

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 Operations	(Mr W Faulkner)
Director Projects & Strategy	(Mr D Raeck)
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 Development Assessment & Building Certification	(Mr P O'Brien)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mr S Shaw)
Governance Officer	(Ms K West)

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.

WELCOME TO COUNTRY

Aunty Isabel Reid, Senior Wiradjuri Elder and NSW State Recipient, Senior Australian of the Year 2021 performed the Wiradjuri Welcome to Country.

APOLOGIES

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

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 14 DECEMBER 2020

21/001 RESOLVED:
On the Motion of Councillors D Tout and K Pascoe

That the Minutes of the proceedings of the Ordinary Council Meeting held on 14 December 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 D Hayes declared a Non-Significant and Non-Pecuniary Interest in RP-2 - INLAND RAIL - ALBURY TO ILLABO - COMMUNITY CONSULTATIVE COMMITTEE REPRESENTATIVE NOMINATION the reason being that his employer is involved in a small project with the inland rail and remained in the chamber during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-4 - FINANCIAL PERFORMANCE REPORT AS AT 31 DECEMBER 2020 the reason being that his workplace is mentioned in the report and remained in the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

21/002 RESOLVED:
On the Motion of Councillors R Kendall and K Pascoe

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

CARRIED

PROCEDURAL MOTION - ENGLOBO

21/003 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

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

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

That RP-4, RP-6 to RP-8, M-1, CONF-1 and CONF-2, be adopted as recommended in the business papers.

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

PUBLIC DISCUSSION FORUM

RP-5 WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 - NATURAL DISASTERS CLAUSE

- Ms Fiona Ziff – Speaking against the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

21/004 RESOLVED:
On the Motion of Councillors T Koschel and K Pascoe

That Council bring forward consideration of RP-5 - WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 – NATURAL DISASTERS CLAUSE to follow the Public Discussion Forum.

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-5 WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 - NATURAL DISASTERS CLAUSE

21/005 RESOLVED:
On the Motion of Councillors T Koschel and K Pascoe

That Council:

- a endorse the new clause 5.9 Dwelling house or secondary dwelling affected by natural disaster to be inserted in the Wagga Wagga Local Environmental Plan 2010**
- b notify NSW Department of Planning, Industry and Environment of council's decision**

- c request that the NSW Government undertake a community notification process through multiple sources to provide the community with an explanation of the exchange, emphasising that the purpose is to remove “red tape” and that it does not introduce any new or different assessment criteria which might be used to refuse a development application
- d if the NSW Government does not undertake the process identified in (c) above, that Council undertake that process

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

REPORTS FROM STAFF

RP-1 WAGGA WAGGA CITY LIBRARY REVIEW

21/006 RESOLVED:
On the Motion of Councillors D Hayes and V Keenan

That Council:

- a adopt the Wagga Wagga City Library Review as detailed in the report
- b note and support the immediate Stage 1 operational space improvements as detailed in this report
- c support Stage 2 subject to future funding including any negotiated RRL Deed of Agreement beyond the current agreement that expires June 2022
- d note Stage 3 being a long-term concept to inform a more strategic and holistic future review of the Civic Centre needs and uses
- e note the concept findings of the building elements of shade and wayfinding to be considered in any future project planning that relates to these items

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-2 INLAND RAIL – ALBURY TO ILLABO – COMMUNITY CONSULTATIVE COMMITTEE REPRESENTATIVE NOMINATION

21/007 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council nominate a representative for the Inland Rail Albury to Illabo Project Community Consultative 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

Councillor R Kendall self-nominated.

Councillor K Pascoe self-nominated.

Councillor Kendall was elected by show of hands as Council’s representative for the Inland Rail Albury to Illabo Project Community Consultative Committee.

RP-3 COMMUNITY WORKS RESERVE

A Motion was moved by Councillor D Hayes and seconded by Councillor R Kendall

That Council:

- a use Community Works Reserve to fund the 2021 referendum for the popularly elected Mayor
- b place on hold the decision relating to the potential eligibility criteria for the use funds held within the Community Works Reserve until the new term of Councillors commence after the September 2021 election process

An AMENDMENT was moved by Councillor T Koschel and seconded by Councillor K Pascoe

That Council receive a report to the 22 February 2021 Ordinary Council Meeting following a Councillor Workshop outlining draft eligibility criteria for the use of funds held within the Community Works Reserve.

The AMENDMENT on being put to the Meeting was Carried and became the Motion.

RECORD OF VOTING ON THE AMENDMENT

<u>For the Amendment</u> Y Braid OAM G Conkey OAM T Koschel K Pascoe D Tout	<u>Against the Amendment</u> D Hayes V Keenan R Kendall
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21/008 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council receive a report to the 22 February 2021 Ordinary Council Meeting following a Councillor Workshop outlining draft eligibility criteria for the use of funds held within the Community Works Reserve.

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u> Y Braid OAM G Conkey OAM D Hayes V Keenan R Kendall T Koschel K Pascoe D Tout	<u>Against the Motion</u>
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RP-4 FINANCIAL PERFORMANCE REPORT AS AT 31 DECEMBER 2020

21/009 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a approve the proposed 2020/21 budget variations for the month ended 31 December 2020 and note the continued forecast deficit budget position as a result of COVID-19**
- b approve the Pending Projects budgets outlined within the report to be included in the 2020/21 Confirmed Capital Works Delivery Program**
- 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 December 2020 in accordance with section 625 of the Local Government Act 1993**

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-5 - WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 - NATURAL DISASTERS CLAUSE moved forward to follow the public discussion forum.

RP-6 COUNCILLOR EXPENSES AND FACILITIES POLICY - POL 025

21/010 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a note that there were no public submissions received during the exhibition period of the draft Councillor Expenses and Facilities Policy (POL 025)**
- b adopt the draft Councillor Expenses and Facilities Policy (POL 025) with the recommended changes included in the body of this 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-7 RESOLUTIONS AND NOTICES OF MOTIONS REGISTERS

21/011 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council receive and note the following registers:

- a Active Resolutions as at 7 January 2021**
- b Active Notice of Motions as at 7 January 2021**
- c Resolutions including Notice of Motions completed from 17 November 2020 to 13 January 2021**

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 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

21/012 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council receive and note 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

COMMITTEE MINUTES

**M-1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE -
MINUTES - 1 DECEMBER 2020**

21/013 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

**That Council receive and note the minutes of the Floodplain Risk Management
Advisory Committee meeting held on 1 December 2020.**

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

QUESTIONS/BUSINESS WITH NOTICE

Councillor R Kendall requested advice from the General Manager in consultation with the Office of Local Government regarding the length of the term of the next Council and requested a Councillor workshop be held to consider lobbying the Minister for a four year term.

Councillor T Koschel acknowledged the Wagga Business Chamber and thanked them for the “We do respect, do you” campaign breakfast.

Councillor T Koschel requested a report from the General Manager on what can be done to ensure council resources aren’t used for political gain by Councillors in particular through the councillor column.

Councillor K Pascoe acknowledged and thanked staff for the second stage of pruning and clean up along Hammond Ave.

Councillor V Keenan wished Aunty Isabel all the best for the upcoming Australia Day Awards. Regardless of if she wins or not, acknowledged that she is a winner. She also acknowledged her for standing up this week against political parties publicly as being a brave thing to do and Councillor V Keenan congratulated her.

Councillor D Hayes requested information regarding a timeframe on the delivery of the Business Chambers Strategic Plan. Director of Regional Activation, Michael Keys advising that this will be provided within the first quarter of the year.

Councillor D Tout requested that Councillors be notified of upcoming Councillor workshops dates and items.

The Mayor G Conkey OAM wished Aunty Isabel all the all the very best of success in the upcoming National Australia Day Awards and reminded Councillors about the upcoming Australia Day events in particular acknowledged that 42 local community members will be awarded with Australian Citizenship in a ceremony on Australia Day.

CONFIDENTIAL REPORTS

CONF-1 RFT2021-07 DIGITISING OF COUNCIL RECORDS

21/014 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a accept the offer of Microsystems Pty Ltd (ABN: 39 002 578 154) for the digitising of Council records at their submitted Schedule of Rates in their Alternate offer**
- b authorise the General Manager or their delegate to enter into a contract with Microsystems Pty Ltd (ABN: 39 002 578 154) for the digitising of Council records at their submitted Schedule of Rates in their Alternate offer**
- 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
- D Hayes
- V Keenan
- R Kendall
- T Koschel
- K Pascoe
- D Tout

Against the Motion

CONF-2 NARRUNG ST, BISTF AND KOORINGAL SEWAGE TREATMENT PLANTS OPERATION - NEGOTIATION OF DBO CONTRACT NO. 12/2007

21/015 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a issue Downer Australia Pty Ltd a “Notice of Extension of Term” for five (5) years, expiring 25 May 2027 as per Clauses 2.6 Extension of term and Clause 2.7 five (5) year Adjustment of Toll contained in the DBO Contract No. 12/2007, subject to successful negotiation of tolling and service provisions**
- b proceed with negotiations of tolling and service provisions for the remainder of the current ten (10) year contract**
- c proceed with negotiations of tolling and service provisions for a five (5) year extension term.**
- d authorise the General Manager to sign the “Notice of Extension of Term” letter under delegated authority**
- e provide a subsequent report to Council of negotiated tolling and service provisions with recommendation to either extend the contract for five (5) years or terminate**

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

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7.29pm.

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MAYOR