

AGENDA AND BUSINESS PAPER

Ordinary Meeting of Council

**To be held on
MONDAY
10 FEBRUARY 2020
AT 6:00PM**

Cnr Baylis and Morrow Streets,
Wagga Wagga NSW 2650
PO Box 20, Wagga Wagga

Phone: 1300 292 442
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NOTICE OF MEETING

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations there under, notice is hereby given that an Ordinary Meeting of the Council of the City of Wagga Wagga will be held in the Council Chamber, Civic Centre, Corner Baylis and Morrow Streets, Wagga Wagga, on Monday 10 February 2020 at 6:00pm.

Council live streams video and audio of Council meetings. Members of the public are advised that their voice and/or image may form part of the webcast.



Mr Peter Thompson

General Manager

WAGGA WAGGA CITY COUNCILLORS



**Mayor
Councillor Greg
Conkey OAM**



**Deputy Mayor
Councillor Dallas
Tout**



**Councillor Yvonne
Braid**



**Councillor Paul
Funnell**



**Councillor Dan
Hayes**



**Councillor Vanessa
Keenan**



**Councillor Rod
Kendall**



**Councillor Tim
Koschel**

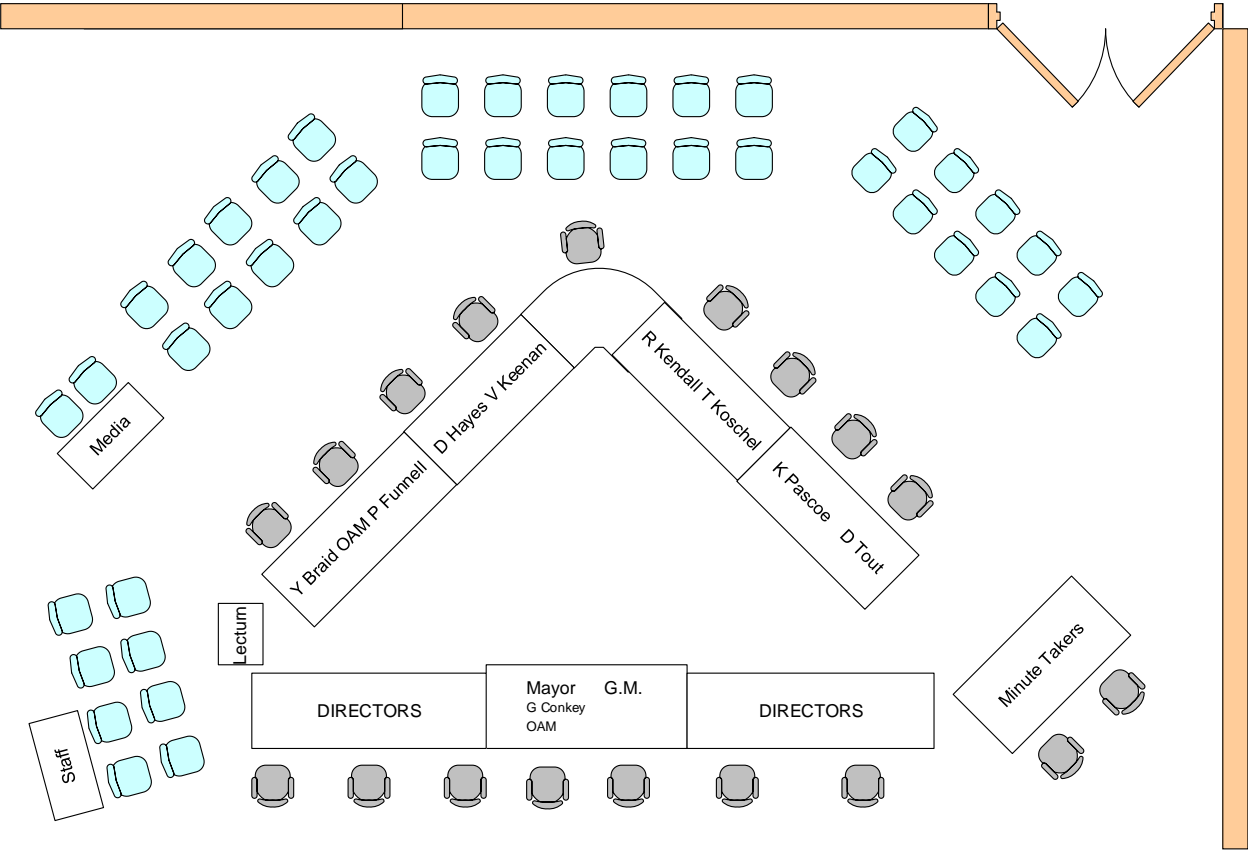


**Councillor Kerry
Pascoe**

QUORUM

The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office for the time being who are eligible to vote at the meeting.

COUNCIL MEETING ROOM



ORDINARY MEETING OF COUNCIL AGENDA AND BUSINESS PAPER

MONDAY 10 FEBRUARY 2020

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PRAYER

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 20 JANUARY 2020

Recommendation

That the Minutes of the proceedings of the Ordinary Council Meeting held on 20 January 2020 be confirmed as a true and accurate record.

Attachments

1   Minutes - Ordinary Council Meeting - 20 January 2020 76

DECLARATIONS OF INTEREST

NOTICE OF MOTIONS OF RESCISSION

NOR-1 RESCISSION MOTION - ROADSIDE MEMORIALS POLICY - POL118

Councillor: Councillor Tim Koschel

Summary: Request to rescind resolution 20/0010 resolved at the 20 January 2020 Ordinary Council Meeting.

Recommendation

That Council rescind resolution 20/0010 carried on 20 January 2020 which reads as follows:

That Council:

- a note that there was one public submission received during the exhibition period the draft POL118 Roadside Memorials Policy
- b adopt the POL118 Roadside Memorial Policy

Report

A rescission motion signed by Councillor Tim Koschel, Councillor Kerry Pascoe and The Mayor, Councillor Greg Conkey OAM has been received by Council to rescind the following resolution (20/0010):

That Council:

- a note that there was one public submission received during the exhibition period the draft POL118 Roadside Memorials Policy
- b adopt the POL118 Roadside Memorial Policy

A copy of the rescission motion is attached.

Financial Implications

N/A

Policy and Legislation

Roadside Memorials Policy – POL 118
Code of Meeting Practice

Link to Strategic Plan

Community Leadership and Collaboration

Objective: We have strong leadership

Outcome: We are accountable and transparent

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

Attachments

1   Signed Rescission Motion



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e council@wagga.nsw.gov.au
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22nd January 2020

Re: RESCISSION MOTION

The General Manager,

We the following Councillors wish to lodge a rescission motion in relation to Resolution No. 20/0010 – Roadside Memorials Policy – POL118, which reads as follows:

That Council:

- a note that there was one public submission received during the exhibition period the draft POL118 Roadside Memorials Policy
- b adopt the POL118 Roadside Memorial Policy


.....
CLR Tim Koschel 22/01/2020


.....
Mayor Greg Conkey 22/01/2020


.....
CLR Kerry Pascoe 22/01/2020

REPORTS FROM STAFF**RP-1 DA19/0537 CONCEPT DEVELOPMENT APPLICATION AT 231 GURWOOD STREET - ERIC WEISSEL OVAL**

Author: Adam Wood
General Manager: Peter Thompson

Summary:

The application seeks concept development approval for a future staged development at 231 Gurwood Street.

The intent of the concept development application is to provide an overarching development scenario for a subject site. This provides a clear indication of the future development outcome for a site and includes parameters to guide future urban development on that site.

The concept development application as submitted in this instance is not proposing any works. Any works on the site will be subject to a separate development application that must adhere to the parameters set out in the concept development application. This includes any subdivision, landscaping or terraforming works, construction of dwellings or installation of services.

The recommendation is for approval subject to conditions.

Recommendation

That Council approve the Concept Development application for land located at 231 Gurwood Street subject to the conditions outlined in the Section 4.15 assessment report for DA19/0537.

Development Application Details

Applicant	Chris Nash for Gurwood Pty Ltd
Owner	Gurwood Pty Ltd
Director	Marjorie Jean Nash
Development Cost	N/A
Development Description	Concept development application for land located at 231 Gurwood Street.

Site, location and surrounding development

The development application is for Lot 1 DP 726729, Lot 328 DP 823293, Lot 11 and 12 DP 20812, located at 231 Gurwood Street, Wagga Wagga (the location of the former Eric Weissel Oval).

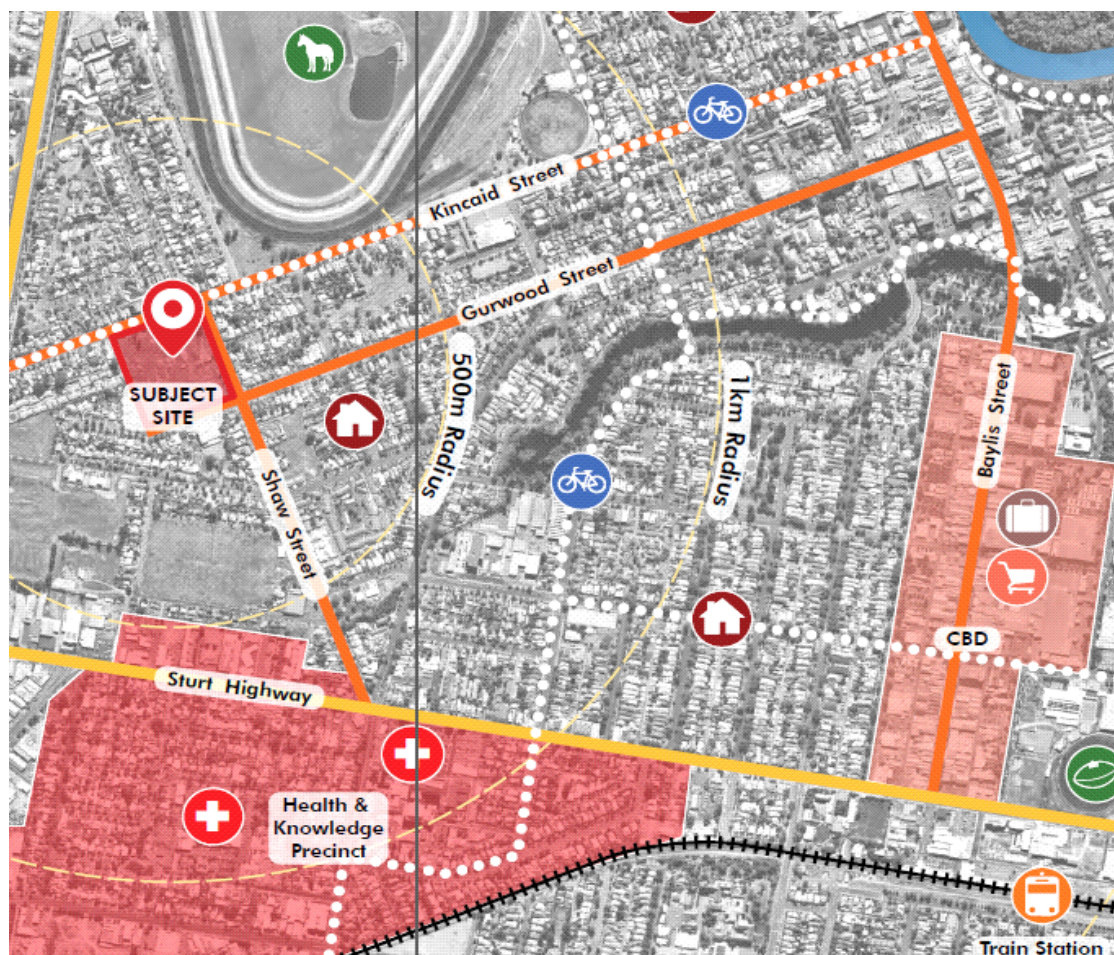
The land is approximately 3.5 hectares in area with negligible gradient present. The subject land is not encumbered by any easements or covenants. The site is currently vacant. Previously structures including a clubhouse and grandstand have been removed. Only remnant hardstand surfaces and retaining walls remain in place.

The current state of the site is undesirable and does not make a contribution to the quality of the surrounding urban environment. The site is significantly alienated with no development having taken place in several years.

The site is approximately 1.8km west of the Wagga Wagga Central Business District and is bounded by Kincaid Street to the north, Shaw Street to the east, Gurwood Street to the south and Thomas Street to the west.

The site is located close by to other key locations including the Wagga Wagga Health and Knowledge Precinct and the Morgan Street business area. In addition, it is directly south-west of the Murrumbidgee Turf Club and within walking distance of a number of recreational and entertainment venues including the Wagga Wagga RSL club.

The site is also located directly adjacent the Wagga Wagga Active Travel Pathway network which provides ease of access to other locations in the city.



Local Character Analysis

The site is surrounded by a pre-existing residential area.

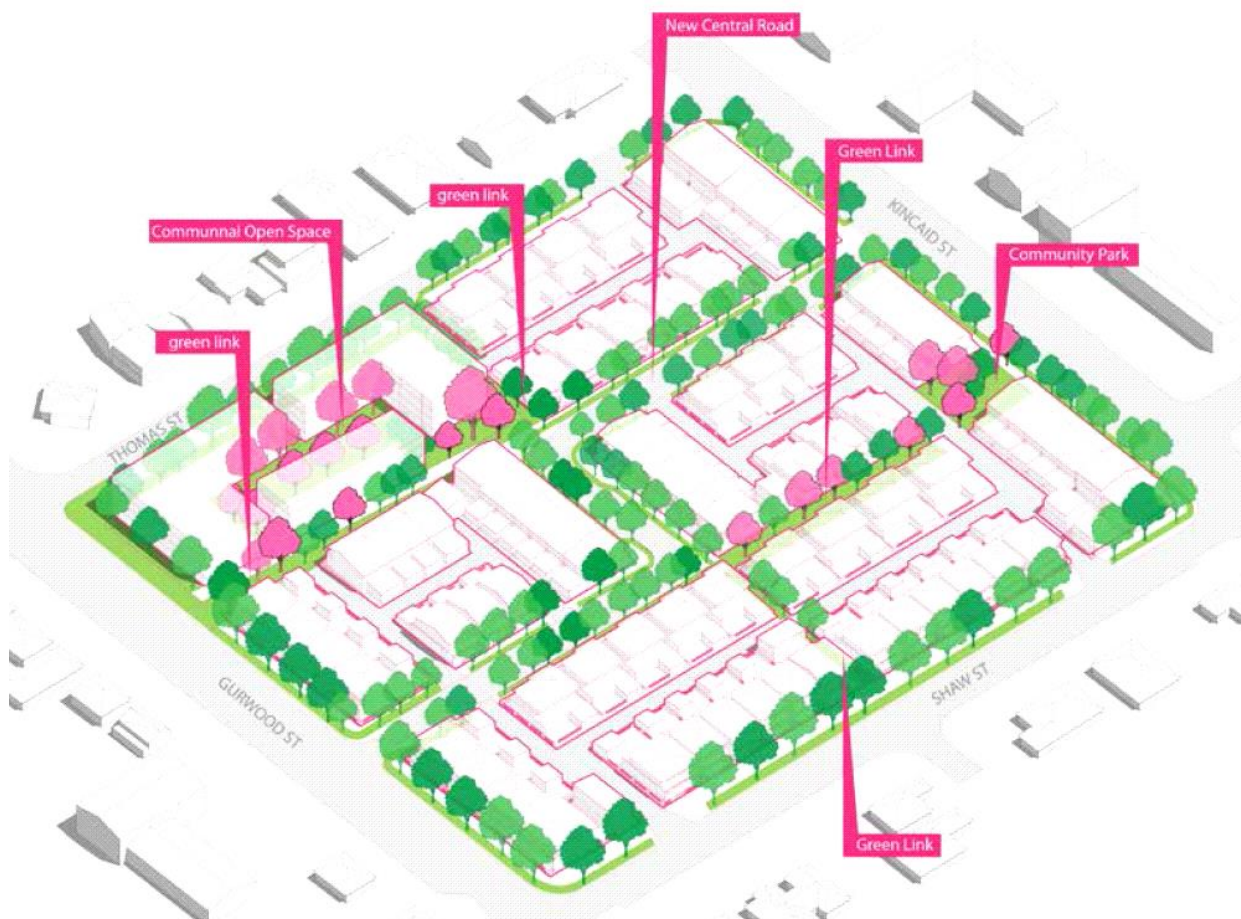


- The surrounding area is a low-density residential area consisting of 1 and 2 storey dwellings. The housing is drawn from a mix of differing architectural styles and varies significantly by age.
- There are terrace houses similar in form to those which provide the bulk of the proposed development already existing directly opposite the site on Kincaid Street.
- Even though the area is not a Heritage Conservation Area, there are some stylistic features throughout the locality which are significant to neighbourhood character and should be respected in future design.
- There are some multi-unit developments and dual occupancies and medium density townhouses interspersed throughout the neighbourhood.
- Kincaid Street and Gurwood Street are two collector roads but retain a low rise residential built form.
- Road verges are defined by existing large mature trees.

In response to this character context the following aspects of the proposed development are noted:

- The majority of this development will be completed as two to three storey terrace house and townhouse structures that will be compatible with existing residential character and meet R3 zone objectives.
- The apartment building site to the south-western corner of the site will be a new feature to the neighbourhood and will be subject to merit-based assessment to ensure that its final design provides appropriate transition from surrounding urban form and minimises impacts.
- The south-western corner is the appropriate location for the apartment site as this directs impacts such as shadowing principally onto the adjoining roadways rather than to adjoining residential development.
- The development concept is designed to outwardly project attractive features including facades, landscaping and street trees with service features and accesses recessed to low profile locations.
- The final detailed design of residences on the site is likely to be modern but may feature design cues from the surrounding area.
- Exhibition of the current and the previous development concepts for the site have not resulted in substantial or widespread community objection.

The urban design report provides a visual representation of the desired built form for the site.



This design response is compatible with the existing residential character of the area but sufficiently different to satisfy the requirements of the different zone applying to the site. It represents a suitable step-change in development in the area in order to satisfy the strategic imperatives of the city.

Land Zoning and Previous Development Approvals

The site is zoned R3 Medium Density Residential Zone under the *Wagga Wagga Local Environmental Plan 2010 (LEP 2010)*. The objectives of the zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.*

The R3 Medium Density Residential zone permits the development of land uses proposed by this concept development application. The zone is promoting a higher density of residential development and the concept development application supports this outcome by providing opportunities for a variety of residential land uses in an integrated and efficient fashion. The master planned design proposed for the site will contribute to high level of visual quality in the presentation of local streets and spaces.

DA14/0558 was previously granted consent on the site. DA14/0558 was a development application for a Staged Development pursuant to then-Section 83B of the *Environmental Planning and Assessment Act 1979*. This included concept approval for subdivision providing 140 dwelling lots, access roads, open space provision and approval for the first stage of that concept comprising 10 medium density dwellings. Consent for DA14/0558 lapsed on 31 October 2019.

Strategic Vision and Opportunities

Council is currently in the process of reviewing and developing new land use strategies for the city. One of the key documents that is currently being developed is the Wagga Wagga Local Strategic Planning Statement (LSPS). This document considers the communities aspirations and provides a blueprint for how and where we want Wagga Wagga to grow into the future.

Wagga Wagga's population is expected to grow to approximately 100000 people over the next 20 years. Whilst most of the housing will be provided for within urban release areas, infill development, through redevelopment and intensification as proposed, will also play a vital role in utilising existing services to accommodate the growth population of the city. The proposal will optimise the use of land that is currently serviced by public infrastructure and accessible to existing local community facilities.

The site is a key opportunity site within proximity to other key locations including the Wagga Wagga CBD, Health and Knowledge Precinct and the Morgan Street business area. It is ideally zoned and located to support additional residential opportunities to address the housing demand and anticipated population growth of the city.

To convert this opportunity to the greatest benefit for the city, the site ideally should be developed by a master planned approach to ensure that the density achieves strategic goals for the city whilst retaining the amenity and presentation of the neighbourhood

The site can be leveraged to provide openings for housing types and designs which are currently underrepresented in the Wagga Wagga housing offering, expanding the appeal and suitability of the city to current and prospective new residents.

Future development of the site should allow for efficient use of scarce inner urban lands, supporting residential living opportunities near employment, services and amenities. The subject site is exceptional in providing the opportunity for an integrated solution across a full city block.

Proposed Concept and Integrated Design

The proposal is a concept development application, involving a master plan approach to develop a medium density residential neighbourhood. It will provide a diverse range of housing typologies, accommodating a projected yield of approximately 160 dwellings in total.

A master plan has been submitted with the application that provides a layout of roads, landscaping, infrastructure and developable areas for residential lots. This includes the development of a central public road through the site, supported by laneways providing vehicle access to the rear of properties. These are complemented by green corridors acting as pedestrian streets. The green spaces connect the neighbourhood to the surrounding streets and separate most vehicle and pedestrian movements. The development is designed to outwardly present attractive features including residential

facades and street trees rather than garages and hardstand parking areas. The development reconciles high quality residential design with efficient use of space to complement the surrounding neighbourhood. This design approach is innovative and provides a superior urban outcome than can be achieved under current DCP provisions. This integrated design approach achieves greater housing diversity than would be possible under current DCP provisions.

Separate to the urban design report, the application also provides a staging plan detailing the sequence by which areas shall be developed and the corresponding infrastructure to be provided at each stage. It is recommended by this assessment that the staging plan is incorporated into the urban design report.

Site Specific Controls

To support the aforementioned integrated design, the urban design report provides a set of bespoke provisions to guide future development of residential land uses on the development site. Future development on the site for these purposes will require separate development consent and will be assessed against the controls provided in the urban design report. These controls will substitute for a number of provisions in the DCP.

This will result in the following sections DCP being given alternative consideration during future development assessments. This include, but are not limited to the following

Section 1.10 - Notification of a Development Application

Section 2.7 - Development adjoining open space

Section 7.2.3 - Solar access, energy efficiency and size and shape of lots

Section 9.2.2 - Streetscape

Section 9.3.1 - Site area per dwelling

Section 9.3.4 - Solar access

A more detailed description of the proposed alternative controls is provided in the attached Section 4.15 assessment report for DA19/0537.

Proposed Housing Types

The concept development application is proposing a residential development for the site that consists of a range of housing types. These typologies include a range of categories including separate dwelling houses, semi-detached townhouses and terrace housing. A portion of the site is reserved for the development of apartments. This land parcel could also potentially be used for seniors living housing, but this would be subject to separate development assessment which would need to adequately address flood risk.

This style of residential development is both compatible with and complementary to existing residential development in the surrounds. It will enable a higher concentration of dwellings on the site and expand the range of housing opportunities for the city's growing population.

Overall Suitability of Development Concept

Taking into account the zoning of the site, its setting and proximity to other key areas and linkages in the city, the site is ideal for redevelopment which capitalises upon its unique setting and location. The development of this site as proposed will contribute to a diverse housing mix available within the city.

Assessment

A full assessment of the application has been provided in the attached assessment report under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

Reasons for Approval

The application is supported for the following reasons:

- The land is suitable for a higher density of residential development consistent with R3 Medium Density Residential zone objectives.
- The urban design report provides a design response to deliver upon zone objectives whilst being compatible with existing neighbourhood character.
- The urban design report provides its design response in an integrated fashion which maximises the opportunity presented by the redevelopment of a complete city block.
- The development controls provided for the future of the site are different from those existing in the DCP but meet the intent and performance requirements for this style of development in the city.

Financial Implications

Approval of the concept development application will define the parameters for ongoing development of the site via subsequent development applications. It is anticipated that approval of the concept development application will result in numerous subsequent development applications on individual lots to be created in the precinct in the near-to-mid-term future. This has financial implications for Wagga Wagga City Council.

Section 7.11 of the Environmental Planning and Assessment Act 1979 and the City of Wagga Wagga's Section 94 Contributions Plan 2006-2019 / Levy Contribution Plan 2006 enables Council to levy contributions, where anticipated development will or is likely to increase the demand for public facilities.

Section 64 of the Local Government Act 1993, Section 306 of the Water Management Act 2000 as well as the City of Wagga Wagga's Development Servicing Plan for Stormwater 2007 and/or City of Wagga Wagga Development Servicing plan for Sewerage 2013 enable Council to levy developer charges based on the increased demands that new development will have on sewer and/or stormwater.

The Section 7.11 and Section 64 contribution applies and will apply to any future development consents on the land. No request has been received to enter into any planning agreement at this time, whether in relation to the current concept development applications or later development applications pertaining to new lots to be subdivided on the site.

Policy

Environmental Planning and Assessment Act 1979
 Environmental Planning and Assessment Regulation 200x
 Wagga Wagga Local Environmental Plan 2010
 Wagga Wagga Development Control Plan 2010

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

Risk Management Issues for Council




Refusal of the application may result in an appeal process in the Land and Environment Court which will have to be defended by Council. The reasons for refusal will have to be justified and withstand scrutiny and cross examination in Court.






Internal / External Consultation

Full details of internal and external consultation undertaken are provided in the attached assessment report under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
TIER																	
Consult		✓			✓											✓	
Involve																	
Collaborate																	

Attachments

1. DA19/0537 - Urban Design Report and Master Plan - Provided under separate cover 
2. DA19/0537 - Council's assessment report - Provided under separate cover 
3. DA19/0537 - Traffic Management Plan - Provided under separate cover 

4. DA19/0537 - Staging Plan - Provided under separate cover

5. DA19/0537 - Statement of Environmental Effects - Provided under separate cover

6. DA19/0537 - Landscape Master Plan - Provided under separate cover

7. DA19/0537 - Geotech Investigation - Provided under separate cover

8. DA19/0537 - Electromagnetic Survey - Provided under separate cover


RP-2 DA18/0262 - RE-DEVELOPMENT OF SITE AT 11 STURT STREET, WAGGA WAGGA LOT 12 DP1237398

Author: Amanda Gray
General Manager: Peter Thompson

Summary:

The application is for the redevelopment of the subject site with a mixed-use development of commercial and residential flat buildings.

The development proposes a significant landmark building that extends to 17 storeys at its highest point. The design has been modified during the assessment period to respect surrounding buildings and the conservation area resulting in an increased scale to the northern side of the site adjacent to the river.

The determination of the application is reported to Council as it presents a matter of wider public interest, being a development of strategic significance.

Recommendation

That Council approve DA18/0262 for 67 residential flat buildings, 3 commercial tenancies, 91 car parking spaces and associated works at 11 Sturt Street subject to the conditions contained within the attached Section 4.15 assessment report.

Development Application Details

Applicant	Paul Ludlow for Newton Fisher & Associates
Owner	CRK Holdings Pty Ltd Sole Director – Paul Stephen Kahlefeldt
Development Cost	\$21,263,361.00
Development Description	Re-development of site to include 1 x 17 storey Residential Flat building with 3 levels of parking and 14 storeys of residential accommodation, 1 x 6 storey building with 1 level of commercial tenancies and 5 storeys of residential accommodation (total of 67 apartments with 91 car-parking spaces), linked landscaped podium and strata subdivision.

Report

Key Issues

- Impact of development on character and amenity of the area
- Height of Building
- Access and parking
- Activation of Cadell Place
- Proximity to river

- Compliance with SEPP65 and Wagga Wagga LEP 2010 and Wagga Wagga DCP 2010

Assessment

A full assessment of the application has been provided in the attached assessment report under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

Reasons for Approval

- The application site is within the B4 Mixed Use zone and the development is permitted with consent.
- A planning proposal in 2019 removed the height limitation for the site to allow for a significant landmark building to be developed.
- The residential apartments satisfy the standards that are laid out in State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide.
- Parking has been provided in accordance with the required minimum standards, both within the building and externally.
- The site is within the conservation area and within close proximity to a number of listed heritage items. The design of the development incorporates complementary materials and architectural features linking the Sturt Street streetscape to the existing historical character
- Site conditions have been assessed as suitable for the redevelopment as proposed.
- The impacts of the development have been addressed and considered acceptable.
- Sixteen submissions have been received in support of the development and two objections against the development. The matters raised in submissions have been addressed in the Section 4.15 assessment report.

The s4.15 assessment report demonstrates that the development is consistent with the objectives and controls of the relevant plans and policies applicable to the development.

Site Location

The subject site is on the northern side of Sturt Street and the eastern side of Cadell Place as highlighted on the map extract below. The site is currently vacant.



Financial Implications

N/A

Policy

- SEPP65 – Design Quality of Residential Apartment Development
- Wagga Wagga Local Environmental Plan 2010
- Wagga Wagga Development Control Plan 2010

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have housing that suits our needs

Risk Management Issues for Council

Refusal of the application may result in an appeal process in the Land and Environment Court, which will have to be defended by Council. The reasons for refusal will have to be justified and withstand scrutiny and cross examination in Court.

Approval is not considered to raise risk management issues for Council as the proposed development is generally consistent with the relevant provisions of any relevant State Environmental Planning Policy including SEPP 65, the Wagga Wagga Local Environmental Plan 2010 and the Wagga Wagga Development Control Plan 2010.






Internal / External Consultation

Pursuant to Section 1.10 of the Wagga Wagga Development Control Plan 2010, notification and advertising of the application was required. The application was advertised to the public and notified to surrounding properties from 9 October – 8 November 2019.

Full details of internal and external consultation are provided in the attached assessment report under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
TIER																	
Consult		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>											<input checked="" type="checkbox"/>	
Involve																	
Collaborate																	

Attachments

1. DA18/0262 - Section 4.15 Assessment Report - Provided under separate cover

2. DA18/0262 - SEPP 65 Assessment Report - Provided under separate cover

3. DA18/0262 - Development Plans - Provided under separate cover

4. DA18/0262 - Statement of Environmental Effects - Provided under separate cover

5. DA18/0262 - Redacted Submissions - Provided under separate cover


**RP-3 PROPOSED ADOPTION OF PLANNING PROPOSAL (LEP19/0006)
TO REZONE LAND ON THE CORNER OF AVOCET DRIVE AND
RAINBOW DRIVE, ESTELLA****Author:** Adam Wood**Director:** Michael Keys**Summary:**

Council is in receipt of a planning proposal to rezone land to increase development potential of a neighbourhood shopping centre site, located on the corner of Avocet Drive and Rainbow Drive, Estella.

The above-mentioned Planning Proposal was presented to Council on 26 August 2019. Council indicated support of the planning proposal and resolved that the planning proposal be submitted to the Department of Planning, Industry and Environment for Gateway Determination.

Council has in turn received a Gateway Determination from NSW Department of Planning, Industry and Environment to proceed with the planning proposal subject to public consultation.

The purpose of the report is to provide feedback on the public consultation that occurred between 8 November 2019 and 6 December 2019.

The report also requests adoption and gazettal of the amendment to the Wagga Wagga Local Environmental Plan 2010 (LEP).

Recommendation

That Council:

- a note the receipt of two submissions during the exhibition period for planning proposal LEP19/0006, and response to items raised in those submissions
- b adopt the planning proposal LEP19/0006 to amend the Wagga Wagga Local Environmental Plan 2010
- c use Council delegation to approve the legal instrument and notify NSW Department of Planning, Industry and Environment to gazette the amendment

Planning Proposal Details

Proposal: Amendment to the Wagga Wagga Local Environmental Plan 2010 to rezone part of Lot 6013 DP 1209232 from RE1 Public Recreation to B2 Local Centre and to remove the Land Reservation Acquisition Layer applicable to the same portion of land

Applicant: Paul Eady for Gracelands Estates Pty Ltd

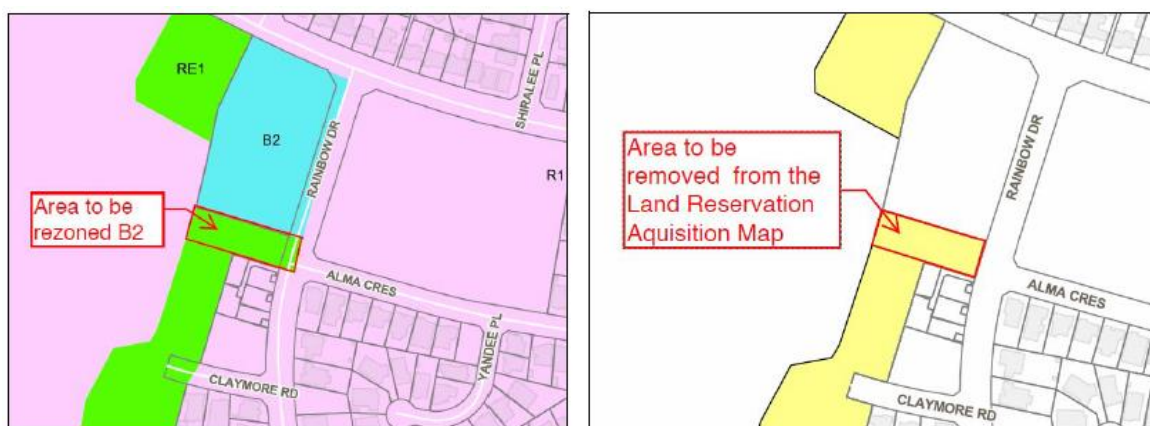
Land Owners Gracelands Estates Pty Ltd.
Director: Juha Eerik Alatalo

Director: Antti Kullervo Alatalo
Director: Anni-Ilona Alatalo

Referrals: Standard internal referrals
Referral to external agencies is not required.

Proposal

The proposal seeks to rezone approximately 2500sqm of land on Lot 6013 DP 1209232 from RE1 Public Recreation to B2 Local Centre and also to remove the Land Reservation Acquisition Layer applicable to the same portion of land as per the illustration below.



The application as lodged by the applicant is attached.

Key considerations

1. Demand

The northern suburbs of Wagga Wagga (those being Boorooma, Estella, Gobbagombalin) are bounded by the Olympic Highway to the east, Coolamon Road to the north, Old Narrandera Road to the south and Charles Sturt University to the west. This area is among the fastest growing residential areas within the city and is identified for significant growth in the future. It is also the second fastest growing suburb in the State. Even though there are two zoned business sites, the sites remain vacant, and there is no centre to serve the needs of the community living in Boorooma, Estella, Gobbagombalin. The proposal intends to facilitate a larger development site to increase the feasibility of establishing a neighbourhood centre in the locality.

2. Land use strategies underway

Council is currently in the process of reviewing and developing new land use strategies for the city. One of the key documents being developed is the Wagga Wagga Local Strategic Planning Statement (LSPS). This document considers the communities aspirations and provides a blueprint for how and where we want Wagga Wagga to grow into the future.

Council is also in the process of developing a Northern Growth Area Structure Plan.

The Plan will support the LSPS and will identify areas suitable for additional housing. The plan will direct improvements to the existing neighbourhoods of Boorooma, Estella and Gobbagombalin. This includes items such as the realignment of roads, open space networks and zoning to ensure improved urban and environmental outcomes. It will provide additional housing opportunities within zoned residential lands in the existing neighbourhoods. The plan will also encourage a larger development site to increase the feasibility of establishing a neighbourhood centre in the locality to serve the needs of the community living in Boorooma, Estella, Gobbagombalin.

The proposal is consistent with the objectives of the LSPS and Northern Growth Area Structure Plan currently being drafted and will facilitate development through providing the opportunity of a larger neighbourhood center on an existing business site to address specific needs of the community.

3. Consistency with endorsed strategic directions

The planning proposal is consistent with the objectives the Wagga Wagga Spatial Plan 2013/2043 *to facilitate development of a prosperous city and to support viable neighbourhood centres*. The planning proposal is consistent with Council's Wagga Wagga Retail Growth Strategy 2007 which advocated for the establishment of a local centre in the Estella and Boorooma neighbourhoods based on the demand generated by the projected population of the area.

The proposal is also consistent with the recommendations of the Riverina Murray Regional Plan 2036, Section 9.1 Ministerial Directions as well as all relevant State Environmental Planning Policies.

Council's assessment report as well as Council report of 26 August 2019 are attached.

Gateway Determination

The NSW Department of Planning, Industry and Environment has issued a Gateway Determination for the planning proposal to proceed, subject to public consultation. The Gateway Determination is attached.

During the public exhibition period two submissions were received. The submissions and Council's response are discussed in more detail under internal/external consultation section of this report.

Other than the requirement for public consultation, no further actions are required from Council.

Financial Implications

The planning proposal was submitted during the 2018/19 financial year. That planning proposal attracted a low complexity application fee of \$7,500 from applicants. The application fee has been paid.

Part of Lot 6013 DP 1209232 will be removed from the Land Reservation Acquisition Map in the Wagga Wagga Local Environmental Plan 2010. As a result, Council will no longer be required to fund acquisition and upkeep of this land in future.

It is anticipated that the planning proposal will result in new development on the subject land in future. This has financial implications for Wagga Wagga City Council.

Section 7.11 of the Environmental Planning and Assessment Act 1979 and the City of Wagga Wagga's Section 94 Contributions Plan 2006-2019 / Levy Contribution Plan 2006 enables Council to levy contributions, where anticipated development will or is likely to increase the demand for public facilities.

Section 64 of the Local Government Act 1993, Section 306 of the Water Management Act 2000 as well as the City of Wagga Wagga's Development Servicing Plan for Stormwater 2007 and/or City of Wagga Wagga Development Servicing plan for Sewerage 2013 enable Council to levy developer charges based on the increased demands that new development will have on sewer and/or stormwater.

The Section 7.11 and Section 64 contribution applies and will apply to any future development consent on the land. The proponent also has the opportunity to enter into a planning agreement, however at the time of this assessment, no request has been received to enter into an agreement.

Policy and Legislation

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulations 2000
Wagga Wagga Local Environmental Plan 2010

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

Risk Management Issues for Council

An adoption of the planning proposal may be subject to public scrutiny and may put additional pressure on Council to consider the rezoning of lands throughout the local government area.

If Council decides not to endorse the proposal, the applicant may still approach the Department of Planning, Industry and Environment to seek approval.

Internal / External Consultation

Public consultation relating to the planning proposal has occurred for 28 days between 8 November 2019 and 6 December 2019 and has met the requirements of the Gateway Determination and Council's Policy.






Notices were sent out to affected land owners and an advert was placed in the local newspaper and on Council's website. Two written submissions were received during the exhibition period. Comments from these submissions are detailed in the table below and a response to the noted items is provided.

Summary of public submissions received	
Comment	Council response
Development for purposes of a shopping centre on the subject land would result in noise, light spill, waste disposal activities and loss of privacy and security.	A development consent exists for the existing B2 Zoned land. The proposal intends to facilitate a larger development site to increase the feasibility of establishing a neighbourhood centre in the locality. As such, a redesign of the shopping centre is required and will be subject to a new development application which would be subject to further public consultation. The larger site is likely to facilitate improved design solutions, specifically having regard to noise, light spill, waste disposal, privacy and security.
The southern extent of the B2 site at the location of the subject land is the most likely site for loading and unloading activities which would be detrimental to neighbouring houses.	The redesign of the shopping centre will be subject to a new development application (DA), public consultation and detailed assessment against the provisions of the Wagga Wagga Development Control Plan 2010. Consideration of an appropriate location for loading facilities and impact on neighbouring properties will be considered as part of the DA assessment. It should be noted that Section 10.4 of DCP requires that the design of neighbourhood shops is compatible with the amenity of surrounding land uses. It specifically requires to <i>“protect the amenity and outlook of adjoining and nearby residences (as relevant). This may require locating potential noise sources away from sensitive receivers, and screening storage areas and the like.”</i>
Properties have been purchased on the basis of open space being located in the current configuration.	<p>The existing RE1 land provides a linkage to wider areas of open space for the local neighbourhood.</p> <p>There is currently no neighbourhood centre in the northern suburbs of the city. The proposal will facilitate a future local centre on a parcel of land of existing and proposed B2 zoned land to accommodate the needs of the community. Access to the open space network is still available from Avocet Drive, Claymore Road, Comet Place, Rainbow Drive as well as Barossa Street. It should be noted that there is another</p>

Summary of public submissions received	
Comment	Council response
	planning proposal underway to reconsider the boundaries of the open space network in an effort to improve the urban outcome consistent with strategic vision for the locality.
Removing a green space for the purposes of carparking is not in the public interest.	The proposal to rezone the land is based on site opportunities to optimise use of the land and to address community needs. The land use (whether it's a car parking area or retail area etc) is still to be determined as part of a future development application.
The B2 zone in Boorooma is very close and may be a better option for supermarket development.	<p>B2 zones are previously established in both Boorooma and Estella in accordance with existing strategic planning to provide for commercial centres in the northern suburbs of Wagga Wagga. The current planning proposal process does not extend to an assessment of the relative merits of the two zoned locations.</p> <p>There is currently no neighbourhood centre in the northern suburbs of the city. The proposal will facilitate a future local centre on a parcel of land of existing and proposed B2 zoned land to accommodate the needs of the community.</p>
If a future supermarket development fails will the green space be reinstated?	A commercial centre located adjacent to open spaces provides a strong focal point for the community and opportunities for active transport links across the northern growth area. It is ideally located and will meet current and future demands. The purpose of the current planning proposal process is consideration of the zoning change proposed at this point in time, not any other hypothetical change in future.

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
TIER																	
Consult		✓			✓											✓	
Involve																	
Collaborate																	

Attachments

1. LEP19/0006 - Planning Assessment Report - Provided under separate cover

2. LEP19/0006 - Planning Proposal - Provided under separate cover

3. LEP19/0006 - Addendum to Planning Proposal - Provided under separate cover

4. LEP19/0006 - Gateway Determination - Provided under separate cover

5. LEP19/0006 - Minutes of Council Meeting - 26 August 2019 - Provided under separate cover


RP-4 PROPOSED ROAD LEASE RENEWAL TO WAGGA MINI MIX AND PRECAST CONCRETE PTY LTD

Author: Dianne Wright
Director: Michael Keys

Summary: | This report authorises the renewal of a lease agreement under the provisions of the *Roads Act 1993*.

Recommendation

That Council:

- a enter into a lease agreement with Wagga Mini Mix and Precast Concrete Pty Ltd upon the following terms:
 - i Property – disused section of the Urana Street road reserve measuring approximately 2,870m²
 - ii Rent - \$5,500 per annum (GST inclusive)
 - iii Term – five years
- b note the lease is subject to public notice requirements under sections 154 and 156 of the *Roads Act 1993*
- c delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council

Report

Reference is made to the lease agreement with Wagga Mini Mix and Precast Concrete Pty Ltd (ABN 22 067 037 969 Director: Paul Geoffrey Keough) over a disused section of Urana Street. The lease is for the purpose of depot/storage and expired on 31 December 2019.

The site comprises an area measuring approximately 2,870 square metres located adjacent to the Glenfield Road rail overpass and main southern railway line. This section of road was made redundant when the Glenfield Road rail overpass and associated approaches were developed.

Under the provisions of section 153 of the *Roads Act 1993*, Council as the relevant roads authority, may enter into a short term lease over unused public roads with an adjoining land owner or lease holder.

There are a range of requirements that must be adhered to in order for Council to do this, which are included in sections 154-157 of the *Roads Act 1993* and include:

- public notification of the proposed lease is undertaken via publication in a local newspaper
- notice is served on each adjoining owner along the length of the public road affected by the proposed lease
- the duration of the lease including any option must not exceed five years
- if, after consideration of public notice submissions a lease is to be granted, a further notice of Council's decision to grant the lease must be published in a local newspaper

- the lease agreement must contain provision for cancellation at any time and for any reason

Subject to resolution of Council, terms have been agreed with Wagga Mini Mix and Precast Concrete Pty Ltd for a further lease of five years commencing 1 January 2020 at an initial annual rent of \$5,000 per annum (excluding GST). The rent is subject to annual CPI rent reviews.

The initial annual rent represents the previous years annual rent increased according to CPI (rounded up to the nearest thousand).

Financial Implications

Income to the Property Management cost centre in accordance with Councils Long Term Financial Plan.

Policy and Legislation

The Roads Act 1993

Link to Strategic Plan

Growing Economy

Objective: We are a Regional Capital

Outcome: We attract and support local businesses and industry

Risk Management Issues for Council

N/A

Internal / External Consultation

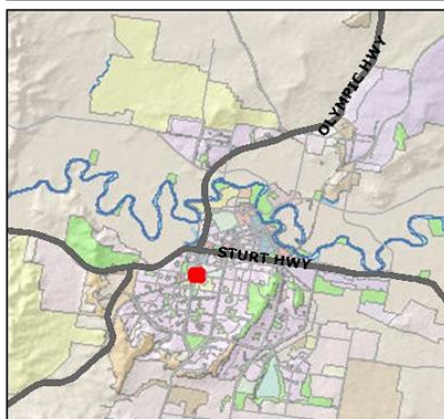
Public notice will be undertaken in accordance with the requirements of the Roads Act 1993.

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
TIER																	
Consult		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>												
Involve																	
Collaborate																	

Attachments

1   Location Map - disused section of the Urana Street road reserve

Location Map - Disused Section of the Urana Street Road Reserve



Disused Urana Street Road Reserve

Map Date: 20 March 2017

The City of Wagga Wagga does not warrant the accuracy or completeness of information in this product. Any person using or relying upon this product does so on the basis that the City of Wagga Wagga does not accept responsibility or liability for any errors, faults, defects or omissions in this product.



**City of
Wagga Wagga**

RP-5 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE - APPOINTMENT OF COUNCILLOR

Director: Caroline Angel

Summary: Councillor Tim Koschel has tendered his resignation from the Floodplain Risk Management Advisory Committee leaving a vacancy for a Councillor representative on the committee.

Recommendation

That Council appoint one Councillor to the Floodplain Risk Management Advisory Committee.

Report

A vacancy on the Floodplain Risk Management Advisory Committee has arisen due to the resignation from the committee by Councillor Tim Koschel.

The primary purpose of the Committee is to provide an efficient and effective means of communicating and consulting with members of the community with an interest in, and key stakeholders relating to, floodplain risk management in the Wagga Wagga Local Government Area, to assist in rendering effective oversight concerning the implementation of actions contained in the Floodplain Risk Management Plan.

The function and role of the Committee is to provide advice to the Council on:

- The development, implementation and delivery of the actions contained in the Flood Plain Risk Management Plan for the Wagga Wagga Local Government area, and
- Where appropriate convening subcommittees to assist in rendering effective advice concerning specific issues.

Financial Implications

N/A

Policy and Legislation

Floodplain Risk Management Committee Terms of Reference.

Link to Strategic Plan

Community Leadership and Collaboration

Objective: We have strong leadership

Outcome: We have leaders that represent us

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

RP-6 COMPLAINTS HANDLING POLICY**Author:** Ingrid Hensley**General Manager:** Peter Thompson

Summary: | Amendments have been made to Council's Complaint Handling Policy (POL 103) requiring the endorsement of Council.

Recommendation

That Council:

- a note that there were no public submissions received during the exhibition period of the draft Complaint Handling Policy (POL 103)
- b adopt the Complaint Handling Policy (POL 103)

Report

Council at its meeting of 28 October 2019 resolved to:

That Council:

- a *endorse the draft Complaint Handling Policy (POL 103), that is to be placed on public exhibition for a period of 28 days from 29 October 2019 to 27 November 2019 and invite public submissions until the 10 December 2019 on the draft Policy*
- b *receive a further report following the public exhibition and submission period:*
 - i *addressing any submissions made in respect of the proposed POL 103 Complaint Handling Policy*
 - ii *proposing adopting of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period*

The draft Complaint Handling Policy (POL 103) was placed on public exhibition for 28 days with a 42-day submission period which closed on 10 December 2019. During the submission period, no submissions were received.

It is recommended that Council adopt the Policy as exhibited.

Financial Implications

N/A

Policy and Legislation

Complaint Handling Policy (POL 103)
Local Government Act 1993 (NSW)

Link to Strategic Plan

Community Leadership and Collaboration

Objective: We have strong leadership

Outcome: We are accountable and transparent

Risk Management Issues for Council

Council policies are essential to ensure transparent legal, fair and consistent decision-making across the Council. They support Council in achieving its corporate objectives and provide a critical guide for staff, Councillors and other stakeholders. In the absence of effective policies there is a greater risk of inconsistency, confusion and inefficiency.

Internal / External Consultation

The Draft Policy was placed on public exhibition for 28 days from 29 October to 27 November 2019 with public submissions received until 10 December 2019.

Advertising and engagement was conducted through Council's website, Council News and Social Media posts. Although no submissions were received, engagement through Council's Social media platform provided the feedback:

People Reached	2,980
Engagements	308
Post Clicks	290
Reactions, Comments, Shares	18
Comments received were regarding the process of providing feedback, actual service request enquiries and a compliment on Council's responsiveness to contact made with Council.	

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
TIER																	
Consult					<input checked="" type="checkbox"/>									<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Involve																	
Collaborate																	

Attachments

1  Draft Complaint Handling Policy (POL 103)

Wagga Wagga City Council

COMPLAINTS HANDLING POLICY

POLICY REFERENCE NUMBER	POL 103		
ORIGINAL PUBLICATION DATE	November 2007		
RESPONSIBLE MANAGER	Manager Audit, Risk and Governance and Risk		
RESPONSIBLE DIRECTORATE	Governance		
<p>This document is to be reviewed bi-annually. Next review date: May 2019</p>			
Revision number	Issue Date	Council resolution	Council meeting date
1		Res No: 07/463	19 November 2007
2		Res No: 09/077	27 July 2009
3		Res No: 10/0045	22 February 2010
4	August 2013	Res No: 13/224.1	26 August 2013
5	May 2015	Res No. 15/130	25 May 2015
6	August 2017	Res No: 17/279	28 August 2017
7			

PART 1: INTRODUCTION

Wagga Wagga City Council provides democratic government through its services and facilities for the benefit of our customers who include residents of Wagga Wagga local government area, local businesses and the many visitors to the area. Customers have the right to expect satisfactory standards of work and good conduct in service delivery.

The performance of the Council might, at times, not be to the satisfaction of customers. In those circumstances the Council is committed to ensuring the opportunity is available to express dissatisfaction through an effective complaints management system and that any complaint received through the system is dealt with courteously, investigated fully and acted on within an appropriate time period.

1.1 Policy Objectives

- To improve Council's operations through responding positively to complaints.
- To facilitate the resolution of that complaint in accordance with the Council's statutory powers and responsibilities.
- To allow audit, monitoring and analysis to take place on complaints related data.
- In the resolution of complaints, to develop community confidence and trust that Council is responsive and caring.

1.2 Scope of Policy

This policy covers the following types of complaint:

- Complaints of a general nature
- Complaints of corrupt conduct, maladministration or misuse of Council resources
- Competitive neutrality complaints
- Complaints that cannot be resolved through normal Council procedures and where the customer expresses a clear desire and intention to lodge a formal complaint
- Unreasonable complainant conduct

The policy does not cover:

- Service requests
- Staff grievances
- Requests for information or explanation of policies or procedures of decisions of Council
- Reports of damaged or faulty infrastructure
- Reports of hazards
- Reports concerning neighbours or neighbouring properties
- Appeals against Council decisions, policies or procedures, unless recorded as complaints about Council's decision-making process
- Complaints under the *Code of Conduct* which are subject to a separate process
- Privacy or Child Protection complaints which are subject to separate processes
- Public Interest Disclosures

1.3 Council's Commitment to Complaints Handling

Council understands the importance of receiving community feedback and will:

- Deal with complaints promptly in accordance with its *Complaints Handling Policy*,
- Seek to resolve complaints at the time they are made,
- Widely publicise its complaints management processes,
- Encourage members of the public dissatisfied with Council's conduct to lodge complaints,
- Ensure that complainants who are dissatisfied with the outcomes of their complaint and remain dissatisfied are offered review by a more senior officer,
- Acknowledge complaints within seven working days including advice about the action taken to resolve the complaint,
- Advise complainants of their right to complain to the Ombudsman, the ICAC or the Department of Local Government
- ~~Deal with protected disclosures in accordance with its *Protected Disclosures Internal Reporting System*.~~
- Ensure that only the people directly involved in the complaint, or in sorting it out, will have access to information about the complaint,
- ~~Report in its annual report on the outcome of complaints, using this information to identify and rectify deficiencies in Council services.~~

1.4 Definitions

Complaint	A complaint is any dissatisfaction expressed by an interested party about specific Council decisions, procedures, charges, staff, agents, or quality of service. The complainant defines the complaint.
<u>Compliment</u>	<u>An expression of praise, commendation or admiration</u>
<u>Formal Complaint</u>	<p>This relates to complaints that cannot be resolved through normal Council procedures and where the customer expresses a clear desire and intention to lodge a complaint.</p> <p>This includes complaints of a serious nature, including complaints relating to competitive neutrality, maladministration, corrupt conduct, or misuse of Council resources.</p> <p>Formal complaints are referred to the Manager Corporate Strategy, Communications & Governance for investigation following Operating Process OPS-003</p>

POLICY REGISTER

Ref: POL 103

	Governance Complaints Management
Child Protection Complaint	<p>This is a complaint involving Council staff that contains allegations of children and/or young people being at risk of harm. It covers breaches of the various Acts concerned with Child Protection.</p> <p>Complaints are referred to the Manager People & Culture for investigation and/or reporting following the procedures set out in Council's <i>Child Protection Policy and Procedures</i>.</p>
Competitive Neutrality Complaint	<p>This is a complaint that Council has not met its obligations under the National Competition Policy and has not abided by the spirit of competitive neutrality in the conduct of a Council business.</p> <p>Competitive neutrality complaints are referred to the General Manager and Manager Corporate Strategy, Communications & Governance for investigation following the Operating Process OPS-003 Governance Complaints Management.</p>
Complaint under the Code of Conduct	<p>A complaint about the conduct of a Council official that alleges a breach of Council's Code of Conduct or the Model Code of Conduct for Local Councils in NSW. These complaints relate to breaches of the Code of Conduct.</p> <p>Code of Conduct complaints are made in writing to the General Manager and are dealt with by processes set out in the Guidelines for Dealing with Complaints under the Code of Conduct <i>Administrative Procedures for the Code of Conduct</i>.</p>
Protected <u>Public Interest Disclosure</u>	<p>This is a complaint made under the Protected Disclosures Act. It covers disclosures relating to corrupt conduct, maladministration or serious and substantial waste of public money, <u>breach of the GIPA Act, Local Government pecuniary interest contravention or other wrongdoing.</u></p> <p>The investigation of <u>public interest protected disclosures</u> follows the Guidelines for Managing Complaints but is subject to additional requirements relating to confidentiality and protection from retribution which are set out in the Protected Disclosure Internal Reporting System is in accordance with Council's</p>

POLICY REGISTER

Ref: POL 103

	<u>Public Interest Disclosures Policy</u>
Privacy Complaint	<p>This is a complaint made under the Privacy and Personal Information Protection Act, 1998. It covers complaints concerning breaches of the Act by Council.</p> <p>The investigation of Privacy complaints is set out in Council's <i>Privacy Policy</i>.</p>

1.5 Relevant Legislation

- Local Government Act 1993
- Independent Commission Against Corruption Act 1988
- Ombudsman Act 1974
- Anti Discrimination Act 1987.
- NSW Government Information (Public Access) Act 2009 (GIPAA)
- Privacy and Personal Information Protection Act NSW 1998 (PPIPA)
- NSW Health Records and Information Privacy Act 2002 (HRIPA)
- Public Interest Disclosures Act 1994

1.6 Related Documents

- Child Protection Policy and Procedures
- ~~Code of Conduct~~
- [Administration Procedures for the Code of Conduct](#)
- POL 056 Unreasonable Complainants Contact Policy
- ~~Guidelines for dealing with Code of Conduct Complaints~~
- Privacy Policy
- ~~Protected Public Interest~~ Disclosures Policy
- Practice Note No 9 - Complaints Management in Councils
- Unreasonable Complainant Conduct - Practice Manual 2009 - NSW Ombudsman
- ~~Complaints Handling Framework~~
- [Agency Information Guide](#)
- Operating Processes OPS-003 Governance Complaints Management Operating Standard, OPS-011 Customer/Service Complaints Operating Standard and OPS-016 Staff Grievance and Dispute Resolution Operating Standard

PART 2: POLICY CONTENT

2.1 General Provisions

2.1.1 How to Lodge a Complaint

~~Council will respond to complaints no matter how they are lodged. It may be necessary for the Council to request that a complaint be provided in writing should it proceed to the Tier 2 level of handling.~~ Complaints can be made via the following methods:-

<u>Methods to Lodge a Complaint with Council</u>	
<u>In Person</u>	<u>At any of Council's Customer Service Centres during normal business hours. Cnr Baylis Street and Morrow Street, Wagga Wagga NSW 2650</u>
<u>Telephone</u>	<u>1300 292 442 or (02) 6926 9100, or chat online with a council representative</u>
<u>Mail</u>	<u>PO Box 20, Wagga Wagga NSW 2650</u>
<u>On-line</u>	<u>Via Council's webpage - www.wagga.nsw.gov.au wagga.nsw.gov.au/city-of-wagga-wagga/council/contact-us/compliments-and-complaints/complaints-form</u>
<u>Email</u>	<u>council@wagga.nsw.gov.au</u>

It may be necessary for Council to request that a complaint be provided in writing to ensure accuracy and additional information to assist with a timely review and response.

- ~~By mail~~

~~Wagga Wagga City Council
PO Box 20
Wagga Wagga NSW 2650~~

- ~~Email~~

~~council@wagga.nsw.gov.au~~

- ~~In person~~



POLICY REGISTER

Ref: POL 103

~~At any of Council's Customer Service Centres during normal business hours. Cnr Baylis Street and Morrow Street, Wagga Wagga NSW 2650.~~

- ~~• By telephone~~

~~1300 292 442 or (02) 6926 9100, or chat online with a council representative.~~

- ~~• On our website~~

~~www.wagga.nsw.gov.au~~

2.2 Specific Provisions

2.2.1 Complaints of a General Nature

These complaints ~~may range from simple matters~~ are dissatisfaction involving:

- ~~• a decision that Council has made~~
- ~~• the conduct of a Council employee or a Councillor~~
- ~~• a Council policy or procedure~~
- ~~• the service you received or Council's response after making an enquiry or Service Request~~
- ~~• the timeliness of Council's response to your Service Request~~

~~rudeness by employees or missed garbage services through to serious matters concerning breaches of Council policies or procedures.~~

2.2.1.1 ~~Complaints Made to Council Staff~~ Complaint Handling Model

The complaint handling ~~process model~~ for Council employees is broken down into three levels:

Level One – First Line Complaint Handling

- ~~• All first line staff are responsible for receiving, registering and ensuring the resolution of all straightforward, minor complaints as speedily as possible. They have the authority to resolve problems on the spot. Frontline staff are responsible to keep accurate and timely records in Council's record management system.~~
- ~~• First line staff may refer complaints to their supervisor or the divisional manager if they are unsure and must notify the Governance and Risk division who should attend the problem.~~
- ~~• In the case of Formal Complaints, first line staff shall direct the complaint to the Manager Corporate Strategy, Communications & Governance.~~



POLICY REGISTER

Ref: POL 103

Level Two – Internal Review or Investigation

- Where the customer is still dissatisfied, the matter will be referred to a more senior officer within the area of responsibility for review and investigation, with the results of the review reported to the complainant.
- Depending upon the nature of the complaint, they may be referred immediately to the General Manager or their delegate for investigation and a response provided to the complainant. ~~In conjunction with the~~ Assistance may be sought from the Manager, ~~Corporate Strategy, Communications & Governance~~ Governance and Risk, ~~the matter will be investigated and a response provided to the complainant.~~
- If the complainant remains dissatisfied, other options will be considered that may be available to achieve a settlement. This may include conciliation, mediation, or further direct negotiations to remedy the grievance.

Level Three – Independent Review

If the complaint cannot be resolved by Council, the complainant may be referred to an outside agency such as the NSW Ombudsman, the Department of Local Government or to an alternative dispute resolution provider.

Complaints will move from one tier to the next if:

- the complaint is about the staff member's own conduct or the staff member has a real or perceived conflict of interest, and it is not appropriate that they deal with it;
- the complainant requests it;
- the complaint is outside the staff member's delegation or area of expertise;
- a public official is alleged to have committed a criminal offence, acted corruptly or engaged in other serious or controversial conduct.

When a complaint is referred to a senior staff member, the complainant will be advised of the name and contact details of that person.

In all cases, if a complaint cannot be resolved within Council, the complainant is offered one of the following alternatives:

- ~~An alternative dispute resolution procedure such as mediation;~~
- ~~Referral to an external agency such as the Independent Commission Against Corruption, the NSW Ombudsman or the Director-General of the NSW Department of Local Government.~~

2.2.1.2 Complaints Made to Councillors

Complaints are often made directly to Councillors rather than to Council staff. To facilitate a timely response from the relevant area of Council, it is desirable that the Councillor In order for the above processes to be followed, Councillors are requested to ask the complainant whether they have previously made the complaint to Council staff and advise. If not, please ask them to contact Council's Customer Services staff so that relevant details can be logged and action taken in accordance with Council's policy.

- Log the complaint on a Request Form and refer it to the General Manager.

A report will be made to the respective Councillor regarding action taken on the complaint.

2.2.1.3 Responsiveness to Complaints

Complaints will be dealt with quickly, courteously, fairly and within established timelines.

Complainants will be advised of how long it will take to deal with the complaint in accordance with the Council's complaint handling timelines and will be kept informed of the progress. If additional time is required to investigate and resolve the issues the complainant will be kept informed and advised of the additional time required and the reasons for the delay.

Council on receipt of a complaint will provide the complainant with:

- An acknowledgement of receipt of the complaint
- A response within five business days
- A complaint ID that can be monitored through Council's eServices

Council delivers a wide range of services and consequently the type of complaints ~~we~~ received also varies widely. Many complaints can be resolved quickly and easily ~~on the spot~~. Other complaints will have complex issues which require investigation. Council aim to resolve your complaint within 14 ~~working-business~~ days. If resolution cannot be reached within 14 ~~working-business~~ days you will be kept informed of Council's progress and be provided with:

- the name of the person responsible for resolving the complaint
- the estimated length of time it may take to resolve your complaint
- a timeframe for when you can expect to receive an update from us

2.2.1.4 Making Restitution

Where Council considers a complaint is justified, the next step is to determine an appropriate response. Depending on the complaint, an investigation may lead to one or more of a range of possible outcomes, including:

~~An important part of Complaint Management is ensuring that if a complaint is found to be correct then some form of restitution is made to the complainant. Making restitution is a way of acknowledging that a wrong has been done and that it is regretted.~~

~~There are various ways of making restitution:~~

- ~~• an explanation;~~
- ~~• an apology;~~
- ~~• mediation;~~
- ~~• a change in decision, procedure or practice;~~
- ~~• a correction of misleading records;~~
- ~~• financial compensation, including a refund of a fee;~~
- ~~• the remission of a penalty;~~
- ~~• referral to an external agency for further investigation.~~

2.2.1.4 Confidentiality

Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by the Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

~~Council will treat all complaints in a confidential manner. Council will use the complainant's name and contact details only for the purposes of communicating with them on the matter raised.~~

~~All personal and health information collected by Council in connection with a complaint will be handled in accordance with all applicable privacy laws and will only be used for the purpose of investigating the complaint.~~

2.2.1.5 Anonymous Complaints

Complaints are often made by an anonymous complainant. Council will review anonymous complaints, however, it can be very difficult to resolve complaints of this nature, or to enforce legislation, without the ability to thoroughly investigate and gather evidence and additional information.

Action is taken on anonymous complaints as far as it is possible to do so without being able to consult with the complainant. If there is sufficient information in the complaint, a review of the complaint will be conducted.

2.2.1.6 Natural Justice and Fairness

~~Complaints received will be handled in accordance with the principles of natural justice. Complaints will be responded to equitably and without bias. All parties involved have the right to seek review of the complaint determination.~~

2.3 Difficult Complainants

~~While the majority of customers have legitimate concerns and genuinely seek resolution, a small proportion of customers demonstrate unreasonable concerns and unreasonable and uncooperative behaviour.~~

~~Unreasonable Complainant Contact is any behaviour by a customer which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the Council, staff, other service users and customers or the customer himself / herself.~~

~~When customers behave unreasonably in their dealings with staff, their conduct can significantly affect the Council's performance and may pose risk to the health and wellbeing of staff. Because of this, the Council will take immediate action to manage customer conduct that negatively and unreasonably affects the organisation, and support staff to do the same.~~

~~In such cases, Council will manage unreasonable complainant conduct in accordance with its *Unreasonable Complainant Contact Policy POL 056*.~~

~~There may be occasions where the complainant's actions or motivations are unacceptable. We recognise that staff have rights that must be respected when dealing with aggressive or vexatious complaints.~~

~~Many complainants are angry and aggrieved, sometimes with good cause. Most behave in legitimate ways. A very small minority make complaints that are vexatious, in that they persist unreasonably with their complaints, or make complaints in order to make it difficult for the Council rather than genuinely to resolve a grievance. This may involve making serial complaints about different matters, or continuing to raise the same or similar matters over and over again.~~

~~In such cases, Council will manage unreasonable complainant conduct in accordance with its *Unreasonable Complainant Contact Policy POL 056*.~~

2.4 Monitoring and Reporting on Trends

All complaints are entered into the Council's record management system to allow Council to report and analyse trends. Specifically Council will be looking to see whether issues are systemic or recurring to allow improvement in Council's processes and reduce future complaints.

Council collects data regarding complaints and analyses it to guide business improvement. Recurring or system-wide problems are identified and the action or service of Council that has been the source of the complaints is addressed. This may be through corrective and preventative actions and innovative improvements.

There are periodic audits of the complaints handling system and appropriate action plans formulated to address any deficiencies.

2.4.2.5 Statutory Complaint Handling Procedures

Council's statutory obligations to refer complaints to external agencies

There are a number of accountability/complaint bodies established by the NSW Government that receive and investigate complaints:

The Independent Commission Against Corruption (ICAC)

Under section 11 of the *Independent Commission Against Corruption Act* 1988, a general manager of a council has a duty to report to ICAC any matter he or she suspects on reasonable grounds concerns or may concern corrupt conduct.

The Office of Local Government

The Office of Local Government investigate pecuniary interest matters, political donations disclosure matters, councillor misbehaviour and protected disclosures relating to serious and substantial waste. The Office also deals with complaints that indicate a serious breakdown in council operations or serious flaws in council processes.

The NSW Ombudsman

The NSW Ombudsman has jurisdiction to investigate complaints alleging maladministration by councils, Councillors and council staff.

Information and Privacy Commission

The Information and Privacy Commission can investigate and review council determinations made under NSW Privacy legislation. You can make a complaint to the Information Commission about the way council acts (or fails to act) when exercising its functions under the GIPA Act.

NSW Small Business Commissioner

The NSW Small Business Commissioner is an independent statutory officer. The role of the Office of the Small Business Commissioner in helping small businesses is laid out in the Small Business Commissioner Act, 2013. The Office offers a service to help small business talk to Councils about their problems, and work towards a solution through negotiation, communication and mediation, rather than litigation.

2.52.6 Councils' Statutory Complaint Handling Obligations

Complaints under the Code of Conduct

Council has a Code of Conduct applicable to Councillors, staff and delegates of Council. Complaints relating to alleged breaches of the Code of Conduct by a Councillor, member of staff or delegate of the Council must be dealt with in accordance with the procedures prescribed under the Code of Conduct.

All Council staff receive training in relation to their obligations and responsibilities under the Code of Conduct.

Complaints about privacy breaches

Council is a public sector agency for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA). Under that Act, a person may seek an internal review by a council of the following conduct:

- a breach of any information protection principles applying to the council
- a breach of the Privacy Code of Practice for Local Government
- disclosure of personal information held on a public register in a manner inconsistent with that permitted under the Privacy Code of Practice for Local Government
- a breach of a health privacy principle under the Health Records and Information Privacy Act 2002 (HRIPA) that applies to the council
- a breach of a health privacy code of practice that applies to the council.
- Council is obliged to notify the Privacy Commissioner of internal reviews and report their findings.

Competitive neutrality complaints

Competitive neutrality seeks to ensure that competition between public and private businesses happens on a fair basis. Competitive neutrality requires that public sector business activities which are in competition with the private sector should not have



POLICY REGISTER

Ref: POL 103

competitive advantages or disadvantages simply by virtue of their government ownership or control.

Under the principles of national competition policy, all levels of government must establish an effective system to deal with complaints relating to competitive neutrality in respect of their business. Complaints regarding competitive neutrality must be referred to the Manager ~~Corporate Strategy, Communications and Governance~~ Governance and Risk.

2.62.7 Other appeal mechanisms

Where rights of appeal to outside tribunals or other legal remedies exist, dissatisfied complainants should be advised of these avenues of redress after all others have been exhausted.

RP-7 86 HARRIS ROAD GOBBAGOMBALIN (DA18/0302) PROPOSAL TO DEFER DEVELOPER CONTRIBUTIONS**Author:** Belinda Maclure**Director:** Michael Keys**Summary:**

A request has been received from the Combined Development Group regarding the deferral of the payment of infrastructure contributions associated with DA18/0302.02, for the subdivision of 86 Harris road into 214 lots. The development application was determined on 24 April 2019.

The developer contribution charges due (as at April 2019) are:

- Section 7.11 of \$19,526.06 per lot for 210 lots, a total of \$4,100,472.60
- Section 64 Stormwater of \$2,218.31 per lot for 210 lots, a total of \$465,845.10
- Section 64 Sewer of \$3,988.61 per lot for 210 lots, a total of \$837,608.10

The infrastructure contributions due are subject to annual indexation in July.

The Combined Development Group proposed to lodge a bank guarantee for the total amount of the infrastructure contributions owing at the release of the subdivision certificate. They proposed the debt would then be paid when 75% of the lots of each stage are settled. The remainder of the debt of each stage is to be paid within six months of the registration of lot titles.

Instead of this approach it is recommended the infrastructure contributions owing for each separate stage are deferred for 12 months following the receipt of an unconditional bank guarantee for each stage.

Recommendation

That Council:

- a defer the Section 7.11 infrastructure contributions due for the subdivision of 86 Harris Road as detailed in DA18/0302.02 for 210 lots
- b defer the Section 64 Stormwater and Sewer infrastructure contributions due for the subdivision of 86 Harris Road as detailed in the DA18/0302.02 for 210 lots
- c prior to the release of a Subdivision Certificate for each stage require an unconditional bank guarantee in Councils favour from Combined Development Group Pty Ltd for the amount of the outstanding infrastructure contributions as they apply to each stage, for a maximum of 12 months

Report

A report was submitted to the Ordinary Meeting of Council on Monday 20 January 2020 regarding the request to defer the infrastructure contributions due for the development of 86 Harris road. The report was deferred at this meeting. The report has been amended to include the additional information regarding the bank guarantee and clarifies the link between the stages of the development and the requirement of the bank guarantee for the infrastructure contributions.

The Combined Development Group has requested to defer the infrastructure contributions due for their development at 86 Harris road, Gobbagombalin. The development is a 214 lot subdivision and was determined on 24 April 2019 as DA18/0302.

The development is for a 214 lot subdivision over 7 stages varying between 2 and 58 lots per stage. The following table shows the lots to be developed in each stage.

Stage	Lots
1	1
2	58
3	3
4	52
5	33
6	48
7	19
Total	214

The development application requires \$19,526.06 per lot to be paid for Section 7.11 developer contribution under the City of Wagga Wagga Section 94 Contributions Plan 2006 -2019. This contribution is required for lots created in each stage (other than the one in Stage 1 and all lots created in Stage 3) prior to the issuing of the Subdivision Certificate. Therefore 210 lots are required to pay Section 7.11 infrastructure contributions, with a total amount due of \$4,100,472.60. The Section 7.11 infrastructure contributions are subject to annual indexation in July.

As detailed in the development application the Section 64 Stormwater base figure for the one lot in stage 1 and all lots in stage 3 is \$0. The Section 64 contribution required to be paid for all remaining 210 lots is \$2,218.31 per lot or \$465,845.10 in total.

The Section 64 Sewer charge for the one lot in stage 1 and all lots in stage 3 is \$0, as per the development application. The remaining 210 lots are required to pay \$3,988.61 per lot, a total of \$837,608.10

Section 64 Sewer and Stormwater charges are indexed each December annually.

The Combined Development Group propose to provide two bank guarantees for the total amount of infrastructure contributions owing at the time the subdivision certificate is issued. They then propose to discharge 75% of the amount of the debt when 75% of the lots are settled for each stage, which they anticipate to be shortly after the registration of the lot titles. The Combined Development Group will notify Council when this milestone is achieved. During the course of the six months following the registration of lot titles, they expect to have the balance of the lots settled and would

then discharge the debt owing in full at that time. The achievement of this milestone will also be advised by the developer.

This approach requires additional administration and leaves some uncertainty as to the receipt of the outstanding contributions. We recognise that the current financial climate poses some additional pressures on residential development and are therefore proposing an alternative solution.

It is recommended that council accept an unconditional bank guarantee in Council's favour for the amount of infrastructure contributions owing for each stage at the time the subdivision certificate is issued. This bank guarantee is limited to a maximum of 12 months and Council will have the ability to call on this guarantee if required. This alternative gives some relief to developers in the critical cash flow period and also certainty to Council by defining the time period for collection.

The Wagga Wagga Local Infrastructure Contributions Plan 2019-2034 allows for the deferral of developer contributions. Section 3.3 of the Contributions Plan states a developer may apply to the Council under Section 4.55 of the Environmental Planning and Assessment Act 1979 to modify the condition of a development application to defer the payment of the contribution due, secured by a bank guarantee. The Plan states approval can only be made by a resolution of Council and will only be granted:

1. In exceptional circumstances such as demonstrated financial hardship of the developer, and
2. Where the deferred payment
 - a. Will not prejudice the timing or manner of the provision of public amenities, and
 - b. Does not otherwise create an undesirable precedent.

As indicated in the letter received from the Combined Development Group, the reason for the request is to assist them at a time when bank finance is unavailable for regional residential development. The Group's projects have been fully funded internally post the global finance crisis and this puts considerable strain upon their cash flow, especially when they are operating in more than one city.

The letter goes on to say the contributions are considerable and any assistance afforded to the Combined Development Group greatly increases the prospect of their next stage of the development commencing without delay.

Given the reserve balances shown the 2020-2029 Long Term Financial Plan for the Section 7.11, Section 64 Stormwater and Sewer reserves it is unlikely the deferral of these infrastructure contributions will affect the delivery of the capital projects schedule.

Each request for the deferral of infrastructure contributions will be considered on a case by case basis and will consider the associated reserve predicted balance at the time. Therefore, the approval of this proposal will not create an undesirable precedent.

Council has also sought advice regarding the security of accepting a bank guarantee against the outstanding developer contributions. It is recommended that Council require an "unconditional" bank guarantee to ensure Council has full recall on the funds at the expiry of the agreed term in the case of any default. The unconditional guarantee would be issued to Council and supported by an Amended Development Consent. The unconditional bank guarantee would be held by Council for a period of up to 12 months.

The developer would be notified of Council's intentions to call on the funds prior to expiry in the absence of payment of relevant contributions. If payment is not received Council can demand the funds from the issuing institution.

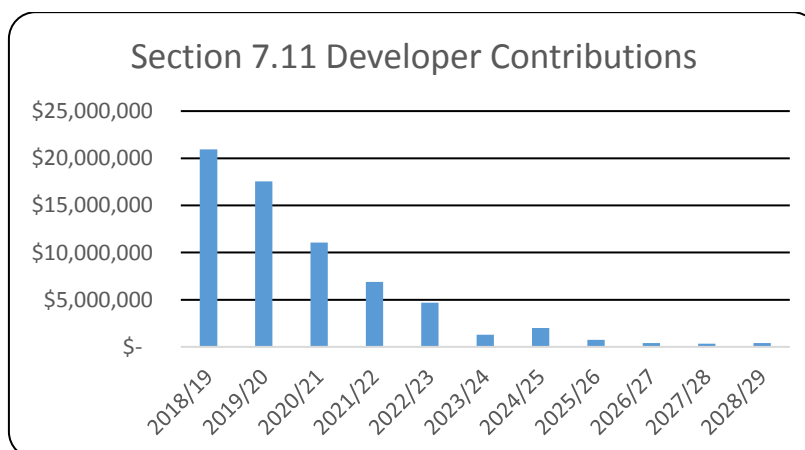
The security and Council's rights to demand payment on production of the unconditional guarantee have been checked and verified by Commonwealth Bank of Australia - Council's main trading financial institution. There is minimal risk to Council in regard to claiming these funds in case of default or other unforeseen circumstances.

Financial Implications

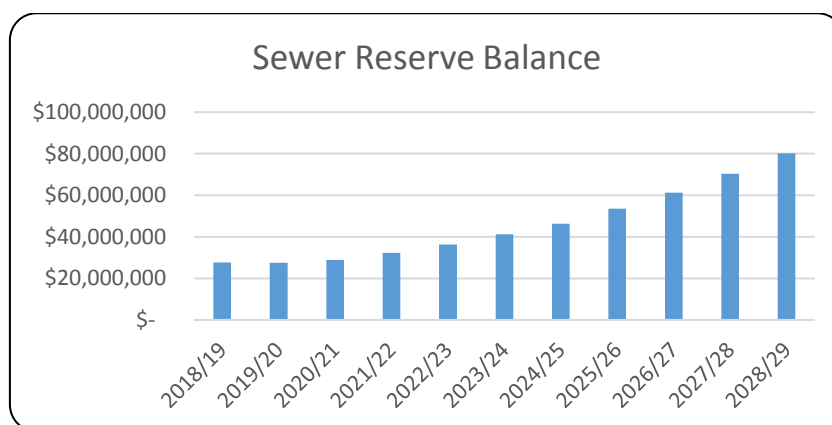
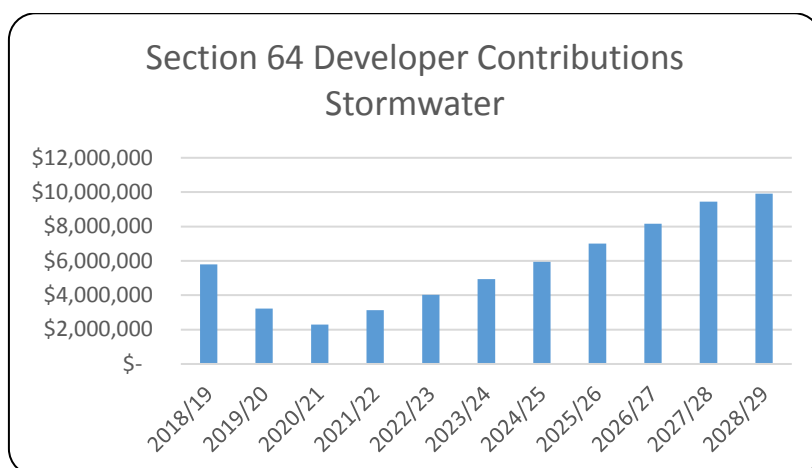
This proposal has financial implications for the Section 7.11, Section 64 Stormwater and Sewer reserves in the short term. The reserve balances are currently:

- \$23,838,000 Section 7.11 (Wagga Wagga City Council Annual Financial Statements for the year ended 30 June 2019)
- \$6,551,000 Section 64 Stormwater (Wagga Wagga City Council Annual Financial Statements for the year ended 30 June 2019)
- \$27,726,736 Sewer Reserve (Long Term Financial Plan 2020-2029)

The Long Term Financial Plan 2020-2029 Appendix 5 – Budgeted External Restrictions shows the predicted balances of the reserves as follows. The predicted reserve balances account for the predicted developer contribution income and scheduled project expenditure over the next ten years.



The Wagga Wagga Local Infrastructure Contributions Plan 2019-2034 includes proposed borrowings of \$5,678,046 funded by infrastructure contributions as projects B1 and B2 of the Plan. This proposed borrowing will finance the early delivery of a number of projects across Wagga Wagga that should in turn support the acceleration of the development anticipated across the city under the Plan, therefore the reserve balance is predicted to remain positive.



Policy and Legislation

The Wagga Wagga Local Infrastructure Contributions Plan 2019 -2034 allows for the deferral of Section 7.11 contributions due under clause 3.3 of the Plan, where the deferral is approved by a Council resolution.

This direction forms the basis of the resolution for the Section 64 sewer and stormwater contributions also.

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

Risk Management Issues for Council

The most significant risk for Council is precedent this may set for other developments across the city.

Given the current balances of the reserves the risk of not providing the infrastructure is considered unlikely.

There is also a risk that the developer will not advise Council when the lots are settled and therefore when the infrastructure contributions are due. This risk is mitigated by the bank guarantee and the 12 month time limit.

Internal / External Consultation

There has been consultation with the Finance section internally.

RP-8 RFT2020-14 RELOCATION OF RISING MAIN SPS15 TO KOORINGAL SEWAGE WORKS

Author: Rupesh Shah
Director: Caroline Angel

Summary: This report advises a typographical error contained in the Council Report for the relocation of Rising Main SPS15 to Koorungal Sewage Works.

Recommendation

That Council note the typographical error contained in the Council Report for the relocation of Rising Main SPS15 to Koorungal Sewage Works and note the correct ABN for FB Contracting Pty Ltd is 19 154 665 317.

Report

Project Background

A Council Report for the award of contract for the relocation of Rising Main SPS15 to Koorungal Sewage Works was submitted to the 16 December 2019 Council Meeting.

This Report incorrectly listed the ABN for the successful Contractor FB Contracting Pty Ltd as 19 154 685 317, whereas the correct ABN for them is 19 154 665 317.

Financial Implications

N/A

Policy and Legislation

Council's POL 110 Procurement and Disposal Policy is relevant and has been applied, along with section 55 of the Local Government Act 1993.

Link to Strategic Plan

The Environment

Objective: We create a sustainable environment for future generations

Outcome: We are proactive with our waste management

Risk Management Issues for Council

To address the risk management issues related to compliance and probity, the request for tender and evaluation processes for this supply was performed in accordance with Council policies and procedures and legislative requirements.

Internal / External Consultation

Internal consultation has taken place with officers from the Corporate Services and Commercial Divisions.

RP-9 RFT2020-22 FARRER ROAD WIDENING - CHANGES TO SCOPE

Author: Silas Darby
Director: Caroline Angel

Summary: Numerous issues have arisen on the Farrer Road project requiring alterations to the design scope and the exhaustion of the contingency sum.

Recommendation

That Council:

- a note the issues experienced on the Farrer Road project requiring alterations to the design scope
- b approve the budget variations as noted in the financial implications section of this report

Report

During the initial construction of the project a number of issues have arisen that have required varying degrees of alteration to the design of the road. These are as follows:

1. 1 in 100 Culvert across Farrer Road:

The initial design incorporated the use of the existing culvert under Farrer Road being a 1 in 50-year configuration. Closer examination of the structure of the culvert indicated that it had deteriorated to such an extent that:

- a) the structure was in poor repair; and
- b) the levels of the culvert would in fact only support an overland flow of a 1:20 year event.

Due to the above it was decided to redesign a new culvert crossing to meet a 1 in 100-year overland flow and prevent inundation of the road surface and deterioration of the base courses.

The cost of this additional work is estimated to be \$185,000.00.

2. Unidentified Asbestos cement water supply:

Initial "Dial before you Dig" (DBYD) reports indicated a decommissioned asbestos cement water line running under the proposed footpath, on the southern side of the road. This was incorporated into the design and precautions were taken to miss the pipe. There were, in fact, two such pipes, the second of which has impacted the roadworks themselves and have had to be removed by specialist contractors and disposed of. This has currently only affected phase 1, but further exploration indicates that this will continue into phase 2 and 3.

The current cost of excavation, specialist removal and disposal amount to the sum of \$69,617.71.

3. Messenger Avenue connection:

The subdivision at the corner of Farrer Road and Boorooma Street had only one access and egress via Lindrum Way. While it was no doubt intended that the two

parts of Messenger Avenue be joined, this was never done. With the required closure of Lindrum Way, a new egress needed to be established for the 98 property owners in the subdivision. It was agreed that the completion of Messenger Avenue was the most logical solution, and this was done, requiring temporary access from the owner, completion of roadworks and fencing.

The cost of these works amounts to \$67,500.00.

4. TAFE sewer connection:

The TAFE facilities on the eastern end of Farrer Road function on a septic tank system as, prior to the subdivisions on the southern side of the road there was no access to a sewer outfall. With the construction of the road Council will encroach upon the soaker pit for the TAFE (not indicated on any drawings or DBYD). The logical decision would be to take a sewer line across Farrer Road and connect to the sewer system.

The cost of these works would be \$42,000.00 including rock excavation in the roadway.

5. Cycle pathway:

It was intended to re-use the cycle path to the north of TRAC. The bus companies requested bus parking areas (spoon drain kerbs) in this location which interfered with the existing pathway. This pathway has been reconfigured and re-laid in asphalt as per the specification of the cycle path network.

The cost of this work was \$25,375.00

6. Bus parking bays:

Subsequent to the initial design and Tender, the bus companies met with Council to better understand the implications of the works and requested that we include bus parking facilities along the southern side of the road. Two bays with roll over (spoon drain) kerbs have been incorporated.

The cost of this work was \$10,282.00

7. Bridge over 450 diameter water main:

At the outset of the project it was intended, as notified by Riverina Water (RW), that the 450 diameter water main crossing Farrer Road would be moved to an alternative position outside of Council's site at the roundabout. Subsequent to the Tender and award the decision was made by RW that they did not require the main to be moved and, instead Council was required to ensure that it was protected. To this end a concrete "bridge" over the pipe has been constructed to ensure that it remains intact both during and after construction.

The cost of this work was \$36,537.00

Financial Implications

Summary of Scope changes and Variations:

	Scope changes		
1	1 in 100 Culvert crossing	\$ 185,000.00	
2	Asbestos excavation and removal	\$ 69,617.71	
3	Messenger avenue connection	\$ 67,500.00	
4	TAFE sewer	\$ 42,000.00	
5	Cycle pathway	\$ 25,375.00	
6	Bus parking bays	\$ 10,282.00	
7	Bridge over water main	\$ 36,537.00	\$ 436,311.71
	Variations		
1	Rock excavation estimated	\$ 85,000.00	
2	Cart off material exceeding 2kms	\$ 37,500.00	
3	Replacement of existing kerb (damaged)	\$ 14,000.00	\$ 136,500.00
	Total		\$ 572,811.71

Budget summary

The Farrer Road Widening and Reconstruction project has a total budget of \$6,263,535. The project budget summary is shown below indicating the \$319,069 that the project is currently estimated to be over budget.

Total project budget	\$6,263,535
Expended as at 31 January 2020	(\$2,336,593)
Commitments as at 31 January 2020	(\$4,001,309)
Add back: APA gas purchase order approximate adjustment (included in above commitments)*	*\$448,110
Total Adjusted expended and committed to date	(\$5,889,791)
Current project budget remaining prior to additional expenditure and remaining project management	\$373,743
Additional expenditure as noted in this report	(\$572,812)
Estimate for project management for the remainder of project	<u>(\$120,000)</u>
Total Additional expenditure and remaining project management costs	<u>(\$692,812)</u>
Additional funds required (does not include any allowance for further contingency if required)	\$319,069

*There is a sum of \$548,110.66 committed in the purchase order for APA gas, which is unlikely requiring any more than approximately \$100,000.00.

It is proposed to source the additional funds required of \$319,069 from loan borrowings, with repayments to commence from the 2020/21 financial year and will be factored into the 2021/30 long term financial plan. The annual estimated debt servicing costs on the \$319,069 assuming a 2.75% interest rate over a 10-year period is \$36,929 per year.

Job consolidation number: 15084

Policy and Legislation

Council's POL 110 Procurement and Disposal Policy is relevant and has been applied, along with section 55 of the Local Government Act 1993.

Link to Strategic Plan

Growing Economy

Objective: We are a Regional Capital

Outcome: We have complete and accessible transport networks, building infrastructure, improving road travel reliability, ensure on-time running for public transport

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

COMMITTEE MINUTES

M-1 AIRPORT ADVISORY COMMITTEE - MINUTES - NOVEMBER AND DECEMBER 2019

Author: Darryl Woods

Director: Caroline Angel

Summary: The Airport Advisory Committee met on 6 November 2019 and 10 December 2019 (Special Meeting). The minutes of these meetings are attached for the information of Councillors.

Recommendation

That Council receive the minutes of the Airport Advisory Community Committee Meetings held on 6 November and 10 December 2019.

Report

The Airport Advisory Committee meet on 6 November and 10 December 2019. The minutes of these meetings are attached for the information of Councillors.

Financial Implications

N/A

Policy and Legislation

Airport Advisory Committee Terms of Reference

Link to Strategic Plan

Community Leadership and Collaboration

Objective: We are informed and involved in decision making

Outcome: Everyone in our community feels they have been heard and understood

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

Attachments

1.  Airport Advisory Committee Minutes - 6 November 2019

2.  Airport Advisory Committee Minutes - 10 December 2019

MINUTES of the **AIRPORT ADVISORY COMMITTEE** held on **Wednesday 6 November 2019**.

PRESENT

Councillor Kerry Pascoe	Wagga Wagga City Council
Councillor Dan Hayes	Wagga Wagga City Council
Mr Warrick Lodge	Regional Express
Mr Nicholas Pausina	Department of Defence
Mr Geoff Breust	Aviation Industry Participant
Mrs Jenny Cabot	Aviation Industry Participant

IN ATTENDANCE

General Manager,	Peter Thompson
Senior Governance Officer	Neil McDermott

The meeting of the Airport Advisory Committee commenced at 6.00pm.

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

Dannielle Wait	Wagga Wagga Business Chamber
Joshua Dorey	Qantas
Iain Carty	Department of Defence

CONFIRMATION OF MINUTES

**CM-1 CONFIRMATION OF MINUTES OF AIRPORT COMMITTEE MEETING
- 7 AUGUST 2019**

Recommendation

On the Motion of W Lodge and N Pausina

That the Minutes of the proceedings of the Airport Advisory Committee Meeting held on 7 August 2019 be confirmed as a true and accurate record.

CARRIED

DECLARATIONS OF INTEREST

No declarations of interest were received.

MINUTES of the AIRPORT ADVISORY COMMITTEE held on Wednesday 6 November 2019.

REPORTS FROM STAFF

RP-1 EXPANSION OF REX'S AUSTRALIAN AIRLINE PILOT ACADEMY (AAPA)

Mr Warrick Lodge from Regional Express provided details of the proposed expansion of REX's Australian Airline Pilot Academy.

Mr Lodge informed the Committee that he wished to withdraw the report at this time as he is awaiting further information. Once the information is received, Mr Lodge will distribute the information to the Committee out of session.

CARRIED

RP-2 LIGHTING OF THE AAPA AIRCRAFT PARKING APRON

Mr Warrick Lodge from Regional Express provided details of the lighting of the AAPA Aircraft Parking Apron. Mr Lodge informed the Committee of the need for additional lighting at the AAPA parking apron on the southern side of the airport, for training aircraft. This is due to a Wagga Airport restriction (NOTAM).

The Committee discussed a number of options including using existing poles.

The Committee requested that Council's Manager, Council Businesses, Mr Darryl Woods, undertake an inspection (walk around) of the area and provide an update on lighting options. The Committee also requested that Mr Woods contact the Committee, prior to the inspection, via email, to discuss a preferred date and time for the inspection (walk around).

Recommendation

That the Airport Advisory Committee note the information provided by Mr Lodge.

CARRIED

MINUTES of the AIRPORT ADVISORY COMMITTEE held on Wednesday 6 November 2019.

RP-3 SCHEDULE OF AIRPORT COMMITTEE MEETING DATES 2020

The Committee unanimously agreed to recommended dates, however, requested a Special Meeting of the Committee be scheduled for mid-December 2019. Items for discussions at the Special Meeting will include, but not be limited to the following:

1. The future airport budget(s)
2. An update on the Airport Data Collection from the Airport Group

A date for this Special Meeting will be determined and the Committee will be notified.

Recommendation

That the Airport Advisory Committee:

- a approve the dates below as the meeting dates for the Airport Committee for 2020
 - Wednesday, 5 February 2020 at 6.00pm
 - Wednesday, 6 May 2020 at 6.00pm
 - Wednesday, 5 August 2020 at 6.00pm
 - Wednesday, 4 November 2020 at 6.00pm
- b schedule a Special Meeting for mid December 2019 to consider the following items:
 - The future airport budget(s)
 - An update on the Airport Data Collection from the Airport Group

CARRIED

RP-4 PADDOCK TO PLANE TO PLATE

The Committee received an update provided by Council's Manager, Council Businesses, Mr Darryl Woods, on the State Governments' Paddock to Plane to Plate proposal. The Committee requested that they receive a further update from Mr Woods once the Final Report has been delivered.

The Committee were advised that to date there have been no follow-up reports.

Recommendation:

On the Motion of Councillor D Hayes and N Pausina

That the Airport Advisory Committee note the information provided on 2 May 2019, by the Deputy Premier and Minister for Regional NSW, Industry and Trade John Barilaro issued as a media release on the Paddock to Plane to Plate feasibility study.

CARRIED

MINUTES of the AIRPORT ADVISORY COMMITTEE held on Wednesday 6 November 2019.

RP-5 AIRPORT DATA COLLECTION UPDATE

The Committee considered the update provided by Council's Manager, Council Businesses, Mr Darryl Woods, from the consultant on Friday, 25 October 2019 and requested a further update be provided by Mr Woods to the Special Meeting to be held in mid-December 2019.

Recommendation:

On the Motion of W Lodge and N Pausina

That the Airport Advisory Committee note the information provided by Council's Manager, Council Businesses, Mr Darryl Woods.

AIRPORT DATA COLLECTION UPDATES

- Albury Airport - have received responses to initial questions and have sent further questions relating to financials
- Parkes Airport - have received responses to initial questions and have sent further questions relating to financials
- Coffs Harbour Airport - have received responses to initial questions and have sent further questions relating to financials
- Griffith Airport - have received responses to initial questions and have sent further questions relating to financials
- Port Macquarie Airport – information received
- Dubbo Airport - have received responses to initial questions and have sent further questions relating to financials
- Tamworth Airport - nothing received yet
- Orange Airport - not participating
- Wagga Airport - we have had a discussion with Leon to clarify information on Wagga operations

OVERALL PROGRESS/COMMENTS

- The Airport Group has commenced the draft report with the majority of the information received. (and published data).

CARRIED

QUESTIONS WITH NOTICE

The following Questions With Notice were received.

QWN-1

Councillor Kerry Pascoe asked if there had been any complaints about airport noise as he sometimes hears planes late at night at his home.

MINUTES of the AIRPORT ADVISORY COMMITTEE held on Wednesday 6 November 2019.

Jenny Cabot advised that there was only one regular complainant who lives to the south of the airport.

QWN-2

Mr Nicholas Pausina advised the Committee that demolition works were due to start at RAAF Base Wagga on or about 28 or 29th November 2019. One building will be demolished as well as pavement works around bays 5 and 6.

Mr Pausina also advised that the PFAS investigations have now been completed. Three RAAF sites will now be remediated with RAAF Base Wagga to be the first.

QWN – 3

Mr Geoff Breust requested an update on the Airport Lease negotiations. He wondered if the Airport Advisory Committee should be involved in the negotiations as there are some concerns from a commercial business perspective.

Mr Peter Thompson provided a short update and said that he would provide a further update to a future Committee Meeting.

QWN -4

Mr Geoff Breust asked if Council was applying for the \$100M Federal Government Regional Airport Grants that were announced in September.

Mr Peter Thompson provided a short update and said that he would provide a further update to a future Committee Meeting.

QWN-5

Councillor Dan Hayes suggested that the Committee should be looking at the long term future of the Airport – the next 20 to 30 years. He suggested that the Committee should have input in the development of the next Wagga Airport Masterplan.

Mr Peter Thompson said that he would provide an update on the Masterplan to the February 2020 Committee Meeting.

QWN-6

Mr Geoff Breust suggested that the Committee start developing an Airport Strategic Plan at the February 2020 Committee Meeting.

MINUTES of the **AIRPORT ADVISORY COMMITTEE** held on **Wednesday 6 November 2019**.

QWN-7

Mr Geoff Breust stated that commercial operators at the Airport did not object to paying for water that they use, however, questioned whether they should be charged for the installation of water meters.

QWN-8

Mr Geoff Breust suggested that solar panels could be installed on the roofs of buildings at the airport to provide power for the airport and also commercial operators.

The Airport Advisory Committee rose at 7.45pm.

MINUTES of the AIRPORT ADVISORY COMMITTEE held on Tuesday 10 December 2019.**PRESENT**

Councillor Kerry Pascoe	Wagga Wagga City Council
Councillor Dan Hayes	Wagga Wagga City Council
Mr Warrick Lodge	Regional Express
Mr Nicholas Pausina	Department of Defence
Mrs Danielle Wait	Wagga Wagga Business Chamber
Mr Geoff Breust	Aviation Industry Participant
Mrs Jenny Cabot	Aviation Industry Participant

IN ATTENDANCE

General Manager	Peter Thompson
Manager Council Businesses	Darryl Woods
Manager Finance	Carolyn Rodney
Senior Governance Officer	Neil McDermott
The Airport Group	Rob McTaggart
The Airport Group	Glenn Robinson

APOLOGIES

Tasha Williams Qantas

The meeting of the Airport Advisory Committee commenced at 6.00pm.

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.

CONFIRMATION OF MINUTES**CM-1 CONFIRMATION OF MINUTES - 6 NOVEMBER 2019 MEETING*****Recommendation:***

On the Motion of D Hayes and W Lodge

That the Minutes of the proceedings of the Airport Advisory Committee meeting held on 6 November 2019 be confirmed with the following amendment:

Mr Geoff Bruest requested that his Question with Notice regarding installing Solar Panels at the airport be amended.

CARRIED

MINUTES of the AIRPORT ADVISORY COMMITTEE held on Tuesday 10 December 2019.

DECLARATIONS OF INTEREST

No declarations of interest received.

REPORTS FROM STAFF

RP-1 AIRPORT DATA COLLECTION PRESENTATION - THE AIRPORT GROUP

Mr Rob McTaggat and Mr Glenn Robinson from The Airport Group provided the Committee with a presentation on the updated Airport Benchmarking Data.

The Committee requested more information on the various Depreciation Methodologies being used by other Airports so as to reduce the overall depreciation costs at Wagga Airport.

Recommendation:

On the Motion of Councillor D Hayes and D Wait

That the Airport Advisory Committee:

- a note the presentation by the representatives of The Airport Group
- b receive a copy of The Airport Group's presentation and Draft Report
- c receive a copy of the Price Waterhouse Coopers report when it becomes available
- d respond to the Manager Council Businesses with any comments/questions regarding The Airport Group's Presentation and Draft Report by 20 December 2019
- e meeting scheduled for 5 February 2020 be rescheduled to 12 February 2020

CARRIED

RP-2 2020/21 AIRPORT BUDGET

Recommendation:

On the Motion of Councillor D Hayes and D Wait

That the Airport Advisory Committee defer consideration of the 2020/2021 Airport Budget to the 12 February 2020 Committee Meeting, so that updated information can be provided on User Charges and Fees for the 2020/21 long term financial plan.

CARRIED

MINUTES of the **AIRPORT ADVISORY COMMITTEE** held on **Tuesday 10 December 2019**.

QUESTIONS WITH NOTICE

The following Questions With Notice were received.

QWN-1

Mr Geoff Breust requested that the Committee be provided with monthly Airport Financial Statements as was the previous practice.

Mrs Carolyn Rodney has advised that the Committee will be provided with the November monthly Cost Statement as soon as it is available.

QWN-2

Mr Geoff Breust asked if Council would consider the installation of a Solar Panel system at the airport to service the airport and also commercial operators.

Mr Peter Thompson advised that Council would consider any formal proposal put forward by any external service provider.

QWN-3

The General Manager, Mr Peter Thompson, requested that the air conditioning unit in the Councillor's/Committee Room (Wedge Room) be inspected/serviced as the room was uncomfortably warm during the meeting.

Council's Facilities Management Team have advised that the air conditioning unit in the Wedge Room will be serviced by Council's contractor as soon as possible.

The Airport Advisory Committee rose at 7.34pm.

QUESTIONS/BUSINESS WITH NOTICE

CONFIDENTIAL REPORTS

CONF-1 PROPOSED EASEMENT FOR RIGHT OF CARRIAGEWAY WITH LOTS A & C DP 311306 AT TARCUTTA STREET, WAGGA

Author: Dianne Wright

Director: Michael Keys

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) (ii) commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

**CONF-2 PROPOSED ACQUISITION OF LAND AND EASEMENTS FOR
STORMWATER AND SEWER MANAGEMENT WITHIN LOT 2 DP
719938 AT HARRIS ROAD, GOBBAGOMBALIN**

Author: Dianne Wright

Director: Michael Keys

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) (ii) commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

CONF-3 PROPOSED ACQUISITION OF LAND FOR GREGADOO ROAD WIDENING

Author: Dianne Wright
Director: Michael Keys

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) (ii) commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

**CONF-4 RFT2020-06 MUSEUM REDEVELOPMENT DESIGN &
CONSTRUCTION****Author:** Thomas Lemerle**Director:** Caroline Angel

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) (i) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

CONF-5 RFQ2020-534 SUPPLY OF FOUR 4X2 CREW CAB TIPPER TRUCKS

Author: David Butterfield

Director: Natalie Te Pohe

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) (i) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 20 January 2020.

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)
Director Regional Activation	(Mr M Keys)
Manager Finance	(Mrs C Rodney)
Manager Community Services	(Ms M Scully)
Manager Operations	(Mr S Otieno)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mr S Shaw)
Visitor Economy & Events Coordinator	(Mrs F Hamilton)
Cultural Officer	(Mr T Kurylowicz)
Project Officer – Cultural Plan 2030	(Mr S Payne)
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.

This is page 1 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

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 received.

ACKNOWLEDGEMENT

The Mayor, Councillor G Conkey OAM acknowledged that it has been a really tough start to this year and would like to acknowledge a number of people where the bushfires are concerned.

The Mayor acknowledged all Firefighters, Volunteers, Councillors, and Council staff who have been truly magnificent. Council has had eight graders assisting in the fire areas as well as water tankers and fuel tankers. He expressed his sincere thanks to all for their contributions. Council's thoughts are also with Councillor V Keenan during this tough time.

The Mayor acknowledged the contribution from the Wagga Community. The Community have donated food, money, time and accommodation. It has been an outstanding effort and he is truly humbled by the effort of this community and pass on his sincere thanks to all concerned.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 16 DECEMBER 2019

20/001 RESOLVED:

On the Motion of Councillors D Hayes and K Pascoe

That the Minutes of the proceedings of the Ordinary Council Meeting held on 16 December 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

Against the Motion

This is page 2 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR** **GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 20 January 2020.

T Koschel
K Pascoe
D Tout

DECLARATIONS OF INTEREST

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest in RP-2 FINANCIAL PERFORMANCE REPORT AS AT 31 DECEMBER 2019 the reason being that his workplace is named in the report and vacated the chamber during its consideration.

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest in RP-4 WAGGA WAGGA BUSINESS CHAMBER MEMORANDUM OF UNDERSTANDING (MOU) the reason being that his employer is a member of the Wagga Wagga Business Chamber and remained in the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-4 WAGGA WAGGA BUSINESS CHAMBER MEMORANDUM OF UNDERSTANDING (MOU) the reason being that his daughter in law is the President of the Organisation mentioned in the report and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-12 86 HARRIS ROAD GOBBAGOMBALIN (DA18/0302) PROPOSAL TO DEFER DEVELOPER CONTRIBUTIONS the reason being that he has involvement in the development industry and contributions to Council and vacated the chamber during its consideration.

Councillor R Kendall declared a Significant, Non-Pecuniary Interest in CONF-1 PROPOSED LEASE RENEWAL TO THE LEISURE COMPANY INTEGRATED RECREATION INCORPORATED - 99 PETER STREET, WAGGA WAGGA the reason being that he is the Chair of the Leisure Company and vacated the chamber during its consideration.

Councillor V Keenan declared a Non-Significant, Non-Pecuniary Interest in NOM-1 COMMUNITY AND COUNCIL RESPONSE TO EXTREME WEATHER EVENTS the reason being that the two Local Government areas that are mentioned in the report are Local Governments that she does work with, but has nothing to do with the contents of this report and remained in the chamber during its consideration.

Councillor V Keenan declared a Non-Significant, Non-Pecuniary Interest in RP-8 BUDGET VARIATION: ENLIVEN PUBLIC ART PLAN 2017-21 the reason being that someone named in the report is involved on a project that she is working on currently and remained in the chamber during its consideration.

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest in M-3 SISTER CITY COMMUNITY COMMITTEE - MINUTES - 18 DECEMBER 2019 the reason being that his wife is on the Committee and remained in the chamber during its consideration.

This is page 3 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/002 RESOLVED:

On the Motion of The Mayor, Councillor G Conkey OAM

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

CARRIED

PROCEDURAL MOTION - ENGLOBO

20/003 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

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-3, RP-8, RP-10, RP-13 to RP-15, M-1, M-2, CONF-2 to CONF-7 be adopted as recommended in the business papers.

CARRIED

PUBLIC DISCUSSION FORUM

RP-1 DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650

- Mrs Jessica Blencave – Speaking against the report

Councillor K Pascoe vacated the chamber, the time being 6:15pm.

RP-4 WAGGA WAGGA BUSINESS CHAMBER MEMORANDUM OF UNDERSTANDING (MOU)

- Mr Caleb Richards, Wagga Wagga Business Chamber – Speaking in favour of the report
- Rys Bower – Speaking in favour of the report

Councillor K Pascoe re-entered the chamber, the time being 6:24pm.

This is page 4 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/004 RESOLVED:

On the Motion of Councillors P Funnell and R Kendall

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

- RP-1 - DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650
- RP-4 WAGGA WAGGA BUSINESS CHAMBER MEMORANDUM OF UNDERSTANDING (MOU)

CARRIED

RP-1 DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650

20/005 RESOLVED:

On the Motion of 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 Section 4.15 Assessment report
- b refund 100% of the applicable development application fees

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

This is page 5 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-4 WAGGA WAGGA BUSINESS CHAMBER MEMORANDUM OF UNDERSTANDING (MOU)

Councillor K Pascoe declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 6:44pm.

20/006 RESOLVED:

On the Motion of Councillors P Funnell and T Koschel

That Council:

- a endorse the attached draft Memorandum of Understanding (MoU) between Wagga Wagga City Council and the Wagga Wagga Business Chamber
- b delegate authority to the Mayor to sign the MoU on behalf of Council
- c approve the budget variation as detailed in the Financial Implications section of the report
- d provide the Wagga Wagga Business Chamber with all the relevant goals and/or actions from Council approved plans that relate to the business community for consideration of inclusion in the four year Strategic Plan of the Wagga Wagga Business Chamber

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 re-entered the chamber, the time being 6:57pm.

This is page 6 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 COMMUNITY AND COUNCIL RESPONSE TO EXTREME WEATHER EVENTS

That a Motion was moved by Councillors T Koschel and P Funnell

That Council:

- a note the impact of the devastating bushfires affecting communities around Australia including our own local government area and our neighbouring communities in Snowy Valleys and Greater Hume Shires
- b note the assistance Council is providing throughout this event through provision of staff, plant, facilities and services
- c receive a report outlining the readiness of our community as a regional centre for the impacts of extreme weather events such as bushfires and flooding and identify areas that need improvement or addressing

An AMENDMENT was moved by Councillor T Koschel and seconded by Councillor P Funnell

That Council:

- a Wagga Wagga City Council (General Manager and Mayor) write to impacted local government areas offering support and condolences for life and property loss
- b authorise the General Manager to action any requests for support from other local government areas and government agencies
- c on the conclusion of the current events (once called by lead incident control officer) receive a report regarding our readiness for emergency response in conjunction with but not limited to Combat agencies, Emergency Operation Centre, Recovery committee and other government reviews

Councillor D Tout signalled a FORESHADOWED an Amendment to The Mayor, Councillor G Conkey OAM.

RECORD OF VOTING ON THE AMENDMENT

For the AMENDMENT

Y Braid OAM
P Funnell
T Koschel
K Pascoe

Against the AMENDMENT

G Conkey OAM
D Hayes
V Keenan
R Kendall

The AMENDMENT on being put to the meeting was LOST.

Wording for the FORESHADOWED Amendment was endorsed by the Mover and Seconder and was incorporated into the original Motion.

This is page 7 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

20/007 RESOLVED:

On the Motion of Councillors V Keenan and D Hayes

That Council:

- a note the impact of the devastating bushfires affecting communities around Australia including our own local government area and our neighbouring communities in Snowy Valleys and Greater Hume Shires
- b note the assistance Council is providing throughout this event through provision of staff, plant, facilities and services
- c authorise the General Manager to action any requests for support from other local government areas and government agencies
- d receive a report no earlier than August 2020 outlining the readiness of our community as a regional centre regarding our readiness for emergency response in conjunction with but not limited to impacted community members Combat agencies, Emergency Operation Centre, Recovery committee and other government reviews

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

REPORTS FROM STAFF

RP-1 DA19/0412 - 2 LOT SUBDIVISION, 411 HAMPDEN AVENUE, CARTWRIGHTS HILL, NSW 2650 was moved forward to follow the public discussion forum.

This is page 8 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-2 FINANCIAL PERFORMANCE REPORT AS AT 31 DECEMBER 2019

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest and vacated the chamber, the time being 7:41pm.

20/008 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a approve the proposed 2019/20 budget variations for the month ended 31 December 2019 and note the forecasted balanced budget position presented
- b rescind the \$7,400 donation to the Rotary Club of Murrumbidgee (Council Officers Report RP-4 22 July 2019 Minute reference 19/254 and correct the allocation of the \$7,400 annual grant to the Rotaract Club of Wagga Wagga
- c in accordance with Section 356 of the Local Government Act, provide financial assistance to Wagga Wagga Water Polo for the sum of \$2,670
- d 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
- e note the details of the external investments as at 31 December 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
D Tout

Against the Motion

Councillor T Koschel re-entered the chamber, the time being 7:42pm.

This is page 9 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-3 PROPOSED NEW FEE FOR THE 2019/20 FEES AND CHARGES

20/009 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a place the following new fee on public exhibition for a period of 28 days from 25 January 2020 to 22 February 2020:

Item Number	Fee and Charge Description	Pricing Policy ID	2019/20 Fee (exclusive of GST)	GST	2019/20 Fee (inclusive of GST)	Basis
NEW	Domestic Waste Management Service Charge – Provision of 1,100L General Waste bins to Multi Unit Developments (Non Strata) Provided on application and Council Officer approval. Charged per bin, per year and is in addition to the Domestic Waste Management Service Charge – Multi Unit Developments (Non Strata) and additional bins service charges.	C	\$650.00	\$0.00	\$650.00	Each Bin

This is page 10 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....MAYORGENERAL MANAGER

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

- b invite public submissions on the proposed new fee until 22 February 2020
- c receives a further report following the public exhibition period:
 - i addressing any submission made in respect of the proposed new fee
 - ii proposing adoption of the new fee unless there are any recommended amendments that will require a further public exhibition period

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-4 WAGGA WAGGA BUSINESS CHAMBER MEMORANDUM OF UNDERSTANDING (MOU) was moved forward to follow the public discussion forum.

RP-5 ROADSIDE MEMORIALS POLICY - POL118

20/010 RESOLVED:

On the Motion of Councillors D Hayes and K Pascoe

That Council:

- a note that there was one public submission received during the exhibition period the draft POL118 Roadside Memorials Policy
- b adopt the POL118 Roadside Memorial Policy

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

D Hayes
V Keenan
R Kendall
K Pascoe
D Tout

Against the Motion

Y Braid OAM
G Conkey OAM
P Funnell
T Koschel

This is page 11 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-6 AGENCY INFORMATION GUIDE

A Motion was moved by Councillors P Funnell and K Pascoe

That Council adopt the revised Agency Information Guide as per the requirements of the Government Information (Public Access) Act 2009 with the removal of the reference to the update of City of Wagga Wagga [Wiradjuri for place of many crows] to City of Wagga Wagga [Wiradjuri for place of dancing & celebration]

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

That Council adopt the revised Agency Information Guide as per the requirements of the Government Information (Public Access) Act 2009.

RECORD OF VOTING ON THE AMENDMENT

For the AMENDMENT

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

Against the AMENDMENT

Y Braid OAM
P Funnell
K Pascoe

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

20/011 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council adopt the revised Agency Information Guide as per the requirements of the Government Information (Public Access) Act 2009.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

Y Braid OAM
P Funnell
K Pascoe

This is page 12 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-7 WAGGA WAGGA CULTURAL PLAN 2020 – 2030

20/012 RESOLVED:

On the Motion of Councillors V Keenan and D Hayes

That Council:

- a endorse the draft City of Wagga Wagga Cultural Plan 2020-30 and place on public exhibition for a period of 28 days from 22 January 2020 and invite public submissions during that period
- b receive a further report following the public exhibition period:
 - i addressing any submissions made in respect of the draft Cultural Plan
 - ii proposing adoption of the Plan 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

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

Against the Motion

RP-8 BUDGET VARIATION: ENLIVEN PUBLIC ART PLAN 2017-21

20/013 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a update the Public Art Collection register as detailed in 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

Against the Motion

This is page 13 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

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

RP-9 EVENTS STRATEGY AND ACTION PLAN 2020-2024

20/014 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

That Council:

- a approve the request to fund the Annual Grants – Events and Event Attraction items detailed in the financial section of this report
- b endorse the draft Events Strategy and Action Plan 2020-2024 to be placed on public exhibition for a period of 28 days from 22 January 2020 and inviting public submissions until 3 March 2020
 - i receive a further report following the public exhibition and submission period addressing any submissions made and proposing adoption of the Strategy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period
 - ii note that funding of the Destination Event and Sports Attraction items detailed in the financial section of this report are subject to Council's Long Term Financial Planning and budget approval processes

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

This is page 14 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR** **GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-10 UPGRADES TO STREET LIGHTING NETWORK

20/015 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a approve the upgrades to the Street Lighting network as identified in Option 3 in the report
- b delegate authority to the General Manager or their delegate to execute any necessary agreements with Essential Energy on behalf of Council
- c authorise the affixing of Council's common seal to all relevant documents as required
- d approves the Council funded option and associated budget variations as detailed in the financial implications section of the report
- e receive a further report regarding smart technologies once Essential Energy have finalised their procurement processes
- f mandate the use of LED street lighting for all greenfield developments

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

This is page 15 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-11 PROPOSED DEVELOPMENT OF A DRAFT REGIONAL PROCUREMENT PREFERENCE POLICY

20/016 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a request the General Manager, or their delegate to proceed with the development of a draft Regional Procurement Preference Policy that contains the following general components:
 - i applied to the region defined as being within the boundary of the Riverina Joint Organisation area
 - ii applied to all procurement activities (both quotations and Tenders) \$250,000 and above
 - iii all procurement activities \$250,000 and above are to have selection criteria developed similar to Tender activities including a Regional Content Selection Criteria
 - iv the Regional Content Selection Criteria must be no greater than 5% (so that it is not the determining factor in any procurement activity, and the appropriate weighting can still be provided for quality and price for example)
 - v that subject to public submissions and subsequent adoption, the impact of applying the Policy is to be reviewed after 12 months and reported back to Council in order to determine whether the Policy should continue or be rescinded

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

This is page 16 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-12 86 HARRIS ROAD GOBBAGOMBALIN (DA18/0302) PROPOSAL TO DEFER DEVELOPER CONTRIBUTIONS

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 8:34pm.

20/017 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council defer consideration of 86 HARRIS ROAD GOBBAGOMBALIN (DA18/0302) PROPOSAL TO DEFER DEVELOPER CONTRIBUTIONS.

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 re-entered the chamber, the time being 8:35pm.

RP-13 CIVIC CENTRE LIGHTING UPGRADE COMPLETION

20/018 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a receive and note the report**
- b 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

Against the Motion

This is page 17 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

T Koschel
K Pascoe
D Tout

**RP-14 RENEWAL OF COMMUNITY, CULTURAL AND SPORTING LEASE
AND LICENCE AGREEMENTS EXPIRING DURING 2020**

20/019 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

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

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

Against the Motion

This is page 18 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

RP-15 PROPOSED LEASE FROM AUSTRALIAN RAIL TRACK CORPORATION FOR URANQUINTY RURAL FIRE SHED, REST STOP AND PLAYGROUND

20/020 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a enter into lease agreements with the Australian Rail Track Corporation for the sites identified in the body of this report, upon the terms outlined in the body of this report
- 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 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

COMMITTEE MINUTES

M-1 AUDIT RISK AND IMPROVEMENT COMMITTEE - 21 NOVEMBER 2019 AND AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

20/021 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a endorses the recommendations contained in the minutes of the Audit, Risk and Improvement Committee Meeting held on 21 November 2019
- b receive and note the Audit, Risk and Improvement Committee Annual Report 2018-19

CARRIED

This is page 19 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

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

M-2 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE - MEETING HELD 3 DECEMBER 2019

20/022 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council receive the minutes of the Floodplain Risk Management Advisory Committee Meeting held on 3 December 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
T Koschel
K Pascoe
D Tout

Against the Motion

M-3 SISTER CITY COMMUNITY COMMITTEE - MINUTES - 18 DECEMBER 2019

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest and vacated the chamber, the time being 8.35pm.

20/023 RESOLVED:

On the Motion of Councillors T Koschel and D Hayes

That Council receive the minutes of the Sister City Community Committee Meeting held on 18 December 2019.

CARRIED

This is page 20 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 20 January 2020.

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 8:36pm.

QUESTIONS/BUSINESS WITH NOTICE

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

1. Councillor P Funnell requested an update if Council has heard from the Minister in relation to Lake Albert? If not, is there an anticipated timeframe.

The General Manager, Mr P Thompson advised that Council has not received a response and Council is now seeking a meeting with the Minister.

2. Councillor P Funnell raised a question if Council staff could investigate if there is an appetite for all day angle car parking at the eastern end of Chaston Street near the Hammond Health Centre.
3. Councillor D Hayes asked a question raised by a resident, if there are any plans to install a water drinking station or a bubbler at the half-court basketball court and playground area at the corner of Docker and Bolton streets.
4. Councillor D Hayes requested an update on when the response to the Notice of Motion on the Traffic Committee Proposal report that went to Council on 28 October 2019, will be coming to Council.

The General Manager, Mr P Thompson advised that a report will be provided to Council at the Ordinary Council meeting to be held Monday, 24 February 2020.

This is page 21 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

CLOSED COUNCIL

20/024 RESOLVED:

On the Motion of Councillors P Funnell and T Koschel

That the Council now resolve itself into a Closed Council, the time being 8.42pm.

CARRIED

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

CONFIDENTIAL REPORTS

**CONF-1 PROPOSED LEASE RENEWAL TO THE LEISURE COMPANY
INTEGRATED RECREATION INCORPORATED - 99 PETER STREET,
WAGGA WAGGA**

Councillor R Kendall declared a Pecuniary Interest and vacated the chamber, the time being 8:43pm.

20/025 RESOLVED:

On the Motion of Councillors T Koschel and D Tout

That Council:

- a extend the lease with The Leisure Company Integrated Recreation Incorporated for premises at 99 Peter Street, Wagga Wagga to a total term of one year and six months expiring on 30 November 2020
- 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 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 8:49pm.

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.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

CONF-2 KOORINGAL RISING MAIN - PROPOSED EASEMENTS FOR RIGHT OF CARRIAGEWAY AND CHANGE TO EASEMENT TO DRAIN SEWAGE

20/026 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a create a right of carriageway within Lots 5 & 6 DP 258993 at East Wagga Wagga benefitting Lot 58 DP 1094823 and Lot 3 DP 258993
- b create a right of carriageway within Lot 2 DP 258993 at East Wagga Wagga benefitting Lot 1 DP 714743
- c create a right of carriageway within Lot 11 DP 259053 at East Wagga Wagga benefitting Lot 54 DP 1096197
- d reduce the width of the easement to drain sewerage within Lot 7 DP 806826 to the size of three metres
- e delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council
- f authorise the affixing of Council's common seal to all relevant documents as required
- g 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

This is page 23 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

CONF-3 AIRPORT TAXIWAY

20/027 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a in accordance with Clause 178 of the Local Government (General Regulation) 2005, decline all tenders for the Airport Taxiway Upgrade Stage 1
- 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 Airport Taxiway Upgrade Stage 1
- c note the reason for declining to invite fresh tenders or applications is that this action would not produce different or more satisfactory offers
- d note the reason for determining to enter into negotiations is that the evaluation has identified the selection of separable portions of the offer(s) is to be negotiated with the intention of not exceeding the project budget
- e authorise the General Manager or their delegate to enter into a contract(s), using Council's Common Seal if required, should negotiations be successful
- f accept the Restart NSW grant funding of an additional \$1 million to undertake the taxiway project
- g approve the budget variations as detailed in the financial implications section of this report
- h approve the transfer of the Airport Taxiway project from the Potential Projects list into the Delivery Program

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

This is page 24 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

CONF-4 RATEPAYER MATTER

20/028 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a authorise, in accordance with Clause 131 of the Local Government (General) Regulation 2005, the write off of charges of \$9,042.94 on property Lot 1 DP86191 for the reasons outlined in the body of this report and refund this amount to the owner of the respective property
- b authorise the General Manager or their delegate to write to the property owner advising that Council has approved the write off of charges and refund due to the reasons outlined in the body of this 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
K Pascoe
D Tout

Against the Motion

CONF-5 RFT2020-13 FEASIBILITY STUDY FOR FLOOD MITIGATION OPTIONS FOR NORTH WAGGA AND SURROUNDING FLOODPLAIN AREA

20/029 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a accept the offer of Centre for International Economics (ABN: 11 705 723 812) for undertaking the Feasibility Study for Flood Mitigation Options for their lump sum amount of \$173,386.36 excluding GST

This is page 25 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

- b authorise the General Manager or their delegate to enter into a contract with Centre for International Economics (ABN: 11 705 723 812) for undertaking the Feasibility Study for Flood Mitigation Options
- 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
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

CONF-6 RFQ2020-519 SUPPLY OF ONE 6X4 TRUCK WITH FIRE FIGHTING CAPABILITY

20/030 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a accept the offer of Wagga Trucks Pty Ltd for one Volvo FMx11 330, 6x4 Truck Specialized for the amount of \$325,904.00 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 FMx11 330, 6x4 Truck Specialized for the amount of \$325,904.00 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

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

Against the Motion

This is page 26 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 20 January 2020**.

CONF-7 RFQ2020-517 SUPPLY OF TWO 4X2 TIP AND TILT TRAY TRUCKS

20/031 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a accept the offer of Wagga Trucks Pty Ltd for two new 2019 HINO FE 1426 Automatic, 4x2 Tip and Tilt Tray Trucks for the total amount of \$309,815.52 excluding GST (each unit costing \$154,907.76 excluding GST)
- b authorise the General Manager or their delegate to enter into a contract with Wagga Trucks Pty Ltd for two new 2019 HINO FE 1426 Automatic, 4x2 Tip and Tilt Tray Trucks for the total amount of \$309,815.52 excluding GST, (each unit costing \$154,907.76 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

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

20/032 RESOLVED:

On the Motion of Councillors T Koschel and P Funnell

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8.50pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8.52pm.

.....
MAYOR

This is page 27 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **20 JANUARY 2020**.

.....MAYORGENERAL MANAGER