

PRESENT

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

IN ATTENDANCE

General Manager	(Mr P Thompson)
Director Community	(Ms J Summerhayes)
Director Infrastructure Services	(Mr W Faulkner)
Director Strategy and Projects	(Mr P McMurray)
Director Regional Activation	(Mr J Sidgwick)
Chief Financial Officer	(Mrs C Rodney)
Chief Operating Officer	(Mr S Gray)
Executive Director - People & Culture	(Mrs F Piltz)
Manager Development Assessment & Building Certification	(Mr P O'Brien)
Manager Recreation & Economic Development	(Mr B Creighton)
Manager Environment & Regulatory Services	(Mr M Gardiner)
Strategic Sustainability Advisor	(Mrs C Hood)
Acting Manager Governance & Risk	(Mrs N Johnson)
Communications & Engagement Coordinator	(Mr M Casey)
Governance Officer	(Ms K West)

NOTICE TO MEETING

The proceedings of all Council meetings in open session, including all debate and addresses by the public, are recorded (audio visual) and livestreamed on Council's website including for the purpose of facilitating community access to meetings and accuracy of the Minutes.

In addition to webcasting council meetings, audio recordings of confidential sessions of Ordinary Meetings of Council are also recorded, but do not form part of the webcast.

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

ACKNOWLEDGEMENT OF COUNTRY

Wagga Wagga City Council acknowledges the traditional custodians of the land, the Wiradjuri people, and pays respect to Elders past, present and future and extends our respect to all First Nations Peoples in Wagga Wagga.

We recognise and respect their cultural heritage, beliefs and continuing connection with the land and rivers. We also recognise the resilience, strength and pride of the Wiradjuri and First Nations communities.

REFLECTION

Councillors, let us in silence reflect upon our responsibilities to the community which we represent, and to all future generations and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

APOLOGIES

No apologies were received.

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 6 NOVEMBER 2023

23/287 RESOLVED:

On the Motion of Councillors T Koschel and R Foley

That the Minutes of the proceedings of the Ordinary Council Meeting held on 6 November 2023 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

DECLARATIONS OF INTEREST

Councillor T Koschel declared a Non-Significant Non-Pecuniary Interest in RP-3 FINANCIAL PERFORMANCE REPORT AS AT 31 OCTOBER 2023 the reason being that he works for a financial organisation and remained in the chamber during its consideration.

Councillor R Kendall declared a Pecuniary Interest in RP-1 DA22/0346.01 - SERVICE STATION AND TWO LOT SUBDIVSION (BOUNDARY ADJUSTMENT) - MINOR AMENDMENTS, INCLUDING TO CANOPY, SHOP FLOORPLAN, AND SITE LAYOUT, AND ALTERATION TO THE TIMING OF SATISFACTION FOR HIGHWAY WORKS DETAILS WITH TRANSPORT FOR NSW the reason being, he has an ownership interest in the property and vacated the chamber during its consideration.

Councillor R Kendall declared a Non-Significant Non-Pecuniary Interest in RP-4 PROPOSED ASSIGNMENT OF SUBLEASE - LIGHT AIRCRAFT PRECINT HANGAR 7, WAGGA WAGGA AIRPORT the reason being, he has an interest in a similar hanger lease. This sublease assignment has no effect on that lease and there is no direct relationship with any of the interested parties and remained in the chamber during its consideration.

Councillor G Davies declared a Significant Non-Pecuniary Interest in RP-1 DA22/0346.01 - SERVICE STATION AND TWO LOT SUBDIVSION (BOUNDARY ADJUSTMENT) - MINOR AMENDMENTS, INCLUDING TO CANOPY, SHOP FLOORPLAN, AND SITE LAYOUT, AND ALTERATION TO THE TIMING OF SATISFACTION FOR HIGHWAY WORKS DETAILS WITH TRANSPORT FOR NSW the reason being, a member of her family is a Director of Wollundry Investments and vacated the chamber during its consideration.

Councillor G Davies declared a Non-Significant Non-Pecuniary Interest in RP-4 PROPOSED ASSIGNMENT OF SUBLEASE - LIGHT AIRCRAFT PRECINT HANGAR 7, WAGGA WAGGA AIRPORT the reason being, a member of her family has a sublease on a hangar at the Wagga airport and remained in the chamber during its consideration.

PROCEDURAL MOTION - ENGLOBO

23/288 RESOLVED:

On the Motion of Councillors T Koschel 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-4, CONF-1 to 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
T Koschel
J McKinnon
A Parkins

Against the Motion

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NOM-1 NOTICE OF MOTION - ENDOMETRIOSIS AWARENESS - ENDO ENLIGHTEN PROGRAM

23/289 RESOLVED:

On the Motion of Councillors A Parkins and T Koschel

That Council:

- a receive a report to the first meeting in February 2024 identifying opportunities for Council to participate in Endometriosis Australia's Endo Enlightened campaign, including suitable locations for a display of yellow lights across the month of March 2024**
- b provide a workshop for Councillors identifying:**

- i options for upgrades or installation of base infrastructure to facilitate future support of organisations seeking to raise awareness by lighting up a building, tree or space a particular colour
- ii the potential for the development of an annual schedule/calendar to promote various campaigns
- iii the financial implications for each opportunity identified

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

REPORTS FROM STAFF

RP-1 DA22/0346.01 - SERVICE STATION AND TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT) - MINOR AMENDMENTS, INCLUDING TO CANOPY, SHOP FLOORPLAN, AND SITE LAYOUT, AND ALTERATION TO THE TIMING OF SATISFACTION FOR HIGHWAY WORKS DETAILS WITH TRANSPORT FOR NSW

Councillor R Kendall declared a Pecuniary Interest and vacated the chamber, the time being 6:11pm.

Councillor G Davies declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 6:11pm.

23/290 RESOLVED:

On the Motion of Councillors T Koschel and R Foley

That Council approve DA22/0346.01 to modify Development Consent DA22/0346 for a Service Station and Two Lot Subdivision (Boundary Adjustment) at 232-236 Hammond Avenue, East Wagga Wagga (Lot 31 and 32 DP 874819) subject to the modified 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

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

Councillor R Kendall re-entered the chamber, the time being 6:17pm.

Councillor G Davies re-entered the chamber, the time being 6:17pm.

RP-2 COMMUNITY NZE 2050 ROADMAP

23/291 RESOLVED:
On the Motion of Councillors T Koschel and J McKinnon

That Council:

- a note the submissions received during the public exhibition of the draft Community Net Zero Emissions 2050 Roadmap**
- b note the minor changes recommended in the draft Community Net Zero Emissions 2050 Roadmap**
- c adopt the Community Net Zero Emissions 2050 Roadmap**

CARRIED

RECORD OF VOTING ON THE MOTION

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

RP-3 FINANCIAL PERFORMANCE REPORT AS AT 31 OCTOBER 2023

23/292 RESOLVED:

On the Motion of Councillors G Davies and R Foley

That Council:

- a approve the proposed 2023/24 budget variations for the month ended 31 October 2023 and note the balanced budget position as presented in this report**
- b approve the proposed budget variations to the 2023/24 Long Term Financial Plan Capital Works Program including new projects and 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 31 October 2023 in accordance with section 625 of the Local Government Act 1993**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

**RP-4 PROPOSED ASSIGNMENT OF SUBLEASE - LIGHT AIRCRAFT
PRECINT HANGAR 7, WAGGA WAGGA AIRPORT**

23/293 RESOLVED:

On the Motion of Councillors T Koschel and R Kendall

That Council:

- a agree to assign the airport sub-lease over Light Aircraft Precinct Hangar 11 as per the details set out in the body of this report**
- b delegate authority to the General Manager or their delegate to execute any necessary documentation on behalf of Council**
- c authorise the affixing of Council's Common Seal to documents relating to this matter as required**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

RP-5 QUESTIONS WITH NOTICE

23/294 RESOLVED:

On the Motion of Councillors G Davies and J McKinnon

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

CONFIDENTIAL REPORTS

**CONF-1 RFT2024-05 DEMOLITION OF THE JIM ELPHICK TENNIS CENTRE
BOLTON PARK SPORTING PRECINCT**

23/295 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

That Council:

- a in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005, decline all tenders for the demolition of the Jim Elphick Tennis Centre Bolton Park Sporting Precinct**
- b pursuant to clause 178(3)(e) of the Local Government (General Regulation) 2005, authorise the General Manager, or their delegate, to enter into negotiations with any person with the intention of entering into a contract for the demolition of the Jim Elphick Tennis Centre for stage 1 works of Bolton Park Sporting Precinct subject to the outcome on the negotiations for Design and Construction contract**
- c note that the reason for entering into negotiations is that the technical aspects of the offer versus the tender specification need to be discussed and negotiated to an agreed stance and modifications required can't be undertaken without negotiation**
- d note the reason for not inviting fresh tenders is that it is expected negotiation will provide a satisfactory outcome**
- e authorise the General Manager or their delegate to enter into a contract for the demolition of the Jim Elphick Tennis Centre Bolton Park should the negotiation be successful**
- f 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
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

CONF-2 RFT2023-27 BOLTON PARK SPORTING PRECINCT D&C TENNIS COURTS AND CLUBHOUSE

23/296 RESOLVED:

On the Motion of Councillors T Koschel and R Kendall

That Council:

- a in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005, decline all tenders for the design and construction of the Jim Elphick Tennis Centre at the Bolton Park**
- b pursuant to clause 178(3)(e) of the Local Government (General Regulation) 2005, authorise the General Manager, or their delegate, to enter into negotiations with any person with the intention of entering into a contract for the design and construction of the Jim Elphick Tennis Centre Bolton Park**
- c note that the reason for entering into negotiations is that the tender bids submitted do not meet the available budget and modifications required can't be undertaken without negotiation**
- d note the reason for not inviting fresh tenders is that it is expected negotiation will provide a satisfactory outcome**
- e authorise the General Manager or their delegate to enter into a contract for the design and construction of the Jim Elphick Tennis Centre Bolton Park should the negotiation be successful within the parameters outlined within the body of the report**
- f 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
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

CONF-3 CONTAINER DEPOSIT SCHEME (CDS) - REFUND SHARING ARRANGEMENT

23/297 RESOLVED:
On the Motion of Councillors T Koschel and R Kendall

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 the period beginning 1 January 2024 and ceasing 2 April 2025 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

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

CONF-4 RFQ2024-515 SUPPLY & LAY DENSELY GRADED ASPHALT AND ASSOCIATED ROAD WORKS

23/298 RESOLVED:

On the Motion of Councillors T Koschel and R Kendall

That Council:

- a accept the offer of CRS (NSW) Pty Ltd (Complete Road Seal) (ABN: 76 133 263 779) in the lump sum amount of \$4,446,221.38 excluding GST for the Supply and Lay of Dense Graded Asphalt and associated road stabilisation works**
- b authorise the General Manager or his delegate to enter a contract CRS (NSW) Pty Ltd (Complete Road Seal) (ABN: 76 133 263 779) for the Supply and Lay of Dense Graded Asphalt and associated road stabilisation works**
- 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
R Kendall
T Koschel
J McKinnon
A Parkins

Against the Motion

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 6.29pm.

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MAYOR