

PRESENT

The Mayor, Councillor Greg Conkey OAM
Councillor Yvonne Braid OAM
Councillor Dan Hayes
Councillor Vanessa Keenan (via remote attendance)
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)
Manager Audit, Risk & Governance	(Ms I Hensley)
Manager Community Services	(Ms M Scully)
Visitor Economy & Events Coordinator	(Mrs F Hamilton)
Senior Strategic Planner	(Mrs C Atkinson)
Corporate Governance Coordinator	(Mrs N Johnson)
Strategic Asset Planner (Parks & Recreation)	(Mr B Creighton)
Communications & Engagement Officer	(Mrs M Schoonmaker)
Property Officer	(Mr M Dombrowski)
Corporate 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 - 11 OCTOBER 2021

21/339 RESOLVED:

On the Motion of Councillors D Hayes and K Pascoe

That the Minutes of the proceedings of the Ordinary Council Meeting held on 11 October 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 Significant Non-Pecuniary Interest in CONF-1 RFT2022-03 DUKE OF KENT COMMUNITY BUILDING DESIGN & CONSTRUCT the reason being that he is currently undertaking professional services for one of the tenderers and vacated the chamber during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-1 PLANNING PROPOSALS - LEP18/0004 AND LEP18/0009 - GREGADOO ROAD AND TALLOOOD CRESCENT - AMENDMENT TO LAND ZONING AND MINIMUM LOT SIZE REQUIREMENTS OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 AND AMENDMENT TO WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 the reason being that a family member has land in the area and vacated the chamber during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-6 - FINANCIAL PERFORMANCE REPORT AS AT 30 SEPTEMBER 2021 the reason being that his employer is named in the report and remained in the chamber during its consideration.

Councillor V Keenan declared a Non-Significant Non-Pecuniary Interest in RP-1 - PLANNING PROPOSALS - LEP18/0004 AND LEP18/0009 - GREGADOO ROAD AND TALLOOOD CRESCENT - AMENDMENT TO LAND ZONING AND MINIMUM LOT SIZE REQUIREMENTS OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 AND AMENDMENT TO WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 the reason being that she is on the Wagga Women's Health Centre Board with one of the public address applicants and remained in the chamber during its consideration.

Councillor K Pascoe declared a Non-Significant Non-Pecuniary Interest in RP-8 - PETITION - WAGGA WAGGA TO LADYSMITH RAIL TRAIL the reason being that he is a member of Riverina Rail Trail Committee and remained in the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

21/340 RESOLVED:

On the Motion of Councillors D Tout and D Hayes

That Council bring forward consideration of ENGLOBO to precede 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

PROCEDURAL MOTION - ENGLOBO

21/341 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-7, RP-10, RP-11, M-1, M-2, CONF-1 to CONF-6 and CONF-8, 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

CR-1 COUNCILLOR REPORT - DEVELOPERS IN LOCAL GOVERNMENT

- Chris Roche – Speaking in favour of the report (via remote attendance)
- Fiona Ziff – Speaking in favour of the report (withdrew application at the meeting the time being 6.17pm)

Councillor T Koschel declared and Non-Significant Non-Pecuniary Interest and vacated the chamber the time being 6.17pm.

RP-1 PLANNING PROPOSALS - LEP18/0004 AND LEP18/0009 - GREGADOO ROAD AND TALLOWOOD CRESCENT - AMENDMENT TO LAND ZONING AND MINIMUM LOT SIZE REQUIREMENTS OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 AND AMENDMENT TO WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010

- Michael McFeeters (MJM Solutions) – Speaking in favour of the report
- Dr Annael Bowcher – Speaking against the report (via remote attendance)

Councillor T Koschel re-entered the chamber the time being 6.27pm.

RP-8 PETITION - WAGGA WAGGA TO LADYSMITH RAIL TRAIL

- Daryl Schipp – Speaking in favour of the report

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

21/342 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

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

- **CR-1 - Councillor Report - Developers in Local Government**
- **RP-1 - Planning Proposals - LEP18/0004 and LEP18/0009 - Gregadoo Road and Tallowood Crescent - Amendment to land zoning and minimum lot size requirements of the Wagga Wagga Local Environmental Plan 2010 and amendment to Wagga Wagga Development Control Plan 201**
- **RP-8 - Petition - Wagga Wagga to Ladysmith Rail Trail**

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

COUNCILLOR REPORT

CR-1 COUNCILLOR REPORT - DEVELOPERS IN LOCAL GOVERNMENT

A Motion was moved by Councillors T Koschel and D Hayes

That Council writes a letter to the Minister and Shadow Minister and of Local Government and the Member for Wagga Wagga in support of banning developers and close associates running in the local government elections.

An AMENDMENT was moved by Councillor D Tout and seconded by Councillor R Kendall

That Council write a letter to the Minister and Shadow Minister of Local Government and Member for Wagga Wagga urging in the strongest possible terms to clarify the legislative position of the State Government in regards to developers and close associates prior to the September 2024 Local Government Elections.

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

RECORD OF VOTING ON THE MOTION

For the Amendment

G Conkey OAM
R Kendall
T Koschel
K Pascoe
D Tout

Against the Amendment

Y Braid OAM
D Hayes
V Keenan

21/343 RESOLVED:

On the Motion of Councillors T Koschel and D Hayes

That Council write a letter to the Minister and Shadow Minister of Local Government and Member for Wagga Wagga urging in the strongest possible terms to clarify the legislative position of the State Government in regards to developers and close associates prior to the September 2024 Local Government Elections.

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 PLANNING PROPOSALS - LEP18/0004 AND LEP18/0009 - GREGADOO ROAD AND TALLOWOOD CRESCENT - AMENDMENT TO LAND ZONING AND MINIMUM LOT SIZE REQUIREMENTS OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 AND AMENDMENT TO WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:19pm.

21/344 RESOLVED:

On the Motion of Councillors K Pascoe and D Hayes

That Council:

- a note the results of the exhibition period for planning proposals LEP18/0004 and LEP18/0009**
- b support planning proposals LEP18/0004 and LEP18/0009 to amend the Wagga Wagga Local Environmental Plan 2010**
- c not support the extension of Tallowood Crescent to any future road and reflect this is the amendment to the Wagga Wagga Development Control Plan 2010 as identified in (f) below**
- d request the NSW Department of Planning, Industry and Environment to prepare the amending instrument**
- e gazette the plan and notify landowners and the NSW Department of Planning, Industry and Environment**
- f adopt the amendments to the Wagga Wagga Development Control Plan 2010 with the recommended amendments identified in the report and provide notification of the adoption in the local paper**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
K Pascoe

Against the Motion

D Tout

Councillor K Pascoe vacated the chamber, the time being 7:34pm.

Councillor K Pascoe re-entered the chamber, the time being 7:36pm.

Councillor T Koschel returned to the chamber the time being 7.46pm.

RP-8 PETITION - WAGGA WAGGA TO LADYSMITH RAIL TRAIL

21/345 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council receive and note the attached petition.

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-2 LIVESTOCK MARKETING CENTRE - SUPPLY AND INSTALLTION OF SHADE SAILS OVER SHEEP DELIVERY YARDS

21/346 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a approve the budget variation listed in the Financial Implications Section to be funded from the Livestock Marketing Centre reserve**
- b call a tender for the supply and installation of shade sails over the remaining sheep yard delivery pens**
- c if the tendered price is under the budget variation requested in (a) above and meets the project requirements authorise the General Manager or their delegate to enter into a contract with the successful tenderer.**
- 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

RP-3 WAGGA WAGGA MAJOR OVERLAND FLOW FLOODPLAIN STUDY (MOFFS) & THE TARCUTTA, LADYSMITH AND URANQUINTY FLOODPLAIN STUDY (VOFFS)

21/347 RESOLVED:

On the Motion of Councillors D Tout and D Hayes

That Council:

- a receive and adopt the Wagga Wagga Major Overland Flow Floodplain Risk Management Study and Plan**
- b receive and adopt the Tarcutta, Ladysmith and Uranquinty Floodplain Risk Management Studies and Plans**
- c receive a further report by 31 March 2022 outlining a plan for the implementation of the recommendations and options in the studies and plans**

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-4 ANNUAL FINANCIAL STATEMENTS 2020/21

21/348 RESOLVED:

On the Motion of Councillors D Tout and T Koschel

That Council:

- a note the comments from the Audit, Risk & Improvement Committee Chairperson and the recommendation to Council from the Committee regarding the 2020/21 Financial Statements**
- b approve the signing of the 2020/21 Financial Statements pursuant to Section 413 (2)(c) of the Local Government Act 1993**
- c approve the closing balances of the Restricted Assets (Reserves) as at 30 June 2021 as detailed in Note C1-3 – Restricted cash, cash equivalents and investments**
- d receive a report on the audited financial reports and auditors report at the 29 November 2021 Council Meeting, pursuant to Section 418(1) of the Local Government Act 1993 and provide public notice accordingly**

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 NEW YEAR'S EVE 2021 & 2022

21/349 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

That Council:

- a sponsor \$54,000 (excluding GST), to Colab Creative (auspiced through Walsec Industries Pty Ltd) to support the delivery of the 31 December 2021 New Year's Eve event, Light the Lake**
- b approve the General Manager or his delegate to proceed with (a) above and the signing of the event sponsorship agreement with Colab Creative (auspiced through Walsec Industries Pty Ltd)**
- c allow mobile food vans to operate at Lake Albert for the duration of the 31 December 2021 New Year's Eve Event as detailed in this report**

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

Councillor K Pascoe vacated the chamber, the time being 8:17pm and did not return.

RP-6 FINANCIAL PERFORMANCE REPORT AS AT 30 SEPTEMBER 2021

21/350 RESOLVED:

On the Motion of Councillors D Tout and D Hayes

That Council:

- a approve the proposed 2021/22 budget variations for the month ended 30 September 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 details of the external investments as at 30 September 2021 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
D Hayes
V Keenan
R Kendall
T Koschel
D Tout

Against the Motion

RP-7 SECTION 356 REQUESTS FOR FINANCIAL ASSISTANCE

21/351 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the following groups:
 - i. St Vincent de Paul Society (NSW): \$1,725.00 (Request 1)
 - ii. Combined Riders of Wagga Wagga: \$270.00 (Request 2)
- b note the proposed budget available for financial assistance requests for the remainder of the 2021/22 financial year

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-8 - Petition - Wagga Wagga to Ladysmith Rail Trail was moved forward for consideration following the Public Discussion Forum.

RP-9 DELEGATIONS DURING THE ELECTION PERIOD

21/352 RESOLVED:

On the Motion of Councillors R Kendall and V Keenan

That Council:

- a delegate Councillor G Conkey OAM the functions of the role of Mayor as described in s226 from 4 December 2021 until the first meeting of the Council elected at the 4 December 2021 election**
- b confirms that the delegation described in (a) shall cease when a Mayor is elected at the first meeting of the newly elected Council**
- c confirms that this delegation shall be limited by the restrictions on delegations identified in s377 of the Local Government Act 1993**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-10 RESOLUTIONS AND NOTICES OF MOTIONS REGISTERS

21/353 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council receive and note the following registers:

- a active Resolutions as at 20 October 2021**
- b active Notice of Motions as at 20 October 2021**
- c resolutions including Notice of Motions completed from 21 September 2021 to 20 October 2021**

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-11 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

21/354 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

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

Against the Motion

COMMITTEE MINUTES

M-1 CONFIRMATION OF MINUTES AUDIT, RISK AND IMPROVEMENT COMMITTEE - 7 OCTOBER 2021 AND ARIC ANNUAL REPORT

21/355 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a endorse the recommendations contained in the minutes of the Audit, Risk and Improvement Committee Meeting held on 7 October 2021**

- b receive and note the Audit, Risk and Improvement Committee Annual Report 2020-21**

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

M-2 LOCAL TRAFFIC COMMITTEE - ELECTRONIC MEETING - 9 SEPTEMBER 2021

21/356 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a receive the minutes of the Local Traffic Committee Meeting held on 9 September 2021**
- b install NO PARKING zone for 15m either side of the driveways to Lot 1 DP 285846 that service 320-350 Copland Street, East Wagga**
- c install time restricted ½ hour parking in five car parking bays adjacent to number 68 Fernleigh Road in the Turvey Tops Shopping complex**

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 T Koschel requested advice regarding planned education and community consultation for the upcoming referendum to be held in conjunction with the Local Government Election on 4 December 2021.

The General Manager, Mr P Thompson and Manager Governance and Risk, Ms I Hensley, advised that communication has commenced and will continue until the election on 4 December 2021, through Council's media and social media platforms, with a flyer to be distributed to all households in the local government area in early November 2021.

Councillor T Koschel requested advice on Council's mowing schedule and Council's authority in the management of overgrown vacant blocks.

The General Manager, Mr P Thompson advised that Council apply provisions of the Local Government Regulations 2005, to contact land owners in relation to maintenance, slashing and mowing of identified vacate blocks of land and encouraged community member to contact to Council should they have concerns regarding fire hazards etc.

Councillor T Koschel requested advice relating to a recent event in Wagga Wagga, where Clementine Ford spoke and if Council funded or sponsored this event?

Councillor R Kendall requested advice on programming of road works on both Koorngal Road and Lake Albert Road to ensure these two projects were not being undertaken at the same time.

Director Infrastructure Services, Mr W Faulkner advised, although works are being undertaken at similar times, scheduled programming of works ensures that access and adequate traffic flow is available through this area.

Councillor D Hayes, requested feedback on if Council has received any complaints relating to the Riverina Recovery House in Gurwood Street, Wagga Wagga.

Councillor D Hayes requested an update in relation to possible grant opportunities for the upgrade of the Jubilee Park Athletics facility including suitability of the NSW Grant Program and Federal Grant opportunities.

Strategic Asset Planner, Mr B Creighton advised that recent grant opportunities through the NSW Sports Infrastructure Fund was not suitable for the proposed Jubilee Park Athletics upgrade, as available funding would not enable the completion of the project.

Future rounds of NSW Government funding are being announced for "sports hubs" that may be suitable for the project. Federal Government funding will be announced by the end of the year for "Building Better Regions", which may also be suitable for the project.

Councillor D Hayes requested an update on status of the Gig State Project, and requested advice on if Council has a contact?

The Mayor, Councillor G Conkey OAM, stated the excellent work being undertaken in the upgrade of the Lake Albert walk/cycle way and requested advice on the proposed completion date of the last 10% of the track.

Strategic Asset Planner, Mr B Creighton advised that the last section of the track will be completed in the next few weeks and that connections through to surrounding roads will be completed following that.

Councillor D Hayes requested feedback on opportunities for improved access including concreted paths or alternate sites at Lake Albert for the purpose of the Lake Albert Markets.

Strategic Asset Planner, Mr B Creighton advised that Council will be making contact with Lake Albert Market organisers to discuss options.

QUESTIONS TAKEN ON NOTICE

Councillor T Koschel requested clarification on the requirements (including timing) for the updating of Pecuniary Interest Returns in relation to changes to an individual's status as a developer or close associate of a developer.

Councillor T Koschel requested clarification on whether the definition of 'any relevant planning application' in the definition of developer for the purpose of completing a Pecuniary Interest Return is limited to the LGA of that Council.

CLOSED COUNCIL

21/357 RESOLVED:

On the Motion of Councillors R Kendall and D Tout

That the Council now resolve itself into a Closed Council, the time being 8.35pm.

CARRIED

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

CONFIDENTIAL MAYORAL MINUTE

**CONFMM-1 MAYORAL MINUTE - PROPOSED ACQUISITION - 54-58
JOHNSTON STREET, WAGGA WAGGA**

21/358 RESOLVED:

On the Motion of The Mayor, Councillor G Conkey OAM

That Council:

- a authorise the General Manager or their delegate to accept Terms of Proposed Sale provided by Property NSW to acquire the old Ambulance Station at 54 Johnston Street, Wagga Wagga, on the parameters outlined in this report**
- b authorise the General Manager or their delegate to complete and execute any further documents necessary to complete the acquisition on behalf of Council**
- c authorise the affixing of Council's common seal to all relevant documents as required**
- d resolve to classify the land as community land on finalisation of the acquisition in accordance with Section 31 of the Local Government Act 1991**
- e 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
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
D Tout

Against the Motion

CONFIDENTIAL REPORTS

CONF-1 RFT2022-03 DUKE OF KENT COMMUNITY BUILDING DESIGN & CONSTRUCT

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 8:40pm.

21/359 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

That Council:

- a accept the Tender offer of Adaptive Trading Pty Ltd T/a Adaptive Interiors (ABN: 81 624 822 859) for the Design & Construction of Duke of Kent Community Building for the lump sum amount of \$695,720.00 excluding GST**
- b authorise the General Manager or their delegate to enter a Contract with Adaptive Trading Pty Ltd T/a Adaptive Interiors (ABN: 81 624 822 859) for the Design & Construction of Duke of Kent Community Building for the lump sum amount of \$695,720.00 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
G Conkey OAM
D Hayes
V Keenan
T Koschel
D Tout

Against the Motion

Councillor R Kendall re-entered the chamber, the time being 8:42pm.

CONF-2 FITNESS GYM, OASIS AQUATIC CENTRE - EXPRESSION OF INTEREST

21/360 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a delegate authority to the General Manager or their delegate to negotiate with the party recommended within the body of this report for occupation of the fitness gym within the Oasis Aquatic Centre.**
- b delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council**
- c 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
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

CONF-3 RFT2022-04 CONCRETE CRUSHING SERVICES

21/361 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a accept the offer of Smallmon Brothers Pty Ltd (ABN:91 160 179 715) for the provision of concrete crushing services in the schedule of rates supplied in their offer for a period of two years**
- b authorise the General Manager or their delegate to enter a contract with Smallmon Brothers Pty Ltd (ABN:91 160 179 715) for the provision of concrete crushing services for a period of two years**
- c authorise the General Manager or their delegate to extend the Contract for 2 x 12-month periods**
- d authorise the fixing of Council's Common Seal as may be 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-4 PROPOSED ACQUISITION OF LAND - PART 6318 OLYMPIC HIGHWAY, URANQUINTY, BEING PART LOT 1 DP 1068577

21/362 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 land within Lot 1 DP 1068577 at 6318 Olympic Highway, Uranquinty, within the parameters outlined in the body of this report
- b authorise the General Manager, or their delegate to negotiate entry into an access & construction licence over land within Lot 1 DP 1068577 at 6318 Olympic Highway, Uranquinty, within the parameters outlined in the body of this report
- c authorise the General Manager, or their delegate to complete and execute any necessary documents on behalf of the Council in relation to the acquisition, access licence and any necessary gazettal or dedication for road purposes
- 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-5 PROPOSED ACQUISITION OF LAND - CNR PINE GULLY ROAD AND OLD NARRANDERA ROAD, GOBBAGOMBALIN, BEING PART LOT 450 DP 1271227

21/363 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 land within Lot 450 DP 1271227 at the corner of Pine Gully Road and Old Narrandera Road, Gobbagombalin, within the parameters outlined in the body of this report**
- b authorise the General Manager, or their delegate to negotiate compensation the landowner for additional contribution costs incurred due to change in dedication purpose within the parameters outlined in the body of this report**
- c authorise the General Manager, or their delegate to complete and execute any necessary documents on behalf of the Council in relation to the acquisition and compensation payment any necessary gazettal or dedication for road purposes**
- 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-6 PROPOSED GRAZING LICENCE - LITTLE BURRUNDANA, 43
LIVINGSTONE STATE FORREST ROAD - PART LOT 1 DP 803622**

21/364 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a agree to enter into a 12 month grazing licence agreement for Paddock A (approx 5.0 hectares) and Paddock B (approx 4.4 hectares) – 43 Livingstone State Forrest Road, Burrundana with the nominated party named in the body of this report and on the conditions noted in the body of 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

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

Against the Motion

**CONF-7 INDOOR RECREATION FACILITY, BOLTON PARK STADIUM -
EXPRESSION OF INTEREST**

21/365 RESOLVED:

On the Motion of Councillors D Tout and T Koschel

That Council:

- a delegate authority to the General Manager or their delegate to negotiate with the existing lessee on the terms submitted by that party described in the body of this report for occupation of the indoor recreation facility within the Bolton Park Stadium**
- b delegate authority to the General Manger or their delegate to execute any necessary documents on behalf of Council**
- c 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
D Hayes
V Keenan
R Kendall
T Koschel
D Tout

Against the Motion

**CONF-8 CONTAINER DEPOSIT SCHEME (CDS) - REFUND SHARING
ARRANGEMENT**

21/366 RESOLVED:

On the Motion of Councillors K Pascoe and R Kendall

That Council:

- a authorise the General Manager or their delegate to extend the Refund Sharing Agreement with Kurrajong Waratah (ABN 55 002 407 294) for a 12-month period beginning 1 January 2022 and ceasing 31 December 2022 according to the following refund sharing arrangement:**
 - i 60% Wagga Wagga City Council; and**
 - ii 40% Kurrajong Waratah (ABN 55 002 407 294)**
- b authorise the General Manager or his delegate to notify the Environmental Protection Agency (EPA) of the contract extension**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

REVERSION TO OPEN COUNCIL

21/367 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 9.19pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 9.24pm.

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MAYOR