

PRESENT

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

IN ATTENDANCE

General Manager	(Mr P Thompson)
Acting Director Community	(Mr M Gardiner)
Director Infrastructure Services	(Mr W Faulkner)
Chief Financial Officer	(Mrs C Rodney)
Chief Operating Officer	(Mr S Gray)
Manager Audit, Risk & Governance	(Ms I Hensley)
Manager Development Assessment & Building	
Certification (via remote attendance)	(Mr P O'Brien)
Senior Strategic Planner	(Mrs C Atkinson)
Property Coordinator	(Mr M Dombrowski)
Environmental Coordinator	(Mrs C Hood)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mrs M Schoonmaker)
Governance Officer	(Ms K West)

PRAYER

Almighty God,

Help protect our Mayor, elected Councillors and staff.

Help Councillors to govern with justice, integrity, and respect for equality, to preserve rights and liberties, to be guided by wisdom when making decisions and settling priorities, and not least of all to preserve harmony.

Amen.

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.

APOLOGIES

No apologies were received.

LEAVES OF ABSENCE

Council noted that Leave of Absence was granted to Councillor T Koschel for 11 April 2022 at the 21 March 2022 Council Meeting.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 21 MARCH 2022

22/106 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That the Minutes of the proceedings of the Ordinary Council Meeting held on 21 March 2022 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
R Kendall
J McKinnon
A Parkins

Against the Motion

DECLARATIONS OF INTEREST

Councillor R Kendall declared a Non-Significant Non-Pecuniary Interest in RP-1 DA21/0604 - MULTI LEVEL COMMERCIAL OFFICE & CARPARK the reason being that he has an interest in a commercial building that is located in the CBD and remained in the chamber during its consideration.

Councillor J McKinnon declared a Non-Significant Non-Pecuniary Interest in RP-4 RESPONSE TO PETITION BY CLIMATE RESCUE OF WAGGA INC, CLIMATE ACTION WAGGA AND WAGGA WAGGA FRIDAYS FOR FUTURE ON COMMUNITY NET ZERO EMISSIONS the reason being that she is involved with the community group and meets with them on a regular basis and remained in the chamber during its consideration.

Councillor A Parkins declared a Non-Significant Non-Pecuniary Interest in RP-4 RESPONSE TO PETITION BY CLIMATE RESCUE OF WAGGA INC, CLIMATE ACTION WAGGA AND WAGGA WAGGA FRIDAYS FOR FUTURE ON COMMUNITY NET ZERO EMISSIONS the reason being that she is involved with the community group and meets with them on a regular basis and remained in the chamber during its consideration.

Councillor D Hayes declared a Non-Significant Non-Pecuniary Interest in CONF-3 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS the reason being he received a political donation under the conflict of interest threshold and a person named in the report ran on his group ticket at the local government elections in 2021 and remained in the chamber during its consideration.

Councillor A Parkins declared a Non-significant Non-Pecuniary Interest in CONF-3 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS the reason being she received a political donation under the conflict of interest threshold and a person named in the report ran on his group ticket at the local government elections in 2021 and remained in the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

22/107 RESOLVED:

On the Motion of Councillors D Hayes and J McKinnon

That Council bring forward consideration of EnGlobo to precede the public discussion forum.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

PROCEDURAL MOTION - ENGLOBO

22/108 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

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-3, RP-6 to RP-14, M-1 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
R Kendall
J McKinnon
A Parkins

Against the Motion

PUBLIC DISCUSSION FORUM

RP-1 – DA21/0604 - MULTI LEVEL COMMERCIAL OFFICE & CAR PARK, LOT 7 DP 203835, LOT 1 DP 375748 AND LOT A DP 331461, 199-205 MORGAN STREET, WAGGA WAGGA, AND ADJACENT MORGAN STREET ROAD RESERVE

- Mr Chris Roche – Speaking against the report (in person)
- Mr Manuel Donebus – Speaking in favour of the report (in person)
- Mr Daniel Donebus - Speaking in favour of the report (in person)

RP-4 - RESPONSE TO PETITION BY CLIMATE RESCUE OF WAGGA INC, CLIMATE ACTION WAGGA AND WAGGA WAGGA FRIDAYS FOR FUTURE ON COMMUNITY NET ZERO EMISSIONS

- Dr William Adlong – Speaking in favour of the report (via Zoom)

RP-5 - RESPONSE TO NOTICE OF MOTION - COMMUNITY NET ZERO EMISSIONS TARGET

- Dr Gordon Murray – Speaking in favour of the report (in person)

PM-1 PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

22/109 RESOLVED:

On the Motion of Councillors J McKinnon and R Kendall

That Council bring forward consideration of the following reports to follow the public discussion Forum:

- **RP-1 - DA21/0604 - MULTI LEVEL COMMERCIAL OFFICE & CAR PARK, LOT 7 DP 203835, LOT 1 DP 375748 AND LOT A DP 331461, 199-205 MORGAN STREET, WAGGA WAGGA, AND ADJACENT MORGAN STREET ROAD RESERVE**
- **RP-4 - RESPONSE TO PETITION BY CLIMATE RESCUE OF WAGGA INC, CLIMATE ACTION WAGGA AND WAGGA WAGGA FRIDAYS FOR FUTURE ON COMMUNITY NET ZERO EMISSIONS**
- **RP-5 - RESPONSE TO NOTICE OF MOTION - COMMUNITY NET ZERO EMISSIONS TARGET**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-1 DA21/0604 - MULTI LEVEL COMMERCIAL OFFICE & CAR PARK, LOT 7 DP 203835, LOT 1 DP 375748 AND LOT A DP 331461, 199-205 MORGAN STREET, WAGGA WAGGA, AND ADJACENT MORGAN STREET ROAD RESERVE

22/110 RESOLVED:

On the Motion of Councillors D Hayes and A Parkins

That Council approve DA21/0604 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

Division

For the Motion

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

Against the Motion

G Davies
M Henderson

RP-4 RESPONSE TO PETITION BY CLIMATE RESCUE OF WAGGA INC, CLIMATE ACTION WAGGA AND WAGGA WAGGA FRIDAYS FOR FUTURE ON COMMUNITY NET ZERO EMISSIONS

22/111 RESOLVED:

On the Motion of Councillors J McKinnon and D Hayes

That Council:

- a receive and note the report**
- b endorse an interim community net zero emissions target of 50% reduction in community emissions by 2030 as detailed in this report**
- c develop a roadmap that outlines Councils role in the community achieving both the 2030 and 2050 net zero emissions targets**
- d endorse staff to facilitate 6 monthly forums comprising of representatives of relevant community and business groups with State Government agencies to discuss the approach to community net zero emissions**
- e approve the budget variation/s as detailed in the Financial Implications section of the report**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-5 RESPONSE TO NOTICE OF MOTION - COMMUNITY NET ZERO EMISSIONS TARGET

22/112 RESOLVED:

On the Motion of Councillors D Hayes and J McKinnon

That Council receive and note 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
R Kendall
J McKinnon
A Parkins

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - VETERAN'S EMPLOYMENT AT WAGGA WAGGA CITY COUNCIL

22/113 RESOLVED:

On the Motion of Councillors D Hayes and A Parkins

That Council:

- a receive a report detailing improvements to our recruitment processes, job vacancy notifications, website, and post application support with the aim to attract veterans to apply for positions at our council**
- b invite councils in the Riverina Joint Organisation and Canberra Joint Organisation to also consider improving their recruitment process to better attract veterans to job opportunities**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

REPORTS FROM STAFF

RP-1 DA21/0604 - Multi Level Commercial Office & Car Park, Lot 7 DP 203835, Lot 1 DP 375748 and Lot A DP 331461, 199-205 Morgan Street, Wagga Wagga, and Adjacent Morgan Street Road Reserve was moved forward to follow the Public Discussion Forum.

RP-2 WAGGA WAGGA CITY COUNCIL FINANCIAL ASSISTANCE TO RICHMOND TWEED REGIONAL LIBRARY SERVICE

22/114 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a donate \$5,000 to the Richmond Tweed Regional Library Service to support their recovery efforts from the recent flooding event in the Lismore area**
- b fund the donation as detailed in the financial implications section of this report**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-3 CORPORATE NET ZERO EMISSIONS 2040 STRATEGY

22/115 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a endorse the draft Corporate Net Zero Emission 2040 Strategy to be placed on public exhibition for a period of 28 days**
- b receive a further report summarising feedback and submissions**
- c approve 100% of the budgeted savings from the Power Purchase Agreement to be allocated to the Net Zero Emission Reserve**

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

RP-4 Response to Petition by Climate Rescue of Wagga Inc, Climate Action Wagga and Wagga Wagga Fridays For Future On Community Net Zero Emissions was moved forward to follow the Public Discussion Forum.

RP-5 Response to Notice of Motion - Community Net Zero Emissions Target was moved forward to follow the Public Discussion Forum.

RP-6 LAND SALES - RIFL INDUSTRIAL SUBDIVISION

22/116 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a note progress on the development of an industrial subdivision adjacent to the RIFL (Riverina Intermodal Freight and Logistics) intermodal terminal**
- b authorise the General Manager or delegate to proceed with the sale of lots in the industrial subdivision via the process that is set out in this report**
- c authorise the General Manager or delegate to seek any necessary approvals for the sale process from the Regional Growth NSW Development Corporation**
- d request a further report to be presented to Council on the outcomes of the sales process**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-7 ACQUISITION, DISPOSAL AND MANAGEMENT OF LAND POLICY

22/117 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a endorse the draft 'Acquisition, Disposal and Management of Land' Policy (POL 038)
- b place the draft 'Acquisition, Disposal and Management of Land' Policy (POL 038) on public exhibition for a period of 28 days from 13 April to 11 May 2022 and invite public submission until 11 May 2022 on the draft Policy
- c receive a further report following the public exhibition and submission period:
 - i Addressing any submissions made with respect to the proposed Acquisition, Disposal and management of Land Policy (POL 038)
 - ii Proposing adoption of the Policy 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
D Hayes
M Henderson
R Foley
R Kendall
J McKinnon
A Parkins

Against the Motion

RP-8 RELINQUISHMENT OF EASEMENT - 34 KOORINGAL ROAD, EAST WAGGA WAGGA

22/118 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a resolve to relinquish easement for the proposed eastern industrial levee over 34 Koorringal Road, East Wagga Wagga (Lot 72 in Deposited Plan 1149947)**
- b authorise the General Manager or their delegate to complete and execute any necessary documents on behalf of Council**
- 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
D Hayes
M Henderson
R Foley
R Kendall
J McKinnon
A Parkins

Against the Motion

RP-9 FINANCIAL PERFORMANCE REPORT AS AT 31 MARCH 2022

22/119 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a approve the proposed 2021/22 budget variations for the month ended 31 March 2022 and note the balanced budget position as presented in this report**
- b approve the proposed budget variations to the 2021/22 Long Term Financial Plan Capital Works Program including future year timing adjustments and new projects**
- c note the Responsible Accounting Officer's reports, in accordance with the Local Government (General) Regulation 2005 (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 at 31 March 2022 in accordance with section 625 of the Local Government Act 1993

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-10 COUNCILLORS AND MAYORAL REMUNERATION - LOCAL GOVERNMENT AMENDMENT BILL 2021

22/120 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a note the contents in Section 254B in the Local Government Amendment Bill 2021 regarding the ability for a Council to make payment of superannuation contributions to councillors
- b determine to pay superannuation to Wagga Wagga City Councillors at the superannuation guarantee rate

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-11 REQUESTS FOR FINANCIAL ASSISTANCE

22/121 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a in accordance with Section 356 of the Local Government Act 1993, provide financial assistance of \$105 to Southern Cross Austereo**
- b note the proposed budget available for financial assistance requests for the remainder of the 2021/22 financial year**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

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

RP-12 ADDITIONAL SPECIAL VARIATION (ASV) PROCESS FOR 2022/23

22/122 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council:

- a resolves to apply for a permanent Additional Special Variation (ASV) under Section 508(2) of the Local Government Act 1993 due to the significant impact from the reduced 2022/23 rate peg on Council's general purpose rate revenue**
- b if approved, will direct this additional ASV income as detailed in this report towards Council's future year budget deficits from the adopted 2021/22 Long Term Financial Plan**
- c has considered the impact of the ASV and deemed it is reasonable if approved for ratepayers and the community in 2022/23 and future years**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-13 COUNCILLORS' WRITTEN RETURNS OF INTEREST

22/123 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That the Register of Pecuniary Interest Returns, containing current returns of Councillors be tabled in accordance with Clause 4.21 of the Code of Conduct.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-14 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

22/124 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

COMMITTEE MINUTES

M-1 CONFIRMATION OF MINUTES AUDIT, RISK AND IMPROVEMENT COMMITTEE - 24 FEBRUARY 2022 AND MID-YEAR REPORT FOR 2021-22

22/125 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council endorses the recommendations contained in the minutes of the Audit, Risk and Improvement Committee Meeting held on 24 February 2022.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

QUESTIONS/BUSINESS WITH NOTICE

Councillor J McKinnon requested advice, if Council has any potential to access grants for a koala sanctuary on a reserve in Wagga Wagga, following the NSW State Government's announcement to spend \$193 million on a range of koala conservation measures including purchasing and restoring key habitat as part of its commitment to double the animals' numbers in the state by 2050.

Councillor M Henderson requested information including costs, if there is the ability to reduce crests along Dunns Road by 2 to 3 meters to improve visibility, as part of the works currently being undertaken on Dunns Road.

Councillor M Henderson requested a status update on proposals for the future land use at 1 Nelson Drive, Lake Albert.

Councillor M Henderson requested advice on if Council would approach Telstra, in relation to the companies call centres returning to Australia, and the possibility of promoting Wagga Wagga as site for one of the call centre's as previously located in Wagga Wagga.

Councillor D Hayes acknowledged and congratulated staff for their excellent work in supporting the successful Academy Games held in Wagga Wagga over the weekend, requesting that these thanks and appreciation be passed on to relevant staff.

Councillor R Foley requested feedback on traffic management planning to assist and address issues in Mortimer Place surrounding traffic attending the drive through coffee shop.

Councillor R Foley has been approached by various members running in the next Federal election, who have requested information on the availability of the Council Meeting Room and facilities to hold a 'Meet the Candidates' session including webcasting.

Councillor R Foley requested a computer generated traffic impact report outlining traffic implications and ramifications for level crossings for the inland rail project in particular the level crossing on Bourke Street.

CLOSED COUNCIL

22/126 RESOLVED:

On the Motion of Councillors R Kendall and D Hayes

That the Council now resolve itself into a Closed Council, the time being 7:24pm.

CARRIED

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

CONFIDENTIAL REPORTS

CONF-1 EXPRESSION OF INTEREST - RIVERSIDE FOOD VAN

22/127 RESOLVED:

On the Motion of Councillors G Davies and M Henderson

That Council:

- a authorise the General Manager or delegate to negotiate to enter into licence agreement with Carlos Zeidan (King Carlos Coffee) for the operation of the Riverside food van and the exclusive right to provide food and beverage services to the precinct for a period of 3 years**
- b authorise the General Manager or delegate to complete and execute any necessary documents on behalf of Council**
- c authorise the affixing of Council's common seal to any 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

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

Against the Motion

CONF-2 EXPRESSION OF INTEREST - SALE OF LAND AT COORADOOK STREET, NORTH WAGGA WAGGA

22/128 RESOLVED:

On the Motion of Councillors G Davies and J McKinnon

That Council:

- a endorse an Expression of Interest campaign for the sale of Lots 186 & 187 in Deposited Plan 751422 at Cooradook Street, North Wagga Wagga**
- b receive a further report on the completion of the Expression of Interest campaign**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

CONF-3 APPOINTMENT OF ADVISORY COMMITTEE MEMBERS

22/129 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council

a appoint community representatives to the following committees as contained in this report:

- Australia Day Community Committee
- Floodplain Risk Management Committee
- Museum of the Riverina Community Advisory Committee
- Major Events, Festivals and Films Sponsorship Advisory Panel
Public Art Panel

b recommend to the Museum of the Riverina Community Advisory Committee to consider co-opting an additional member and that the General Manager write to the committee in that regard

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

REVERSION TO OPEN COUNCIL

22/130 RESOLVED:

On the Motion of Councillors R Kendall and D Hayes

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8.19pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8.26pm

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MAYOR