

**PRESENT**

The Mayor, Councillor Dallas Tout  
Councillor Allana Condron  
Councillor Richard Foley  
Councillor Tim Koschel  
Councillor Jenny McKinnon  
Councillor Amelia Parkins  
Councillor Karissa Subedi  
Councillor Lindsay Tanner

**IN ATTENDANCE**

General Manager	(Mr P Thompson)
Director Community	(Ms J Summerhayes)
Director Infrastructure Services	(Mr H Pavitt)
Director City Engineering	(Mr W Faulkner)
Director Regional Activation	(Mr J Sidgwick)
Chief Financial Officer	(Mrs C Rodney)
Chief Operating Officer	(Mr S Gray)
Director Economy, Business & Workforce	(Mrs F Piltz)
Manager Corporate Governance & Performance	(Mr D Galloway)
Executive Manager, Regional Activation – Projects	(Mrs C Priest)
Manager Community Services	(Ms M Scully)
Community Development Coordinator	(Ms A Osgood)
Manager Development Assessment & Building Certification	(Mr C Collins)
Development Assessment Coordinator	(Mrs A Gray)
Manager City Growth & Regional Assets	(Mr B Creighton)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Ms L Magrath)
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.

**LEAVE OF ABSENCE**

Council noted that leave of absence was granted to Councillor Georgie Davies for 10 February 2025 by Council at its meeting on the 20 January 2025.

**CONDOLENCE AND SYMPATHY**

The Mayor, Councillor Dallas Tout extended condolences and sympathy to the family and friends of the late Uncle James Ingram and recognised his significant contribution to the City and the community. A moment of silence was observed for the passing of Uncle James Ingram.

**CONFIRMATION OF MINUTES**

**CM-1 CONFIRMATION OF MINUTES ORDINARY COUNCIL MEETING - 20 JANUARY 2025**

**25/019 RESOLVED:**  
On the Motion of Councillors R Foley and J McKinnon

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 20 January 2025 be confirmed as a true and accurate record.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- A Condron
- R Foley
- T Koschel
- J McKinnon
- A Parkins
- K Subedi
- L Tanner
- D Tout

**DECLARATIONS OF INTEREST**

Councillor J McKinnon declared a Significant Non-Pecuniary Interest in NOR-1 NOTICE OF RESCISSION – PROTECTING AGRICULTURAL LAND & LOCAL COMMUNITIES WHILST PLANNING FOR SUSTAINABLE SOLAR DEVELOPMENT the reason being that she holds a position on the Southern Regional Planning Panel and vacated the chamber during its consideration.

Councillor A Parkins declared a Significant Non-Pecuniary Interest in NOR-1 NOTICE OF RESCISSION – PROTECTING AGRICULTURAL LAND & LOCAL COMMUNITIES WHILST PLANNING FOR SUSTAINABLE SOLAR DEVELOPMENT the reason being that she holds a position on the Southern Regional Planning Panel and vacated the chamber during its consideration.

Councillor A Condron declared a Non-Significant Non-Pecuniary Interest in NOR-1 NOTICE OF RESCISSION – PROTECTING AGRICULTURAL LAND & LOCAL COMMUNITIES WHILST PLANNING FOR SUSTAINABLE SOLAR DEVELOPMENT the reason being that she works for an agricultural dealership and remained in the chamber during its consideration.

Councillor A Condron declared a Significant Non-Pecuniary Interest in RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262 the reason being that she is a Board Member of the Ronald McDonald House Charities who receives donations from the applicant and vacated the chamber during its consideration.

Councillor T Koschel declared a Significant Non-Pecuniary Interest in RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262 the reason being that he is a Board Member of the Ronald McDonald House Charities who receives donations from the applicant and vacated the chamber during its consideration.

Councillor K Subedi declared a Non-Significant Non-Pecuniary Interest in RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262 the reason being that a family member previously worked for one of the directors of the project and remained in the chamber during its consideration.

Councillor L Tanner declared a Non-Significant Non-Pecuniary Interest in RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262 the reason being that he has a family member who lives within the vicinity of the development and remained in the chamber during its consideration.

Councillor L Tanner declared a Non-Significant Non-Pecuniary Interest in RP-4 REQUEST FOR FINANCIAL ASSISTANCE - SECTION the reason being that the applicant is known to him socially and remained in the chamber during its consideration.

Chief Operations Officer, Mr S Gray declared a Significant Non-Pecuniary Interest in RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262 the reason being that the owner of the development is a major sponsor of Wagga Basketball where he is a board member and he has a family member who lives in the vicinity of this development and vacated in the chamber during its consideration.

**PROCEDURAL MOTION - ENGLOBO**

**25/020 RESOLVED:**  
On the Motion of Councillors L Tanner 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 RP-2, RP-4, CONF-1 and CONF-2 be adopted as recommended in the business papers.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

<u>For the Motion</u>	<u>Against the Motion</u>
A Condron	
R Foley	
T Koschel	
J McKinnon	
A Parkins	
K Subedi	
L Tanner	
D Tout	

**PUBLIC DISCUSSION FORUM**

Councillors J McKinnon and A Parkins declared a Significant, Non-Pecuniary Interest and vacated the chamber the time being 6.10pm.

**NOR-1 NOTICE OF RESCISSION – PROTECTING AGRICULTURAL LAND & LOCAL COMMUNITIES WHILST PLANNING FOR SUSTAINABLE SOLAR DEVELOPMENT**

- Mr Max Lieschke – Speaking in Favour of the Report
- Dr James Masson – Speaking in Favour of the Report

Councillors J McKinnon and A Parkins re-entered the chamber the time being 6.20pm.

Councillors A Condron and T Koschel and Chief Operating Officer Mr S Gray declared a Significant, Non-Pecuniary Interest and vacated the chamber the time being 6.20pm.

**RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262**

- Mr David Hunter – Speaking in Favour of the Report
- Mr Sean O’Hara – Speaking in Favour of the Report

Councillors A Condron and T Koschel and Mr S Gray re-entered the chamber the time being 6.29.

**PROCEDURAL MOTION - CHANGE STANDING ORDERS**

**25/021 RESOLVED:**  
On the Motion of Councillors L Tanner and R Foley

**That Council move forward consideration the reports below to follow the Public Discussion Forum:**

- **NOR-1 NOTICE OF RESCISSION – PROTECTING AGRICULTURAL LAND & LOCAL COMMUNITIES WHILST PLANNING FOR SUSTAINABLE SOLAR DEVELOPMENT**
- **RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
A Condron  
R Foley  
T Koschel  
J McKinnon  
A Parkins  
K Subedi  
L Tanner  
D Tout

Against the Motion

**NOTICE OF MOTION OF RESCISSION**

**NOR-1 NOTICE OF RESCISSION – PROTECTING AGRICULTURAL LAND & LOCAL COMMUNITIES WHILST PLANNING FOR SUSTAINABLE SOLAR DEVELOPMENT**

Councillors J McKinnon and A Parkins declared a Significant, Non-Pecuniary Interest and vacated the chamber the time being 6.29pm.

**25/022 RESOLVED:**  
On the Motion of Councillors R Foley and T Koschel

**That Council:**

**a rescinds Resolution No. 25/006 from the 20 January 2025 Ordinary Council Meeting, which reads as follows:**

**That Council receive a report:**

- a investigating the establishment of a Reference Group that could include relevant stakeholders such as farmers, energy experts, state planning authorities, and the Department of Planning and Environment**
- b detailing options for a framework for Electricity Generating Works that may include:
  - i draft provisions for a policy to guide development for any 'Electricity Generating Works' in the Wagga LGA**
  - ii decommissioning plans and rehabilitation of the site and land restoration when the energy generation use ends****
- c identifying partnerships and investment opportunities with companies focused on solar waste management, circular design, decommissioning and rehabilitation suitable for the Special Activation Precinct**

**b recognises wide community concerns within the Wagga Wagga LGA and the broader Riverina about large-scale solar energy generation (solar farm) developments on prime agricultural land, including arable farmland and quality livestock-grazing areas**

**c receives a report within two months that outlines the legal avenues available (if any) for Council to:**

- i protect high-quality agricultural land, including land verified as Land and Soil Capability (LSC) classes 1 to 3 or Biophysical Strategic Agricultural Land (BSAL), by prohibiting any use other than agriculture, explicitly excluding solar energy generation works or any other non-agricultural development, regardless of impact mitigation measures**
- ii include safeguards such as mandatory decommissioning plans and rehabilitation of the site and financial guarantees (e.g., bonds) to**

- cover the costs of land restoration when the energy generation use ends
  - iii prioritise solar installations on rooftops, car parks, and marginal land, aligning with state renewable energy targets
  - d in addition, the report should also include any advocacy required to amend state legislation, policy or guidelines to further protect prime agricultural land and have a consistent approach to assessing solar energy generation applications regardless of the scale of the development
- CARRIED**

**RECORD OF VOTING ON THE MOTION**

<u>For the Motion</u> A Condron R Foley T Koschel K Subedi L Tanner D Tout	<u>Against the Motion</u>
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Councillors J McKinnon and A Parkins re-entered the chamber the time being 6.41pm.

**REPORTS FROM STAFF**

**RP-1 DA23/0674 - PUB, BOTTLE-SHOP AND FUNCTION CENTRE WITH ASSOCIATED CAR-PARKING - 77 AVOCET DRIVE, ESTELLA, LOT 1485 DP1294262**

Councillors A Condron and T Koschel and Chief Operating Officer Mr S Gray declared a Significant, Non-Pecuniary Interest and vacated the chamber the time being 6.49pm.

A MOTION was moved by Councillors L Tanner and R Foley

That Council approve DA23/0674 for a new pub at 77 Avocet Drive, Estella, (Lot 1485 DP 1294262) subject to the conditions contained within the s4.15 Assessment Report with the following amended condition:

*C.52 - The approved use must only be conducted between the hours of 10.00 am and 3.00 am on any day.*

An AMENDMENT was moved by Councillor J McKinnon and seconded by the Mayor, Councillor D Tout

That Council approve DA23/0674 for a new pub at 77 Avocet Drive, Estella, (Lot 1485 DP 1294262) subject to the conditions contained within the s4.15 Assessment Report with the following amended condition:



*C.52 - The approved use must only be conducted between the hours of 10.00 am and 1.00 am on any day subject to the reviewable condition elsewhere in this consent*

*The reviewable condition to provide that the use may be conducted between the hours of 10.00 am and 3.00 am on any day for a period of 24 months*

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

For the Amendment

J McKinnon  
A Parkins  
D Tout

Against the Amendment

R Foley  
K Subedi  
L Tanner

With the vote being tied three all, the Mayor used his casting vote for the amendment. The AMENDMENT became the MOTION.

**25/023 RESOLVED:**

On the Motion of Councillor J McKinnon and the Mayor, Councillor D Tout

**That Council approve DA23/0674 for a new pub at 77 Avocet Drive, Estella, (Lot 1485 DP 1294262) subject to the conditions contained within the s4.15 Assessment Report with the following amended condition:**

*C.52 - The approved use must only be conducted between the hours of 10.00 am and 1.00 am on any day subject to the reviewable condition elsewhere in this consent*

*The reviewable condition to provide that the use may be conducted between the hours of 10.00 am and 3.00 am on any day for a period of 24 months*

**CARRIED**

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

For the Motion

J McKinnon  
A Parkins  
K Subedi  
L Tanner  
D Tout

Against the Motion

R Foley

Councillors A Condron and T Koschel and Mr S Gray re-entered the chamber the time being 7.21pm.

**MAYORAL MINUTE**

**MM-1 MAYORAL MINUTE - SISTER CITY ACTIVITES**

**25/024 RESOLVED:**  
On the Motion of The Mayor, Councillor D Tout

**That Council:**

- a appoint the Mayor and the General Manager to lead a delegation to attend the 2025 Historic Wall Festival in Nördlingen from 12 September to 14 September 2025**
- b delegate authority to the Mayor and General Manager to enter into negotiations for a Memorandum of Understanding (MOU) with the Nördlingen Manufacturing company referred to in this report during the 2025 festival**
- c call for expressions of interest from Councillors and community members who are interesting in attending Nördlingen as part of the delegation**
- d endorse paying economy return airfares and any reasonable incidental expenses for the Mayor and General Manager only for the visit to Nördlingen**
- e provide in principle support in hosting a delegation from the City of Leavenworth in 2025**
- f call for expressions of interest from community members seeking to participate in the Sister City Working Group**
- g approve the draft Terms of Reference for the Sister City Working Group**
- h authorise the Mayor in conjunction with the Sister City Working Group to finalise the Terms of Reference for the Working Group**
- i approve the budget variation as detailed in the Financial Implications section of the report**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
A Condron  
R Foley  
T Koschel  
J McKinnon  
A Parkins  
K Subedi  
L Tanner  
D Tout

Against the Motion

**RP-2 PROPOSED PLANNING AGREEMENT TOLLAND RENEWAL PROJECT**

**25/025 RESOLVED:**  
On the Motion of Councillors L Tanner and T Koschel

**That Council:**

- a notes there were no further submissions received relating to the draft deed and explanatory note during the second public exhibition period**
- b authorise the General Manager or their delegate to execute the planning agreement including the explanatory note and any other relevant documents on behalf of Council relating to the Tolland Estate Renewal Project**
- c authorise the affixing of the Wagga Wagga City Council common seal to all relevant documents as required**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
 A Condron  
 R Foley  
 T Koschel  
 J McKinnon  
 A Parkins  
 K Subedi  
 L Tanner  
 D Tout

Against the Motion

**RP-3 DRAFT COMMUNITY STRATEGIC PLAN - WAGGA WAGGA 2050 - PUBLIC EXHIBITION**

**25/026 RESOLVED:**  
On the Motion of Councillors J McKinnon and A Parkins

**That Council:**

- a place the draft Community Strategic Plan Wagga Wagga 2050 on public exhibition from Tuesday 11 February 2025 until Wednesday 12 March 2025 and invite public submissions during that period**
- b receive a further report following the public exhibition period:**
  - i addressing any submission made in respect of the draft Plan**
  - ii proposing adoption of the draft Plan 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

Against the Motion

- A Condron
- R Foley
- T Koschel
- J McKinnon
- A Parkins
- K Subedi
- L Tanner
- D Tout

**RP-4      REQUEST FOR FINANCIAL ASSISTANCE - SECTION 356**

**25/027      RESOLVED:**  
On the Motion of Councillors L Tanner and T Koschel

**That Council:**

- a      in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the Rotary Shine Committee**
- b      note the proposed budget available for financial assistance requests for the remainder of the 2024/25 financial year**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- A Condron
- R Foley
- T Koschel
- J McKinnon
- A Parkins
- K Subedi
- L Tanner
- D Tout

**RP-5      RESPONSE TO NOTICE OF MOTION - FOREST HILL COMMUNITY HALL**

**25/028      RESOLVED:**  
On the Motion of Councillors T Koschel and A Condron

**That Council:**

- a      approve proceeding with the development of a concept plan for the proposed Forest Hill Community Hall and Amenities building**
- b      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

- A Condron
- R Foley
- T Koschel
- J McKinnon
- A Parkins
- K Subedi
- L Tanner
- D Tout

**RP-6      QUESTIONS WITH NOTICE**

**25/029      RESOLVED:**  
On the Motion of Councillors L Tanner and T Koschel

**That Council receive and note the report.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Against the Motion

- A Condron
- R Foley
- T Koschel
- J McKinnon
- A Parkins
- K Subedi
- L Tanner
- D Tout

**CONFIDENTIAL REPORTS**

**CONF-1 39 CURRAWANG DRIVE, SPRINGVALE DA22/0094.01 REQUEST TO DEFER INFRASTRUCTURE CONTRIBUTIONS**

**25/030 RESOLVED:**  
On the Motion of Councillors L Tanner and T Koschel

**That Council approve the deferral of the payment of Section 7.11 infrastructure contributions for DA22/0094.01 to a date not later than 30 June 2025, secured by an unconditional guarantee.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion  
A Condron  
R Foley  
T Koschel  
J McKinnon  
A Parkins  
K Subedi  
L Tanner  
D Tout

Against the Motion

**CONF-2 FUTURE SPORTING EVENT**

**25/031 RESOLVED:**  
On the Motion of Councillors L Tanner and T Koschel

**That Council:**

- a endorse the General Manager or their delegate to enter into an agreement with Tennis Australia to host the 2025 Tennis Women’s Pro Tour Tournament at the Jim Elphick Tennis Centre**
- b authorise the affixing of Council common seal to any relevant documents as required**
- c approve the budget variations as detailed in the Financial Implications of the report**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

- A Condron
- R Foley
- T Koschel
- J McKinnon
- A Parkins
- K Subedi
- L Tanner
- D Tout

Against the Motion

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7.47pm.

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MAYOR