

PRESENT

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

IN ATTENDANCE

General Manager	(Mr P Thompson)
Director Community	(Ms J Summerhayes)
Director Infrastructure Services	(Mr W Faulkner)
Director Strategy and Projects	(Mr P McMurray)
Director Regional Activation	(Mr J Sidgwick)
Chief Financial Officer	(Mrs C Rodney)
Chief Operating Officer	(Mr S Gray)
Manager Community Services	(Ms M Scully)
Strategic Sustainability Advisor	(Ms C Hood)
Library Services Manager	(Ms C Bolton)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Manager Recreation & Economic Development	(Mr B Creighton)
Project Manager	(Mr A Mason)
Acting Manager Governance & Risk	(Mrs N Johnson)
Communications & Engagement Coordinator	(Mr M Casey)
Corporate Governance Officer	(Ms K West)

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.

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.

APOLOGIES

An apology for non-attendance was received and accepted for Executive Director People & Culture, Mrs F Piltz on the Motion of Councillors G Davies and R Foley.

Council noted that Councillor R Kendall was absent due to suspension under section 440I of the Local Government Act 1993 (NSW).

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 18 SEPTEMBER 2023

23/232 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That the Minutes of the proceedings of the Ordinary Council Meeting held on 18 September 2023 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

DECLARATIONS OF INTEREST

Councillor D Hayes declared a Non-Significant Non-Pecuniary Interest in RP-3 PETITION REQUEST FOR REMOVAL OF BOOK FROM LIBRARY COLLECTION the reason being that he has a familial connection with some of the signatories in the petition and remained in chamber during its consideration.

Councillor M Henderson declared a Significant Non-Pecuniary Interest in RP-2 PETITION - LAKE ALBERT WATER the reason being that he a Director of the Wagga Wagga Boat Club and vacated the chamber during its consideration.

PROCEDURAL MOTION - ENGLOBO

23/232 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

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 MM-1, CR-1, RP-1, RP-5 to RP-8, CONF-MM-1, CONF-1 to CONF-3 be adopted as recommended in the business papers.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

PUBLIC DISCUSSION FORUM

RP-3 PETITION REQUEST FOR REMOVAL OF BOOK FROM LIBRARY COLLECTION

- Jenny Rolfe - Speaking in favour of the recommendation
- Helen Mundy - Speaking in favour of the recommendation
- Paul Funnell - Speaking against the recommendation
- Kirsty Matthews - Speaking against the recommendation

RP-4 VACANCY IN CIVIL OFFICE

- Tim Kurylowicz - Speaking in favour of the recommendation

M-1 LOCAL TRAFFIC COMMITTEE MEETING - 14 SEPTEMBER 2023

- Anthony Heffer (The Riverina Anglican College) - Speaking in favour of the recommendation
- Brett Allen (Allens Coaches) - Speaking against the recommendation

PROCEDURAL MOTION - CHANGE STANDING ORDERS

23/233 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council bring forward consideration of the following items to follow the Public Discussion Forum:

- **RP-3 - Petition request for removal of book from library collection**
- **RP-4 - Vacancy in Civic Office**
- **M-1 - Local Traffic Committee Meeting - 14 September 2023**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-3 PETITION REQUEST FOR REMOVAL OF BOOK FROM LIBRARY COLLECTION

A Motion was moved by Councillors D Hayes and A Parkins

That Council:

- a receive and note the petition
- b note the current resolution of Council and its relevance to the Library’s operations as detailed in the report
- c request staff advise the petition contact person of Council’s determination in accordance with Council’s Petition Policy (POL 086)

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

That Council:

- a receive and note the petition.
- b rejects the request of the petition to ban any books and to set up a book banning panel
- c once again supports the resolution from 18 September 2023 that supports the ‘Welcome to Sex’ book, recognises that local governments cannot ban books, supports libraries and the approach they take to manage their collections, and supports parents in making their own decisions in books for their families
- d request staff advise the petition contact person of Council’s determination in accordance with Council’s Petition Policy (POL 086)

The AMENDMENT being put to the meeting was LOST.

RECORD OF VOTING ON THE AMENDMENT

For the AMENDMENT

- D Hayes
- R Foley
- A Parkins

Against the AMENDMENT

- D Tout
- G Davies
- M Henderson
- T Koschel
- J McKinnon

23/234 RESOLVED:

On the Motion of Councillors D Hayes and A Parkins

That Council:

- a receive and note the petition**
- b note the current resolution of Council and its relevance to the Library’s operations as detailed in the report**
- c request staff advise the petition contact person of Council’s determination in accordance with Council’s Petition Policy (POL 086)**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-4 VACANCY IN CIVIC OFFICE

23/235 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a note that Councillor Dan Hayes has submitted his resignation from Council, effective from 20 October 2023**
- b submit an application to the Minister for Local Government requesting the vacancy not be filled and to dispense with a by-election due to the next NSW Local Government Election being less than 12 months away (14 September 2024)**
- c receive a further report at the next Council Meeting to fill vacancies left as a result of the resignation**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

COMMITTEE MINUTES

M-1 LOCAL TRAFFIC COMMITTEE MEETING - 14 SEPTEMBER 2023

23/236 RESOLVED:
On the Motion of Councillors T Koschel and J McKinnon

That Council:

- a receive the minutes of the Local Traffic Committee Meeting held on 14 September 2023**
- b approve the installation of a 15-metre length of loading zone on William Street, with the additional words 7AM -7PM MON - FRI**
- c approve the installation of a Give Way sign on Illeura Road at the intersection of Kaloona Drive**
- d extend the NO STOPPING zone of the pedestrian (zebra) crossing on the western side of Edmondson Street to six (6) metres north of the Kildare College driveway, with the extension to retain the existing NO STOPPING sign located to the south of the driveway but change its directional arrow to dual directional arrow**
- e note the Traffic Committee deferred consideration of the installation of traffic controls on Fernleigh Road as part of DA22/0787 until the next Traffic Committee Meeting on 16 November 2023 pending further information**
- f endorse the installation of regulatory signs and line marking on and fronting Farrer Road as shown on Sheet Numbers B5001, B5002 and B5003 of Xeros Piccolo Project Number 220534 Revision E Plans dated 7 June 2023**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
D Tout
G Davies
M Henderson
R Foley
T Koschel
J McKinnon
A Parkins

Against the Motion
D Hayes

MAYORAL MINUTES

MM-1 MAYORAL MINUTE - AFFIXING WAGGA WAGGA CITY COUNCIL COMMON SEAL TO THE AUSTRALINA ARMY BAND ILLUMINATED ADDRESS - FREEDOM OF THE CITY

23/237 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council authorises the General Manager or their delegate and the Mayor, to sign and affix Wagga Wagga City Councils Common Seal to the Australian Army Band Illuminated Address, granting Freedom of Entry to the City of Wagga Wagga (Freedom of the City).

CARRIED

RECORD OF VOTING ON THE MOTION

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

MM-2 MAYORAL MINUTE – 2023 LGNSW ANNUAL CONFERENCE MOTION – BURRINJUCK DAM

23/238 RESOLVED:
On the Motion of The Mayor, Councillor D Tout

That Council:

- a submit the Motion on Burrinjuck Dam as outlined in this report to the 2023 LGNSW Annual Conference**
- B amend the Motion Wording to read as follows:**
That LGNSW advocate to the NSW Government to commence a process to investigate the viability of an upgrade of the Burrinjuck Dam.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

COUNCILLOR REPORT

CR-1 DELEGATE REPORT - WATER MANAGEMENT CONFERENCE 2023

23/239 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

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

Against the Motion

REPORTS FROM STAFF

RP-1 DA23/0389 - STAGED ALTERATIONS AND ADDITIONS TO EXISTING RESIDENTIAL CARE FACILITY TO EXTEND ROOMS AND PROVIDE PRIVATE EN-SUITE FACILITIES - 6 LEWISHAM AVENUE WAGGA WAGGA NSW 2650 LOT 1 DP 1271205

23/240 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council approve DA23/0389 for Staged Alterations and Additions to existing Residential Care Facility to provide private en-suite facilities, at 6 Lewisham Avenue, Wagga Wagga subject to the conditions contained within the s4.15 Assessment Report.

CARRIED

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

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

Against the Motion

RP-2 PETITION - LAKE ALBERT WATER

Councillor M Henderson declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 8:18pm.

23/241 RESOLVED:
On the Motion of Councillors D Hayes and A Parkins

That Council:

- a receive and note the petition**
- b request staff advise the petition contact person of Council’s determination in accordance with Council’s Petition Policy (POL 086)**
- c provide a copy of the responses to the petition owner and request they place them in all the sites the petition was displayed to help inform community members**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
D Tout
G Davies
D Hayes
R Foley
T Koschel
J McKinnon
A Parkins

Against the Motion

Councillor M Henderson re-entered the chamber, the time being 8:22pm.

RP-3 - PETITION REQUEST FOR REMOVAL OF BOOK FROM LIBRARY COLLECTION was moved forward to follow the Public Discussion Forum.

RP-4 – VACANCY IN CIVIC OFFICE was moved forward to follow the Public Discussion Forum.

RP-5 RESPONSE TO NOTICE OF MOTION – NSW HEALTH ROYAL COMMISSION TERMS OF REFERENCE

23/242 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council note that a submission was made to the Inquiry into the implementation of Portfolio Committee No.2 recommendations relating to workforce issues, workplace culture and funding considerations for remote, rural and regional health.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-6 ARBOREAL MAMMAL MANAGEMENT PLAN

23/243 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a note all submissions and feedback received relating to the exhibited draft Arboreal Mammal Management Plan**
- b adopt the Arboreal Mammal Management Plan as exhibited**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-7 ROAD AND SUBURB NAMING POLICY (POL 047)

23/244 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a note that no submissions were received from the public whilst the draft policy was on exhibition**
- b adopt the Road and Suburb Naming Policy (POL 047)**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-8 WRITTEN RETURNS OF INTEREST - COUNCILLORS AND DESIGNATED PERSONS 2023

23/245 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That the Register of Pecuniary Interest Returns, containing current returns of Councillors and Designated Staff for the period 1 July 2022 to 30 June 2023 be tabled in accordance with Clause 4.21 of the Model Code of Conduct.

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-9 QUESTIONS WITH NOTICE

23/246 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>
D Tout	
G Davies	
D Hayes	
M Henderson	
R Foley	
T Koschel	
J McKinnon	
A Parkins	

COMMITTEE MINUTES

M-1 - LOCAL TRAFFIC COMMITTEE MEETING - 14 SEPTEMBER 2023 was moved forward to follow the Public Discussion Forum.

CONFIDENTIAL MAYORAL MINUTE

MM-CONF-1 GENERAL MANAGERS PERFORMANCE REVIEW - 12 SEPTEMBER 2023

23/247 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a receive and note the separate cover Confidential Memo of the General Manager’s Annual Review of Performance conducted by the Performance Review Committee on 12 September 2023**
- b adopt the recommendations contained therein**

CARRIED

RECORD OF VOTING ON THE MOTION

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

CONFIDENTIAL REPORTS

CONF-1 RFT2023-25 REMOVAL AND PROCESSING OF BIOSOLIDS

23/248 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a accept the offer of the Trustee for the Bannatyne Family Trust (ABN: 21 350 595 254) for the removal and processing of biosolids in the schedule of rates submitted in their tender**
- b authorise the General Manager or their delegate to enter a contract with the Trustee for the Bannatyne Family Trust (ABN: 21 350 595 254) to remove and process biosolids**
- c authorise the affixing of the Council’s seal to any documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

CONF-2 REMEDIATION OF LAND

23/249 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a receive and note the report**
- b endorse an open tender process for the remediation works**
- c approve the budget variation 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
- G Davies
- D Hayes
- M Henderson
- R Foley
- T Koschel
- J McKinnon
- A Parkins

CONF-3 OPPORTUNITY TO HOST SPORTING EVENT

23/250 RESOLVED:
On the Motion of Councillors D Hayes and T Koschel

That Council:

- a endorse the General Manager or their delegate to enter into an agreement with Giants Netball to host a pre-season match at Wagga Wagga Multi-Purpose Stadium**
- b authorise the affixing of Council common seal to any relevant documents as required**
- a approve the budget variations as detailed in the Financial Implications Section of the report**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8.34pm.

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MAYOR