

PRESENT

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

IN ATTENDANCE

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 Audit, Risk & Governance	(Ms I Hensley)
Manager Finance	(Mrs C Rodney)
Manager Corporate Strategy & Communications	(Mr S Gray)
Manager Operations	(Mr S Otieno)
Manager Technical & Strategy	(Mr P Ross)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mr S Shaw)
Communications & Engagement Officer	(Mrs M Schoonmaker)
Governance Officer	(Ms B King)

PRAYER

Almighty God,

Help protect our Mayor, elected Councillors and staff.

Help Councillors to govern with justice, integrity, and respect for equality, to preserve rights and liberties, to be guided by wisdom when making decisions and settling priorities, and not least of all to preserve harmony.

Amen.

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of this Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Community members present.

APOLOGIES

An apology for non-attendance was received and accepted for Councillor P Funnell on the Motion of Councillors R Kendall and K Pascoe.

CARRIED

PROCEDURAL MOTION - LEAVE OF ABSENCE

20/054 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council grant a leave of absence to Councillor T Koschel for Monday, 30 March 2020 (inclusive).

CARRIED

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 10 FEBRUARY 2020

20/055 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That the Minutes of the proceedings of the Ordinary Council Meeting held on 10 February 2020 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

DECLARATIONS OF INTEREST

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest in RP-2 FINANCIAL PERFORMANCE REPORT AS AT 31 JANUARY 2020 the reason being that his workplace is named in the report and remained in the chamber during its consideration.

Councillor R Kendall declared a Significant, Non-Pecuniary Interest in CONF-1 RFT2020-09 BOLTON PARK AMENITIES BUILDING DESIGN & CONSTRUCT the reason being that the owner of one of the tenderers is a business associate of his and vacated the chamber during its consideration.

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest in RP-1 PLANNING PROPOSAL (LEP19/0007) TO AMEND THE MINIMUM LOT SIZE FOR LOT 176, TUMBARUMBA ROAD, LADYSMITH the reason being that the proponent is a colleague at his workplace and vacated the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/056 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

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

CARRIED

PROCEDURAL MOTION - ENGLOBO

20/057 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That the standing orders be varied for the meeting as set out hereunder:

- **Items where councillors wish to speak**
- **Items where no councillors wish to speak**
- **Confidential**
- **Matter of urgency**
- **Closure of Meeting**

That RP-2, RP-4 to RP-6, RP-11, RP-12, CONF-2 to CONF-4 be adopted as recommended in the business papers.

CARRIED

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - ADULT LAYDOWN CHANGE FACILITIES ALONG NSW HIGHWAYS

20/058 RESOLVED:
On the Motion of The Mayor, Councillor G Conkey OAM and Councillor D Hayes

That Council:

- a write a letter to the NSW Minister for Families, Communities and Disability Services, the Minister for Transport and Roads and the Shadow Minister for Disability Inclusion, to call upon the State Government to fund adult laydown change facilities along NSW highways**
- b advocate for the National Construction Code to include laydown change facilities as a requirement at major highway service centres**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

REPORTS FROM STAFF

RP-1 PLANNING PROPOSAL (LEP19/0007) TO AMEND THE MINIMUM LOT SIZE FOR LOT 176, TUMBARUMBA ROAD, LADYSMITH

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest and vacated the chamber, the time being 6:24pm.

20/059 RESOLVED:
On the Motion of Councillors T Koschel and K Pascoe

That Council:

- a note the results of the exhibition period for planning proposal LEP19/0007**
- b adopt planning proposal LEP19/0007 to amend the Wagga Wagga Local Environmental Plan 2010**

- c **gazette the plan and notify NSW Department of Planning, Industry and Environment of the decision**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

Councillor D Tout re-entered the chamber, the time being 6.25pm.

RP-2 FINANCIAL PERFORMANCE REPORT AS AT 31 JANUARY 2020

20/060 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council:

- a **approve the Potential Projects outlined within the report to be included in the 2019/20 and 2020/21 Capital Works Delivery Program**
- b **approve the proposed 2019/20 budget variations for the month ended 31 January 2020 and note the forecasted balanced budget position presented**
- c **note the Responsible Accounting Officer’s reports, in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3: Clause 203) that the financial position of Council is satisfactory having regard to the original estimates of income and expenditure and the recommendations made above**
- d **note the details of the external investments as at 31 January 2020 in accordance with section 625 of the Local Government Act 1993**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-3 SECTION 356 FINANCIAL ASSISTANCE REQUESTS - FEBRUARY 2020

20/061 RESOLVED:
On the Motion of Councillors D Tout and D Hayes

That Council:

- a in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the following:**
 - i Wagga Basketball Association - \$116 (Request 1)**
 - ii Wagga Mardi Gras - \$625 (Request 2)**
 - iii Wagga Seventh Day Adventist Church - \$480 (Request 3)**
 - iv Southern Cross Austero -\$95 (Request 4)**
 - v Department of Communities and Justice \$1,812 (Request 5)**
- b note the remaining budget available for financial assistance requests for the 2019/2020 financial year**

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-4 PROPOSED TELECOMMUNICATIONS TOWER LICENCE TO THE NSW GOVERNMENT TELECOMMUNICATIONS AUTHORITY

20/062 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a enter into a licence agreement with the NSW Government Telecommunications Authority as follows;**
 - i Property – Mount Flakney tower (Lot 7300 DP 1157647)**

- ii Duration – twenty years comprising four consecutive five year agreements
- iii Initial Annual Rental: \$4,060
- b delegate authority to the General Manager or their delegate to complete and execute any necessary documents 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

Against the Motion

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

RP-5 LLOYD ROAD REHABILITATION - ADDITIONAL FUNDING REQUEST

20/063 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a receives and notes the contents of this 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

Against the Motion

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

RP-6 RESETTING OF CAPITAL WORKS PROGRAM FOR 2019/20 AND PROPOSED CAPITAL WORKS PROGRAM FOR 2021/30 LONG TERM FINANCIAL PLAN

20/064 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a note the contents of the report**
- b approve the reset Capital Works Program for 2019/20, including the proposed budget variations**
- c approve the proposed Capital Works Program for 2020/21, including the proposed adjustments to the 2021/30 Long Term Financial Plan**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-7 RESPONSE TO NOTICE OF MOTION - TRAFFIC RELATED MATTERS

20/065 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council:

- a acknowledge its resolution, from the Ordinary Meeting on 29 January 2019, to improve its approach on traffic related matters**
- b establish a separate committee for the above purpose in accordance with NSW Roads Act 1993 subject to:**
 - i a workshop being held by the end of April 2020 amongst relevant Council staff and RMS representative to:**
 - nominate members and formalise the structure of the committee
 - discuss committee and member responsibilities
 - assign reporting protocols

- schedule meetings dependent on LTC meeting schedule and meeting formats to review planning and development proposals
 - establish referral timeframes for general LTC matters
 - establish anticipated turnaround period for non – LTC matters
- c no later than the end of May 2020 receive a further report outlining the consensus of the Workshop and a draft Terms of Reference for the Committee

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-8 2020 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION ANNUAL CONFERENCE

20/066 RESOLVED:
On the Motion of Councillors V Keenan and R Kendall

That Council:

- a consider Council representation at the 2020 Annual Australian Local Government Women’s Association (ALGWA) Conference to be held from Thursday 26 to Saturday 28 March 2020 in Shellharbour
- b appoint one Councillor as Council’s delegate to attend the ALGWA Conference

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

Councillor V Keenan was nominated by Councillor R Kendall.

Councillor V Keenan accepted the nomination.

Councillor Y Braid was nominated by Councillor K Pascoe.

Councillor Y Braid accepted the nomination.

Councillor V Keenan was duly elected to be the Councillor representative at the 2020 Australian Local Government Women's Association Annual Conference.

RP-9 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS

20/067 RESOLVED:
On the Motion of Councillors D Tout and D Hayes

That Council:

- a endorse submitting a motion/s to the National General Assembly of Local Government Annual Conference on 14 to 17 June 2020**
- b nominate one alternate Councillor to attend the conference if the Mayor is unavailable**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Councillor T Koschel was nominated by Councillor D Hayes.

Councillor T Koschel accepted the nomination.

Councillor T Koschel was elected to attend the 2020 National General Assembly of Local Government Annual Conference if the Mayor is unavailable.

RP-10 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY - POL 113

20/068 RESOLVED:
On the Motion of Councillors V Keenan and R Kendall

That Council:

- a endorse the draft Councillor Induction and Professional Development Policy (POL 113), that is to be placed on public exhibition for a period of 28 days from 25 February 2020 to 26 March 2020 and invite public submissions until the 11 April 2020 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 Councillor Induction and Professional Development Policy (POL 113)**
 - ii proposing adopting of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-11 WAGGA WAGGA CITY COUNCIL PARTICPATION IN MARDI GRAS 2020

20/069 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a endorse the entry of a Wagga Wagga City Council float in the Mardi Gras 2020 at the request of Council staff**
- b 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
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

RP-12 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

20/070 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

QUESTIONS/BUSINESS WITH NOTICE

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

- 1. Councillor D Hayes and The Mayor, Councillor G Conkey OAM congratulated organisers and everyone involved in the Junior State Cup Touch carnival held over the weekend. The Mayor, Councillor G Conkey OAM also passed on his congratulations to Council staff for the quality of the grounds, they are first class.
- 2. Councillor V Keenan stated that shade and amenities are being destroyed from street tree pruning by Essential Energy contactors and requested that Council advocate for quality control to be undertaken on the work of these contractors.
- 3. Councillor V Keenan requested an update on the status of the resolution of her Notice of Motion - Advocacy Plan adopted at Council on 12 August 2019. Councillor V Keenan asked when this will be drafted and coming back to Council.
- 4. Councillor R Kendall made a public announcement on behalf of the Snowy Valleys Council, notifying all that the official opening of the Tumbarumba to Rosewood Rail Trail will be held on Saturday, 4 April 2020 and encouraged the community, Councillors and Council staff to attend this great event.
- 5. Councillor T Koschel requested advice on any further updates on the bus interchange plans located at the Lutheran Primary School.
- 6. Councillor D Tout assisted with hosting the Rotary Peace Awards on behalf of the Mayor which was held Sunday, 23 February 2020. He had the pleasure of announcing Wagga Wagga City Council's nominee for the award this year, which was Jan Roberts. With an attendance of about 100 to 150 people, Jan's discussion was focused around domestic violence and the statistics on how bad domestic violence is in Wagga Wagga. Council D Tout requested if Council can put an article in our Council news this weekend regarding Jan's interview. The Mayor, Councillor G Conkey also congratulated Jan on receiving her award.

CLOSED COUNCIL

20/071 RESOLVED:
On the Motion of Councillors T Koschel and D Tout

That the Council now resolve itself into a Closed Council, the time being 6.48pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 RFT2020-09 BOLTON PARK AMENITIES BUILDING DESIGN & CONSTRUCT

Councillor R Kendall declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 6:50pm.

20/072 RESOLVED:
On the Motion of Councillors T Koschel and D Tout

That Council:

- a in accordance with Clause 178 of the Local Government (General Regulation) 2005, decline all tenders for the RFT2020-09 Bolton Park Amenities D&C**
- b pursuant to clause 178(3)(e) authorise the General Manager or their delegate to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the design and construction of the Bolton Park Amenities Building**
- c note the reason for entering into negotiations is that the evaluation has identified inconsistencies between the offer(s) and Council’s tender requirements. The reason Council is not inviting fresh applications is that negotiation is expected to produce a satisfactory offer**
- d authorises the General Manager or their delegate to enter into a contract, using Council’s Common Seal if required, should negotiations be successful**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

Councillor R Kendall re-entered the Chamber, the time being 6.51pm.

CONF-2 RFT2020-10 PROVISION OF INTERNAL AUDIT SERVICES

20/073 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005 (LG Regulation), decline to accept any of the tenders submitted in response to RFT2020-10 Provision of Internal Audit Services.

CARRIED

RECORD OF VOTING ON THE MOTION

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

CONF-3 PROPOSED INTERNAL LOAN FROM SEWER FUND

20/074 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a delegate authority to the General Manager or their delegate to accept the amended conditions imposed by the Office of Local Government under Section 410(4) of the Local Government Act 1993, as outlined within this report**
- b approve the budget variations as detailed in the Financial Implications section of this report**

CARRIED

RECORD OF VOTING ON THE MOTION

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

CONF-4 PROPOSED WRITE OFF OF UNRECOVERABLE DEBT OWED TO COUNCIL

20/075 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council approve the write off of \$51,533.62 for general debtor account number 110088, in accordance with the Local Government (General) Regulation 2005 Section 213(5)(c).

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

REVERSION TO OPEN COUNCIL

20/076 RESOLVED:
On the Motion of The Mayor, Councillor G Conkey OAM

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 6.51pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 6.53pm.

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MAYOR