

PRESENT

The Mayor, Councillor Dallas Tout
Councillor Georgie Davies
Councillor Michael Henderson
Councillor Richard Foley
Councillor Rod Kendall
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)
Project Director Regulatory Planning Reform	(Ms R Fox)
Manager Corporate Governance & Performance	(Mr D Galloway)
Property Coordinator	(Mr M Dombrovski)
Manager City Growth & Regional Assets	(Mr B Creighton)
Contributions Coordinator	(Mrs B McClure)
Strategic Planning Coordinator	(Ms L Hawkins)
Strategic Planner	(Ms C Boyd)
Corporate Governance & 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

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

LEAVE OF ABSENCE

Council noted that Leave of Absence was granted on 13 May 2024 to Councillor T Koschel for this meeting.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 13 MAY 2024

24/132 RESOLVED:
On the Motion of Councillors J McKinnon and G Davies

That the Minutes of the proceedings of the Ordinary Council Meeting held on 13 May 2024 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
J McKinnon
A Parkins

Against the Motion

DECLARATIONS OF INTEREST

Councillor R Kendall declared a Non-Significant Non-Pecuniary Interest in RP-4 - MICHAEL SLATER OVAL the reason being that he has a connection with the Slater family and remained in the chamber during its consideration.

Councillor R Kendall declared a Significant Non-Pecuniary Interest in CONF-2 - RFT2024-23 ROAD PAVEMENT MATERIALS SUPPLY the reason being a part owner of one of the tenderers is a business associate of his and vacated the chamber during its consideration.

PROCEDURAL MOTION - ENGLOBO

24/133 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

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-1, RP-6, RP-7, M-1, CONF-1, CONF-3 and CONF-4 be adopted as recommended in the business papers.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

PUBLIC DISCUSSION FORUM

RP-2 - NORTH WAGGA FLOOD MITIGATION OPTIONS

- Michael Friend - Speaking in favour of the Recommendation (via Zoom)
- Shaun Tipping – Speaking in favour of the Recommendation

RP-4 - MICHAEL SLATER OVAL

- Steven Dale – Speaking in favour of the Recommendation

PROCEDURAL MOTION - CHANGE STANDING ORDERS

24/134 RESOLVED:
On the Motion of Councillors J McKinnon and R Foley

That Council move forward consideration of RP-2 - NORTH WAGGA FLOOD MITIGATION OPTIONS & RP-4 - MICHAEL SLATER OVAL to follow the Public Discussion Forum.

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

REPORTS FROM STAFF

RP-2 NORTH WAGGA FLOOD MITIGATION OPTIONS

24/135 RESOLVED:
On the Motion of Councillors R Kendall and A Parkins

That Council receive and accept the CIE Final Report Flood Mitigations Options for North Wagga and implements the following approach that is staged and includes:

- a Stage 1 - Upgrading the existing North Wagga Levee system (Stage 1 of L4B - 5% AEP (1 in 20)) and offering Voluntary House Raising and Purchase subject to risk reduction and cost effectiveness. This process will include a Review of Environmental Factors but exclude a Biodiversity Development Assessment Report for this particular stage.**
- b Stage 2 - note that the cost of Stage 2 of option L4B is currently prohibitive and that Stage 2 of option L4B, being increasing the road heights and bridges along Hampden Ave to provide a safe evacuation route, be considered in the future subject to funding and approval processes. This future consideration may include alternate measures or new designs as outlined in 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
- J McKinnon
- A Parkins

RP-4 MICHAEL SLATER OVAL

24/136 RESOLVED:
On the Motion of Councillors J McKinnon and G Davies

That Council:

- a endorse the renaming of Michael Slater Oval**
- b call for nominations from community members and stakeholders for possible alternative names for consideration**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

- D Tout
- G Davies
- J McKinnon
- A Parkins

- M Henderson
- R Foley
- R Kendall

RP-1 DA23/0676 - MULTI DWELLING HOUSING (9 TWO STOREY ATTACHED DWELLINGS) INCLUDING VEHICLE MOVEMENT AREA AND CARPARKING - 251 EDWARD STREET, WAGGA WAGGA NSW 2650 (LOT 10 DP123)

24/137 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council approve DA23/0676 for Multi dwelling housing (9 two storey attached dwellings) including vehicle movement area and carparking at 251 Edward Street, Wagga Wagga NSW 2650 (Lot 10 DP123) subject to the conditions outlined in the Section 4.15 Assessment Report.

CARRIED

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

For the Motion

Against the Motion

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

RP-2 North Wagga flood mitigation options was moved forward to follow the public discussion forum.

RP-3 TOLLAND RENEWAL PROJECT

24/138 RESOLVED:
On the Motion of Councillors R Foley and R Kendall

That Council:

- a receive and note 29 submissions and two (2) petitions were received during the public exhibition period between 11 September 2023 to 24 October 2023 on the Tolland Concept Masterplan**
- b adopt the finalised Tolland Concept Masterplan**
- c provide in principle support for the proposed Planning Agreement in relation to the Tolland Renewal Project**
- d place the proposed Planning Agreement on public exhibition for a period of 28 days from 31 May 2024 to 28 June 2024 and invite submissions until 12 July 2024**
- e receive a further report following the exhibition and submission period:**
 - i addressing any submission made in respect of the proposed planning agreement; and**
 - ii recommending whether or not to enter into the proposed planning agreement**
- f approve dispensation from Council’s Developer Infrastructure Agreements Policy (POL 121) and allow one public exhibition period for the proposed planning agreement**
- g approve dispensation from Council’s Developer Infrastructure Agreements Policy (POL 121) in relation to the requirement of an unconditional bank guarantee**
- h note the updates provided on the acquisition of land, the State-Assessed Planning Proposal and the draft development controls**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-4 Michael Slater Oval was moved forward to follow the public discussion forum.

RP-5 MARRAMBIDYA WETLAND PLAN OF MANAGEMENT

24/139 RESOLVED:
On the Motion of Councillors J McKinnon and A Parkins

That Council:

- a receive and note this report**
- b endorse the amended draft Marrambidya Wetland Plan of Management to be placed on public exhibition for a period of 42 days from 31 May 2024 to 12 July 2024 and invite submissions until 12 July 2024 on the draft Document**
- c receive a further report following public exhibition and submission period;**
 - i addressing any submission made in respect of the draft Marrambidya Wetland Plan of Management and final approval from NSW Department of Planning, Housing and Infrastructure**
 - ii proposing adoption of the draft Marrambidya Wetland Plan of Management unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

RP-6 FINANCIAL PERFORMANCE REPORT AS AT 30 APRIL 2024

24/140 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a approve the proposed 2023/24 budget variations for the month ended 30 April 2024 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 April 2024 in accordance with section 625 of the Local Government Act 1993**

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	
J McKinnon	
A Parkins	

RP-7 REQUEST FOR FINANCIAL ASSISTANCE - SECTION 356

24/141 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the following organisations:**
 - i. Snowy Valleys Council - \$10,000.00**
- b note the proposed budget available for financial assistance requests for the remainder of the 2023/24 financial year**

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	
J McKinnon	
A Parkins	

RP-8 QUESTIONS WITH NOTICE

24/142 RESOLVED:
On the Motion of Councillors J McKinnon 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	
G Davies	
M Henderson	
R Foley	
R Kendall	
J McKinnon	
A Parkins	

COMMITTEE MINUTES

M-1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE - 15 MAY 2024

24/143 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council receive the minutes of the Floodplain Risk Management Advisory Committee Meeting held on 15 May 2024.

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 | |
| J McKinnon | |
| A Parkins | |

CLOSED COUNCIL

24/144 RESOLVED:
On the Motion of Councillors J McKinnon and R Foley

That the Council now resolve itself into a Closed Council, the time being 7.03pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 2023/24 LOAN FACILITY

24/145 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a authorise the General Manager or their delegate to enter into a Loan Facility with New South Wales Treasury Corporation for up to:
 - i \$1,182,684 to fund the project identified as part of Tranche 2 in the body of the report****
- b approve the change in funding source from external loan borrowings to internal loan borrowings to fund expenditure incurred in 2023/24 for the Pine Gully Rd Corridor Works – Pine Gully Rd/Avocet Dr/Cootamundra Blvd Roundabout project, listed as Tranche 1 in the body of the report**
- c authorise the affixing of Council’s Common Seal to all necessary documents as required**

CARRIED

RECORD OF VOTING ON THE MOTION

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

Against the Motion

CONF-2 RFT2024-23 ROAD PAVEMENT MATERIALS SUPPLY

Councillor R Kendall declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:03pm.

24/146 RESOLVED:
On the Motion of Councillors R Foley and G Davies

That Council:

- a accept the offers from the following tenderers for the supply of road pavement materials:
 - i. The Trustee for The Rocky Point Quarries Unit Trust (ABN:17 916 689 845) T/a Rocky Point Quarries****

- ii. Bald Hill Quarry Pty Ltd (ABN: 19 033 764 725)
 - iii. Burgess Earthmoving Pty Ltd (ABN: 82 002 974 496)
 - iv. EB Mawson Pty Ltd (ABN: 14 004 519 617)
- b authorise the General Manager or his delegate to enter into a contract for the supply of road pavement materials with:
- i. The Trustee for The Rocky Point Quarries Unit Trust (ABN:17 916 689 845) T/a Rocky Point Quarries
 - ii. Bald Hill Quarry Pty Ltd (ABN: 19 033 764 725)
 - iii. Burgess Earthmoving Pty Ltd (ABN: 82 002 974 496)
 - iv. EB Mawson Pty Ltd (ABN: 14 004 519 617)
- 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
 D Tout
 G Davies
 M Henderson
 R Foley
 J McKinnon
 A Parkins

Against the Motion

Councillor R Kendall re-entered the chamber, the time being 7:04pm.

CONF-3 RFT2021-11 HIRE FLEET, PLANT & EQUIPMENT REFRESH

24/147 RESOLVED:
 On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a accept the offers from those Tenderers outlined in Table 1 of the report for the supply of hired plant, fleet and equipment
- b authorise the General Manager, or their delegate to enter into Contracts for the supply of hired plant, fleet and equipment in accordance with the Tenderers identified in Table 1 within the report until 30 June 2025
- c authorise the General Manager or their delegate to extend the Contracts for the supply of hired plant, fleet and equipment for one 12-month periods at the sole discretion of Council
- 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
- J McKinnon
- A Parkins

**CONF-4 PROPOSED SALE OF LOT 18 WITHIN RIFL SUBDIVISION,
CURRENTLY KNOWN AS PART LOT 11 DP1223041**

24/148 RESOLVED:
On the Motion of Councillors R Kendall and J McKinnon

That Council:

- a authorise the General Manager or their delegate to enter into a contract for the sale of proposed Lot 18 DP 1295212 (currently Part Lot 11 DP 1223041) to Regional Growth NSW Development Corporation on the terms contained in this report**
- b authorise the affixing of Council’s common seal to all documents required to facilitate the sale**
- 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
- G Davies
- M Henderson
- R Foley
- R Kendall
- J McKinnon
- A Parkins

REVERSION TO OPEN COUNCIL

24/149 RESOLVED:
On the Motion of Councillors G Davies and R Foley

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 7.07pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7.10pm.

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MAYOR