

## **PRESENT**

The Mayor, Councillor Dallas Tout  
Councillor Georgie Davies  
Councillor Dan Hayes  
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)
Manager Environment & Regulatory Services	(Mr M Gardiner)
Strategic Asset Planner	(Mr B Creighton)
Manager Governance and Risk	(Ms I Hensley)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Property Coordinator	(Mr M Dombrovski)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mrs M Schoonmaker)
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.

## **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      ORDINARY COUNCIL MEETING - 19 SEPTEMBER 2022**

#### **22/330      RESOLVED:**

On the Motion of Councillors D Hayes and R Kendall

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 19 September 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  
T Koschel  
J McKinnon  
A Parkins

### Against the Motion

## **DECLARATIONS OF INTEREST**

Councillor T Koschel declared a Pecuniary Interest in NOM-1 NOTICE OF MOTION - ELECTRIC VEHICLE INFRASTRUCTURE IN THE WAGGA WAGGA LGA the reason being that he is working on a project through his employment in relation to the matter and vacated the chamber during its consideration.

Councillor T Koschel declared a Pecuniary Interest in NOM-2 NOTICE OF MOTION - POST OFFICE PEOPLES BANK the reason being that he is employed by a financial institution and vacated the chamber during its consideration.

Councillor T Koschel declared a Significant Non-Pecuniary Interest in RP-8 FINANCIAL PERFORMANCE REPORT AS AT 30 SEPTEMBER 2022 the reason being that he is employed by a financial institution and remained in the chamber during its consideration.

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-13 RENEWAL OF COMMUNITY, CULTURAL AND SPORTING LEASES AND LICENCES FOR 2023 the reason being the business of his family member sponsors some of the clubs listed in the report and remained in the chamber during its consideration.

Councillor R Kendall declared a Non-Significant Non-Pecuniary Interest in RP-3 DA22/0177 - ALTERATIONS AND ADDITIONS TO INCLUDE RETAIL PREMISES, LICENCED FUNCTION CENTRE AND RESTAURANT - LOT 1 DP 631019, 187 FITZMAURICE STREET, WAGGA WAGGA, NSW, 2650 the reason being he has had work related contact with the building designer for this project, in their normal place of employment, and remained in the chamber during its consideration.

Councillor M Henderson declared a Pecuniary Interest in RP-13 RENEWAL OF COMMUNITY, CULTURAL AND SPORTING LEASES AND LICENCES FOR 2023 the reason being that he has done work through his business, for organisations stated in the report and vacated the chamber during its consideration.

The Mayor, Councillor D Tout declared a Significant Non-Pecuniary Interest in RP-9 REQUESTS FOR FINANCIAL ASSISTANCE the reason being he is on the Committee for 'Relay for Life' committee and vacated the chamber during its consideration.

Chief Operating Officer, Mr S Gray declared a Significant Non-Pecuniary Interest in RP-4 DA22/0260 - CONSTRUCTION OF 3 X 2 STOREY DWELLINGS WITH DETACHED TRIPLE GARAGE AND 4 LOT COMMUNITY TITLE SUBDIVISION - LOT 8 DP 7850, 212 EDWARD ST WAGGA WAGGA NSW 2650 the reason being his primary residence is within close proximity of the development and vacated the chamber during its consideration.

### **PROCEDURAL MOTION - ENGLOBO**

#### **22/3321 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**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 CR-1, CR-2, RP-1, RP-4, RP-5, RP-8, RP-11, RP-12, RP-14, RP-16 to RP-18, M-2 and CONF-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  
T Koschel  
J McKinnon  
A Parkins

#### Against the Motion

### **PUBLIC DISCUSSION FORUM**

**RP-2 DA22/0029 - PROPOSED USE OF SITE FOR TEMPORARY EVENTS (20 PER YEAR) INCLUDING ADDITIONAL PARKING AREA AND USE OF EXISTING PERGOLA, AMENITIES BLOCK AND SHIPPING CONTAINER LOT 1 DP 829597, 85 HILLARY STREET, NORTH WAGGA, 2650**

- Rod Krause - Speaking in favour of the recommendation
- Lyn Strutt - Speaking in favour of the recommendation
- Kim Field - Speaking in favour of the recommendation
- Nicole Lofts - Speaking against the recommendation

**RP-3 DA22/0177 - ALTERATIONS AND ADDITIONS TO INCLUDE RETAIL PREMISES, LICENCED FUNCTION CENTRE AND RESTAURANT - LOT 1 DP 631019, 187 FITZMAURICE STREET, WAGGA WAGGA, NSW, 2650**

- Camila Rocks - Speaking in favour of the recommendation

**PROCEDURAL MOTION - CHANGE OF STANDING ORDERS**

**22/332 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-2 - DA22/0029 - PROPOSED USE OF SITE FOR TEMPORARY EVENTS (20 PER YEAR) INCLUDING ADDITIONAL PARKING AREA AND USE OF EXISTING PERGOLA, AMENITIES BLOCK AND SHIPPING CONTAINER. LOT 1 DP 829597, 85 HILLARY STREET, NORTH WAGGA, 2650**
- **RP-3 DA22/0177 - ALTERATIONS AND ADDITIONS TO INCLUDE RETAIL PREMISES, LICENCED FUNCTION CENTRE AND RESTAURANT - LOT 1 DP 631019, 187 FITZMAURICE STREET, WAGGA WAGGA, NSW, 2650**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

**RP-2 DA22/0029 - PROPOSED USE OF SITE FOR TEMPORARY EVENTS (20 PER YEAR) INCLUDING ADDITIONAL PARKING AREA AND USE OF EXISTING PERGOLA, AMENITIES BLOCK AND SHIPPING CONTAINER - LOT 1 DP 829597, 85 HILLARY STREET, NORTH WAGGA, 2650**

**22/333 RESOLVED:**

On the Motion of Councillors G Davies and J McKinnon

**It is recommended that Council refuse DA22/0029 for 'proposed use of site for temporary events (20 per year) including additional parking area and use of existing pergola, amenities block and shipping container' at Lot 1 DP 829597, 85 Hillary Street, North Wagga, 2650.**

**CARRIED**

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

For the Motion

D Tout  
D Hayes  
M Henderson  
R Foley  
R Kendall  
T Koschel  
J McKinnon  
A Parkins

Against the Motion

G Davies

**RP-3      DA22/0177 - ALTERATIONS AND ADDITIONS TO INCLUDE RETAIL PREMISES, LICENCED FUNCTION CENTRE AND RESTAURANT - LOT 1 DP 631019, 187 FITZMAURICE STREET, WAGGA WAGGA, NSW, 2650**

**22/334      RESOLVED:**

On the Motion of Councillors D Hayes and A Parkins

**That Council approve DA22/0177 for alterations and additions to include retail premises, licenced function centre and restaurant at Lot 1 DP 631019, 187 Fitzmaurice Street, Wagga Wagga, 2650 subject to the conditions outlined in the attached Section 4.15 Assessment Report.**

**CARRIED**

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

For the Motion

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

Against the Motion

## **MAYORAL MINUTES**

### **MM-1 MAYORAL MINUTE - ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ('RED FLEET') ASSETS**

#### **22/335 RESOLVED:**

On the Motion of The Mayor, Councillor D Tout

#### **That Council:**

- a writes to the local State Member Dr Joe McGirr MP, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:**
  - i Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;**
  - ii Advising of the impact of the Government's position on Council finances of this accounting treatment;**
  - iii Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Wagga Wagga City Council's financial statements;**
  - iv Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and**
  - v Amending s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils**
- b writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:**
  - i Advising Members of Wagga Wagga City Council's position, including providing copies of correspondence to NSW Government Ministers; and;**
  - ii Seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence**
- c writes to the Auditor General advising:**
  - i Council will not carry out RFS stocktakes on behalf of the NSW Government, and will not record RFS assets in Wagga Wagga City Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial**

- Reporting provides for councils to determine whether or not they record the RFS assets as council assets, and;
- ii Council strongly disagrees with the modified audit opinion expressed by the Auditor General on Wagga Wagga City Council's 30 June 2022 General Purpose Financial Statements
- d promotes these messages via its digital and social media channels and via its networks
- e re-affirms its complete support of and commitment to local RFS brigades noting that Wagga Wagga City Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities
- f affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about the accounting treatment of RFS assets

**CARRIED**

#### **RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

#### **MM-2 MAYORAL MINUTE - LATE LGNSW CONFERENCE MOTION - SUBMISSION PERIOD FOR MAJOR DEVELOPMENTS**

**22/336 RESOLVED:**

On the Motion of The Mayor, Councillor D Tout

**That Council put the following motion to the Local Government NSW conference commencing 23 October 2022:**

**'That LGNSW advocate to the NSW state government that the current period of 28 days during which submissions must be made on state significant development and other major development projects be extended to 90 days.'**

**CARRIED**



## RECORD OF VOTING ON THE MOTION

### For the Motion

D Tout  
G Davies  
D Hayes  
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 - ELECTRIC VEHICLE INFRASTRUCTURE IN THE WAGGA WAGGA LGA**

Councillor T Koschel declared a Pecuniary Interest and vacated the chamber, the time being 7:24pm.

#### **22/337 RESOLVED:**

On the Motion of Councillors J McKinnon and R Foley

#### **That Council:**

- a requests that the General Manager write to the Chief Executive Officers' of national fuel providers and to local independent fuel retailers to request consideration of Wagga Wagga sites for electric vehicle fast charging options**
- b contacts relevant local businesses to encourage uptake of NSW Government funding for destination chargers in locations such as cinemas, shopping centres, and dining locales**

**CARRIED**

## RECORD OF VOTING ON THE MOTION

### For the Motion

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

### Against the Motion

M Henderson

**NOM-2 NOTICE OF MOTION - POST OFFICE PEOPLES BANK**

Councillor T Koschel declared a Pecuniary Interest and remained vacated from the chamber, the time being 7:58pm.

**22/338 RESOLVED:**

On the Motion of Councillors R Foley and J McKinnon

**That Council writes to the relevant Federal Minister expressing our concern about ongoing regional bank closures and request the Government to consider policies and programs such as Post Office people's bank or other options that will enable regional and rural communities suitable access to meet their banking needs.**

**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

Councillor T Koschel re-entered the chamber, the time being 8:11pm.

Councillor R Foley vacated the Chamber the time being 8:11pm.

Councillor R Foley re-entered the Chamber the time being 8:12pm.

## **COUNCILLOR REPORT**

### **CR-1 DELEGATE REPORT - 2022 NSW ANNUAL AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) CONFERENCE**

#### **22/339 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**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  
T Koschel  
J McKinnon  
A Parkins

### Against the Motion

### **CR-2 DELEGATE REPORT - TRANSPORT AND ACCESSIBILITY MASTERCLASS**

#### **22/340 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council receive and note report.**

**CARRIED**

## **RECORD OF VOTING ON THE MOTION**

### For the Motion

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

### Against the Motion

## **REPORTS FROM STAFF**

### **RP-1 PROPOSED PLANNING AGREEMENT 12 BLAKE STREET WAGGA WAGGA DA19/0125**

#### **22/341 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council decline the offer to enter into the proposed planning agreement in relation to DA19/0125.**

**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-2 - DA22/0029 - Proposed use of site for temporary events (20 per year) including additional parking area and use of existing pergola, amenities block and shipping container - Lot 1 DP 829597, 85 Hillary Street, North Wagga, 2650 was moved forward to follow the Public Discussion Forum.

RP-3 - DA22/0177 - Alterations and additions to include retail premises, licenced function centre and restaurant - LOT 1 DP 631019, 187 Fitzmaurice Street, Wagga Wagga, NSW, 2650 as moved forward to follow the Public Discussion Forum.

**RP-4      DA22/0260 - CONSTRUCTION OF 3 X 2 STOREY DWELLINGS WITH DETACHED TRIPLE GARAGE AND 4 LOT COMMUNITY TITLE SUBDIVISION - LOT 8 DP 7850, 212 EDWARD ST WAGGA WAGGA NSW 2650**

**22/342      RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council approve DA22/0260 for the construction of 3 x 2 storey dwellings with detached triple garage and 4 lot community title subdivision at 212 Edward Street, Wagga Wagga, NSW 2650 subject to the conditions outlined in the attached Section 4.15 Assessment Report.**

**CARRIED**

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

For the Motion

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

Against the Motion

**RP-5      REQUEST TO WAIVE SECTION 64 CONTRIBUTIONS AND DEVELOPMENT APPLICATION FEES FOR DA20/0724**

**22/343      RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a      refuse the request to waive Section 64 Sewer and Stormwater infrastructure contributions for DA20/0724 subject to the recommendations within the report**
- b      refuse the request to waive development application fees for DA20/0724 subject to the recommendations within the report**

**CARRIED**

## RECORD OF VOTING ON THE MOTION

### For the Motion

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

### Against the Motion

## RP-6 RIVERINA JOINT ORGANISATION (RIVJO) - ONE ORGANISATION OPTIONS' PAPER

### 22/344 RESOLVED:

On the Motion of The Mayor, Councillor D Tout and Councillor D Hayes

### That Council:

- a adopts Option 3 as outlined in this report as the preferred method for regional collaboration in the Riverina
- b in the event that the Riverina Joint Organisation (RIVJO) is placed into hiatus, receive a further report in relation to Council's method of engagement for regional collaboration

**CARRIED**

## RECORD OF VOTING ON THE MOTION

### For the Motion

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

### Against the Motion

Councillor D Hayes vacated the chamber, the time being 8:16pm.

Councillor D Hayes re-entered the chamber, the time being 8:17pm.

**RP-7 ANNUAL FINANCIAL STATEMENTS 2021/22**

**22/345 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a note the comments from the Audit, Risk & Improvement Committee Chairperson and the recommendation to Council from the Committee regarding the 2021/22 Financial Statements**
- b note that due to Council not having control over the Rural Fire Service assets, and therefore not recording Rural Fire Service assets in Council's financial statements, the NSW Audit Office have expressed a Modified Audit Opinion for the 2021/22 General Purpose Financial Statements**
- c approve the signing of the 2021/22 Financial Statements pursuant to Section 413 (2)(c) of the Local Government Act 1993 and the Local Government Code of Accounting Practice and Financial Reporting**
- d approve the closing balances of the Internal Allocations (Reserves) as at 30 June 2022 as detailed in Note C1-3 – Restricted and allocated cash, cash equivalents and investments**
- e receive a report on the audited financial reports and auditors report at the 21 November 2022 Council Meeting, pursuant to Section 418(1) of the Local Government Act 1993 and provide public notice accordingly**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

**RP-8 FINANCIAL PERFORMANCE REPORT AS AT 30 SEPTEMBER 2022**

**22/346 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a approve the proposed 2022/23 budget variations for the month ended 30 September 2022 and note the balanced budget position as presented in this report**
- b approve the proposed budget variations to the 2022/23 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 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 at 30 September 2022 in accordance with section 625 of the Local Government Act 1993**
- e accept the funding offer of \$358,050 from Transport for NSW for the Humula Road Blackspot works**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion



## **RP-9 REQUESTS FOR FINANCIAL ASSISTANCE**

The Mayor, Councillor D Tout declared a Significant Non-Pecuniary Interest and vacated the Chair and the chamber, the time being 8:23pm.

The Deputy Mayor, Councillor J McKinnon assumed the Chair, the time being 8.23pm.

### **22/347 RESOLVED:**

On the Motion of Councillors D Hayes and A Parkins

#### **That Council:**

- a in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the following groups:**
  - i. Riverina Conservatorium of Music - Christmas with the Con: \$445.00 (Request 1)**
  - ii. Department of Communities and Justice - Koorringal Clean Up: \$6,789.00 (Request 2)**
  - iii. Riverina Summer School for Strings - Grand Finale Concert: \$685.00 (Request 3)**
  - iii. Cancer Council - Wagga Relay for Life: Additional \$1,250.60 (Request 4)**
- b note the proposed budget available for financial assistance requests for the remainder of the 2022/23 financial year**

**CARRIED**

## **RECORD OF VOTING ON THE MOTION**

### For the Motion

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

### Against the Motion

The Deputy Mayor, Councillor J McKinnon vacated the Chair, the time being 8.28pm.

Councillor D Tout re-entered the chamber and assumed the Chair the time being 8:28pm.

**RP-10 DRAFT URBAN COOLING STRATEGY**

**22/348 RESOLVED:**

On the Motion of Councillors J McKinnon and D Hayes

**That Council:**

- a endorse the draft Urban Cooling Strategy to be placed on public exhibition for a period of 28 days from 18 October 2022 and invite public submissions during that period**
- b receive a further report following the public exhibition period:**
  - i addressing any submissions made in respect of the draft Strategy**
  - ii proposing adoption of the draft Strategy 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  
T Koschel  
J McKinnon  
A Parkins

Against the Motion

**RP-11 ALCOHOL-FREE ZONE AND PROHIBITED AREAS**

**22/349 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a support in principle the renewal of the Alcohol-Free Zone for four years from the expiry of the existing declaration on 22 February 2023 and place on public exhibition for a period of 28 days from 22 October 2022 to 21 November 2022 and invite public submissions**
- b support in principle that the area of the proposed Alcohol-Free Zone be bounded by and include the following streets and laneways on both sides:**

- Travers Street (between Trail and Fitzmaurice Streets)
- Fitzmaurice Street (between Travers and Sturt Streets)
- Cadell Place
- Tarcutta Street (between Sturt and Morrow Streets)
- Morrow Street (between Tarcutta and O'Reilly Streets)
- O'Reilly Street (between Morrow and Thompson Streets)
- Thompson Street (between O'Reilly and Berry Streets)
- Berry Street (between Thompson and Morgan Streets)
- Morgan Street (between the Skate Park and Fitzhardinge Street)
- Fitzhardinge Street (between Morgan and Edward Streets)
- Edward Street (between Fitzhardinge and Peter Streets)
- Flinders Street
- Station Place
- Peter Street (between Edward and Morrow Streets)
- Morrow Street (between Peter Street and Ivan Jack Drive)
- Ivan Jack Drive (between The Esplanade and Johnson Street)
- Trail Street (between Johnson and Travers Streets)

c support in principle the continued prohibition of consumption of alcohol in:

- Victory Memorial Gardens and Wollundry Lagoon Amphitheatre between the hours of 10:00pm and 10:00am
- Tony Ireland Park at all times and
- Skate Park area at Bolton Park at all times

d note the area leased to food outlets for Alfresco Dining within the Alcohol-Free Zone are excluded whilst they are open for business where they have the necessary permission to serve alcohol

e invite submissions on the proposed renewal of the Alcohol-Free Zone from NSW Police Service and licensees in or near the proposed zone

f consider a further report following the public exhibition and consultation period:

- i addressing any submission made in respect of the proposal
- ii outlining any amendments to the proposal considered appropriate whether as a result of the public submissions or otherwise

**CARRIED**

## **RECORD OF VOTING ON THE MOTION**

### For the Motion

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

### Against the Motion

**RP-12 AMENDMENT TO WAGGA WAGGA LOCAL GOVERNMENT AREA  
BUSH FIRE PRONE LAND MAP**

**22/350 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a receive and note the report**
- b support the proposed changes made by the NSW Rural Fire Service in consultation with Council Staff**

**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  
T Koschel  
J McKinnon  
A Parkins

**RP-13 RENEWAL OF COMMUNITY, CULTURAL AND SPORTING LEASES  
AND LICENCES FOR 2023**

Councillor M Henderson declared a Pecuniary Interest and vacated the chamber, the time being 8:37pm.

**22/351 RESOLVED:**

On the Motion of Councillors A Parkins and D Hayes

**That Council:**

- a delegate authority to the General Manager or their delegate to negotiate and execute renewal of the community, cultural or sporting association lease and licence agreements as detailed in the body of this report**
- b 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  
R Foley  
R Kendall  
T Koschel  
J McKinnon  
A Parkins

### Against the Motion

Councillor M Henderson re-entered the chamber, the time being 8:38pm.

## RP-14 APPLICATIONS FOR SUBSIDY FOR WASTE DISPOSAL FOR CHARITABLE ORGANISATIONS

### 22/352 RESOLVED:

On the Motion of Councillors R Kendall and D Hayes

**That Council endorse the Annual 2022/23 Waste Disposal Subsidy for the total amount of \$1,000.00 for Sisters Housing Enterprises Inc.**

**CARRIED**

## RECORD OF VOTING ON THE MOTION

### For the Motion

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

### Against the Motion

**RP-15 CLOSED CIRCUIT TELEVISION (CCTV) POLICY (POL 058)**

**22/353 RESOLVED:**

On the Motion of Councillors R Kendall and R Foley

**That Council:**

- a note that there were no public submissions received during the exhibition period for the draft Closed-Circuit Television (CCTV) Policy (POL 058)**
- b adopt the Closed-Circuit Television (CCTV) Policy (POL 058) with the following change to the responsibilities of Wagga Wagga City Council under the policy provisions section:**

*Wagga Wagga City Council is the owner and operator of the public place CCTV scheme. Council has responsibility for securing funding, responsibility to consult with and inform the community, and responsibility for design, management, running costs, evaluation and audit activities.*

*The CCTV system provided will not be monitored live by Council. Council will maintain all equipment and will be responsible for recording images that can be used to assist NSW Police. Council does not install nor use facial recognition technology. It is acknowledged that from time to time equipment will fail and while every endeavour will be made to ensure that all equipment is functioning at all times Council cannot guarantee this.*

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

**RP-16 ADOPTION OF COUNCIL POLICIES**

**22/354 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a adopt the Code of Conduct and Procedures for the Administration of the Code of Conduct**
- b adopt the list of Council policies as outlined in the body of this report**
- c rescind the following policies:**
  - i Visitor Access to secure area of Council's Civic Centre Policy (POL 007)**
  - ii Livestock Marketing Centre - Quality Policy (POL 063)**
  - iii Welcome to Wagga Wagga Signs Policy (POL 071)**
- d note the ongoing review process and further consideration of identified policies outlined in the body 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  
T Koschel  
J McKinnon  
A Parkins

Against the Motion

**RP-17 WRITTEN RETURNS OF INTEREST - COUNCILLORS AND DESIGNATED PERSONS 2022**

**22/355 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That the Register of Pecuniary Interest Returns, containing current returns of Councillors and Designated Staff for the period 1 July 2021 to 30 June 2022 be tabled in accordance with Clause 4.21 of the Model 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  
T Koschel  
J McKinnon  
A Parkins

### Against the Motion

## RP-18 QUESTIONS WITH NOTICE

### 22/356 RESOLVED:

On the Motion of Councillors R Kendall and D Hayes

**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  
T Koschel  
J McKinnon  
A Parkins

### Against the Motion



## **COMMITTEE MINUTES**

### **M-1 TRAFFIC COMMITTEE - 8 SEPTEMBER 2022**

#### **22/357 RESOLVED:**

On the Motion of Councillors D Hayes and R Foley

#### **That Council:**

- a receive the minutes of the Local Traffic Committee Meeting held on 8 September 2022**
- b install KEEP CLEAR pavement markings on Tarcutta street adjacent to the entry/exit driveway to the Wagga Wagga Police Station**
- c approve the installation of regulatory traffic facilities on Byrnes Road, Bomen for Development Application Number 13/0219.02 as detailed on MJM Project Number 120341 Sheet C7 Issue E dated August 2022**
- d install an 18-metre length of NO PARKING zone on the southern side of Urana street across the driveway entry to the Wagga Veterinary Hospital utilising 2 x R40 signs installed five metres either side of the driveway**
- e note that the Committee supported centre of road parking but not in its current form. An alternate recommendation would be considered after investigation and presentation of an alternative concept that meets the required Australian Standards.**
- f note that the Local Traffic Committee endorse the installation of road markings on Red Hill Road between Bourke Street and Glenfield Drive as detailed on Council Plan Registration Number C2159 Sheet Number 003 Issue 5 dated 1 September 2022**

**CARRIED**

### **RECORD OF VOTING ON THE MOTION**

#### For the Motion

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

#### Against the Motion

**M-2 CONFIRMATION OF MINUTES AUDIT, RISK AND IMPROVEMENT COMMITTEE - 6 OCTOBER 2022**

**22/358 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council endorse the recommendations contained in the minutes of the Audit, Risk and Improvement Committee Meeting held on 6 October 2022.**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

**CLOSED COUNCIL**

**22/359 RESOLVED:**

On the Motion of Councillors J McKinnon and G Davies

**That the Council now resolve itself into a Closed Council, the time being 8.50pm.**

**CARRIED**

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

**CONFIDENTIAL REPORTS**

**CONF-1 CONTAINER DEPOSIT SCHEME (CDS) - REFUND SHARING ARRANGEMENT**

**22/360 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

**That Council:**

- a authorise the General Manager or their delegate to extend the Refund Sharing Agreement with Kurrajong Waratah (ABN 55 002 407 294) for a 12-month period beginning 1 January 2023 and ceasing 31 December 2023 according to the following refund sharing arrangement:**
  - i 60% Wagga Wagga City Council; and**
  - ii 40% Kurrajong Waratah (ABN 55 002 407 294)**
- b authorise the General Manager or their delegate to notify the Environmental Protection Agency (EPA) of the contract extension**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

**CONF-2 PROPOSED LICENCE AGREEMENT - PART SENIOR CITIZENS CENTRE, 204 TARCUTTA STREET, WAGGA WAGGA**

**22/361 RESOLVED:**

On the Motion of Councillors G Davies and D Hayes

**That Council:**

- a authorise the General Manager or their delegate to negotiate entry into a Licence Agreement with Visual Dreaming Pty Ltd (ACN 629 219 085) for part of the Senior Citizens Centre at 204 Tarcutta Street, Wagga Wagga (being part Lots 1 & 2 DP 1035833)**
- b authorise the affixing of the common seal to all relevant documents**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

**REVERSION TO OPEN COUNCIL**

**22/362 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 9.10pm.**

**CARRIED**

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 9.12pm.

.....  
MAYOR