

PRESENT

The Mayor, Councillor Greg Conkey OAM
Councillor Yvonne Braid OAM
Councillor Dan Hayes (via audio-visual link)
Councillor Vanessa Keenan (via audio-visual link)
Councillor Rod Kendall
Councillor Tim Koschel
Councillor Kerry Pascoe
Councillor Dallas Tout

IN ATTENDANCE

General Manager	(Mr P Thompson)
Director Community	(Mrs J Summerhayes)
Director Infrastructure Services	(Mr W Faulkner)
Director Projects	(Mr S Barber)
Director Regional Activation	(Mr M Keys)
Chief Financial Officer	(Mrs C Rodney)
Chief Operating Officer	(Mr S Gray)
Manager Audit, Risk & Governance	(Ms I Hensley)
Corporate Governance Coordinator	(Mrs N Johnson)
Strategic Asset Planner (Parks & Recreation)	(Mr B Creighton)
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.

ACKNOWLEDGEMENT OF COUNTRY

Wagga Wagga City Council acknowledges the traditional custodians of the land, the Wiradjuri people, and pays respect to Elders past, present and future and extends our respect to all First Nations Peoples in Wagga Wagga.

We recognise and respect their cultural heritage, beliefs and continuing connection with the land and rivers. We also recognise the resilience, strength and pride of the Wiradjuri and First Nations communities.

APOLOGIES

No apologies were received.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2021

21/001 RESOLVED:
On the Motion of Councillors T Koschel and K Pascoe

That the Minutes of the proceedings of the Ordinary Council Meeting held on 13 September 2021 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 R Kendall declared a Non-Significant Non-Pecuniary Interest in NOM-1 - NOTICE OF MOTION - AIRPORT STRATEGIC PLANNING the reason being that he has commenced negotiations to acquire an existing hangar lease 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 AUGUST 2021 the reason being that his workplace is listed 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 T Koschel

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

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	

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-2, RP-3, RP-4, RP-6, M-1, CONF-1 to CONF-5 be adopted as recommended in the business papers.

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

PUBLIC DISCUSSION FORUM

RP-1 PEER REVIEW OF WAGGA WAGGA FLOODPLAIN RISK MANAGEMENT STUDY & PLAN - PRELIMINARY REPORT

- Fiona Ziff - Speaking in favour of the report
- Peter Morris - Speaking in favour of the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

21/004 RESOLVED:
On the Motion of Councillors R Kendall and K Pascoe

That Council bring forward consideration of RP-1 PEER REVIEW OF WAGGA WAGGA FLOODPLAIN RISK MANAGEMENT STUDY & PLAN - PRELIMINARY REPORT to follow the public discussion forum.

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 PEER REVIEW OF WAGGA WAGGA FLOODPLAIN RISK MANAGEMENT STUDY & PLAN - PRELIMINARY REPORT

21/005 RESOLVED:
On the Motion of Councillors V Keenan and K Pascoe

That Council:

- a receive and note the Preliminary Report of the Peer Review of the Wagga Wagga Floodplain Risk Management Study & Plan**
- b receive and note the initial response from WMAwater Pty Ltd (WMA) and request that they formally respond to the Preliminary Report**
- c request a copy of the submission prepared on behalf of the North Wagga Residents Association submitted to BMT for consideration in the development of the Peer Review**
- d direct Council officers to arrange for BMT and WMA to meet between themselves to clarify the issues identified in their respective reports to exclude any issues capable of explanation by agreement between the consultants**
- e direct Council officers if necessary, to request the Department of Planning, Industry and Environment (Environment, Energy and Science) to review the BMT Peer Review and the WMA response and provide Council with a way forward with regard to this matter.**
- f following the clarification process identified in (d) above, direct Council officers to instruct WMA to attend to the work which is required for BMT to complete the scope of work and produce a Final Report which answers all questions in the brief**
- g following receipt of the Final Report as identified in (f), direct Council officers to arrange a meeting of the Floodplain Risk Management Advisory Committee (FRMAC), including the members of the North Wagga Residents Association to review the report and recommend the next steps**
- h receive a further report which includes the Final Report of BMT and the recommendation from the FRMAC**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion
Y Braid

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - AIRPORT STRATEGIC PLANNING

21/006 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council receive a report outlining:

- a process to develop a strategic plan for the airport for the betterment of our region**
- b key areas for inclusion in the Strategic Plan such as tourism, business development, trade, and healthcare**
- c investment and commercialisation options for the airport precinct**

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 - Peer review of Wagga Wagga Floodplain Risk Management Study & Plan - Preliminary Report was moved forward to follow the public discussion forum.

RP-2 PLANNING PROPOSAL (LEP18/0012) TO AMEND WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 LAND ZONING AND MINIMUM LOT SIZE FOR LAND LOCATED AT LOT 1 DP 605970, HOLBROOK ROAD, LLOYD

21/007 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a note the results of the exhibition period for planning proposal LEP18/0012**
- b adopt planning proposal LEP18/0012 (as exhibited) to amend the Wagga Wagga Local Environmental Plan 2010**
- c request the NSW Department of Planning, Industry and Environment to prepare the amending instrument**
- d 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

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

Against the Motion

RP-3 PLANNING PROPOSAL (LEP20/0008) TO AMEND WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 TO INCLUDE ARTISAN FOOD AND DRINK INDUSTRY WITHIN CERTAIN RURAL AND COMMERCIAL ZONES

21/008 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a note the results of the exhibition period for planning proposal LEP20/0008**
- b adopt planning proposal LEP20/0008 (as exhibited) to amend the Wagga Wagga Local Environmental Plan 2010**

- c request NSW Parliamentary Council to prepare the amending instrument as per instrument amendment requirements
- d 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
- D Tout

RP-4 FINANCIAL PERFORMANCE REPORT AS AT 31 AUGUST 2021

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

That Council:

- a approve the proposed 2021/22 budget variations for the month ended 31 August 2021 and note the balanced budget position as presented in this report
- b approve the proposed budget variations to future financial years of the Long-Term Financial Plan
- 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 amendment to the 2021/22 Fees and Charges document as presented in this report
- e note the details of the external investments as at 31 August 2021 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-5 KOORINGAL ROAD PAVEMENT REHABILITATION

21/010 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a receive and note the contents of 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

Against the Motion

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

RP-6 DOG OFF-LEASH AREA

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

That Council declare the enclosed area on the corner of Yenda Avenue and Paradise Drive, Gobbagombalin, as a dog off-leash area and be restricted to daylight hours only.

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

21/012 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council receive and note the following registers:

- a active Resolutions as at 21 September 2021**
- b active Notice of Motions as at 21 September 2021**
- c resolutions including Notice of Motions completed from 17 August 2021 to 21 September 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

Councillor K Pascoe vacated the Chamber the time being 7:19pm.

RP-8 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

21/013 RESOLVED:
On the Motion of Councillors D Hayes 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	
G Conkey OAM	
D Hayes	
V Keenan	
R Kendall	
T Koschel	
D Tout	

Councillor K Pascoe re-entered the Chamber the time being 7:22pm.

COMMITTEE MINUTES

**M-1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE
MINUTES EXTRAORDINARY MEETING 2 SEPTEMBER 2021**

21/014 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 (special) held on 2 September 2021.**

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	

QUESTIONS/BUSINESS WITH NOTICE

Councillor T Koschel requested an update on the maintenance of Lake Albert Road.

Director Infrastructure Services, Mr W Faulkner provided a status update on the maintenance program for Lake Albert Road including tender, construction and timelines.

QUESTIONS TAKEN ON NOTICE

Councillor D Hayes requested a detailed status update on Council resolution 20/0065 relating to traffic related matters, in particular, the workshop brief and outcomes of research undertaken on traffic committee models of other local government areas.

Councillor D Hayes requested an update and descriptive map of identified hot spots in Wagga following the Transport for NSW Place Plan Workshop.

Councillor D Hayes requested a detailed status update on Council resolution 19/372 relating to the review of Bourke Street including a concept plan, responsibilities and community engagement.

CLOSED COUNCIL

21/015 RESOLVED:
On the Motion of Councillors T Koschel and K Pascoe

That the Council now resolve itself into a Closed Council, the time being 7.23pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 RFT2022-02 BULK SUPPLY OF CO2 TO THE OASIS REGIONAL AQUATIC CENTRE

21/016 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a accept the offer of BOC Limited (ABN: 95 000 029 729) for Supply of Bulk CO2 for the Oasis Regional Aquatic Centre at the Rates in their offer for a 2-year term**
- b authorise the General Manager or their delegate to enter into a contract with BOC Limited (ABN: 95 000 029 729) for Supply of Bulk CO2 for the Oasis Regional Aquatic Centre at the Rates in their offer for a 2-year term**
- c authorise the General Manager or his delegate to extend the Contract for a 24-month period, as set out in the Contract documents, at the sole discretion of Council**
- d authorise the affixing of Council’s Common Seal to all relevant documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

CONF-2 RFT2022-01 SWIMWEAR SUPPLY TO THE OASIS

21/017 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a accept the tenders submitted by Speedo Australia Pty Ltd (ABN: 70 050 097 375) and Head Oceania trading as Zoggs Australia (ABN: 68 619 606 790) for the Supply of Swimwear and Accessories as a non-exclusive contract at the Schedule of Pricing in their offer for a 3-year term**
- b authorise the General Manager or his delegate to enter into a contract with Speedo Australia Pty Ltd (ABN: 70 050 097 375) and Head Oceania trading as Zoggs Australia (ABN: 68 619 606 790)**
- c authorise the General Manager to extend the contract for up to 2 x 12 month periods in accordance with the contract terms and conditions**
- d authorise the affixing of Council’s Common Seal to all relevant documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

CONF-3 WAGGA WAGGA CITY COUNCIL GRAZING LICENCES - EXPRESSIONS OF INTEREST (BURILDA STREET AND OXLEY BRIDGE ROAD)

21/018 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a agree to enter into three (3) year grazing licence agreements for the land parcels noted below with the parties named in the body of this report and on the conditions noted in the body of this report:**

- i Property – 95 Burilda Street, North Wagga (approx. 20 hectares)
- ii Property – 1267 Oxley Bridge Road, Uranquinty (approx. 13.25 hectares)
- b authorise the execution of all necessary documents under Council’s Common Seal as necessary

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

CONF-4 PROPOSED ACQUISITION OF LAND FOR ROAD WIDENING - PART 29 - 31 GREGADOO ROAD, LAKE ALBERT

21/019 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a authorise the General Manager, or their delegate, to negotiate the acquisition of lands within Lots 51 and 52 in Deposited Plan 1266499, being part 29-31 Gregadoo Road, Lake Albert within the parameters outlined in this report.
- b authorise the General Manager, or their delegate, to complete and 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

Against the Motion

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

CONF-5 PROPOSED ACQUISITION OF LAND FOR ACTIVE TRAVEL PLAN - PART 319 BAKERS LANE, GUMLY GUMLY

21/020 RESOLVED:
On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a authorise the General Manager, or their delegate, to negotiate the acquisition of lands within Lot 17 of Deposited Plan 658109, being part 319 Bakers Lane, Gumly Gumly within the increased parameters outlined in this report**
- b authorise the General Manager, or their delegate, to complete and 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

Against the Motion

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

CONFIDENTIAL MAYORAL MINUTE

The General Manager, Mr P Thompson and all staff excluding the minute takers vacated the chamber the time being 7:24pm.

MM-CONF-1 GENERAL MANAGERS PERFORMANCE REVIEW - 1 JULY 2020 - 30 JUNE 2021

21/021 RESOLVED:
On the Motion of The Mayor, Councillor G Conkey OAM

That Council:

- a note the report of the Performance Review Committee on 13 September 2021**
- b note the findings of the Panel on the General Managers Annual Performance Review for the period ending 30 June 2021, in particular the panels summary assessment**

The General Manager continues to have the confidence of this Committee and shows strong leadership with the Council and the community. Key achievements include:

- Continued development of the Special Activation Precinct and RiFL Hub**
- Securing the unique water licence for Lake Albert**
- Demonstrating strong leadership of the organisation through unprecedented times**
- Continuing to improve the programs and services provided by Council for the Community**

- c note that in the opinion of the Performance Review Panel, the General Manager, Peter Thompson is performing at a level that is above competent performance**

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

The General Manager, Mr P Thompson and all staff re-entered the chamber the time being 7.41pm.

REVERSION TO OPEN COUNCIL

21/022 RESOLVED:
On the Motion of Councillors D Tout and K Pascoe

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 7.41pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7.46pm.

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MAYOR