

PRESENT

The Mayor, Councillor Greg Conkey OAM
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 Operations	(Mr W Faulkner)
Director Strategy & Projects	(Mr D Raeck)
Director Regional Activation	(Mr M Keys)
Manager Audit, Risk & Governance	(Ms I Hensley)
Manager City Strategy	(Mr T Kell)
Manager Finance	(Mrs C Rodney)
Manager Corporate Strategy & Communications	(Mr S Gray)
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

No apologies were received.

WELCOME

The Mayor, Councillor Greg Conkey OAM welcomed the new Director of Strategy & Projects, Mr Darren Raeck to Council. Darren is a Senior Engineer from Narrabri and comes to Council with excellent qualifications and extensive local government background and we are delighted to have him join our staff.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 13 JULY 2020

20/263 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That the Minutes of the proceedings of the Ordinary Council Meeting held on 13 July 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
P Funnell
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

EXCLUDED REPORT

A Notice of Motion was excluded on the grounds it was unlawful because it would be contrary to Clause 15.11(d) of Council's adopted Code of Meeting Practice and Clauses 9.10-9.12 of Council's adopted Code of Conduct.

DECLARATIONS OF INTEREST

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-4 2019/20 OPERATING BUDGET REVOTES, JULY 2020 BUDGET VARIATIONS AND 30 JUNE 2020 INVESTMENT REPORT the reason being that his employer and competitors are named in the report and remained in the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in RP-3 INITIAL RESPONSE TO NOTICE OF MOTION - ENFORCEMENT ACTION FOR DA09/0872 reason being that he is a business associate of one of the owners/operators of this quarry and vacated the meeting during its consideration.

Councillor V Keenan declared a Significant Non-Pecuniary in RP-1 RESPONSE TO NOTICE OF MOTION – ADVOCACY PLAN the reason being that she is on the Wagga Women's Health Centre Management Committee and vacated the meeting during its consideration.

Councillor D Tout declared a Non-significant Non-Pecuniary Interest in RP-6 NSW PUBLIC LIBRARIES ASSOCIATION SWITCH 2020 CONFERENCE the reason being that he is the President of The NSW Public Library's Association and remained in the meeting during its consideration.

PROCEDURAL MOTION - ENGLOBO

20/264 RESOLVED:

On the Motion of Councillors R Kendall and D Tout

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-5, RP-7, RP-8 and CONF-1 be adopted as recommended in the business papers.

CARRIED

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - REVIEW INTO COMMITTEE MEETING TIMES

20/265 RESOLVED:

On the Motion of Councillors T Koschel and D Hayes

That Council receives a report:

- a auditing the diversity of age, gender, cultural background and employment status of committee members**
- b auditing potential barriers to improving diversity of committee meetings such as times, location, and access**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

REPORTS FROM STAFF

RP-1 RESPONSE TO NOTICE OF MOTION - ADVOCACY PLAN

Councillor V Keenan declared a Significant Non-Pecuniary Interest and vacated the meeting, the time being 6:40pm.

20/266 RESOLVED:

On the Motion of Councillors D Hayes and R Kendal

That Council:

- a endorse the attached draft Advocacy Plan and the items contained therein**
- b endorse the process for updating the items included in the Advocacy Plan**
- c note that the Advocacy Plan will be listed on Council's website and will be updated regularly to align with decisions of Council**

- d submit a motion to the LGNSW Annual Conference 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
D Hayes
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

Councillor V Keenan re-entered the meeting, the time being 6:46pm.

RP-2 PLANNING PROPOSAL LEP20/0005 TO AMEND ZONING AND INCREASE MINIMUM LOT SIZE APPLYING TO LANDS AT CARTWRIGHTS HILL AND BYRNES ROAD

20/267 RESOLVED:

On the Motion of Councillors R Kendall and D Tout

That Council:

- a support amendment to the Wagga Wagga Local Environmental Plan 2010 as it applies to lands at Cartwrights Hill and Byrnes Rd (as reflected in Figures 1, 3 and 4):**
 - i rezone subject lands from R5 Large Lot Residential and RU4 Primary Production Small Lots to the RU6 Rural Transition.**
 - ii change the minimum lot size variously applying to the same lands from 1 Ha and 2 Ha to 200 Ha.**
- b submit Planning Proposal LEP20/0005 to the Department of Planning and Environment for Gateway Determination.**
- c receive a further report addressing submissions received during public exhibition and detailing the response to the conditions of the Gateway Determination.**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-3 INITIAL RESPONSE TO NOTICE OF MOTION - ENFORCEMENT ACTION FOR DA09/0872

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the meeting, the time being 6:46pm.

20/268 RESOLVED:

On the Motion of Councillors D Tout and P Funnell

That Council receive this report and note that a further report will be provided to Council on or before the Ordinary meeting of 24 August 2020.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

Councillor R Kendall re-entered the chamber, the time being 6:47pm.

RP-4 2019/20 OPERATING BUDGET REVOTES, JULY 2020 BUDGET VARIATIONS AND 30 JUNE 2020 INVESTMENT REPORT

20/269 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a approve the proposed 2019/20 operating budget revotes as presented in this report**
- b approve the proposed 2020/21 budget variations for the month ended 31 July 2020 and note the proposed deficit budget position as a result of COVID-19 with the impacts from COVID-19 to be presented in a future separate report**
- 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 30 June 2020 in accordance with section 625 of the Local Government Act 1993**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

**RP-5 NSW DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT
- LOW COST LOANS INITIATIVE - ROUND 3**

20/270 RESOLVED:

On the Motion of Councillors R Kendall and D Tout

That Council:

- a endorse the General Manager or their delegate to submit an application to the Low Cost Loans Initiative (LCLI) program, for the project listed in this report**
- b note that a subsequent report will be provided to Council once a determination has been made by NSW Department of Planning, Industry and Environment which will outline any budget variations required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

**RP-6 NSW PUBLIC LIBRARIES ASSOCIATION SWITCH 2020
CONFERENCE**

20/271 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a be represented at the NSW Public Libraries Association (NSWPLA) SWITCH 2020 Conference and Annual General Meeting, and SWITCH O/N 2020 Australasian Mobile Library and Outreach Services Network (AMLOS) Symposium to be held in Albury on 24-27 November 2020**
- b appoint one Councillor as Council's delegates to attend the conference**

CARRIED

The Mayor Councillor G Conkey OAM nominated Councillor D Tout.

Councillor D Tout accepted the nomination.

Councillor D Tout was duly appointed as Council's delegate to attend the NSW Public Libraries Associate Switch 2020 Conference.

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-7 RESOLUTIONS AND NOTICES OF MOTIONS REGISTERS

20/272 RESOLVED:

On the Motion of Councillors R Kendall and D Tout

That Council receive and note the following registers:

- a Active Resolutions as at 21 July 2020**
- b Resolutions complete from 1 November 2019 to 21 July 2020**
- c Active Notice of Motions as at 21 July 2020**
- d Notice of Motions completed from 1 November 2019 to 21 July 2020**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-8 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

20/273 RESOLVED:

On the Motion of Councillors R Kendall and D Tout

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

QUESTIONS/BUSINESS WITH NOTICE

Councillor P Funnell requested advice on lighting at the intersection for Benidict Avenue and Kapooka Road following notification from a community member regarding concerns of the very dark intersection.

Councillor Paul Funnell requested responses to the following dot points distributed to Councillors on 27 July regarding the proposed Metka Stage Large Scale Solar Development:

- a. As it stands the Wagga Wagga City Council (WWCC) report and the applicant fail to acknowledge a water line with right of way to 2 adjoining properties
- b. The applicant and WWCC have failed to acknowledge that the Superb Parrot even exists in the Eunony Valley
- c. The recommendation by WWCC staff acknowledges that there are Squirell Gliders but losing a few trees is ok, even though WWCC are throwing money at creating artificial nesting sites for them at North Wagga
- d. The WWCC report opposes the views of the Special Activation Precinct that the Eunony Valley that states it is not suitable for large scale solar

- e. The WWCC report fails to acknowledge that NSW Planning has put an order on Bomen Solar to mitigate the glare from their site – which has the same land shape as the proposed application
- f. The WWCC report fails to acknowledge that NSW Planning has put an order on Bomen Solar to manage water run-off from their site – which has the same land shape as the proposed application
- g. The WWCC report states that the cumulative effect of nearly 1000 acres in the one area is becoming more normal – yes because they are being approved – I'm not sure that is an answer

CONFIDENTIAL REPORTS

CONF-1 HOCKEY FIELD REPLACEMENT

20/274 RESOLVED:

On the Motion of Councillors R Kendall and D Tout

That Council:

- a in accordance with s55(3)(i) of the Local Government Act 1993, not invite tenders for a proposed project delivery contract for the construction of the replacement synthetic surface for the Wagga Wagga Hockey Complex at Jubilee Park
 - i note the reason for not calling tenders is on the grounds that Council is satisfied that inviting tenders would not achieve a satisfactory result due to the unavailability of competitive tenderers as Wagga Wagga Combined Hockey Association will provide the synthetic replacement, the project management and undertake the procurement processes associated with the project
 - ii authorise the General Manager or their delegate to enter into a contract with Wagga Wagga Combined Hockey Association for the construction of the replacement synthetic surface for the water-based field at the Wagga Wagga Hockey Complex in the lump sum amount of \$460,000 excluding GST including a contribution from Council of \$230,000
- b 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
P Funnell
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 6.54pm

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MAYOR