

PRESENT

The Mayor, Councillor Greg Conkey OAM
Councillor Yvonne Braid OAM
Councillor Paul Funnell
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)
Acting Director Community	(Mr M Gardiner)
Director Operations	(Mr W Faulkner)
Director Regional Activation	(Mr M Keys)
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.

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 Dan Hayes and Director Community Service, Janice Summerhayes.

WELCOME

The Mayor, Councillor Greg Conkey OAM welcomed the new Director of Operations, Mr Warren Faulkner to Council. Warren has had an extensive local government background and we are delighted to have him join our staff.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 29 JUNE 2020

20/245 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That the Minutes of the proceedings of the Ordinary Council Meeting held on 29 June 2020 be confirmed as a true and accurate record.

CARRIED

DECLARATIONS OF INTEREST

Councillor R Kendall declared a Significant Non-Pecuniary Interest in NOM-2 NOTICE OF MOTION - ENFORCEMENT ACTION FOR DA09/0872 the reason being that he is a business associate of one of the owners/operators of this quarry and vacated the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in RP-2 COVID-19 RELIEF PACKAGE the reason being that he is the Chair of a not for profit organisation that hold a commercial lease with Council and vacated the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in CONF-1 PROPOSED RENT WAIVERS UNDER THE MANDATORY CODE OF CONDUCT FOR COMMERCIAL LEASES AFFECTED BY COVID-19 the reason being that he is the Chair of a not for profit organisation that hold a commercial lease with Council and vacated the chamber during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-3 MOBILE FOOD VENDOR PERMITS the reason being that his family members work in the food industry and vacated the chamber during its consideration.

Councillor K Pascoe declared a Pecuniary Interest in RP-2 COVID-19 RELIEF PACKAGE the reason being that he pays fees and charges through his business to Council and vacated the chamber during its consideration.

Councillor P Funnell declared a Non-Significant Non-Pecuniary Interest in RP-4 PROPOSED ACQUISITION OF LAND AT THE GAP FOR ROAD PURPOSES the reason being that he is a Director of Local Land Services and remained in the chamber during its consideration.

Councillor P Funnell declared a Non-Significant Non-Pecuniary Interest in RP-5 PROPOSED APPLICATION FOR CONTROL OF CROWN ROADS - OURA VILLAGE the reason being that he is a Director of Local Land Services and remained in the chamber during its consideration.

Councillor P Funnell declared a Non-Significant Non-Pecuniary Interest in RP-6 PROPOSED COMPULSORY ACQUISITION OF LAND FOR ROAD WIDENING AT FARRER ROAD the reason being that he is a Director of Local Land Services and remained in the chamber during its consideration.

Councillor D Tout declared a Non-Significant Non-Pecuniary Interest in RP -5 PROPOSED APPLICATION FOR CONTROL OF CROWN ROADS - OURA VILLAGE the reason being that he is a rate payer of the Oura village and remained in the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/246 RESOLVED:

On the Motion of Councillors V Keenan and Y Braid OAM

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

CARRIED

PROCEDURAL MOTION - ENGLOBO

20/247 RESOLVED:

On the Motion of Councillors T Koschel 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-7 and M-1 be adopted as recommended in the business papers.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

PUBLIC DISCUSSION FORUM

Councillor T Koschel vacated the chamber, the time being 6:06pm.

RP-3 - MOBILE FOOD VENDOR PERMITS

- Shirleen Van Gorkom – Speaking in favour of the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/248 RESOLVED:

On the Motion of Councillors D Tout and P Funnell

That Council bring forward consideration of RP-3 - MOBILE FOOD VENDOR PERMITS to follow the public discussion forum.

CARRIED

RP-3 MOBILE FOOD VENDOR PERMITS

20/249 RESOLVED:

On the Motion of Councillors K Pascoe and V Keenan

That Council:

- a allow an additional five permits to the current program**
- b provide a further report by the end of 2020 reviewing existing tenure, range of offerings provided and opportunities to leverage from the success of the program**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

Councillor T Koschel re-entered the chamber, the time being 6:30pm.

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - COUNCIL INFORMATION

20/250 RESOLVED:

On the Motion of Councillors T Koschel and P Funnell

That Council:

- a receives a report no later than the last meeting in September 2020 on the leaking of confidential information from workshops and meetings that includes the following:**
 - i a review of our current policy on confidential information**
 - ii the introduction of an independent investigation into the leaking of confidential information to the media and the community from Councillors and staff**
- b delegate authority to the General Manager to write to the Minister of Local Government expressing disappointment in the procedures and action taken by the Office of Local Government in regards to code of conduct issues**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

NOM-2 NOTICE OF MOTION - ENFORCEMENT ACTION FOR DA09/0872

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:02pm.

20/251 RESOLVED:

On the Motion of Councillors P Funnell and T Koschel

That Council receive a report at the 27 July 2020 Council Meeting explaining in detail the non-enforcement of conditions for Development Application number DA09/0872, Rocky Point Quarries including:

- i. an outline of a plan of action to resolve the issues**
- ii. an outline of Council expenditure incurred in relation to the maintenance of Tooyal Road**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

Councillor R Kendall re-entered the chamber, the time being 7:20pm.

NOM-3 NOTICE OF MOTION - POPULARLY ELECTED MAYOR

20/252 RESOLVED:

On the Motion of Councillors P Funnell and T Koschel

That Council receive a report at the 10 August 2020 Council Meeting providing details of the processes involved in potentially shifting to a popularly elected Mayor by the people.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

R Kendall

REPORTS FROM STAFF

RP-1 COUNCILLOR AND MAYORAL REMUNERATION

A Motion was moved by Councillors V Keenan and R Kendall

That Council:

- a determine to continue to pay the Councillors' allowance and Mayoral allowance at the maximum allowable level within the range determined by the NSW Local Government Remuneration Tribunal for the remainder of this term of the Council
- b approve the budget variation as detailed in the Financial Implications section of the report

An AMENDMENT was moved by Councillor D Tout and seconded by Councillor T Koschel

That Council :

- a confirm the reclassification by the Local Government Remuneration Tribunal of Wagga Wagga City Council from the Regional Rural category to the new Regional Centre category
- b confirm that the reclassification was not as a result of a submission by Wagga Wagga City Council but was actioned by the Tribunal separately
- c confirm that due to budget constraints and the current adopted budget deficit for 2020/21 that the full maximum allowance under the tribunal ruling not be adopted
- d as representatives of the community agree to adopt for the 2020/21 year the maximum Regional Rural category that Councillors have received to date during this term for both councillor fee and mayoral additional fee the 20/21 fee being:
 - i. \$20280 for Councillors, and
 - ii. \$44250 additional fee for the Mayor

- e acknowledge that the action in (d) will represent a saving of \$52,190 in total when compared to what the amount would be if the maximum allowances in the Regional Centre category be adopted

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

RECORD OF VOTING ON THE MOTION

For the Amendment

Y Braid OAM

P Funnell

T Koschel

K Pascoe

D Tout

Against the Amendment

G Conkey OAM

V Keenan

R Kendall

20/253 RESOLVED:

On the Motion of Councillors D Tout and T Koschel

That Council :

- a confirm the reclassification by the Local Government Remuneration Tribunal of Wagga Wagga City Council from the Regional Rural category to the new Regional Centre category
- b confirm that the reclassification was not as a result of a submission by Wagga Wagga City Council but was actioned by the Tribunal separately
- c confirm that due to budget constraints and the current adopted budget deficit for 2020/21 that the full maximum allowance under the tribunal ruling not be adopted
- d as representatives of the community agree to adopt for the 2020/21 year the maximum Regional Rural category that Councillors have received to date during this term for both councillor fee and mayoral additional fee the 20/21 fee being:
 - i. \$20280 for Councillors, and
 - ii. \$44250 additional fee for the Mayor
- e acknowledge that the action in (d) will represent a saving of \$52,190 in total when compared to what the amount would be if the maximum allowances in the Regional Centre category be adopted

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-2 COVID-19 RELIEF PACKAGE

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 8:04pm.

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 8:04pm.

20/254 RESOLVED:

On the Motion of Councillors V Keenan and Y Braid OAM

That Council:

- a note the initiatives in response to COVID-19 and increase the 2020 Small Business category funding of Council's Annual Grants Program by \$20,000**
- b reduce seasonal user fees by 50% for 12 months for sporting groups using Council's facilities and 20% for Multipurpose stadium and Bolton Park stadium**
- c provide rent and licence fee concessions for eligible community, sporting and cultural not for profit groups**
- d implement the National Cabinet Mandatory Code of Conduct – SME Commercial Leasing during COVID-19**
- e place on public exhibition the three addendums to the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034, the Wagga Wagga City Council Development Servicing Plan Sewerage Services 2013 and the Wagga Wagga City Council Development Servicing Plan Stormwater 2007 and receive a further report following the public exhibition addressing any submissions made**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
P Funnell
V Keenan
T Koschel
D Tout

Against the Motion

Councillor R Kendall re-entered the chamber, the time being 8:18pm.

Councillor K Pascoe re-entered the chamber, the time being 8:18pm.

RP-4 PROPOSED ACQUISITION OF LAND AT THE GAP FOR ROAD PURPOSES

20/255 RESOLVED:

On the Motion of Councillors T Koschel and R Kendall

That Council:

- a proceed with the compulsory acquisition of land from the State of New South Wales described as Lot 1 DP 1264232 for road purposes in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991**
- b make an application to the Minister and the Governor for approval to acquire Lot 1 DP 1264232 by compulsory acquisition process under Section 177(1) of the Roads Act 1993**
- c pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991**
- d agree that all minerals are to be exempt from the acquisition of Lot 1 DP 1264232**
- 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 required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-5 PROPOSED APPLICATION FOR CONTROL OF CROWN ROADS - OURA VILLAGE

20/256 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council defer this report to 10 August 2020 Council Meeting pending a Councillor Workshop and site visit including a separate presentation by members of the Executive of the Oura Progress Association.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

**RP-6 PROPOSED COMPULSORY ACQUISITION OF LAND FOR ROAD
WIDENING AT FARRER ROAD**

20/257 RESOLVED:

On the Motion of Councillors P Funnell and R Kendall

That Council:

- a proceed with the compulsory acquisition of the land from the State of New South Wales described as Lot 1 DP 1261450, Lot 2 DP 1261450 and Lot 6 DP 1261450 for road purposes in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991**
- b make an application to the Minister and the Governor for approval to acquire Lot 1 DP 1261450, Lot 2 DP 1261450 and Lot 6 DP 1261450 by compulsory acquisition process under Section 177(1) of the Roads Act 1993**
- c pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991**
- d agree that all minerals are to be exempt from the acquisition of Lot 1 DP 1261450, Lot 2 DP 1261450 and Lot 6 DP 1261450**
- 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 required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-7 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

20/258 RESOLVED:

On the Motion of Councillors T Koschel and R Kendall

That Council receive and note the report.

CARRIED

COMMITTEE MINUTES

**M-1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE -
MINUTES - 2 JUNE 2020**

20/259 RESOLVED:

On the Motion of Councillors T Koschel and R Kendall

That Council note the minutes of the Floodplain Risk Management Advisory Committee meeting held on 2 June 2020.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

QUESTIONS/BUSINESS WITH NOTICE

Councillor T Koschel acknowledged improved technology and meeting practice in particular the ability facilitate Council meetings both in the Chamber and remotely.

Councillor T Koschel requested a clean-up around the Skate Park at Henwood Park.

Councillor T Koschel requested the bike jumps be removed and ground levelled at the park land on the corner Patamba and Amaroo Streets Koorinal.

Councillor K Pascoe congratulated two community members for their efforts in cleaning the roadside along Moorong Street, across the Gobba Bridge and Highway.

Councillor P Funnell requested advice in relation to the criteria and expertise outlined in the Sydney & Regional Planning Panels Operational Procedures and a potential breach by Wagga Wagga City Council in its membership of Southern Regional Planning Panel.

Councillor V Keenan and the Mayor, Councillor G Conkey OAM congratulated recently elected Member of Eden-Monaro, Kristy McBain MP.

Councillor V Keenan expressed disappointment in false reporting by some media outlets on the COVID-19 report at the Wagga Wagga RAAF Base and acknowledged support by Council in rectifying and providing accurate information.

CLOSED COUNCIL

20/260 RESOLVED:

On the Motion of Councillors P Funnell and T Koschel

That the Council now resolve itself into a Closed Council, the time being 8:47pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 PROPOSED RENT WAIVERS UNDER THE MANDATORY CODE OF CONDUCT FOR COMMERCIAL LEASES AFFECTED BY COVID-19

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 8:49pm.

20/261 RESOLVED:

On the Motion of Councillors P Funnell and V Keenan

That Council agree to grant rent waivers to Council commercial tenants in accordance with the recommendations detailed in the body of this report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

Councillor R Kendall re-entered the chamber, the time being 8:50pm.

REVERSION TO OPEN COUNCIL

20/262 RESOLVED:

On the Motion of Councillors T Koschel and K Pascoe

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 8:51pm.

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MAYOR