draft Code of Meeting Practice as amended in (c) and (d) above

RECORD OF VOTING ON THE AMENDMENT

For the Amendment
D Hayes
V Keenan

Against the Amendment
Y Braid OAM
G Conkey OAM
P Funnell
R Kendall
T Koschel
K Pascoe
D Tout

The Amendment on being put to the Meeting was LOST.

An AMENDMENT was moved by Councillor D Hayes and seconded by Councillor V Keenan

That Council:

- a note the public submissions received during the exhibition period
- b receive and note the petition
- c in 3.10 of the Code of Meeting Practice replace “of the Monday before the meeting is to be held” to “one week (7 days) before the notice required in 3.7”
- d add 3.9 (a) stating “In non-emergencies, notice of three (3) business days, exclusive of the day of the meeting, is required to be provided to Councillors”
- e amend Section 4.2 - replace “by 12.00pm on the day of the meeting before the date on which the public forum is to be held” to “at least four (4) business hours prior to the beginning of the public forum”
- f add to the Code of Meeting Practice the following:
 - 10.20 (a) prior to asking the original mover of the motion to speak to the motion the chair person shall ask if there is any person who wishes to speak against the motion
 - If the mover of a motion declines the opportunity to speak first to the motion they moved, they forfeit their opportunity to speak to the motion (not the amendments) and are only awarded a right of reply”
- g replace the prayer under the order of business with Civic Statement/Opening Statement
- h have a workshop to finalise the wording of the Civic Statement/Opening Statement
- i adopt the draft Code of Meeting Practice as amended in (c), (d), (e), (f), (g) and (h)

Councillor D Tout signalled a Foreshadowed Amendment to the Mayor.

RECORD OF VOTING ON THE AMENDMENT

For the Amendment

- D Hayes
- V Keenan

Against the Amendment

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

The Amendment on being put to the Meeting was LOST.

An AMENDMENT was moved by Councillor D Tout and seconded by Councillor G Conkey OAM

That Council:

- a note the public submissions received during the exhibition period
- b receive and note the petition
- c in 3.10 of the Code of Meeting Practice replace “of the Monday before the meeting is to be held” to “one week (7 days) before the notice required in 3.7”
- d add 3.9 (a) stating “In non-emergencies, notice of three (3) business days, exclusive of the day of the meeting, is required to be provided to Councillors”
- e amend Section 4.2 - replace “by 12.00pm on the day of the meeting before the date on which the public forum is to be held” to “at least four (4) business hours prior to the beginning of the public forum”
- f add to the Code of Meeting Practice the following:
 - 10.20 (a) prior to asking the original mover of the motion to speak to the motion the chair person shall ask if there is any person who wishes to speak against the motion
 - If the mover of a motion declines the opportunity to speak first to the motion they moved, they forfeit their opportunity to speak to the motion (not the amendments) and are only awarded a right of reply
- g insert into 8.1 of the Code of Meeting Practice as Item 02 an affirmation of the following wording:
 - “We pause to reflect upon the solemn responsibilities conferred on us by the members of our community. We seek guidance within our own individual beliefs systems to ensure that our decision making is done in a professional and impartial manner demonstrating respect, compassion and sensitivity to the needs of our community.”
- h adopt the draft Code of Meeting Practice as amended in (c), (d), (e), (f) and (g)

RECORD OF VOTING ON THE AMENDMENT

For the Amendment

- G Conkey OAM
- R Kendall
- T Koschel
- D Tout

Against the Amendment

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

The Amendment on being put to the Meeting was LOST.

An AMENDMENT was moved by Councillor V Keenan and seconded by Councillor R Kendall

That Council:

- a note the public submissions received during the exhibition period
- b receive and note the petition
- c in 3.10 of the Code of Meeting Practice replace “of the Monday before the meeting is to be held” to “one week (7 days) before the notice required in 3.7”
- d add 3.9 (a) stating “In non-emergencies, notice of three (3) business days, exclusive of the day of the meeting, is required to be provided to Councillors”
- e amend Section 4.2 - replace “by 12.00pm on the day of the meeting before the date on which the public forum is to be held” to “at least four (4) business hours prior to the beginning of the public forum”
- f add to the Code of Meeting Practice the following:
10.20 (a) prior to asking the original mover of the motion to speak to the motion the chair person shall ask if there is any person who wishes to speak against the motion

If the mover of a motion declines the opportunity to speak first to the motion they moved, they forfeit their opportunity to speak to the motion (not the amendments) and are only awarded a right of reply
- g replace the opening line Almighty God to “In the name of all faiths that guide and support members of our community”
- h adopt the draft Code of Meeting Practice as amended in (c), (d), (e), (f) and (g)

RECORD OF VOTING ON THE AMENDMENT

For the Amendment

- D Hayes
- V Keenan
- R Kendall

Against the Amendment

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

The Amendment on being put to the Meeting was LOST.

19/190 RESOLVED:

On the Motion of Councillors P Funnell and D Hayes

That Council:

- a note the public submissions received during the exhibition period
- b receive and note the petition
- c in 3.10 of the Code of Meeting Practice replace “of the Monday before the meeting is to be held” to “one week (7 days) before the notice required in 3.7”
- d add 3.9 (a) stating “In non-emergencies, notice of three (3) business days, exclusive of the day of the meeting, is required to be provided to Councillors”
- e amend Section 4.2 - replace “by 12.00pm on the day of the meeting before the date on which the public forum is to be held” to “at least four (4) business hours prior to the beginning of the public forum”
- f add to the Code of Meeting Practice the following:

10.20 (a) prior to asking the original mover of the motion to speak to the motion the chair person shall ask if there is any person who wishes to speak against the motion

If the mover of a motion declines the opportunity to speak first to the motion they moved, they forfeit their opportunity to speak to the motion (not the amendments) and are only awarded a right of reply”
- g adopt the draft Code of Meeting Practice as amended in (c), (d), (e) and (f)

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion
V Keenan

The Mayor, Councillor G Conkey OAM called a short recess the time being 8:00pm.

The Council Meeting resumed at 8:06pm.

MAYORAL MINUTE

MM-1 MAYORAL MINUTE - APPOINTMENT OF ACTING DEPUTY MAYOR

19/191 RESOLVED:
On the Motion of The Mayor, Councillor G Conkey OAM

That Council:

- a grant a leave of absence for Mayor, Councillor G Conkey OAM from the 2 September to 23 September 2019 (inclusive)**
- b grant a leave of absence for Deputy Mayor, Councillor D Tout from the 20 August to 14 September 2019 (inclusive)**
- c elect a Councillor as Acting Deputy Mayor for the period 2 September to 14 September 2019 (inclusive).**
- d conduct the election of the Acting Deputy Mayor by the voting method determined by Council**

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
Y Braid OAM	
G Conkey OAM	
P Funnell	
D Hayes	
V Keenan	
R Kendall	
T Koschel	
K Pascoe	
D Tout	

PM-1 PROCEDURAL MOTION - THE METHOD OF VOTING

19/192 RESOLVED:
On the Motion of Councillors R Kendall and D Hayes

That Council conduct the election of the Acting Deputy Mayor for the period 2 September 2019 to 14 September 2019 (inclusive) by Open Voting.

CARRIED

Election of Acting Deputy Mayor

The General Manager, then conducted the election for Acting Deputy Mayor.

The nominations received for the office of the Acting Deputy Mayor were:

- Councillor Dan Hayes
- Councillor Vanessa Keenan
- Councillor Rod Kendall

Following two rounds of voting, the General Manager declared Councillor Rod Kendall elected to the position of Acting Deputy Mayor for the City of Wagga Wagga for the period 2 September 2019 to 14 September 2019 (inclusive).

Candidate	Round One	Round Two
Councillor Dan Hayes	1	2
Councillor Vanessa Keenan	1	Excluded
Councillor Rod Kendall	7	7

PROCEDURAL MOTION - ENGLOBO

19/193 RESOLVED:
On the Motion of Councillors V Keenan 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 CR-1, RP-2, RP-3, RP-7 and CONF-1 be adopted as recommended in the business papers.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

R Kendall
T Koschel
K Pascoe
D Tout

COUNCILLOR REPORT

CR-1 SMALL BUSINESS FRIENDLY COUNCILS CONFERENCE MAY 2019

19/194 RESOLVED:
On the Motion of Councillors V Keenan and P Funnell

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u> Y Braid OAM G Conkey OAM P Funnell D Hayes V Keenan R Kendall T Koschel K Pascoe D Tout	<u>Against the Motion</u>
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REPORTS FROM STAFF

RP-1 WAGGA WAGGA INLAND WATER SAFETY MANAGEMENT PLAN

19/195 RESOLVED:
On the Motion of Councillors V Keenan and D Hayes

That Council:

- a note the submissions received relating to the draft Wagga Wagga Water Safety Management Plan 2019**
- b adopts the Wagga Wagga City Council Water Safety Management Plan 2019**
- c approve the budget variation as detailed in the budget section of the report**
- d endorse staff working with other agencies to seek future funding for the implementation of the plan**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

**RP-2 OUTSTANDING DEBTORS DEEMED UNRECOVERABLE -
PROPOSED WRITE OFF LIST**

19/196 RESOLVED:
On the Motion of Councillors V Keenan and P Funnell

That Council:

- a authorise, in accordance with Clause 131 of the Local Government (General) Regulation 2005, the write-off of outstanding debtor accounts totalling \$27,440.26**
- b note the \$3,307.02 total for outstanding accounts under \$1,000 which are also to be written off under the General Manager’s delegation**
- 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

Against the Motion

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

RP-3 ADOPTION OF CODE OF CONDUCT AND ADMINISTRATIVE PROCEDURES FOR THE CODE OF CONDUCT

19/197 RESOLVED:
On the Motion of Councillors V Keenan and P Funnell

That Council:

- a note that there were no public submissions received during the exhibition period of the draft Code of Conduct and Procedures for the Administration of the Code of Conduct**
- b adopt the Code of Conduct and Procedures for the Administration of the Code of Conduct as exhibited**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-4 ADOPTION OF CODE OF MEETING PRACTICE was moved forward for the Public Discussion Forum.

RP-5 WAGGA WAGGA CITY COUNCIL RECONCILIATION ACTION PLAN

19/198 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a endorse the draft Reconciliation Action Plan and place on public exhibition for a period of 28 days from 13 June 2019 and invite public submissions until to 10 July 2019 on the draft document.**
- b receive a further report following the public exhibition and submission period:**
 - i addressing any submissions made in respect of the draft Reconciliation Action Plan**

- ii **proposing adoption of the policy 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
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

RP-6 MOBILE FOOD VENDING TRIAL EXTENSION

Councillor T Koschel declared a Pecuniary Interest and vacated the chamber, the time being 8:25pm.

19/199 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a **note the Mayor’s decision made on 28 May 2019, in accordance with Section 226 (d) of the Local Government Act 1993, to extend the Mobile Food Vending Trial until Monday 11 June 2019**
- b **further extend the Mobile Food Vending Trial until Thursday 15 August 2019 pending a formal decision from Council as to whether a permanent arrangement should be implemented**
- c **continue to communicate with the representative groups identified in the consultation section in the body of this report and include their feedback in the report back to Council advising the outcomes of the trial**

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
- D Tout

Councillor T Koschel re-entered the Chamber, the time being 8:36pm.

RP-7 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

19/200 RESOLVED:
On the Motion of Councillors V Keenan and P Funnell

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
T Koschel
K Pascoe
D Tout

Against the Motion

COMMITTEE MINUTES

M-1 TRAFFIC COMMITTEE - 9 MAY 2019

19/201 RESOLVED:
On the Motion of Councillors D Tout and P Funnell

That Council:

- a receive the minutes of the Traffic Committee Meeting held on 9 May 2019**
- b endorse the recommendations of the Traffic Committee**

CARRIED

Councillor D Tout vacated the Chamber, the time being 8:39pm.

RECORD OF VOTING ON THE MOTION

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

Against the Motion

Councillor D Tout re-entered the Chamber, the time being 8:41pm.

QUESTIONS/BUSINESS WITH NOTICE

The following Questions/Business with Notice will be addressed at the next available Business paper.

- 1. Councillor D Hayes requested feedback in relation to new neighbourhoods being built, often with solar power panels on homes, how do we manage the problem for when the trees become taller, on neighbours lands including council owned land such as parks, and they block the panels from getting sunlight?
- 2. Councillor D Hayes and T Koschel requested a review of Council’s sound system in the Council Meeting room following feedback that the audience in the gallery and through livestreaming cannot hear debate.
- 3. Councillor R Kendall requested a Councillor briefing from Roads and Martine Services on the outcomes of the recent Corridor Study.
- 4. Councillor K Pascoe requested a review of signage at the Wetlands in Narrung Street in particular options to mitigate damage to the signs caused by birds.
- 5. Councillor T Koschel thanked the General Manager, Peter Thompson and Manager Executive Support, Scott Gray for meeting with the Principal of Lutheran Primary School.
- 6. The Mayor Greg Conkey OAM congratulated Tegan Muirhead (2nd Year Diesel Mechanic with Wagga Wagga City Council) on her Highly Commended Award for Women in non-traditional roles at the Ministers Awards for Women in Local Government Women in Sydney on 6 June 2019. Councillors requested a presentation to Tegan be arranged prior to a Council Meeting.
- 7. Council P Funnell requested an email response in relation to the specifications of the Eunony upgrade.

CONFIDENTIAL REPORTS

CONF-1 RFT2019-26 FRENCH FIELDS AMENTITIES CONSTRUCTION

19/202 RESOLVED:

On the Motion of Councillors V Keenan and P Funnell

That Council:

- a accept the offer of Stephen Lawrence Constructions (ABN: 33 070 246 785) for the French Fields Amenities Construction works, in the lump sum amount of \$656,554.80 (ex-GST)**
- b authorise the General Manager or their delegate to enter into a contract with Stephen Lawrence Constructions (ABN: 33 070 246 785) for the French Fields Amenities Construction works**
- c authorises the affixing of Council’s Common Seal to all relevant documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8:47pm .

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MAYOR