

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)
Acting Director Community	(Mr M Gardiner)
Director Commercial Operations	(Ms C Angel)
Director Regional Activation	(Mr M Keys)
Manager Finance	(Mrs C Rodney)
Manager Information & Customer Service	(Mr M Schmid)
Manager Community Services	(Ms M Scully)
Manager City Strategy	(Mr T Kell)
Manager Corporate Strategy and Communications	(Mr S Gray)
Manager Project Delivery	(Mr R Shah)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Visitor Economy & Events Coordinator	(Mrs F Hamilton)
Corporate Governance Coordinator	(Mrs N Johnson)
Strategic Asset Planner (Parks & Recreation)	(Mr B Creighton)
Communications & Engagement Officer	(Mr S Shaw)
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 Director Community, Mrs Janice Summerhayes on the Motion of Councillors R Kendall and D Tout.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING -25 NOVEMBER 2019

19/440 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That the Minutes of the proceedings of the Ordinary Council Meeting held on 25 November 2019 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
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

DECLARATIONS OF INTEREST

Councillor D Hayes declared a Non-Significant, Non-Pecuniary Interest in RP-3 DA16/0585.02 – 16B BROAD STREET WAGGA WAGGA – LOT 1 DP 534496 – MODIFICATION OF DEVELOPMENT CONSENT FOR MULTI DWELLING HOUSING – REVIEW OF CONDITIONS 2(A) AND 30(A) RELATING TO LANEWAY CONSTRUCTION REQUIREMENTS the reason being that he lives in rental accommodation approximately one block away and remained in the chamber during its consideration.

Councillor D Hayes declared a Non-Significant, Non-Pecuniary Interest in RP-5 DA19/0483 DUAL OCCUPANCY (TWO-STOREY) AND COMMUNITY TITLE SUBDIVISION the reason being that he lives in rental accommodation within two blocks of the proposed development and remained in the chamber during its consideration.

Councillor D Hayes declared a Non-Significant, Non-Pecuniary Interest in RP-6 PUBLIC HEARING REPORT - RECLASSIFICATION OF COMMUNITY LAND TO OPERATIONAL LAND - 205 MORGAN STREET, WAGGA WAGGA the reason being that his workplace is located on the site of the proposed development and remained in the chamber during its consideration.

Councillor D Hayes declared a Non-Significant, Non-Pecuniary Interest in RP-7 PLANNING PROPOSAL LEP19/0002 - PROPOSED AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 FOR LAND LOCATED ON MORGAN, MURRAY AND FORSYTH STREETS, WAGGA WAGGA the reason being that his workplace is located on the site of the proposed development and remained in the chamber during its consideration.

Councillor D Hayes declared a Non-Significant, Non-Pecuniary Interest in RP-8 FINANCIAL PERFORMANCE REPORT AS AT 30 NOVEMBER 2019 the reason being that an organisation requesting a fee waiver has a financial relationship with his employer, though he is not involved in those decisions and remained in the chamber during its consideration.

Councillor P Funnell declared a Significant, Non-Pecuniary Interest in RP-3 DA16/0585.02 – 16B BROAD STREET WAGGA WAGGA – LOT 1 DP 534496 – MODIFICATION OF DEVELOPMENT CONSENT FOR MULTI DWELLING HOUSING – REVIEW OF CONDITIONS 2(A) AND 30(A) RELATING TO LANEWAY CONSTRUCTION REQUIREMENTS the reason being that he has engaged the services of the architect named in the report and vacated the chamber during its consideration.

Councillor V Keenan declared a Non-Significant, Non-Pecuniary Interest in RP-6 PUBLIC HEARING REPORT - RECLASSIFICATION OF COMMUNITY LAND TO OPERATIONAL LAND - 205 MORGAN STREET, WAGGA WAGGA the reason being that she lives in the vicinity of the subject land and remained in the chamber during its consideration.

Councillor V Keenan declared a Significant, Pecuniary Interest in RP-7 PLANNING PROPOSAL LEP19/0002 - PROPOSED AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 FOR LAND LOCATED ON MORGAN, MURRAY AND FORSYTH STREETS, WAGGA WAGGA the reason being that she lives in the vicinity of the subject land and remained in the chamber during its consideration.

Councillor V Keenan declared a Non-Pecuniary Interest in CONF-2 SALE OF 205 MORGAN STREET, WAGGA WAGGA the reason being that she lives in the vicinity of the subject land and remained in the chamber during its consideration.

Councillor R Kendall declared a Significant, Non-Pecuniary Interest in RP-4 DA18/0460 – 51 SPRING STREET – LOT 30 DP 1027765 - PROPOSED 21 LOT COMMUNITY TITLE RESIDENTIAL SUBDIVISION the reason being that the owners of the land have recently been direct business partners and vacated the chamber during its consideration.

Councillor R Kendall declared a Significant, Non-Pecuniary Interest in CONF-11 RFT2020-12 WINNING & CRUSHING OF GRAVEL the reason being that an owner of a tendering businesses is a business partner in another enterprise and vacated the chamber during its consideration.

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest in RP-8 FINANCIAL PERFORMANCE REPORT AS AT 30 NOVEMBER 2019 the reason being that his employer is named in the report and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in NOM-1 NOTICE OF MOTION - GEARS AND BEERS the reason being that he is a member of the Wollundry Rotary and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-4 DA18/0460 – 51 SPRING STREET – LOT 30 DP 1027765 - PROPOSED 21 LOT COMMUNITY TITLE RESIDENTIAL SUBDIVISION the reason being that he has business transactions with the developer and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-6 PUBLIC HEARING REPORT - RECLASSIFICATION OF COMMUNITY LAND TO OPERATIONAL LAND - 205 MORGAN STREET, WAGGA WAGGA the reason being that his company is undertaking a similar development and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-7 PLANNING PROPOSAL LEP19/0002 - PROPOSED AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 FOR LAND LOCATED ON MORGAN, MURRAY AND FORSYTH STREETS, WAGGA WAGGA the reason being that his company is developing a similar project on a smaller scale and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in CONF-2 SALE OF 205 MORGAN STREET, WAGGA WAGGA the reason being that his company is undertaking a similar development to the project and vacated the chamber during its consideration.

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest in RP-8 FINANCIAL PERFORMANCE REPORT AS AT 30 NOVEMBER 2019 the reason being that a family member works at an employer applying for a fee waiver and vacated the chamber during its consideration.

The Mayor, Councillor G Conkey OAM declared a Significant, Non-Pecuniary Interest in NOM-1 NOTICE OF MOTION - GEARS AND BEERS the reason being that he is a member of Wollundry Rotary club and vacated the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING OFRDERS

19/441 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council bring forward consideration of ENGLOBO to precede the public discussion forum.

CARRIED

PROCEDURAL MOTION - ENGLOBO

19/442 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-5, RP-9, RP-10, RP-12, RP-13, RP-17, RP-18, RP-20, CONF-1, CONF-3, CONF-4 to CONF-6, CONF-8, CONF-9 and CONF-13 be adopted as recommended in the business papers.

CARRIED

PUBLIC DISCUSSION FORUM

The Mayor, Councillor G Conkey OAM vacated the Chair and the chamber, the time being 6:07pm.

Councillor K Pascoe vacated the chamber, the time being 6.07pm.

Councillor D Tout assumed the Chair, the time being 6.07pm.

NOM-1 NOTICE OF MOTION - GEARS AND BEERS

- **Mr Phillip McIntosh, Gears and Beers Festival – Speaking in favour of the report**
- **Mr Richie Robinson, Destination Riverina Murray – Speaking in favour of the report**

The Mayor, Councillor G Conkey OAM re-entered the chamber and assumed the Chair, the time being 6:25pm.

Councillor K Pascoe re-entered the chamber, the time being 6.25pm.

RP-1 DA18/0510 - 11 LOT RESIDENTIAL SUBDIVISION, 42 OLD BOMEN ROAD, CARTWRIGHTS HILL, NSW 2650

- Ms Susan Hill, Hones Lawyers – Speaking against the report
- Mr Garry Salvestro, Salvestro Planning – Speaking against the report
- Mr Stephen Thomson, Teys Australia Southern Ltd – Speaking in favour of the report

RP-2 DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650

- Mrs Jessica Blencowe – Speaking against the report
- Mr Christopher Ryan, TJ Hinchcliffe & Associates – Speaking against the report
- Mr Stephen Thomson, Teys Australia Southern Ltd – Speaking in favour of the report (content on presentation covered in his address regarding RP-1)

Councillor K Pascoe vacated the chamber, the time being 6:56pm.

Councillor R Kendall vacated the chamber, the time being 6:57pm.

RP-4 DA18/0460 – 51 SPRING STREET – LOT 30 DP 1027765 - PROPOSED 21 LOT COMMUNITY TITLE RESIDENTIAL SUBDIVISION

- Mr Christopher Ryan, TJ Hinchcliffe & Associates – Speaking in favour of the report

Councillor R Kendall re-entered the chamber, the time being 6:59pm.

RP-7 PLANNING PROPOSAL LEP19/0002 - PROPOSED AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 FOR LAND LOCATED ON MORGAN, MURRAY AND FORSYTH STREETS, WAGGA WAGGA

- Dr Catherine Harding – Speaking against the report
- Mr Chris Roche – Speaking against the report
- Manuel Donebus, Damasa Pty Ltd - Speaking in favour of the report
- Matthew Karpanen, Navigate Advisors – Speaking in favour of the report

Councillor K Pascoe re-entered the chamber, the time being 7:26pm.

RP-14 HISTORIC ENGINE CLUB DEVELOPMENT

- Mr Alan Brown – Speaking in favour of the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

19/443 RESOLVED:

On the Motion of Councillors T Koschel and V Keenan

That Council bring forward consideration of the following reports to follow the public discussion forum:

- **NOM-1 NOTICE OF MOTION - GEARS AND BEERS**
- **RP-1 DA18/0510 - 11 LOT RESIDENTIAL SUBDIVISION, 42 OLD BOMEN ROAD, CARTWRIGHTS HILL, NSW 2650**
- **RP-2 DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650**
- **RP-3 DA16/0585.02 – 16B BROAD STREET WAGGA WAGGA – LOT 1 DP 534496 – MODIFICATION OF DEVELOPMENT CONSENT FOR MULTI DWELLING HOUSING – REVIEW OF CONDITIONS 2(A) AND 30(A) RELATING TO LANEWAY CONSTRUCTION REQUIREMENTS**
- **RP-4 DA18/0460 – 51 SPRING STREET – LOT 30 DP 1027765 - PROPOSED 21 LOT COMMUNITY TITLE RESIDENTIAL SUBDIVISION**
- **RP-7 PLANNING PROPOSAL LEP19/0002 - PROPOSED AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 FOR LAND LOCATED ON MORGAN, MURRAY AND FORSYTH STREETS, WAGGA WAGGA**
- **RP-14 HISTORIC ENGINE CLUB DEVELOPMENT**

CARRIED

NOM-1 NOTICE OF MOTION - GEARS AND BEERS

The Mayor, Councillor G Conkey OAM declared a Significant, Non-Pecuniary Interest and vacated the Chair and the chamber, the time being 7:30pm.

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 7:30pm.

Councillor D Tout assumed the Chair, the time being 7.30pm.

A Motion was moved by Councillors T Koschel and P Funnell

That Council receives a report regarding the possibility of entering into a Flagship Sponsorship arrangement with the Gears and Beers Festival that includes:

- a what a Flagship Sponsorship arrangement is and what Council needs in return on this investment
- b how will this work in conjunction with our social, cultural and economic plans
- c how will this work in conjunction with our events strategy
- d options for Council to enter into a three-year Flagship Sponsorship Agreement at \$25,000 per year

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

That the current event strategy review considers the establishment of flagship events (such as Gears and Beers) which would fall outside of the annual grants process to be presented to Council in January 2020.

For the AMENDMENT
 Y Braid OAM
 P Funnell
 D Hayes
 V Keenan
 R Kendall
 D Tout

Against the AMENDMENT
 T Koschel

The AMENDMENT on being put to Council was CARRIED and became the Motion.

19/444 RESOLVED:
 On the Motion of Councillors V Keenan and D Hayes

That the current event strategy review considers the establishment of flagship events (such as Gears and Beers) which would fall outside of the annual grants process to be presented to Council in January 2020.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
 Y Braid OAM
 P Funnell

Against the Motion

- D Hayes
- V Keenan
- R Kendall
- T Koschel
- D Tout

Councillor D Tout vacated the chair, the time being 7.52pm.

The Mayor, Councillor G Conkey OAM re-entered the chamber and assumed the chair, the time being 7:52pm.

Councillor K Pascoe re-entered the chamber, the time being 7:52pm.

RP-1 DA18/0510 - 11 LOT RESIDENTIAL SUBDIVISION, 42 OLD BOMEN ROAD, CARTWRIGHTS HILL, NSW 2650

19/445 RESOLVED:
On the Motion of Councillors R Kendall and D Hayes

That Council refuse DA18/0510 for an 11 Lot Residential Subdivision at 42 Old Bomen Road, Cartwrights Hill, Lot 83 DP751422 for the reasons detailed in the analysis of the key issues contained within the Section 4.15 Report attached under separate cover.

CARRIED

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

- For the Motion
- G Conkey OAM
 - D Hayes
 - V Keenan
 - R Kendall
 - K Pascoe

- Against the Motion
- Y Braid OAM
 - P Funnell
 - T Koschel
 - D Tout

RP-2 DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650

A Motion was moved by Councillors D Hayes and V Keenan

That Council:

- a refuse DA19/0412 for a 2 Lot Residential Subdivision at 411 Hampden Avenue, Cartwrights Hill, Lot 83 DP751422 for the reasons outlined in the attached Section 4.15 report
- b refund 100% of the applicable development application fees

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

The Motion on being put to the Meeting was LOST.

RP-3 DA16/0585.02 – 16B BROAD STREET WAGGA WAGGA – LOT 1 DP 534496 – MODIFICATION OF DEVELOPMENT CONSENT FOR MULTI DWELLING HOUSING – REVIEW OF CONDITIONS 2(A) AND 30(A) RELATING TO LANEWAY CONSTRUCTION REQUIREMENTS

Councillor P Funnell declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 8:14pm.

19/446 RESOLVED:
On the Motion of Councillors R Kendall and D Hayes

That Council approve the application to modify consent (DA16/0585.02) such that:

1. Condition 2(a) be deleted as the requirement for full reconstruction of the laneway is unwarranted given the circumstances; and
2. Condition 30(a) be reworded as follows to ensure that the existing lane pavement does not result in unacceptable impacts to the proposed dwellings and also ensuring that required approvals are obtained to enable work within the road reserve:

Prior to the release of any Occupation Certificate, the sealed surface of the existing laneway extending from the Broad Street road pavement through to the western boundary of the development site shall be repaired to the satisfaction of the Commercial Operations Director or their delegate. A pavement report shall be prepared by a qualified

Geotechnical Engineer to determine a suitable pavement design in accordance with Council's Engineering Guidelines for Development. These works are to be approved by Council under Section 138 of the Roads Act 1993 prior to commencement of works. All works are at full cost to the developer

REASON: To ensure that the existing laneway is of a standard to ensure minimal environmental impact on the proposed development. Sections 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended

CARRIED

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

For the Motion

Against the Motion

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

Councillor P Funnell re-entered the chamber, the time being 8:17pm.

RP-4 DA18/0460 – 51 SPRING STREET – LOT 30 DP 1027765 - PROPOSED 21 LOT COMMUNITY TITLE RESIDENTIAL SUBDIVISION

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 8:20pm.

Councillor R Kendall declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 8:20pm.

19/447 RESOLVED:

On the Motion of Councillors D Hayes and D Tout

That Council approve DA18/0460 for 21 Lot Community Residential Subdivision, 51 Spring Street, Lot 30 DP 1027765, subject to the conditions contained within the attached Section 4.15 assessment 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 OAM
G Conkey OAM
P Funnell
D Hayes

V Keenan
T Koschel
D Tout

Councillor R Kendall re-entered the chamber, the time being 8:21pm.

RP-7 PLANNING PROPOSAL LEP19/0002 - PROPOSED AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 FOR LAND LOCATED ON MORGAN, MURRAY AND FORSYTH STREETS, WAGGA WAGGA

Councillor K Pascoe declared a Pecuniary Interest and remained out of the chamber, the time being 8:20pm.

19/448 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a note the submissions received during the exhibition period for the planning proposal
- b note the outcomes of the community workshop and public hearing
- c stage the adoption of the planning proposal with amendments in two stages

Stage 1 - use delegation to approve the legal instrument and notify NSW Department of Planning, Industry and Environment to gazette the following elements of the planning proposal:

- i Reclassify Lot A DP 331461 and Lot 1 DP 375748, located at 205 Morgan Street from “community land’ to “operational land”
- ii Rezone Lot A DP 331461 and Lot 1 DP 375748, located at 205 Morgan Street from RE1 Public Recreation to B4 Mixed Use
- iii Rezone Lots 1-5 DP 20847, located on the corner of Morgan Street and Murray Street from R1 General Residential to B4 Mixed Use

Stage 2 - defer a decision on the proposed building height restriction and floor space ratio pending an assessment of the concerns raised in relation to the proposed height and in consideration of an amendment to the Wagga Wagga Development Control Plan 2010

- d prepare and exhibit an amendment to the Wagga Wagga Development Control Plan 2010 including the following:
 - i consideration of an appropriate height of building
 - ii design controls to guide an appropriate relationship of new buildings on the site to surrounding properties, public domain including streets and parks

- iii establish appropriate transitional massing for the site in consideration of the adjacent neighbouring land uses and density as well as land use and desired density
- iv development of concept master plan for the site addressing recommendations listed under (f) below
- v defer the removal of the floor space ratio of 2:1 from the following lots:
 - Lot 7 DP 203835
 - Lot 456 DP 125410
 - Lot 23 DP 869492
 - Lot 1 DP 203835
 - Lot 1 DP 550746
 - Lot 1 DP 10227240
 - Lot 2 DP 620649
 - Lot 3 DP 620649
- e receive a further report after the public exhibition period addressing any submissions made in respect of the exhibited DCP amendment and addressing the height component of the planning proposal amendment
- f any future development application taking up the provisions approved under LEP19/0002 must ensure the following:
 - i Provision of parking on the land in accordance with an approved Access and Parking Strategy and Management plan. The plan is to provide a comprehensive parking system that considers both the supply and management of parking consistent with the guidance of the parking provisions of the Wagga Wagga DCP and where applicable, the RMS' Guide to Traffic Generating Developments
 - ii Provision of a detailed Traffic Impact Assessment (TIA) for the site and broader precinct in consideration of the full development potential of the site and impacts of changed traffic conditions as a result of the current and anticipated development of the Wagga Wagga public hospital. The TIA shall provide recommendations for road and intersection improvements required as a result of the future development on the site

The TIA shall also address all traffic including vehicular, pedestrian and cycling needs for the precinct. The TIA shall give detailed consideration to the Active Travel Plan and improved pedestrian linkages for the site and in particular access to Belling Park (West of Docker Street)
 - iii Provision of a stormwater management plan with consideration of the overland flow impact on the site and adjoining areas as a result of development on the site

CARRIED

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

For the Motion

- G Conkey OAM
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- D Tout

Against the Motion

- Y Braid OAM
- P Funnell

RP-14 HISTORIC ENGINE CLUB DEVELOPMENT

19/449 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a donate to the Wagga Historic Engine Club Inc the Section 64 Stormwater contribution of \$1,950.13 under Section 356 of the Local Government Act 1993**
- b complete the drainage, earthworks, fire safety measures and bush fire requirements as outlined in the report**
- c approve the budget variation 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
- T Koschel
- D Tout

Against the Motion

Councillor K Pascoe returned to the meeting, the time being 9.12pm

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - GEARS AND BEERS was moved forward to follow the public discussion forum.

REPORTS FROM STAFF

RP-1 DA18/0510 - 11 LOT RESIDENTIAL SUBDIVISION, 42 OLD BOMEN ROAD, CARTWRIGHTS HILL, NSW 2650 was moved forward to follow the public discussion forum.

RP-2 DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650 was moved forward to follow the public discussion forum.

RP-3 DA16/0585.02 – 16B BROAD STREET WAGGA WAGGA – LOT 1 DP 534496 – MODIFICATION OF DEVELOPMENT CONSENT FOR MULTI DWELLING HOUSING – REVIEW OF CONDITIONS 2(A) AND 30(A) RELATING TO LANEWAY CONSTRUCTION REQUIREMENTS was moved forward to follow the public discussion forum.

RP-4 DA18/0460 – 51 SPRING STREET – LOT 30 DP 1027765 - PROPOSED 21 LOT COMMUNITY TITLE RESIDENTIAL SUBDIVISION was moved forward to follow the public discussion forum.

RP-5 DA19/0483 DUAL OCCUPANCY (TWO-STOREY) AND COMMUNITY TITLE SUBDIVISION

19/450 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council approve DA19/0483 for Dual Occupancy development subdivided via Community Title subdivision at 96 Trail Street, Wagga Wagga, Lot 1 DP 304563 as outlined in the attached Section 4.15 report.

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
T Koschel
K Pascoe
D Tout

Against the Motion

RP-6 PUBLIC HEARING REPORT - RECLASSIFICATION OF COMMUNITY LAND TO OPERATIONAL LAND - 205 MORGAN STREET, WAGGA WAGGA

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 9:15pm.

19/451 RESOLVED:
On the Motion of Councillors R Kendall and D Hayes

That Council note the Public Hearing Report in relation to the reclassification of 205 Morgan Street, Wagga Wagga.

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
- D Tout

RP-7 PLANNING PROPOSAL LEP19/0002 - PROPOSED AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 FOR LAND LOCATED ON MORGAN, MURRAY AND FORSYTH STREETS, WAGGA WAGGA was moved forward to follow the public discussion forum.

RP-8 FINANCIAL PERFORMANCE REPORT AS AT 30 NOVEMBER 2019

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest and vacated the chamber, the time being 9:16pm.

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest and vacated the chamber, the time being 9:16pm.

19/452 RESOLVED:
On the Motion of Councillors D Hayes and P Funnell

That Council:

- a approve the proposed 2019/20 budget variations for the month ended 30 November 2019 and note the forecasted balanced budget position as presented in this report**
- b in accordance with Section 356 of the Local Government Act, provide financial assistance to the following:**

- i Royal Far West \$619.50 (Request 1)
- ii Kurrajong Therapy plus \$320 (Request 2)
- iii Riding for the Disabled Association (NSW) Wagga Centre \$99 (Request 3)
- iv Tarcutta Memorial Hall Trust Committee \$260 (Request 4)
- v OzFish Wagga Branch \$1,000 (Request 5)
- 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 the details of the external investments as at 30 November 2019 in accordance with section 625 of the Local Government Act 1993

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	<u>Against the Motion</u>
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Councillor T Koschel re-entered the chamber, the time being 9:19pm.

Councillor D Tout re-entered the chamber, the time being 9:19pm.

Councillor K Pascoe re-entered the chamber, the time being 9:19pm.

RP-9 REPLACEMENT KERBSIDE BIN AND KITCHEN CADDY CLARIFICATION OF FEES

19/453 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a endorse the inclusion of the following new information in Council’s Revenue and Pricing Policy 2019/20 to be applied to fee numbers 0085 to 0090:

Kerbside Waste Collection

The following fees will not be charged if a Police event number or Statutory Declaration is provided to Council in regard to missing/stolen bins or where the damage is not at the fault of the resident

- b endorse the inclusion of the following new information in Council’s Revenue and Pricing Policy 2019/20 to be applied to fee number 0093:**

Kerbside Waste Collection

This fee will not be charged if a Statutory Declaration is provided to Council stating that a kitchen caddy is not present at the property

- c adopt the clarifications to be retrospectively applied from 1 July 2019**

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-10 ADOPTION OF PROPOSED HIRING FEES - FORMER WAGGA WAGGA WOMENS BOWLING CLUB

19/454 RESOLVED:

On the Motion of Councillors T Koschel and R Kendall

That Council adopt the proposed fee schedule contained in the body of this report for hiring of the former Wagga Wagga Women’s Bowling Club clubhouse.

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-11 PROPOSED SITE LICENCE FOR DEFENCE SHED WAGGA WAGGA INCORPORATED

19/455 RESOLVED:
On the Motion of Councillors P Funnell and D Hayes

That Council:

- a submit a proposal to Defence Shed Wagga Wagga Incorporated for licensing of either site identified in the body of this report**
- b enter into a licence agreement with Defence Shed Wagga Wagga Incorporated for the preferred location upon the following terms:**
 - i Duration – five years**
 - ii Licence Fee – in accordance with the minimum community licence fee detailed in Councils adopted revenue and pricing policy**
 - iii Commencement date – upon issue of Construction Certificate or fencing out of compound (whichever occurs first)**
- c in accordance with section 356 of the Local Government Act 1993 waive the licence fee outlined in (b) above**
- d note future development of the proposed facility would be subject to development consent**
- e as the registered land owner authorise the lodgement of a development application, construction certificate and any other necessary applications by or on behalf of Defence Shed Wagga Wagga Incorporated for development of a community facility**
- f delegate authority to the General Manager or their delegate to execute the agreement on behalf of Council**
- g 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
 T Koschel
 K Pascoe
 D Tout

Against the Motion

RP-12 CODE OF CONDUCT STATISTICS

19/456 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council endorse the contents of this report.

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	

RP-13 PROPOSED FUNDING SOURCE AMENDMENT

19/457 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a accepts that street cleaning, and littering and dumped waste activities are associated with managing waste**
- b approve the budget variations as detailed in the Financial Implications section of the report**

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	

RP-14 HISTORIC ENGINE CLUB DEVELOPMENT was moved forward to follow the public discussion forum.

RP-15 PROPOSED NAMES FOR PARKS AND OPENSACE

19/458 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council:

- a endorse the process described in the body of the report for the identification of names for parks and open spaces**
- b receive further reports detailing the outcomes of the community engagement with recommendations**

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	

Councillor P Funnell vacated the chamber, the time being 9:27pm.

Councillor P Funnell re-entered the chamber, the time being 9:28pm.

RP-16 IMPLEMENTATION OF INLAND WATER SAFETY MANAGEMENT PLAN

19/459 RESOLVED:
On the Motion of Councillors V Keenan and D Hayes

That Council authorise the General Manager or their delegate to negotiate a Memorandum of Understanding with Royal Lifesaving NSW to partner in the delivery of the recommendations identified in the Wagga Wagga Inland Water Safety Plan 2019.

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

RP-17 POMINGALARNA PARK RESERVE DRAFT PLAN OF MANAGEMENT

19/460 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a endorses that portions of Pomingalarna Park Reserve are declared to be areas of cultural significance**
- b in accordance with part 36DA of the Local Government Act 1993, the locations of areas of Aboriginal cultural significance identified in the Pomingalarna Plan of Management be kept confidential**
- c note the initiation of the separate Aboriginal Place declaration process initiated by the Pomingalarna Women’s Group**
- d refer the draft Pomingalarna Park Reserve Plan of Management to the NSW Department of Industry for review and consent**
- e subject to consent from the NSW Department of Industry place the non-confidential sections of the draft Pomingalarna Park Reserve Plan of Management on public exhibition in accordance with s38 of the Local Government Act 1993 for a period of at least 28 days and invite interested members of the community to make comment**
- f at the conclusion of the public notice period conduct a public hearing in accordance with s40A of the Local Government Act 1993**
- g receive a further report concerning the outcomes of the public notice period and public hearing**
- h note an operating standard will be developed to provide asset management and maintenance standards for the implementation of Plans of Management**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

RP-18 HEALTH AND KNOWLEDGE PRECINCT

19/461 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a endorse the Health and Knowledge Precinct Master Plan and Structure Plan**
- b thank the community for their submissions and interest in the project**
- c provide support for the continuation of the Health and Knowledge Precinct Steering Committee to improve communication and collaboration between members of the community**
- d endorse the General Manager or their delegate to continue work with the Department of Planning Industry and Environment to ensure a planning framework is developed to allow the implementation of the structure plan pursuant to the Environmental Planning and Assessment Act 1979**
- e receive a further report on the progress of the updated strategic planning framework**

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

RP-19 CONTAINER DEPOSIT SCHEME AND REFUND SHARING ARRANGEMENT

19/462 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

That Council:

a rescind part (b) of resolution 18/449 being:

authorise the General Manager or their delegate to ensure that the Refund Sharing Agreement includes the retrospective application for the period 1 December 2017 to 30 November 2018 according to the following refund sharing arrangement:

- i 50% Wagga Wagga City Council; and**
- ii 50% Kurrajong**

b authorise the General Manager or their delegate to enter into a Refund Sharing Agreement commencing 1 January 2020 for a period of two years to 31 December 2021 according to the following refund sharing arrangement:

- i 60% Wagga Wagga City Council; and**
- ii 40% Kurrajong Waratah (ABN 55 002 407 294)**

c authorise the General Manager or their delegate, upon execution of the Refund Sharing Agreement inclusive of the above terms, notify the Environment Protection Authority (EPA) in writing that in the circumstances there is a fair and reasonable refund-sharing agreement in place

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

RP-20 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

19/463 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

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 RIVERINA REGIONAL LIBRARY ADVISORY COMMITTEE MEETING -
30 OCTOBER 2019**

19/464 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a receive the minutes of the Riverina Regional Library Advisory (RRL) Committee Meeting held on 31 October 2018**
- b endorse the discontinuation of overdue fines at all RRL libraries from 1 July 2020**
- c endorse the implementation of a 'support to comply' program that encourages responsible library use in the absence of overdue fines**
- d note that there will be a reduction in 2020-21 RRL income of approximately \$17,000, due to the absence of overdue fines revenue, which will require budget expenditure adjustments**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM

Against the Motion

- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

M-2 TRAFFIC COMMITTEE - MEETING HELD 14 NOVEMBER 2019

19/465 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a receive the minutes of the Traffic Committee Meeting held on 14 November 2019**
- b endorse the recommendations of the Traffic Committee**

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

QUESTIONS/BUSINESS WITH NOTICE

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

1. Councillor P Funnell appreciates that he received a response regarding road safety concerns about the duck crossing in Forsyth Street, but suggested that due to this being four lanes, people are not able to see the signs. He has request that consideration be given to place paint on the road.

2. The Mayor, Councillor G Conkey OAM and Councillors thanked fellow Councillors for their dedication and hard work over the year. The Mayor and Councillors noted that it is an exciting time for the City, and expressed appreciation for the efforts of Councillors and staff and wished all a Merry Christmas and a safe and happy New Year.

- 3. Councillor R Kendall requested that staff in preparation for budget discussions, provide an update on maintenance requirements for the Lake Albert Walkway, that is potentially required in the next financial year or sooner.
- 4. Councillor K Pascoe congratulated all staff and contractors involved in the Lake Albert Road reseal project, advising of the great job undertaken.
- 5. Councillor K Pascoe congratulated the General Manager on the joint Council staff and Councillors Christmas party. It was a great evening had by all who attended.
- 6. Councillors K Pascoe and D Tout stated it is great to see the commencement and status of the Farrer Road project. Congratulations to all staff involved.
- 7. Councillor K Pascoe stated that through the week we have had a great outcome with Dunns Road funding.

CLOSED COUNCIL

19/466 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That the Council now resolve itself into a Closed Council, the time being 9.41pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 PROPOSED LEASE RENEWAL - LIVESTOCK MARKETING CENTRE CANTEEN

19/467 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a enter into a lease agreement for the Livestock Marketing Centre Canteen with the party named in the body of this report upon the terms noted in the body of this report**
- b delegate authority to the General Manager or their delegate to execute the agreement on behalf of Council**
- 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
- T Koschel
- K Pascoe
- D Tout

CONF-2 SALE OF 205 MORGAN STREET, WAGGA WAGGA

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 9.48pm.

19/468 RESOLVED:
On the Motion of Councillors D Tout and D Hayes

That Council:

- a subject to a separate resolution resolving to reclassify land to operational land agree to sell the land at 205 Morgan Street, Wagga Wagga (Lot A DP 331461 and Lot 1 DP 375748) by public auction and upon the terms outlined in the body of this report
- b delegate authority to the General Manager or their delegate to undertake the functions outlined in the sale methodology section of this report
- c delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of the Council
- d authorise the affixing of Council’s common seal to all relevant documents as required
- e receive a further report to consider and confirm sale arrangements

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

- P Funnell

Councillor K Pascoe re-entered the chamber, the time being 9.49pm.

CONF-3 PROPOSED COMMUNITY LICENCE AGREEMENT TO THE BIDGEE DISTRICT PONY CLUB INCORPORATED

19/469 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a accept relinquishment of the current licence to the party named in the body of this report without penalty**
- b enter into a community licence agreement with the Bidgee District Pony Club Incorporated as follows:**
 - i Property – 69 East Street, North Wagga Wagga (Lot 7011 DP 1115373)**
 - ii Duration – Five years**
 - iii Initial Annual Licence Fee – \$655 (including GST) in accordance with Council’s minimum community licence fee**
 - iv Licence Fee Increases – annually in accordance with Council’s Revenue and Pricing Policy (Minimum Community Licence Fee)**
- c delegate authority to the General Manager or their delegate to execute all 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
T Koschel
K Pascoe
D Tout

Against the Motion

CONF-4 PROPOSED COMPULSORY ACQUISITION OF AN EASEMENT FOR RIGHT OF FOOTWAY AND RIGHT OF ACCESS WITHIN LOTS A AND C DP 311306

19/470 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a proceed with the compulsory acquisition of easement for right of carriageway within Lots A and C DP311306 in accordance with the Land Acquisition (Just terms) Compensation Act 1991**
- b make application to the Minster and the Governor for approval to acquire easement for right of carriageway within Lots A and C DP311306 by compulsory process under section 186 (1) of the Local Government Act 1993**
- c delegate authority to the General Manager or their delegate to take each further step necessary to obtain approval from the Minister, the Governor or any public authority as may be necessary, and take all actions as may be necessary, to give notices and otherwise carry out the acquisition by means of compulsory acquisition**
- d following receipt of the Governors approval, give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law**
- e pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just terms) Compensation Act 1991**
- f delegate authority to the General Manager or their delegate to complete and execute the any necessary documents on behalf of the Council**
- g authorise the affixing of Council’s common seal to all relevant documents as required**
- h 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
 T Koschel
 K Pascoe
 D Tout

Against the Motion

CONF-5 BOTANIC GARDENS RESTAURANT AND CAFE LEASE

19/471 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a delegate authority to the General Manager or their delegate to negotiate a lease with Castle Lane Catering for occupation of the Botanic Gardens restaurant and café**
- b delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council**
- c authorise the affixing of Council’s common seal to all relevant documents required**
- d approve the budget variation as detailed in the Financial Implications section of the report**

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	

CONF-6 PROPOSED AIRPORT AGREEMENTS TO VALETPARK & FLY PTY LTD

19/472 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a enter into a sub-licence with ValetPark and Fly Pty Ltd for a car hire desk and site 406 upon the terms set out in the body of this report**
- b enter into a sub-lease with ValetPark and Fly Pty Ltd for site 224B upon the terms set out in the body of this report**
- 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
- e 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 OAM
- G Conkey OAM
- P Funnell
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

CONF-7 ESTELLA SCHOOL JOINT USE AGREEMENT

19/473 RESOLVED:
On the Motion of Councillors V Keenan and R Kendall

That Council:

- a provide in principle support and authorise the General Manager or their delegate to negotiate to enter a joint use agreement for the development of community facilities as a part of the Estella School development inclusive of a community meeting space, school hall and open space circulation areas
- b provide a further report on the terms of an agreement for the consideration and endorsement by Council
- c ensure that future agreements with the Department of Education have no ongoing financial burden and appropriate access to the community is maintained for the life of the asset
- d approve the budget variation 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

CONF-8 EMERGENCY SERVICES PRECINCT UPDATE - LOT 2 DP 702230 - FARRER ROAD, BOOROOMA

19/474 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a note the contents of this report**
- b receive a further report on options for sale of the existing site, Lot 2, DP 702230, Farrer Rd, Boorooma**
- c in consultation with Emergency Service Providers investigate options for an alternate site in the Bomen SAP area**

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	

.....MAYORGENERAL MANAGER

CONF-9 RESTART NSW FUNDING DEED (GLE)

19/475 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a authorises the General Manager or their delegate to execute the necessary agreements with The Treasurer as the Minister administering section 8a of the Restart NSW Fund Act 2011 (NSW) to finalise the funding deed**
- b authorise the General Manager or their delegate to enter into a deed of agreement with the Regional Growth NSW Development Corporation that ensures that profits made from sales or leasing of land within the land area associated with the GLE funding be reutilised for the provision of infrastructure and or land within the Wagga Wagga Special Activation Precinct**
- c authorise the General Manager or their delegate to enter into the necessary agreements with NBN Co. to deliver the area switch, replacing a fixed wireless internet service with fibre to the premise at Bomen. Noting this forms part of the GLE Program and a previous resolution made by Council**

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

CONF-10 RFT2020-05 WAGGA WAGGA MULTI-SPORT CYCLING COMPLEX

19/476 RESOLVED:
On the Motion of Councillors D Tout and D Hayes

That Council:

- a in accordance with Clause 178 of the Local Government (General Regulation) 2005, decline all tenders for the RFT2020-05 Wagga Wagga Multi-Sport Cycling Complex**
- b pursuant to clause 178(3)(e) authorise the General Manager or their delegate to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the design and construction of the Wagga Wagga Multi-Sport Cycling Complex**
- c note the reasons for entering into negotiations is that the all bids received are over Council’s available budget for this Project with element inclusions, exclusions, assumptions and Contract departures to be resolved**
- d receive a further report following negotiations**

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	

CONF-11 RFT2020-12 WINNING & CRUSHING OF GRAVEL

Councillor R Kendall declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 10:00pm.

19/477 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a accept the offer of The Trustee for The Rocky Point Quarries Unit Trust (ABN:17 916 689 845) T/a Rocky Point Quarries for the winning and crushing of gravel services in the schedules of rates submitted with their offer**
- b authorise the General Manager or his delegate to enter into a contract with The Trustee for The Rocky Point Quarries Unit Trust (ABN:17 916 689 845) T/a Rocky Point Quarries for the winning and crushing of gravel services**
- 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

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

Against the Motion

Councillor R Kendall re-entered the chamber, the time being 10:04pm.

CONF-12 RFT2020-14 RELOCATION OF RISING MAIN SPS15 TO KOORINGAL SEWAGE WORKS

19/478 RESOLVED:
On the Motion of Councillors P Funnell and V Keenan

That Council:

- a accept the offer of FB Contracting Pty Ltd (ABN: 19 154 685 317) for the relocation of Rising Main SPS15 to Kooringal Sewage Works for their lump sum amount of \$1,353,558.87 excluding GST**
- b authorise the General Manager or their delegate to enter into a contract with FB Contracting Pty Ltd (ABN: 19 154 685 317) for relocation of Rising Main SPS15 to Kooringal Sewage Works for their lump sum amount of \$1,353,558.87 excluding GST**
- c approve the budget variation/s as detailed in the Financial Implications section of the report**
- 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
T Koschel
K Pascoe
D Tout

Against the Motion

CONF-13 BOLTON PARK MASTER PLAN IMPLEMENTATION

19/479 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a undertake a feasibility assessment of the development of multi-deck car parks on Fitzhardinge and Morgan Street sites as identified in the Bolton park Masterplan**
- b endorse the General Manager or his delegate to negotiate to enter into an agreement to receive a funding contribution towards the development of multi deck car parking within the Bolton Park precinct**
- c note the discussions with the Croquet club and receive a further report when a decision is reached on their preferred relocation site**
- d notify the commercial tenancies located within the Bolton Park precinct of the intention to seek expressions of interest for the future leasing of these sites**
- e complete an updated service review for the Oasis Aquatic Centre**
- f 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
T Koschel
K Pascoe
D Tout

Against the Motion

REVERSION TO OPEN COUNCIL

19/480 RESOLVED:
On the Motion of Councillors V Keenan and T Koschel

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 10.09pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 10.13pm.

.....
MAYOR