

## **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)
Executive Director - People & Culture	(Mrs F Piltz)
Manager Governance and Risk	(Ms I Hensley)
Manager Community Services	(Ms M Scully)
Social Planning Coordinator	(Mrs S Lehman)
Aboriginal Community Development Officer	(Mr B Higgins)
Property Coordinator	(Mr M Dombrowski)
Project Officer - Activation Precinct	(Mrs A Crossley)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mrs M Schoonmaker)
Governance Officer	(Ms K West)

## **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.

We also deeply acknowledge that today marks the 15th Anniversary of the National Apology delivered in 2008 by the then Prime Minister Kevin Rudd. The National Apology speech focused on apologising for past laws, policies and practices that have impacted on Australia's First Nations Peoples, particularly members of the Stolen Generations, where Aboriginal children were forcibly removed, and families traumatised by those assimilation government policies.



## **CONFIRMATION OF MINUTES**

### **CM-1      ORDINARY COUNCIL MEETING - 30 JANUARY 2023**

#### **23/002      RESOLVED:**

On the Motion of Councillors R Kendall and M Henderson

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 30 January 2023 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 R Kendall declared a Significant Non-Pecuniary Interest in CONF-1 RFT 2023-16 - Provision of Real Estate Agency Services for RIFL/SAP Subdivision - Outcome Report the reason being that one of the tenderers is currently marketing agent for land he has an interest in and vacated the chamber during its consideration.

Councillor A Parkins declared a Non-Significant Non-Pecuniary Interest in RP-1 Planning Proposal - LEP21/0003 - 20 Hely Avenue - Amendment to land zoning of the Wagga Wagga Local Environmental Plan 2010 and amendment to Wagga Wagga Development Control Plan 2010 the reason being that she and her family live and own property in Turvey Park and remained in the chamber during its consideration.

The Mayor Councillor D Tout declared a Non-Significant Non-Pecuniary Interest in RP-3 Local Government Elections - September 2024 the reason being that he received a call regarding the report, which he referred to staff and remained in the chamber during its consideration.

### **PROCEDURAL MOTION - ENGLOBO**

#### **23/003 RESOLVED:**

On the Motion of Councillors J McKinnon 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-4, M-1, CONF-2 and CONF-3 be adopted as recommended in the business papers.**

**CARRIED**

### **PUBLIC DISCUSSION FORUM**

#### **RP-2 INNOVATE RECONCILIATION ACTION PLAN 2022-2024**

- **Aunty Mary Atkinson - Speaking in favour of the recommendation**
- **Eva Tseros - Speaking in favour the of recommendation**

### **PROCEDURAL MOTION - CHANGE OF STANDING ORDERS**

#### **23/004 RESOLVED:**

On the Motion of Councillors J McKinnon and A Parkins

**That Council bring forward consideration of RP-2 Innovate Reconciliation Action Plan 2022-2024 to follow 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  
T Koschel  
J McKinnon  
A Parkins

#### **Against the Motion**

## **REPORTS FROM STAFF**

### **RP-2 INNOVATE RECONCILIATION ACTION PLAN 2022-2024**

#### **23/005 RESOLVED:**

On the Motion of Councillors D Hayes and A Parkins

#### **That Council:**

- a note that there were four public submissions received during the exhibition period for the draft Innovate Reconciliation Action Plan 2022 - 2024**
- b adopt the Innovate Reconciliation Action Plan 2022 - 2024**

**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-1 PLANNING PROPOSAL - LEP21/0003 - 20 HELY AVENUE - AMENDMENT TO LAND ZONING OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 AND AMENDMENT TO WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010**

A Motion was moved by Councillors D Hayes and T Koschel

#### **That Council:**

- a note the results of the public exhibition for Planning Proposal LEP21/0003**
- b adopt planning proposal LEP21/0003 to amend the Wagga Wagga Local Environmental Plan 2010**
- c gazette the plan and notify landowners and NSW Department of planning and Environment of the decision**
- d adopt the amendments to the Wagga Wagga Development Control Plan 2010 with the recommended amendments identified in the report and provided notification of the adoption online**

An AMENDMENT was moved by Councillor T Koschel and seconded by Councillor A Parkins

That Council defer consideration of LEP21/0003 to a future Council meeting.

The AMENDMENT being put to the meeting was LOST.

#### RECORD OF VOTING ON THE AMENDMENT

##### For the Amendment

M Henderson  
T Koschel  
J McKinnon  
A Parkins

##### Against the Amendment

D Tout  
G Davies  
D Hayes  
R Foley  
R Kendall

#### 23/006 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

#### That Council:

- a note the results of the public exhibition for Planning Proposal LEP21/0003
- b adopt planning proposal LEP21/0003 to amend the Wagga Wagga Local Environmental Plan 2010
- c gazette the plan and notify landowners and NSW Department of planning and Environment of the decision
- d adopt the amendments to the Wagga Wagga Development Control Plan 2010 with the recommended amendments identified in the report and provided notification of the adoption online

**CARRIED**

#### RECORD OF VOTING ON THE MOTION

##### For the Motion

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

##### Against the Motion

M Henderson  
T Koschel  
A Parkins

RP-2 Innovate Reconciliation Action Plan 2022-2024 was moved forward to follow the public discussion forum.

**RP-3 LOCAL GOVERNMENT ELECTIONS - SEPTEMBER 2024**

**23/007 RESOLVED:**

On the Motion of Councillors T Koschel and D Hayes

**That Wagga Wagga City Council (Council):**

- a pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council**
- b pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council**
- c pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council**
- d approve the budget variation/s as detailed in the Financial Implications section of the report**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

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

Against the Motion

**RP-4 2023/24 AIRPORT FEES AND CHARGES**

**23/008 RESOLVED:**

On the Motion of Councillors J McKinnon and T Koschel

**That Council:**

- a note the poor financial position of the Airport Reserve**
- b place the draft 2023/24 Airport Fees and Charges on public exhibition for a period of 28 days from 14 February 2023 to 14 March 2023 and invite public submissions during this period**

- c receive a further report following the exhibition and submission period:**
  - i addressing any submissions made in respect of the draft 2023/24 Airport Fees and Charges**
  - ii proposing adoption of the 2023/24 Airport Fees and Charges unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**
  - iii proposing that the new Passenger Services Charges rates commence from 1 August 2023**
- d note that due to the Airport passenger charge base rate fee being frozen for the past five (5) financial years, each future financial year increase will be set at a minimum \$2.00 GST exclusive amount, which will assist in the financial sustainability of the Wagga Wagga Airport into the future**

**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-5 2023 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION ANNUAL CONFERENCE**

### **23/009 RESOLVED:**

On the Motion of Councillors T Koschel and D Hayes

### **That Council:**

- a consider Council representation at the 2023 Annual Australian Local Government Women's Association (ALGWA) Conference to be held from 17-20 May 2023 in Cape Schanck**
- b appoint two Councillors as Council's delegate to attend the ALGWA Conference**

**CARRIED**

Councillor J McKinnon nominated Councillor A Parkins.

Councillor A Parkins accepted the nomination.

Councillor A Parkins nominated Councillor J McKinnon.

Councillor J McKinnon accepted the nomination.



Councillors A Parkins & J McKinnon were duly appointed as Council's representatives at the 2023 Annual Australian Local Government Women's Association (ALGWA) Conference from 17-20 May 2023 in Cape Schanck.

**RP-6 QUESTIONS WITH NOTICE**

**23/010 RESOLVED:**

On the Motion of Councillors R Kendall and M Henderson

**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 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE - 2 FEBRUARY 2023**

**23/011 RESOLVED:**

On the Motion of Councillors J McKinnon and T Koschel

**That Council:**

- a receive the minutes of the Floodplain Risk Management Advisory Committee Meeting held on 2 February 2023**
- b consider the allocation of an annual budget for specific levee maintenance projects during the development of the 2023/24 Budget process**
- c make a submission to the NSW Reconstruction Authority for funding of immediate and ongoing maintenance of flood prevention infrastructure**
- d prepare a motion to the next NSW Local Government and Australian Local Government Conferences asking both State and Federal Governments to provide funding for the ongoing maintenance of flood prevention infrastructure**

**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

### **23/012 RESOLVED:**

On the Motion of Councillors J McKinnon and T Koschel

**That the Council now resolve itself into a Closed Council, the time being 6.55pm.**

**CARRIED**

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

## CONFIDENTIAL REPORTS

### **CONF-1 RFT 2023-16 - PROVISION OF REAL ESTATE AGENCY SERVICES FOR RIFL / SAP SUBDIVISION - OUTCOME REPORT**

Councillor R Kendall declared a Significant Non-Pecuniary interest and vacated the chamber, the time being 6:55pm.

### **23/013 RESOLVED:**

On the Motion of Councillors D Hayes and A Parkins

#### **That Council:**

- a in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005, decline all tenders for the Provision of Real Estate Agency Services for RIFL/SAP**
- b pursuant to clause 178(3)(e) of the Local Government (General Regulation) 2005, authorise the General Manager or delegate, to enter into negotiations with any person with the intention of entering into a contract for the Provision of Real Estate Agency Services for RIFL/SAP**
- c note that the reason for entering into negotiations is that the first two tenderers referred to in Table 1 of the report both have strong tender**

submissions and selecting the successful tenderer for the scope of work requires further information of a non-price nature

d note that the reason for declining to invite fresh tenders is that it is not expected that further market testing will provide a more satisfactory result

e receive a further report when negotiations are finalised

**CARRIED**

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

For the Motion

Against the Motion

D Tout

G Davies

D Hayes

M Henderson

R Foley

T Koschel

J McKinnon

A Parkins

Councillor R Kendall re-entered the chamber, the time being 7:08pm.

#### **CONF-2 REQUEST FOR PART ROAD CLOSURE AND DISPOSAL OF LAND AT REAR OF ERIN STREET PROPERTIES**

**23/014 RESOLVED:**

On the Motion of Councillors J McKinnon and T Koschel

**That Council not close part of the road corridor and sell the land to adjoining landowners as requested by landowners at 1 and 3 Erin Street, Turvey Park.**

**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

**CONF-3 LEASE OF 99 PETER STREET, WAGGA WAGGA - UPDATE REPORT**

**23/015 RESOLVED:**

On the Motion of Councillors J McKinnon and T Koschel

**That Council:**

- a accept the offer from NSW Service for Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS) ACN 136 372 248 to lease the premises at 99 Peter Street (being Lot 4 in DP 1211905 and having an area of 519.9sqm) for a period of three years on the terms and conditions outlined in this report**
- b authorise the General Manager or their delegate to execute all documents as necessary**
- c authorise the affixing of Council's common seal to all documents as necessary**

**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**

**23/016 RESOLVED:**

On the Motion of Councillors J McKinnon and T Koschel

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 7.09pm.**

**CARRIED**

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7.12pm.

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MAYOR