

PRESENT

The Mayor, Councillor Dallas Tout
Councillor Georgie Davies
Councillor Michael Henderson
Councillor Richard Foley
Councillor Rod Kendall
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)
Executive Director - People & Culture	(Mrs F Piltz)
Executive Manager – Major Projects	(Mr D Woods)
Manager Project Management Office	(Mr A Beechani)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Manager Community Services	(Ms M Scully)
Community Development Coordinator	(Ms A Osgood)
Manager Livestock Marketing Centre	(Mr P Martin)
Property Coordinator	(Mr M Dombrovski)
Manager Recreation & Economic Development	(Mr B Creighton)
Governance & Risk Coordinator	(Mrs N Johnson)
Communications & Engagement Coordinator	(Mr M Casey)
Governance Officer	(Ms K West)

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.

Council Meetings are also subject to filming and photographing by media agencies which may form part of news and media broadcasts. Members of the gallery are also advised that recording the proceedings of the meeting of the council is prohibited without the prior authorisation of the council.

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

No apologies were received.

CONFIRMATION OF MINUTES

CM-1 EXTRAORDINARY COUNCIL MEETING - 27 NOVEMBER 2023

23/301 RESOLVED:
On the Motion of Councillors A Parkins and G Davies

That the Minutes of the proceedings of the Extraordinary Council Meeting held on 27 November 2023 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

DECLARATIONS OF INTEREST

Councillor G Davies declared a Non-Significant Non-Pecuniary Interest in CONF 2 - PROPOSED RENEWAL OF COMMERCIAL LEASE - 23 FITZHARDINGE STREET, WAGGA WAGGA the reason being that a member of her family owns a share in a property in Fitzhardinge Street and remained in the chamber during its consideration.

Councillor G Davies declared a Non-Significant Non-Pecuniary Interest in CONF-4 - EXPRESSION OF INTEREST OUTCOME REPORT - BOMEN LAND SALES the reason being that one of the directors in the EOI submissions is a board member where she works and remained in the chamber during its consideration.

Councillor G Davies declared a Significant Non-Pecuniary Interest in CONF-7 - RFT2024-07 REALIGN CATTLE DELIVERY RAMPS & SHEEP DRAFT RAMPS DESIGN & CONSTRUCTION LMC the reason being that one of the applicants is a close family friend and vacated the chamber during its consideration.

Councillor M Henderson declared a Significant Non-Pecuniary Interest in RP-1 USE OF EXISTING SHED AND REMOVAL OF BUILDING ENVELOPE the reason being that he knows one of the objectors and vacated the chamber during its consideration.

Councillor M Henderson declared a Significant Non-Pecuniary Interest in RP-3 DA22/0009 - ALTERATIONS AND ADDITIONS TO EXISTING PUB (SPORTSMENS CLUB HOTEL), 107 KINCAID STREET, WAGGA WAGGA the reason being that he is the licensee of a Registered Club and the applicant also owns a business with in close proximity to the Club and vacated the chamber during its consideration.

Councillor M Henderson declared a Non-Significant Non-Pecuniary Interest in RP-4 PETITION - REMOVAL OF NAME PLAQUES AND SIGNAGE the reason being that he knows one of the authors of the petition and remained in the chamber during its consideration.

Councillor M Henderson declared a Significant Non-Pecuniary Interest in RP-6 LAKE ALBERT WATER QUALITY AND SUPPLY the reason being that he is the Commodore of the Wagga Boat Club and vacated the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in RP-1 - USE OF EXISTING SHED AND REMOVAL OF BUILDING ENVELOPE the reason being that the owner of the property and applicant are clients of his and vacated the chamber during its consideration.

Councillor R Kendall declared a Non-Significant Non-Pecuniary Interest in CONF-2 PROPOSED RENEWAL OF COMMERCIAL LEASE - 23 FITZHARDINGE STREET the reason being that he has an interest in a building in Fitzhardinge Street. This proposal has no material impact on that building and remained in the chamber during its consideration and remained in the chamber during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP - 10 FINANCIAL PERFORMANCE REPORT AS AT 30 NOVEMBER 2023 the reason being that he works for a financial institution and his employer is listed within the report and remained in the chamber during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-11 POL 075 - INVESTMENT POLICY the reason being that he works for a financial institution and remained in the chamber during its consideration.

Councillor A Parkins declared a Significant Non-Pecuniary Interest in CONF-6 - JUBILEE PARK ATHLETICS CENTRE PROJECTS - RFT2024-02, RFT2024-12 & RFT2024-14 the reason being that her employer is listed within the report and vacated the chamber during its consideration.

Chief Operating Officer, Mr S Gray declared a Significant Non-Pecuniary Interest in RP-3 DA22/0009 - ALTERATIONS AND ADDITIONS TO EXISTING PUB (SPORTSMENS CLUB HOTEL), 107 KINCAID STREET, WAGGA WAGGA the reason being the applicant is a sponsor of Wagga Basketball and he holds a position with Wagga Basketball and vacated the chamber during its consideration.

PROCEDURAL MOTION - ENGLOBO

23/302 RESOLVED:

On the Motion of Councillors R Kendall and G Davies

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-4, RP-5, RP-8 TO RP-16, M-1, CONF-1, CONF-2, CONF-4, CONF-8 be adopted as recommended in the business papers.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

PUBLIC DISCUSSION FORUM

MM-1 - MAYORAL MINUTE - 16 DAYS OF ACTIVISM IN WAGGA WAGGA

- Johanna Elms - Speaking in favour of the Recommendation

NOM-1 - NOTICE OF MOTION - SUPPORTING PEACE IN GAZA

- Paul Funnell - Speaking against the Recommendation
- Ray Goodlass - Speaking in favour of the Recommendation

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 6:23pm.

Councillor M Henderson declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 6:24pm.

RP-1 - DA22/0725.01 - USE OF EXISTING SHED AND REMOVAL OF BUILDING ENVELOPE

- Matt Jenkins – Speaking against the Recommendation
- Slade Stanley - Speaking in favour of the Recommendation

Councillor R Kendall re-entered the chamber, the time being 6:32pm.

Mr S Gray declared a Significant Non-Pecuniary Interest and vacated the chamber the time being 6:32pm.

RP-3 - DA22/0009 - ALTERATIONS AND ADDITIONS TO EXISTING PUB (SPORTSMENS CLUB HOTEL), 107 KINCAID STREET, WAGGA WAGGA

- Mary Anne Kelly – Speaking against the Recommendation
- Sean O’Hara - Speaking in favour of the Recommendation

Mr S Gray re-entered the chamber the time being 6:42pm.

RP-6 - LAKE ALBERT WATER QUALITY AND SUPPLY

- Garry Williams – Speaking against the Recommendation

Councillor M Henderson re-entered the chamber, the time being 6:47pm.

PROCEDURAL MOTION - CHANGE STANDING ORDERS

23/303 RESOLVED:
On the Motion of Councillors J McKinnon and R Foley

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

- **MM-1- Mayoral Minute - 16 Days of Activism in Wagga Wagga**
- **NOM-1 - Notice of Motion - Supporting Peace in Gaza**
- **RP-1 - DA22/0725.01 - Use of existing shed and removal of building envelope**
- **RP-3 - DA22/0009 - Alterations and additions to existing pub (Sportsmens Club Hotel), 107 Kincaid Street, Wagga Wagga**
- **RP-6 - Lake Albert Water Quality and Supply**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

MAYORAL MINUTE

MM-1 MAYORAL MINUTE - 16 DAYS OF ACTIVISM IN WAGGA WAGGA

23/304 RESOLVED:
On the Motion of The Mayor, Councillor D Tout

That Council:

- a commend the Wagga Women’s Health Centre for their leadership in facilitating the 16 Days of Activism in Wagga Wagga. This will occur through a formal written acknowledgement from the Mayor’s office on behalf of Council and the community**
- b receive a report from staff prior to 31 March 2024 that outlines Council staff involvement and activities that support prevention of Domestic and Family Violence**
- c note Council’s adopted Advocacy Plan statement of commitment to the prevention of Domestic and Family Violence being:
“We will advocate for resources and funding levels that support the front-line services and other organisations addressing coercive control, abuse and violence and their delivery of preventative programs to address gender equity and respectful relationships”**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - SUPPORTING PEACE IN GAZA

A MOTION was moved by Councillors J McKinnon and R Foley

That Council:

- a condemns violence of all kinds
- b notes the need for an immediate permanent ceasefire in Gaza
- c acknowledges calls from around the world for peaceful resolution of the conflict between Israel and Palestine

An AMENDMENT was moved by Councillor R Kendall and seconded by Councillor G Davies

That Council:

- a condemns violence of all kinds
- b condemns attacks on the civilian population in any conflict/war
- c condemns any army, and the controlling government of that army, who use the civilian population as a shield for their activities both in the conduct of war/conflict and in the build-up to potential war/conflict
- d calls on the initiator of all current wars/conflicts in the world to cease fighting immediately and withdraw from the area of conflict
- e calls on all parties currently involved in wars/conflicts to enter immediate negotiations for a permanent and peaceful resolution
- f delegates authority to the Mayor to write to the relevant Federal Minister regarding this motion and this countries obligations to uphold the Statute of Rome

RECORD OF VOTING ON THE AMENDMENT

For the Amendment

- D Tout
- G Davies
- R Foley
- R Kendall
- T Koschel
- A Parkins

Against the Amendment

- M Henderson
- J McKinnon

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

23/305 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a condemns violence of all kinds**
- b condemns attacks on the civilian population in any conflict/war**
- c condemns any army, and the controlling government of that army, who use the civilian population as a shield for their activities both in the conduct of war/conflict and in the build-up to potential war/conflict**
- d calls on the initiator of all current wars/conflicts in the world to cease fighting immediately and withdraw from the area of conflict**
- e calls on all parties currently involved in wars/conflicts to enter immediate negotiations for a permanent and peaceful resolution**
- f delegates authority to the Mayor to write to the relevant Federal Minister regarding this motion and this countries obligations to uphold the Statute of Rome**

CARRIED

RECORD OF VOTING ON THE MOTION

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

REPORTS FROM STAFF

RP-1 DA22/0725.01 - USE OF EXISTING SHED AND REMOVAL OF BUILDING ENVELOPE

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:28pm.

Councillor M Henderson declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:29pm.

A Motion was moved by the Mayor Councillor D Tout and Councillor R Foley

That Council approve DA22/0725.01 for the Use of an Existing Shed and Removal of Building Envelope at 108 Brindabella Drive, Tatton NSW 2650 (Lot 224 DP1247818) subject to the conditions outlined in the Section 4.15 Assessment Report.

An AMENDMENT was moved by Councillor T Koschel and seconded by Councillor J McKinnon

That Council defer the consideration of DA22/0725.01 pending a site visit and additional information being provided to Councillors.

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

<u>For the Amendment</u>	<u>Against the Amendment</u>
D Tout	G Davies
R Foley	
T Koschel	
J McKinnon	
A Parkins	

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

23/306 RESOLVED:
On the Motion of Councillors Councillor T Koschel and J McKinnon

That Council defer the consideration of DA22/0725.01 pending a site visit and additional information being provided to Councillors.

CARRIED

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

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

Councillor R Kendall re-entered the chamber, the time being 7:51pm.

RP-3 DA22/0009 - ALTERATIONS AND ADDITIONS TO EXISTING PUB (SPORTSMENS CLUB HOTEL), 107 KINCAID STREET, WAGGA WAGGA

Councillor M Henderson declared a Significant Non-Pecuniary interest and remained vacated from the Chamber.

Chief Operating Officer, S Gray declared a Significant Non-Pecuniary interest and vacated the chamber the time being 7.51pm.

23/307 RESOLVED:
On the Motion of Councillors R Kendall and R Foley

That Council:

- a approve DA22/0009 for alterations and additions to existing pub at 107 Kincaid Street, Wagga Wagga, subject to the conditions contained within the s4.15 Assessment Report**
- b acknowledge the right of the applicant to lodge a further development application or a modification application to vary the times of operation of the beer garden**

CARRIED

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

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

Chief Operating Officer, S Gray re-entered the chamber, the time being 8.21pm.

RP-6 LAKE ALBERT WATER QUALITY AND SUPPLY

Councillor Henderson declared a Significant Non-Pecuniary interest and remained vacated from the Chamber.

A Motion was moved by Councillors A Parkins and J McKinnon

That Council:

- a note the information in the report regarding a possible algae treatment for Lake Albert
- b consider funding a trial of the algae treatment in the February 2024 Councillor budget workshop, in conjunction with other budget considerations
- c note that the expected potential future operating costs are likely to exceed \$1,000,000 annually for the algae treatment and pipeline, excluding any costs attributable to the pipeline construction
- d note that these operational costs would require the identification of a funding source that could include a special rate variation

An AMENDMENT was moved by Councillor T Koschel and seconded by Councillor R Foley

That Council:

- a in accordance with s55(3)(i) of the Local Government Act 1993, not invite tenders for a proposed Lake Albert Algae Treatment
 - 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 unique product being offered and the field trial arrangement that is proposed under the contract
 - ii authorise the General Manager or their delegate to negotiate to enter into a contract with Waterzyme Australia to complete a two year trial for the management of algae within Lake Albert for amount outlined in the confidential attachment
- b authorise the affixing of Council’s common seal to all relevant documents as required
- c note that if the project is to progress past the two-year trial period, an ongoing funding source will need to be identified which may include a special rate variation
- d approve the budget variation to be funded from the Civil Infrastructure Reserve

RECORD OF VOTING ON THE AMENDMENT

For the Amendment
R Foley
J McKinnon
T Koschel

Against the Amendment
D Tout
G Davies
R Kendall
A Parkins

The AMENDMENT on being put to the meeting was LOST.

23/308 RESOLVED:
On the Motion of Councillors A Parkins and J McKinnon

That Council:

- a note the information in the report regarding a possible algae treatment for Lake Albert**
- b consider funding a trial of the algae treatment in the February 2024 Councillor budget workshop, in conjunction with other budget considerations**
- c note that the expected potential future operating costs are likely to exceed \$1,000,000 annually for the algae treatment and pipeline, excluding any costs attributable to the pipeline construction**
- d note that these operational costs would require the identification of a funding source that could include a special rate variation**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion
R Foley

RP-2 WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 AMENDMENT 27 - ADMINISTRATIVE AND POLICY POSITION REVIEW

23/309 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a note the submissions received in relation to the proposed ‘Wagga Wagga Development Control Plan 2010 Amendment 27 – Administrative and Policy Position Review’ during the exhibition period from 27 October 2023 to 23 November 2023**
- b adopt the ‘Wagga Wagga Development Control Plan Amendment 27 – Administrative and Policy Position Review’ as exhibited, and as set out in the attachment to this report, with a commencement date of:**
 - i For all sections other than ‘Section 1.10 Notification of a Development Application’, 22 January 2024, in accordance with Clause 1.6A of the Wagga Wagga Development Control Plan 2010**
 - ii For Section 1.10 Notification of a Development Application, upon adoption by Council of a Community Participation Plan**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-3 - DA22/0009 - Alterations and Additions to existing pub (Sportsmens Club Hotel), 107 Kincaid Street, Wagga Wagga was moved forward to follow the Public Discussion Forum.

RP-4 PETITION - REMOVAL OF NAME PLAQUES AND SIGNAGE

23/310 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a receive and note the petition**
- b note that Council already can remove names and signs from open space areas via the Parks Naming Policy (POL 055)**
- c receive a further report following a review of the Plaques Naming Policy (POL 028)**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-5 MARRAMBIDYA WETLAND PLAN OF MANAGEMENT

23/311 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a endorse submitting the Draft Marrambidya Wetland Plan of Management to the NSW Department of Planning and Environment (DPE) for review**
- b endorse the Draft Marrambidya Wetland Plan of Management to be placed on public exhibition for a period of 42 days once approved by NSW DPE**
- c note that the proposed additional annual maintenance budget outlined in the financial implications section of this report will be considered during the draft 2024/25 Long Term Financial Plan process**
- d receive a further report following public exhibition period detailing submissions**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-6 - LAKE ALBERT WATER QUALITY AND SUPPLY was moved forward to follow the Public Discussion Forum.

RP-7 RESPONSE TO NOTICE OF MOTION - CALL FOR A TRIAL AND DEMONSTRATION TO FIX POTHOLES PROPERLY AND FAST

A Motion was moved by Councillor R Foley and Councillor J McKinnon

That Council:

- a receive and note the report
- b engage Roadworx Industries to wet-hire a Pot-Hole Pro machine for a two week demonstration
- c receive a further report following the demonstration that provides an evaluation of this machine against Councils current pothole filling and repair practices

An AMENDMENT was moved by Councillor G Davies and seconded by Councillor A Parkins

That Council:

- a receive and note the report
- b engage Roadworx Industries to wet-hire a Pot-Hole Pro machine for a minimum one week demonstration
- c receive a further report following the demonstration that provides an evaluation of this machine against Councils current pothole filling and repair practices

RECORD OF VOTING ON THE AMENDMENT

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

Against the Amendment

The AMENDMENT on being put to the meeting was carried and became the motion.

23/312 RESOLVED:

On the Motion of Councillors G Davies and A Parkins

That Council:

- a receive and note the report
- b engage Roadworx Industries to wet-hire a Pot-Hole Pro machine for a minimum one week demonstration
- c receive a further report following the demonstration that provides an evaluation of this machine against Councils current pothole filling and repair practices

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-8 RESPONSE TO NOTICE OF MOTION - SPECIAL EVENTS AND VICTORY MEMORIAL GARDENS

23/313 RESOLVED:

On the Motion of Councillors R Kendall and G Davies

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-9 FACILITY ADDITIONAL FEES & CHARGES

23/314 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a place the following new fees and charges on public exhibition for an extended period from 30 November 2023 to 31 January 2024**

Estella Community Centre			
Fee and Charge Description	2023/24 Fee (exclusive of GST)	GST	2023/24 Fee (inclusive of GST)
Meeting Room - 4 hours (Weekdays)	\$59.09	\$5.91	\$65.00
Meeting Room - 4 hours (Weekends and Public Holidays)	\$68.18	\$6.82	\$75.00
Meeting Room - 8 hours (Weekdays)	\$118.18	\$11.82	\$130.00
Meeting Room - 8 hours (Weekends and Public Holidays)	\$136.36	\$13.64	\$150.00
Community & Not For Profit Group	50% reduction in hire rates		
School Hall - 2 hours (Weekdays)	\$36.36	\$3.64	\$40.00
School Hall - 4 hours (Weekends and Public Holidays)	\$90.91	\$9.09	100.00
Community & Not For Profit Group	50% reduction in hire rates		
Duke of Kent Community Centre			
Fee and Charge Description	2023/24 Fee (exclusive of GST)	GST	2023/24 Fee (inclusive of GST)
Half Meeting room - 4 hours (Weekdays)	\$45.45	\$4.55	\$50.00
Half Meeting room - 4 hours (Weekends and Public Holidays)	\$54.55	\$5.45	\$60.00
Half Meeting room - 8 hours (Weekdays)	\$81.82	\$8.18	\$90.00
Half Meeting room - 8 hours (Weekends and Public Holidays)	\$100.00	\$10.00	\$110.00
Full Meeting room - 4 hours (Weekdays)	\$90.91	\$9.09	\$100.00
Full Meeting room - 4 hours (Weekends and Public Holidays)	\$109.09	\$10.91	\$120.00
Full Meeting room - 8 hours (Weekdays)	\$163.34	\$16.36	\$180.00

Full Meeting room - 8 hours (Weekends and Public Holidays)	\$200.00	\$20.00	\$220.00
Community & Not For Profit Group	50% reduction in hire rates		
McPherson Oval Sportsground Lighting			
Fee and Charge Description	2023/24 Fee (exclusive of GST)	GST	2023/24 Fee (inclusive of GST)
McPherson Oval training (100 lux) lighting fee (per hour)	\$14.28	\$1.43	\$15.71
McPherson Oval competition (200 lux) lighting fee (per hour)	\$25.21	\$2.52	\$27.73
Oasis - Aqua/fitness classes			
Fee and Charge Description	2023/24 Fee (exclusive of GST)	GST	2023/24 Fee (inclusive of GST)
Casual Option – Yoga, Pilates, Salti and Hiit (per class)	\$18.18	\$1.82	\$20.00
Term Option (10 sessions)	\$163.34	\$16.36	\$180.00

- b invite public submissions on the proposed new fees and charges until 31 January 2024**
- c receives a further report following the public exhibition period:**
 - i. Addressing any submission made in respect of proposed new fees**
 - ii. Proposing adoption of the new fees and charges unless there are any recommended amendments that will require a further public exhibition**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-10 FINANCIAL PERFORMANCE REPORT AS AT 30 NOVEMBER 2023

23/315 RESOLVED:

On the Motion of Councillors R Kendall and G Davies

That Council:

- a approve the proposed 2023/24 budget variations for the month ended 30 November 2023 and note the balanced budget position as presented in this report**
- b approve the proposed budget variations to the 2023/24 Long Term Financial Plan Capital Works Program including new projects and future year timing adjustments**
- c note the Responsible Accounting Officer’s reports, in accordance with the Local Government (General) Regulation 2021 (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 of 30 November 2023 in accordance with section 625 of the Local Government Act 1993**
- e approve the proposed budget variations to the 2023/24 Long Term Financial Plan Capital Works Program that were included in CONF-2 RFT2023-27 Bolton Park Sporting Precinct D&C Tennis Courts and Clubhouse at Ordinary Council held on Monday 20 November 2023**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-11 POL 075 - INVESTMENT POLICY

23/316 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a note the recommendation from the Audit, Risk and Improvement Committee to adopt the reviewed Investment Policy**
- b note only minor changes are proposed to POL 075 – Investment Policy**
- c adopt the revised POL 075 – Investment Policy given the minor changes**

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-12 PRESENTATION OF THE 2022/23 FINANCIAL STATEMENTS

23/317 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a receive the Audited Financial Statements, together with the Auditor’s Reports on the Financial Statements for the year ended 30 June 2023**
- b receive a further report if any public submissions are received**

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-13 2023 SALE OF LAND FOR UNPAID RATES - UPDATE ON PUBLIC AUCTION AND SALE PROCESS

23/318 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a note the results of the Sale of Land for Unpaid Rates Auction held on 28 October 2023**
- b pursuant to the Local Government (General) Regulation 2021 – Regs 131 (3) and 4(b), write off rates and charges of \$817.16 for the following property:**

Legal Description	Address	Name of Registered Owner
Lot 60 DP 239712	32 Tichborne Crescent Koorringal NSW 2650	Estate H E Williams

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-14 CODE OF CONDUCT STATISTICS

23/319 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council receive and note the Reporting Statistics on Code of Conduct Complaints about Councillors and the General Manager, in accordance with Part 11 of the Administrative Procedures of the Code of Conduct.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-15 PUBLIC INTEREST DISCLOSURE POLICY (POL 097)

23/320 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a note there was one submission received during the public exhibition period for the draft Public Interest Disclosure Policy (POL 097)**
- b adopt the Public Interest Disclosure Policy (POL 097)**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-16 RESOLUTIONS AND NOTICES OF MOTIONS REGISTERS

23/321 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council receive and note the following registers:

- a Active Resolutions as at 14 November 2023**
- b Active Notice of Motions as at 14 November 2023**
- c Resolutions including Notice of Motions completed from 17 October 2023 to 5 December 2023**

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-17 QUESTIONS WITH NOTICE

23/322 RESOLVED:
On the Motion of Councillors R Kendall and A Parkins

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	
M Henderson	
R Foley	
R Kendall	
T Koschel	
J McKinnon	
A Parkins	

COMMITTEE MINUTES

M-1 LOCAL TRAFFIC COMMITTEE MINUTES - 16 NOVEMBER 2023

23/323 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a receive the minutes of the Local Traffic Committee Meeting held on 16 November 2023**
- b note the Local Traffic Committee received and considered the Response to Notice Motion – Special Events and Victory Memorial Gardens report and recommended that no additional advice is required**
- c approve the installation of the following traffic controls on Fernleigh Road in accordance with a notice of development consent for DA22/0787 and as per Spotto Consulting Drawing Number 0195-01 Revision B**
 - i. a length of NO STOPPING zone on the northern side of Fernleigh Road from the intersection with Bourke Street to a point 45 metres west of the proposed exit driveway**
 - ii. a length of NO STOPPING zone on the northern side of Fernleigh Road, spanning 6 metres either side of the western most driveway entry to the new carpark**
 - iii. a length of NO STOPPING zone on the southern side of Fernleigh Road, Bourke Street to western side of the driveway at 124 Fernleigh Road**
 - iv. all signs to depict the following:**

**NO STOPPING
8AM – 9.30AM
2.30PM – 4PM
SCHOOL DAYS**
 - v. the words KEEP CLEAR be painted on the east bound lane of Fernleigh Road immediately outside the western driveway entry to the new carpark**
 - vi. a left turn only arrow sign (R2-14L) be installed on the northern side of Fernleigh Road at the exit driveway from the new carpark**
 - vii. the existing left turn only arrow sign (R2-14L) on the eastern most driveway out of the off-street school carpark remain and be raised in accordance with standards**
 - viii. the existing internal “Left Turn Only School Zone Times” advisory sign be removed, and**
 - ix. No Entry (R2-4A) signs be installed on the reverse side of the All Traffic Left Turn Only arrow signs at the two eastern exit driveways onto Fernleigh Road**

- d endorse the installation of the regulatory signs and line marking at the Intersection of Tasman Road and Edison Road, East Wagga Wagga as shown on Council Plan Registration C2168 Sheet 079 Revision A dated 10 November 2023
- e seek other avenues other than the installation of an 8 metre long No Parking zone centred evenly either side of the pedestrian ramp in front of 24 Bolton Street
- f endorse the installation of regulatory signs and line marking at the Brunskill Road and Birch Road intersection upgrade as per Infrastructure & Development Consulting (IDC) Drawing Number 21-040-CC-S1-C811 Revision F dated 11 September 2023
- g endorse the delineation of the Mobility Parking Scheme zone in the Council managed car park located on the northern side of Crampton Street immediately east of the intersection with Fitzmaurice Street, using standard R5-1-3 series “Parking – Disabled Only” signs in accordance with AS2890.6-2022 “Parking facilities – Off Street Parking for people with disabilities”
- h endorse the installation of regulatory line making and signage on the first 2.6km of Keajura Road off the Hume Motorway as per Council Plan Registration C2197 Sheets 001 to 003 Revision 1 dated 9 November 2023
- i endorse the installation of:
 - i. regulatory signage and line marking at the Muttama Parade/Ross Parkway roundabout, Gobbagombalin as per Council Plan Registration C2198 Sheet 001 Revision 2 dated 9 November 2023
 - ii. line marking at the Messenger Avenue/Bradman Drive roundabout, Boorooma as per Council Plan Registration C2198 Sheet 002 Revision 2 dated 9 November 2023
 - iii. line marking at the Watson Boulevard/Lingiari Drive roundabout, Lloyd as per Council Plan Registration C2198 Sheet 003 Revision 2 dated 9 November 2023
- j endorse the schedule of meeting dates for the next 12 months as outlined in the report

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

CLOSED COUNCIL

23/324 RESOLVED:
On the Motion of Councillors J McKinnon and A Parkins

That the Council now resolve itself into a Closed Council, the time being 9.15pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 PROPOSED RENEWAL OF COMMERCIAL LEASE - 57 DAMPIER STREET, BOMEN

23/325 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a delegate authority to the General Manager or their delegate to negotiate entry into a commercial lease agreement at 57 Dampier Street, Bomen (being Lot 23 DP 1227522) with Austrak Pty Ltd ACN 008 925 031 upon the terms noted in the body of this report**
- b delegate authority to the General Manager or delegate to execute all documents as required**
- c authorise the affixing of Council’s common seal to all documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

CONF-2 PROPOSED RENEWAL OF COMMERCIAL LEASE - 23 FITZHARDINGE STREET, WAGGA WAGGA

23/326 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a delegate authority to the General Manager or their delegate to enter into a Crown Lease agreement with Wagga Tigers Australian Football and Netball Club Incorporated over the land located at 23 Fitzhardinge Street, Wagga Wagga (being Lot 336 DP 1034475)**
- b delegate authority to the General Manager or their delegate to execute all documents as required**
- c authorise the affixing of Council’s common seal to all documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

CONF-3 RENEWAL OF LEASE AGREEMENT - 127 LORD BADEN POWELL DRIVE, TURVEY PARK

23/327 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a delegate authority to the General Manager or their delegate to exercise the option to renew Council’s lease from Wagga Wagga and District Historical Society Inc ABN 88 838 712 334 at 127 Lord Baden Powell Drive being Lot 1 DP 747896, known as the Museum of the Riverina**
- b delegate authority to the General Manager or their delegate to execute all documents as required**

- c authorise the affixing of Council’s common seal to all documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

CONF-4 EXPRESSION OF INTEREST OUTCOME REPORT - BOMEN LAND SALES

23/328 RESOLVED:
On the Motion of Councillors R Kendall and G Davies

That Council:

- a note the report and recommendations within the Expression of Interest Evaluation Report**
- b authorise the General Manager or delegate to enter negotiations with the parties as recommended in the Expression of Interest Evaluation Report**
- c authorise the General Manager or delegate to enter into contract of sale for Part Lot 11 DP 1223041 with the party noted in the body of this report**
 - i delegate authority to the General Manager or their delegate to execute any necessary documentation on behalf of Council**
 - ii authorise the affixing of Council’s Common Seal to documents relating to this matter as required**
- d authorise the General Manager or delegate to negotiate in principle contract terms from suitable purchasers of the unsold land parcels**
- e authorise the General Manager or delegate to extend Colliers International Pty Ltd engagement until December 2024 to market any remaining unsold land parcels in accordance with their existing contract terms**
- f receive a further report on any future proposed sales of the remaining lots within Lot 11 DP 1223041 the Riverina Intermodal Freight and Logistics (RIFL) Hub industrial subdivision for Council endorsement**
- g note the detail of the Financial Implications section of the report**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

CONF-5 RFT2024-01 WINNING & CRUSHING OF GRAVEL

23/329 RESOLVED:
On the Motion of Councillors G Davies and M Henderson

That Council:

- a accept the offer of EB Mawson and Son Pty Ltd (ABN: 14 004 519 617) for the winning and crushing of gravel in the schedule of rates submitted with their offer**
- b authorise the General Manager or their delegate to enter into a contract with EB Mawson and Son Pty Ltd (ABN: 14 004 519 617) for the winning and crushing of gravel**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

CONF-6 JUBILEE PARK ATHLETICS CENTRE PROJECTS - RFT2024-02, RFT2024-12 & RFT2024-14

Councillor A Parkins declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 9:21pm.

23/330 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a accept the offer of Polytan Asia Pacific Pty Ltd (ABN: 90 111 057 606) in the lump sum amount of \$3,854,056.35 for the Design and Construction of the Jubilee Park Athletics Centre (RFT2024-02) and in accordance with the terms identified within the body of the report**
 - i authorise the General Manager or their delegate to enter into a contract with Polytan Asia Pacific Pty Ltd (ABN: 90 111 057 606) for the Design and Construction of the Jubilee Park Athletics Centre in accordance with the terms identified within the body of the report**
- b decline all tenders for the delivery of Bulk Earthworks and Stormwater for the Jubilee Park Athletics Centre (RFT2024-12) in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2021**
 - i pursuant to clause 178(3)(e) of the Local Government (General Regulation) 2021, authorise the General Manager, or their delegate, to enter into negotiations with any person with the intention of entering into a contract for the Bulk Earthworks and Stormwater for the Jubilee Park Athletics Centre**
 - ii note that the reason for entering into negotiations is that a change to the scope of works is required following receipt of the design and construction tenders**
 - iii authorise the General Manager or their delegate to enter into a contract for Bulk Earthworks and Stormwater for the Jubilee Park Athletics Centre should the negotiation be successful within the parameters outlined within the body of the report**
- c accept the offer of JRC Electrical Services Pty Ltd (ABN: 11 600 156 349) in the lump sum amount of \$381,114 excluding GST for Lighting Design and Construction for the Jubilee Park Athletics Centre (RFT2024-14)**
 - i authorise the General Manager or their delegate to enter a contract with JRC Electrical Services Pty Ltd (ABN: 11 600 156 349) for Lighting Design and Construction for the Jubilee Park Athletics Centre**
- d authorise the affixing of Council’s common seal to all relevant documents as required**
- e approve the budget variations 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
- M Henderson
- R Foley
- R Kendall
- T Koschel
- J McKinnon

Councillor A Parkins re-entered the chamber, the time being 9:22pm.

CONF-7 RFT2024-07 REALIGN CATTLE DELIVERY RAMPS & SHEEP DRAFT RAMPS DESIGN & CONSTRUCTION LMC

Councillor G Davies declared a Significant Non-Pecuniary Interest vacated the chamber the time being 9:23pm.

23/331 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005, decline all tenders for the design and construction of the cattle delivery ramps and sheep draft ramps at the LMC**
- b pursuant to clause 178(3)(e) of the Local Government (General Regulation) 2005, authorise the General Manager, or their delegate, to enter into negotiations with any person with the intention of entering into a contract for the design and construction of the cattle delivery ramps and sheep draft ramps at the LMC**
- c note that the reason for entering into negotiations is that the tender bids submitted do not meet the available budget and modifications required cannot be undertaken without negotiation**
- d note the reason for not inviting fresh tenders is that it is expected negotiation will provide a satisfactory outcome**
- e authorise the General Manager or their delegate to enter into a contract for the design and construction of the cattle delivery ramps and sheep draft ramps at the LMC should the negotiation be successful**
- f authorise the affixing of Council’s common seal to all relevant documents as required**
- g 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
- M Henderson
- R Foley
- R Kendall
- T Koschel
- J McKinnon
- A Parkins

Councillor G Davies re-entered the chamber, the time being 9:24pm.

CONF-8 RFQ2024-509 ATP3 DETAILED DESIGN

23/332 RESOLVED:
 On the Motion of Councillors R Kendall and G Davies

That Council:

- a accept the offer of Westlake Punnet and Associates Pty Ltd (ABN: 38 120 322 536) in the lump sum amount of \$739,200 excluding GST for the provision of detailed plans for Active Travel Plan 3**
- b authorise the General Manager or his delegate to enter a contract with Westlake Punnet and Associates Pty Ltd (ABN: 38 120 322 536) for the provision of detailed design plans for Active Travel Plan 3**
- c authorise the affixing of Council’s Common Seal to all relevant documents as required**
- 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

Against the Motion

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

REVERSION TO OPEN COUNCIL

23/333 RESOLVED:
On the Motion of Councillors J McKinnon and R Kendall

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 9.24pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 9.28pm.

.....
MAYOR