

PRESENT

- 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 Audit, Risk & Governance | (Ms I Hensley) |
| Manager Finance | (Mrs C Rodney) |
| Manager Community Services | (Ms M Scully) |
| Manager Corporate Strategy & Communications | (Mr S Gray) |
| Manager Procurement Services | (Mr D Butterfield) |
| Manager Development Assessment & Building Certification | (Mr P O'Brien) |
| Corporate Governance Coordinator | (Mrs N Johnson) |

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 The Mayor, Councillor Greg Conkey OAM on the Motion of Councillors P Funnell and R Kendall.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 30 MARCH 2020

20/118 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That the Minutes of the proceedings of the Ordinary Council Meeting held on 30 March 2020 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

DECLARATIONS OF INTEREST

Councillor D Hayes declared a Non-Significant, Non-Pecuniary Interest in RP-2 DRAFT WAGGA WAGGA DEVELOPMENT CONTROL PLAN AMENDMENT TO SECTION 10 FOR MIXED USE DEVELOPMENT the reason being that his workplace is located on the site of the proposed development and remained in the meeting during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in RP-1 DA19/0257 - SIX STOREY MIXED USE DEVELOPMENT, GROUND FLOOR COMMERCIAL AND CAR PARKING, ONE FLOOR OF CAR PARKING AND FOUR FLOORS OF HOTEL ROOMS the reason being that he has an interest in a property in very close proximity to this development and that property is specifically identified in the proposal and vacated the meeting during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in CONF-3 RFT2020-25 ROAD PAVEMENT MATERIAL SUPPLY the reason being that he has a business relationship with the principal of one of the tenderers and vacated the meeting during its consideration.

Councillor V Keenan declared a Non-Significant Non-Pecuniary Interest in RP- 2 DRAFT WAGGA WAGGA DEVELOPMENT CONTROL PLAN AMENDMENT TO SECTION 10 FOR MIXED USE DEVELOPMENT the reason being that she lives in the vicinity of the subject land and remained in the meeting during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-4 SECTION 356 FINANCIAL ASSISTANCE REQUESTS - MARCH 2020 the reason being that he has done charity work for an organisation requesting a donation outlined in the report and remained in the meeting during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in CR-1 - COUNCILLOR REPORT - SISTER CITY RELATIONSHIPS the reason being that he has undertaken two visits to Kunming, he has been a member of the Sister City Committee and has approved funding for visits to Kunming and vacated the meeting during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-1 DA19/0257 - SIX STOREY MIXED USE DEVELOPMENT, GROUND FLOOR COMMERCIAL AND CAR PARKING, ONE FLOOR OF CAR PARKING AND FOUR FLOORS OF HOTEL ROOMS the reason being that he owns a premises in the same industry and vacated the meeting during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP- 2 DRAFT WAGGA WAGGA DEVELOPMENT CONTROL PLAN AMENDMENT TO SECTION 10 FOR MIXED USE DEVELOPMENT the reason being that his company is undertaking a similar project and vacated the meeting during its consideration.

Councillor D Tout declared a Significant Non-Pecuniary Interest in CR-1- COUNCILLOR REPORT - SISTER CITY RELATIONSHIPS the reason being a family member is on the Sister City Community Committee and vacated the meeting during its consideration.

Councillor D Tout declared a Significant Non-Pecuniary Interest in MM-1 - MAYORAL MINUTE – COMMUNITY SUPPORT PROGRAM the reason being he is Board Member of CareVan and vacated the meeting during its consideration.

Councillor D Tout declared a Significant Non-Pecuniary Interest in M-1 - SISTER CITY COMMITTEE – MINUTES – 20 FEBRUARY 2020 the reason being a family member is on the Sister City Community Committee and vacated the meeting during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/119 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

20/120 RESOLVED:
On the Motion of Councillors D Tout 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-3, RP-4, RP-7 to RP-10, CONF-1, CONF-2, CONF-5, be adopted as recommended in the business papers

CARRIED

PUBLIC DISCUSSION FORUM

Councillor K Pascoe declared a Pecuniary Interest and vacated the meeting, the time being 6:12pm.

RP-2 DRAFT WAGGA WAGGA DEVELOPMENT CONTROL PLAN AMENDMENT TO SECTION 10 FOR MIXED USE DEVELOPMENT

- Chris Roche – speaking against the report

Councillor K Pascoe re-entered the meeting, the time being 6:17pm.

RP-5 CULTURAL PLAN 2020 – 2030

- Anne Lowe (Eastern Riverina Arts) – speaking for the report
- Bob Hitchens (SoACT) – speaking for the report

PROCEDURAL MOTION

20/121 RESOLVED:
On the Motion of Councillors P Funnell and K Pascoe

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

- **RP-2 DRAFT WAGGA WAGGA DEVELOPMENT CONTROL PLAN AMENDMENT TO SECTION 10 FOR MIXED USE DEVELOPMENT**

- **RP-5 CULTURAL PLAN 2020 – 2030**

CARRIED

RP-2 DRAFT WAGGA WAGGA DEVELOPMENT CONTROL PLAN AMENDMENT TO SECTION 10 FOR MIXED USE DEVELOPMENT

Councillor K Pascoe declared a Pecuniary Interest and vacated the meeting, the time being 6:30pm.

20/122 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a endorse the draft amendment to the Wagga Wagga Development Control Plan 2010 for public exhibition purposes for a minimum period of three months with the General Manager to have discretion to extend the exhibition period beyond three months**

- b receive a further report after the public exhibition period:**
 - i addressing any submissions made in respect of the planning proposal and development control plan amendment**

 - ii proposing adoption of the development control plan amendment unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**

 - iii having regard to the height of building and floor space ratio amendments proposed in LEP19/0002 – Planning Proposal for land located on Morgan, Murray and Forsyth Streets**

CARRIED

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

For the Motion
Y Braid OAM
P Funnell
D Hayes
V Keenan
R Kendall
T Koschel
D Tout

Against the Motion

Councillor K Pascoe re-entered the meeting, the time being 6:48pm.

RP-5 CULTURAL PLAN 2020-2030

20/123 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council:

- a note all submissions and feedback received relating to the exhibited Wagga Wagga City Council Cultural Plan 2020-2030**
- b adopt the Wagga Wagga City Council Cultural Plan 2020-2030 with the recommended changes as detailed in the report**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

PROCEDURAL MOTION - ELECTION OF CHAIRPERSON

20/124 RESOLVED:
On the Motion of the Chair, Deputy Mayor, Councillor D Tout

That Council elect a Chair for this Council meeting for the following items only:

- **MM-1 - MAYORAL MINUTE - COMMUNITY SUPPORT PROGRAM**
- **CR-1 - COUNCILLOR REPORT - SISTER CITY RELATIONSHIPS and**
- **M-1 - SISTER CITY COMMUNITY COMMITTEE – MINUTES – 20 FEBRUARY 2020**

CARRIED

Councillor P Funnell nominated Councillor T Koschel.

Councillor T Koschel accepted the nomination.

Councillor Hayes nominated Councillor R Kendall.

Councillor R Kendall accepted the nomination.

With the vote being tied four votes each, Councillor T Koschel was duly elected by lot to Chair this Council meeting for items M-1, CR-1 and MM-1.

MAYORAL MINUTE

MM-1 MAYORAL MINUTE - COMMUNITY SUPPORT PROGRAM

Councillor D Tout declared a Significant Non-Pecuniary Interest and vacated the Chair and the meeting, the time being 7:01pm.

Councillor T Koschel assumed the Chair the time being 7.01pm.

20/125 RESOLVED:
On the Motion of Councillors D Hayes and K Pascoe

That Council 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
P Funnell
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe

Against the Motion

COUNCILLOR REPORT

CR-1 COUNCILLOR REPORT - SISTER CITY RELATIONSHIPS

Councillor K Pascoe declared a Pecuniary Interest and vacated the meeting, the time being 7:03pm.

Councillor D Tout declared a Significant Non-Pecuniary Interest and remained vacated from the meeting.

20/126 RESOLVED:
On the Motion of Councillors P Funnell and T Koschel

That Council:

- a repeal and sever, any and all Sister City agreements, Friendship programmes and arrangements, and Memorandums of Understanding (MOU) associated with the People’s Republic of China**
- b notify our Sister City Committee of this decision of Council**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
Y Braid OAM
P Funnell
T Koschel

Against the Motion
D Hayes
V Keenan
R Kendall

With the vote being tied three all, the Chair Councillor T Koschel used his casting vote for the Motion.

Councillor T Kochel vacated the Chair the time being 7:26pm.

Councillor D Tout re-entered the meeting and assumed the Chair the time being 7:27pm.

Councillor K Pascoe re-entered the meeting, the time being 7:27pm.

REPORTS FROM STAFF

RP-1 DA19/0257 - SIX STOREY MIXED USE DEVELOPMENT, GROUND FLOOR COMMERCIAL AND CAR PARKING, ONE FLOOR OF CAR PARKING AND FOUR FLOORS OF HOTEL ROOMS

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the meeting, the time being 7:28pm.

Councillor K Pascoe declared a Pecuniary Interest and vacated the meeting, the time being 7:28pm.

20/127 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council approve DA19/0257 for a mixed use development at 7-9 Baylis Street, Wagga Wagga, NSW, 2650 subject to the conditions outlined in the Section 4.15 assessment report.

CARRIED

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

Division

For the Motion
Y Braid OAM
P Funnell
D Hayes
V Keenan
T Koschel
D Tout

Against the Motion

Councillor K Pascoe re-entered the meeting, the time being 7:30pm.

Councillor R Kendall re-entered the meeting, the time being 7:31pm.

RP-3 REVALUATION OF PROPERTY LAND VALUES FOR RATING PURPOSES

20/128 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council:

a note that NSW Valuer General has conducted a general revaluation of all parcels of land within the Wagga Wagga Local Government Area

- b note that the new land values will be used for all properties for the 2020/21 rating year
- c note that Council is only permitted to increase the total rates received by all property owners by the annual IPART allowable rate peg percentage, which is 2.6% for the 2020/21 rating year

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-4 SECTION 356 FINANCIAL ASSISTANCE REQUESTS - MARCH 2020

20/129 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council:

- a in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the following:
 - i Mangoplah-Cookardinia United Eastlakes Football & Netball Club - \$865 (Request 1)
 - ii Suicide Prevention Network \$95 (Request 2)
 - iii South Wagga Apex \$250 (Request 3)
 - iv Women in Business Wagga \$95 (Request 4)
 - v Shave 4 SMRF Fundraiser - \$95 (Request 5)
 - vi Wagga & Bidgee District Pony Club - \$865 (Request 6)
- b note the remaining budget available for financial assistance requests for the 2019/20 financial year

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-6 RESPONSE TO NOTICE OF MOTION - STOCKPILING MATERIALS IN THE FLOODPLAIN

20/130 RESOLVED:
On the Motion of Councillors K Pascoe and P Funnell

That Council receive and note the report, including:

- i the action plan to remove the stockpiles and levees**
- ii the update in relation to vegetation management within the floodplain**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-7 CANBERRA RAIDERS AGREEMENT

20/131 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council:

- a note the reasons for cancelling the hosting of a Canberra Raiders NRL Premiership match in Wagga Wagga in 2020**
- b endorse the General Manager or their delegate to enter into an agreement with the Canberra Raiders to host a 2021 NRL Premiership Match**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-8 PROPOSED ROAD CLOSURES WITHIN THE WAGGA WAGGA BASE HOSPITAL GROUNDS

20/132 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council:

- a agree to the closure of parts of Doris Roy Lane, Lewis Drive, Yabtree Street and Yathong Street within the Wagga Wagga Base Hospital grounds as identified in the body of this report in accordance with the provisions of s38A of the Roads Act 1993**
- b undertake public notice of the proposed road closures in accordance with s38B of the Roads Act 1993**
- c upon closure classify the land as operational land in accordance with s31(2) of the Local Government Act 1993**

- d agree to sell the land parcels created by the road closure to the NSW Health Corporation on the terms outlined in the body of this report
- e delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council
- f authorise the affixing of Councils common seal to all relevant documents as required
- g transfer the compensation paid to Council’s bottom line

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-9 PROPOSED ACCESS LICENCE FOR CONSTRUCTION OF MONA VALE BRIDGE, LADYSMITH

20/133 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council:

- a enter into a construction access licence with the NSW Department of Industry (Crown Lands) for replacement of the Mona Vale Bridge
- b receive a further report concerning the requirement to compulsorily acquire land for the bridge
- c delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council
- d authorise the affixing of Council’s common seal to all relevant documents as required

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-10 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

20/134 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Councillor Y Braid OAM vacated the chamber, the time being 7:43pm.

COMMITTEE MINUTES

M-1 SISTER CITY COMMUNITY COMMITTEE - MINUTES - 20 FEBRUARY 2020

Councillor D Tout declared a Significant Non-Pecuniary Interest and vacated the Chair and the meeting, the time being 7:42pm.

Councillor T Koschel assumed the Chair the time being 7:43pm.

20/135 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a receive the minutes of the Sister City Community Committee Meeting held on 20 February 2020**
- b not proceed with hosting the proposed combined Sister City delegation visit scheduled for later this year**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
P Funnell
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe

Against the Motion

Councillor T Koschel vacated the Chair the time being 7:43pm.

Councillor D Tout re-entered the meeting and assumed the Chair, the time being 7:43pm.

QUESTIONS/BUSINESS WITH NOTICE

Councillor R Kendall thanked the community of Wagga Wagga and the region for their compliance with COVID-19 restrictions and acknowledged and continue to acknowledge the great work being undertaken in the community.

Councillor D Tout thanked Council, the General Manger and staff for the work that is being are undertaking in a wide range areas in response to COVID-19 including areas of responsibility and additional support and services to the community.

Councillor Y Braid OAM re-entered the meeting, the time being 7:48pm.

CLOSED COUNCIL

20/136 RESOLVED:
On the Motion of Councillors D Hayes and P Funnell

That the Council now resolve itself into a Closed Council, the time being 7:50pm.

CARRIED

CONFIDENTIAL REPORTS

CONF-1 PROPOSED ACQUISITION OF LAND FROM THE FOREST HILL TENNIS CLUB INCORPORATED

20/137 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council authorise, in accordance with Clause 131 of the Local Government (General) Regulation 2005, to write off outstanding rates and accrued interest charges owed by the Forest Hill Tennis Club Incorporated at the date of transfer of their land to Council.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

CONF-2 PROPOSED ACQUISITION OF LAND AT 167 FITZMAURICE STREET, WAGGA FOR LEVEE BANK

20/138 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council pay compensation in the amount identified in the body of this report.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

CONF-3 RFT2020-25 ROAD PAVEMENT MATERIAL SUPPLY

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the meeting, the time being 7:48pm.

20/139 RESOLVED:
On the Motion of Councillors P Funnell and K Pascoe

That Council:

- a accept the offers from the following tenderers for the supply of road pavement materials:**
 - **The Trustee for The Rocky Point Quarries Unit Trust (ABN:17 916 689 845) T/a Rocky Point Quarries**
 - **Bald Hill Quarry Pty Ltd (ABN: 19 033 764 725)**
 - **Burgess Earthmoving Pty Ltd (ABN: 82 002 974 496)**
- b authorise the General Manager or his delegate to enter into a contract for the supply of road pavement materials with:**
 - **The Trustee for The Rocky Point Quarries Unit Trust (ABN:17 916 689 845) T/a Rocky Point Quarries**
 - **Bald Hill Quarry Pty Ltd (ABN: 19 033 764 725)**
 - **Burgess Earthmoving Pty Ltd (ABN: 82 002 974 496)**
- 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
P Funnell
D Hayes
V Keenan
T Koschel
K Pascoe
D Tout

Against the Motion

Councillor R Kendall re-entered the meeting, the time being 7:56pm.

CONF-4 RFT2020-27 STORMWATER, SEWER TRUNK MAINS AND DETENTION BASINS

20/140 RESOLVED:
On the Motion of Councillors T Koschel and P Funnell

That Council defer consideration of RFT2020-27 stormwater, sewer trunk mains and detention basins.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

CONF-5 RFQ2020-535 SUPPLY OF TWO SKID STEER LOADERS

20/141 RESOLVED:
On the Motion of Councillors D Tout and T Koschel

That Council:

- a accept the offer of Capital Construction Equipment for two new 2019 RT120 ASV Positrack Rubber Tracked Skid Steer Loaders for the amount of \$339,900.00 excluding GST (each unit costing \$169,950.00 excluding GST)**
- b authorise the General Manager or their delegate to enter into a contract with Capital Construction Equipment for two new 2019 RT120 ASV Positrack Rubber Tracked Skid Steer Loaders for the amount of \$339,900.00 excluding GST (each unit costing \$169,950.00 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
 P Funnell
 D Hayes
 V Keenan
 R Kendall
 T Koschel
 K Pascoe

Against the Motion

REVERSION TO OPEN COUNCIL

20/142 RESOLVED:
On the Motion of Councillors K Pascoe and V Keenan

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8:00PM.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8:02PM.

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MAYOR