

PRESENT

The Mayor, Councillor Dallas Tout
Councillor Dan Hayes
Councillor Michael Henderson
Councillor Richard Foley
Councillor Rod Kendall
Councillor Tim Koschel
Councillor Jenny McKinnon
Councillor Amelia Parkins

IN ATTENDANCE

Acting General Manager	(Mrs C Rodney)
Director Community	(Ms J Summerhayes)
Director Strategy and Projects	(Mr P McMurray)
Director Regional Activation	(Mr J Sidgwick)
Chief Operating Officer	(Mr S Gray)
Manager Governance and Risk	(Ms I Hensley)
Manager Environmental & City Compliance	(Mr M Gardiner)
Senior Strategic Planner	(Mrs C Atkinson)
Property Coordinator	(Mr M Dombrovski)
Strategic Asset Planner (Parks & Recreation)	(Mr B Creighton)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mrs M Schoonmaker)

NOTICE TO MEETING

The proceedings of all Council meetings in open session, including all debate and addresses by the public, are recorded (audio visual) and livestreamed on Council’s website including for the purpose of facilitating community access to meetings and accuracy of the Minutes.

In addition to webcasting council meetings, audio recordings of confidential sessions of Ordinary Meetings of Council are also recorded, but do not form part of the webcast.

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.

REFLECTION

Councillors, let us in silence reflect upon our responsibilities to the community which we represent, and to all future generations and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

APOLOGIES

An apology for non-attendance was received and accepted for the General Manager, Mr P Thompson and Director Infrastructure Services, Mr W Faulkner.

LEAVES OF ABSENCE

Council noted that a leave of absence was granted to the Councillor G Davies for 10 October 2022 to 12 December 2022, granted at the 18 July 2022 and 8 August 2022 Ordinary Council Meetings.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 17 OCTOBER 2022

22/370 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That the Minutes of the proceedings of the Ordinary Council Meeting held on 17 October 2022 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
D Tout
D Hayes
M Henderson
R Foley
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

DECLARATIONS OF INTEREST

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-2 Response to Notice of Motion on Electric Vehicles and Charging Infrastructure, the reason being that his workplace is working on a similar program and vacated the chamber during its consideration.

Councillor T Koschel declared a Significant Non-Pecuniary Interest in RP-3 Planning Proposal (LEP21/0001) 456 and 474 Plumpton Road, Rowan - Amendment to Land Zoning, Minimum Lot Size and Urban Release Area Provisions of the Wagga Wagga Local Environmental Plan 2010, the reason being that a family member lives in close proximity to the location and vacated the chamber during its consideration.

Councillor J McKinnon declared a Non-Significant Non-Pecuniary Interest in RP-2 Response to Notice of Motion on Electric Vehicles and Charging Infrastructure, the reason being that she is the owner of an electric vehicle and remained in the chamber during its consideration.

Councillor M Henderson declared a Pecuniary Interest in CONF-3 RFT2023-01 Ready Mix Concrete and Associated Products Supply, the reason being that he undertakes work for the companies mentioned in the report and vacated the chamber during its consideration.

Councillor A Parkins declared a Significant Non-Pecuniary Interest in CONF-4 RFT 2023-03 Project Professional Advisory Services, the reason being that her current employer is listed in the report and vacated the chamber during its consideration.

Director Regional Activation, Mr J Sidgwick declared a Non-Significant, Non-Pecuniary Interest in CONF-4 RFT 2023-03 Project Professional Advisory Services, the reason being that he was previously employed as a consultant who applied for the Advisory Services tender and has since withdrawn from that Tender and remained in the chamber during its consideration.

PROCEDURAL MOTION - ENGLOBO

22/371 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

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 CR-1, RP-4, RP-5, RP-7, 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
D Tout
D Hayes
R Foley
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

COUNCILLOR REPORT

CR-1 DELEGATE REPORT - LOCAL GOVERNMENT NSW CONFERENCE

22/372 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
The Mayor, Councillor D Tout
D Hayes
M Henderson
R Foley
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

REPORTS FROM STAFF

RP-1 RESPONSE - NOTICE OF MOTION - CAT CONTAINMENT

22/373 RESOLVED:
On the Motion of Councillors D Hayes and J McKinnon

That Council:

- a receive and note the report**
- b write to the relevant Minister to ask to be part of the “Keeping Cats Safe at Home” Program**

CARRIED

RECORD OF VOTING ON THE AMENDMENT

For the Amendment

D Hayes
R Kendall
A Parkins

Against the Amendment

D Tout
M Henderson
R Foley
J McKinnon

22/374 RESOLVED:
On the Motion of Councillors J McKinnon and R Kendall

That Council:

- a note the information provided in the report**
- b prepare an EV charging on public land policy as detailed in the report**
- c endorse participation in the NSW Destination EV Charging Grants**
- d 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

D Tout
D Hayes
M Henderson
R Foley
R Kendall
J McKinnon
A Parkins

Against the Motion

RP-3 PLANNING PROPOSAL (LEP21/0001) 456 AND 474 PLUMPTON ROAD, ROWAN - AMENDMENT TO LAND ZONING, MINIMUM LOT SIZE AND URBAN RELEASE AREA PROVISIONS OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010

Councillor T Koschel declared a Significant Non-Pecuniary Interest and vacated the chamber the time being 6:15pm.

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

That Council:

- a support planning proposal LEP21/0001, with amendments identified in the report, to amend Wagga Wagga Local Environmental Plan 2010 land zoning, minimum lot size and urban release area provisions
- b submit the planning proposal LEP21/0001, with Council’s amendments, to NSW Department of Planning and Environment for Gateway Determination
- c finalise the Wagga Wagga Development Control Plan 2010 amendment controls that reflect the development objectives identified
- d endorse the amendment to the Wagga Wagga Development Control Plan 2010 for public exhibition alongside the Wagga Wagga Local Environmental Plan 2010 amendment once Gateway Determination is received
- e endorse the contribution framework rates to fund identified infrastructure upgrades to be exhibited alongside the Wagga Wagga Local Environmental Plan amendment once Gateway Determination is received
- f receive a further report considering the feedback from the community consultation

An AMENDMENT was moved by Councillor A Parkins and seconded by Councillor D Hayes

That Council defer consideration of the Planning Proposal pending finalisation of a draft Residential Housing Strategy.

Councillor R Kendall signalled a FORESHADOWED AMENDMENT to the Mayor.

The AMENDMENT on being put to the meeting was LOST.

RECORD OF VOTING ON AMENDMENT

<u>For the Amendment</u> J McKinnon A Parkins	<u>Against the Amendment</u> D Tout D Hayes M Henderson R Foley R Kendall
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Councillor R Kendall withdrew his FORESHADOWED AMENDMENT, with the mover and seconder of the original Motion agreeing to include item (g) Motion put to the meeting.

22/375 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council:

- a support planning proposal LEP21/0001, with amendments identified in the report, to amend Wagga Wagga Local Environmental Plan 2010 land zoning, minimum lot size and urban release area provisions**
- b submit the planning proposal LEP21/0001, with Council’s amendments, to NSW Department of Planning and Environment for Gateway Determination**
- c finalise the Wagga Wagga Development Control Plan 2010 amendment controls that reflect the development objectives identified**
- d endorse the amendment to the Wagga Wagga Development Control Plan 2010 for public exhibition alongside the Wagga Wagga Local Environmental Plan 2010 amendment once Gateway Determination is received**
- e endorse the contribution framework rates to fund identified infrastructure upgrades to be exhibited alongside the Wagga Wagga Local Environmental Plan amendment once Gateway Determination is received**
- f receive a further report considering the feedback from the community consultation**
- g receive a report in relation to finalising a Residential Housing Strategy by the end of the 2023 calendar year**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
D Tout
D Hayes
M Henderson
R Foley
R Kendall
J McKinnon

Against the Motion
A Parkins

Councillor T Koschel re-entered the chamber, the time being 7:19pm.

RP-4 UPDATE TO FEES AND CHARGES TO REFLECT AMENDED PLANNING PROPOSAL GUIDELINES - POST-EXHIBITION

22/376 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a note the results of the public exhibition for the new and updated fees and charges for planning proposals**
- b adopt the new fees and charges within Council’s 2022/23 Fees and Charges, with the new fees to commence on 28 November 2022**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
D Tout
D Hayes
M Henderson
R Foley
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

RP-5 COLLINGULLIE OVAL NETBALL COURT UPGRADE

22/377 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a provide a contribution of \$50,000 to Collingullie Glenfield Park Football Netball Club towards the upgrade of the netball facility at Collingullie Oval**
- b note that Collingullie Glenfield Park Football Netball Club will be responsible for all other costs towards the project**
- c 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

- D Tout
- D Hayes
- M Henderson
- R Foley
- R Kendall
- T Koschel
- J McKinnon
- A Parkins

Councillor R Foley vacated the chamber, the time being 7:19pm.

Councillor R Foley re-entered the chamber, the time being 7:21pm.

RP-6 COMMUNITY ENGAGEMENT STRATEGY 2022

22/378 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a note that there were no public submissions received during the exhibition period for the draft Community Engagement Strategy 2022**
- b adopt the draft Community Engagement Strategy 2022**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- D Tout
- D Hayes
- M Henderson
- R Foley
- R Kendall
- T Koschel
- J McKinnon
- A Parkins

RP-7 FRAUD AND CORRUPTION CONTROL POLICY (POL100)

22/379 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a note there were no submissions received during the public exhibition period for the Fraud and Corruption Control Policy (POL 100)**
- b adopt the Fraud and Corruption Control Policy (POL 100)**

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
D Hayes	
M Henderson	
R Foley	
R Kendall	
T Koschel	
J McKinnon	
A Parkins	

RP-8 QUESTIONS WITH NOTICE

22/380 RESOLVED:
On the Motion of Councillors D Hayes and R Kendall

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
D Hayes	
M Henderson	
R Foley	
R Kendall	
T Koschel	
J McKinnon	
A Parkins	

RP-9 NSW PUBLIC LIBRARIES ASSOCIATION (NSWPLA) SWITCH 2022 CONFERENCE AND ANNUAL GENERAL MEETING

22/381 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a be represented at the NSW Public Libraries Association (NSWPLA) SWITCH 2022 Conference and Annual General Meeting, to be held in Albury on 8-11 November 2022**
- b appoints one Councillor as Council’s delegate to attend the conference**

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
D Hayes	
M Henderson	
R Foley	
R Kendall	
T Koschel	
J McKinnon	
A Parkins	

Councillor T Koschel and Councillor M Henderson nominated The Mayor, Councillor D Tout.

The Mayor, Councillor D Tout accepted the nomination.

The Mayor, Councillor D Tout was duly appointed to represent Wagga Wagga City Council at the SWITCH 2022 Conference in Albury on 8 to 11 November 2022.

COMMITTEE MINUTES

M-1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE MINUTES - 13 OCTOBER 2022

22/382 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a endorse the recommendations contained in the minutes of the Floodplain Risk Management Advisory Committee Meeting held on 13 October 2022**
- b proceed to expressions of interest for four (4) co-opted members for the Floodplain Risk Management Advisory Committee as follows with the period of appointment being until the end of the adoption of the Feasibility Study or the end of the current Council term, whichever is the earlier:**
 - i. a maximum of two (2) co-opted members who reside within the North Wagga Wagga levee system; and**
 - ii. a maximum of two (2) co-opted members who reside within the wider floodplain area**

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
D Hayes	
M Henderson	
R Foley	
R Kendall	
T Koschel	
J McKinnon	
A Parkins	

CLOSED COUNCIL

22/383 RESOLVED:
On the Motion of Councillors T Koschel and J McKinnon

That the Council now resolve itself into a Closed Council, the time being 7:47pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 PROPOSED LICENCE AGREEMENT - 348 MITCHELL ROAD, LAKE ALBERT

22/384 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a delegate authority to the General Manager or delegate to enter into a Licence Agreement with Lake Albert Pony Club Inc for 348 Mitchell Road, Lake Albert (being Lot 202 in DP 48278)**
- 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
D Tout
D Hayes
M Henderson
R Foley
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

CONF-2 EXTENSION OF LICENCE AGREEMENT - MESSENGER AVENUE, BOOROOMA

22/385 RESOLVED:
On the Motion of Councillors T Koschel and D Hayes

That Council:

- a authorise the General Manager or delegate to negotiate a further extension to the Licence Agreement with the owner of 131 Farrer Road, Boorooma (Lot 28 DP 1173054)**
- b authorise the General Manager or delegate to execute any necessary documents on behalf of Council**
- c authorise the affixing of Council’s common seal to all relevant documents as required**

- d receive a separate report in relation to the proposed acquisition of land and construction of a permanent road
- e 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

- D Tout
- D Hayes
- M Henderson
- R Foley
- R Kendall
- T Koschel
- J McKinnon
- A Parkins

CONF-3 RFT2023-01 READY MIX CONCRETE AND ASSOCIATED PRODUCTS SUPPLY

Councillor M Henderson declared a Pecuniary Interest and vacated the chamber, the time being 7:47pm.

22/386 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

That Council:

- a accept the tender of EB Mawson & Sons Pty Ltd T/a Milbrae Concrete (ABN: 14 004 519 617) for the provision of ready-mix concrete and associated products in the schedule of rates submitted with their tender
- b authorise the General Manager or their delegate to enter into a contract with of EB Mawson & Sons Pty Ltd T/a Milbrae Concrete (ABN: 14 004 519 617) for the provision of ready-mix concrete and associated products
- c authorise the General Manager or his delegate to extend the Contract as set out in the Contract documents
- 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
D Tout
D Hayes
R Foley
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

Councillor M Henderson re-entered the chamber, the time being 7:48pm.

CONF-4 RFT2023-03 PROJECT PROFESSIONAL ADVISORY SERVICES

Councillor A Parkins declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:48pm.

22/387 RESOLVED:
On the Motion of Councillor T Koschel and Councillor D Hayes

That Council:

- a accept the tender offers of the consultants indicated in Table 1 of the body of this report for the provision of project professional advisory services for a period of 2 years**
- b authorise the General Manager or delegate to enter into contracts with the consultants indicated in Table 1 of the body of this report for a period of 2 years**
- c authorise the General Manager or delegate to extend the contract for 3 x 12 month periods 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
D Tout
D Hayes
M Henderson
R Foley
R Kendall
T Koschel
J McKinnon

Against the Motion

Councillor A Parkins re-entered the chamber, the time being 7:49pm.

REVERSION TO OPEN COUNCIL

22/388 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 7.48pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7:51pm.

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MAYOR