

# **AGENDA AND BUSINESS PAPER**

## **Ordinary Meeting of Council**

**To be held on  
TUESDAY 11 JUNE 2019  
AT 6.00PM**

Cnr Baylis and Morrow Streets,  
Wagga Wagga NSW 2650  
PO Box 20, Wagga Wagga

Phone: 1300 292 442  
Fax: 02 6926 9199  
Website: [www.wagga.nsw.gov.au](http://www.wagga.nsw.gov.au)



## **NOTICE OF MEETING**

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations there under, notice is hereby given that an Ordinary Meeting of the Council of the City of Wagga Wagga will be held in the Council Chamber, Civic Centre, Corner Baylis and Morrow Streets, Wagga Wagga, on Tuesday 11 June 2019 at 6.00pm.

Council live streams video and audio of Council meetings. Members of the public are advised that their voice and/or image may form part of the webcast.



Mr Peter Thompson  
**General Manager**

## **WAGGA WAGGA CITY COUNCILLORS**



**Mayor  
Councillor Greg  
Conkey OAM**



**Deputy Mayor  
Councillor Dallas  
Tout**



**Councillor Yvonne  
Braid**



**Councillor Paul  
Funnell**



**Councillor Dan  
Hayes**



**Councillor Vanessa  
Keenan**



**Councillor Rod  
Kendall**



**Councillor Tim  
Koschel**

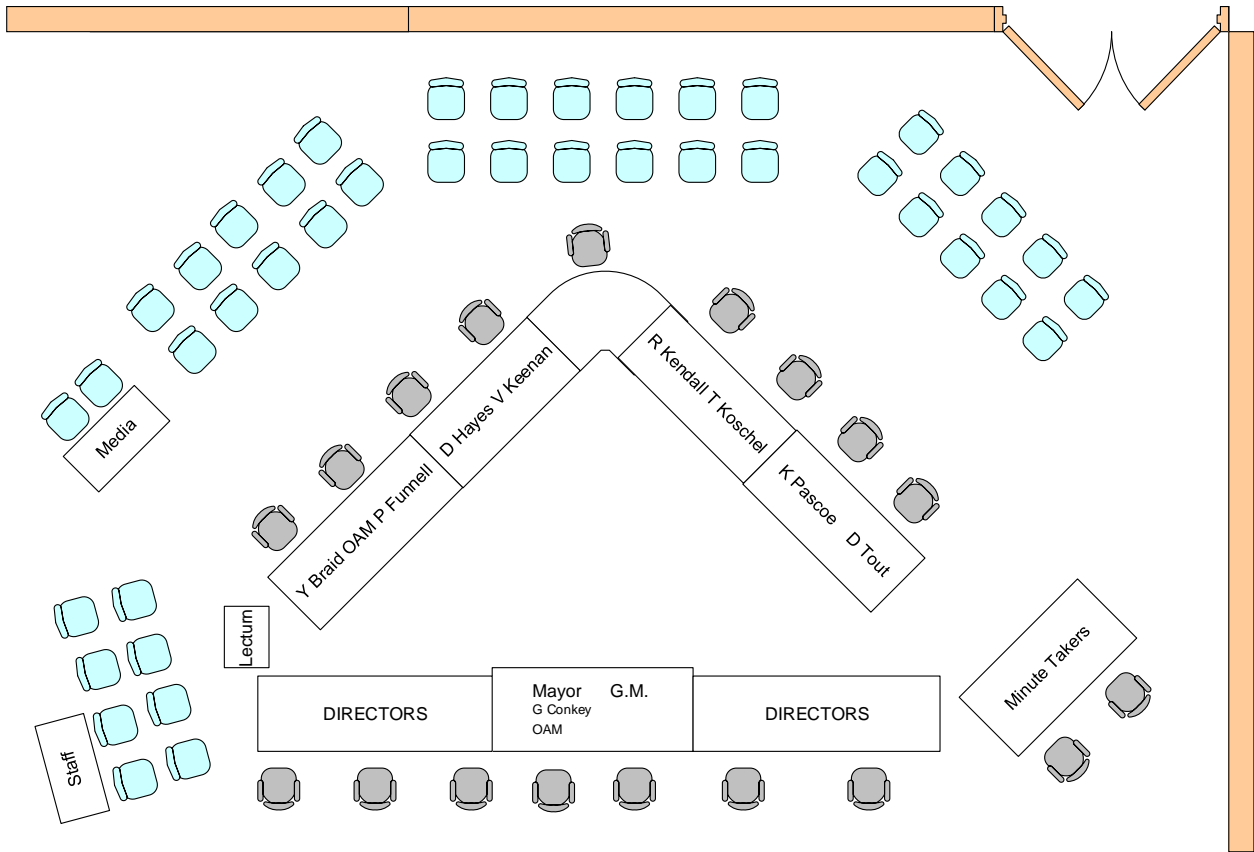


**Councillor Kerry  
Pascoe**

## **QUORUM**

The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office for the time being who are eligible to vote at the meeting.

# COUNCIL MEETING ROOM



## **ORDINARY MEETING OF COUNCIL AGENDA AND BUSINESS PAPER**

**TUESDAY 11 JUNE 2019**

### **ORDER OF BUSINESS:**

<b>CLAUSE</b>	<b>PRECIS</b>	<b>PAGE</b>
	<b><u>PRAYER</u></b>	<b>2</b>
	<b><u>ACKNOWLEDGEMENT OF COUNTRY</u></b>	<b>2</b>
	<b><u>APOLOGIES</u></b>	<b>2</b>
	<b><u>CONFIRMATIONS OF MINUTES</u></b>	<b>2</b>
<b>CM-1</b>	<b>ORDINARY COUNCIL MEETING - 27 MAY 2019</b>	
	<b><u>DECLARATIONS OF INTEREST</u></b>	<b>2</b>
	<b><u>MAYORAL MINUTES</u></b>	
<b>MM-1</b>	<b>MAYORAL MINUTE - APPOINTMENT OF ACTING DEPUTY MAYOR</b>	<b>3</b>
	<b><u>COUNCILLOR REPORT</u></b>	
<b>CR-1</b>	<b>SMALL BUSINESS FRIENDLY COUNCILS CONFERENCE MAY 2019</b>	<b>8</b>
	<b><u>REPORTS FROM STAFF</u></b>	
<b>RP-1</b>	<b>WAGGA WAGGA INLAND WATER SAFETY MANAGEMENT PLAN</b>	<b>11</b>
<b>RP-2</b>	<b>OUTSTANDING DEBTORS DEEMED UNRECOVERABLE - PROPOSED WRITE OFF LIST</b>	<b>17</b>
<b>RP-3</b>	<b>ADOPTION OF CODE OF CONDUCT AND ADMINISTRATIVE PROCEDURES FOR THE CODE OF CONDUCT</b>	<b>21</b>
<b>RP-4</b>	<b>ADOPTION OF CODE OF MEETING PRACTICE</b>	<b>25</b>
<b>RP-5</b>	<b>WAGGA WAGGA CITY COUNCIL RECONCILIATION ACTION PLAN</b>	<b>32</b>
<b>RP-6</b>	<b>MOBILE FOOD VENDING TRIAL EXTENSION</b>	<b>35</b>
<b>RP-7</b>	<b>RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE</b>	<b>38</b>
	<b><u>COMMITTEE MINUTES</u></b>	
<b>M-1</b>	<b>TRAFFIC COMMITTEE - 9 MAY 2019</b>	<b>40</b>
	<b><u>QUESTIONS/BUSINESS WITH NOTICE</u></b>	<b>51</b>
	<b><u>CONFIDENTIAL REPORTS</u></b>	
<b>CONF-1</b>	<b>RFT2019-26 FRENCH FIELDS AMENITIES CONSTRUCTION</b>	<b>52</b>

## **PRAYER**

## **ACKNOWLEDGEMENT OF COUNTRY**

## **APOLOGIES**

## **CONFIRMATION OF MINUTES**

### **CM-1          ORDINARY COUNCIL MEETING - 27 MAY 2019**

#### **Recommendation**

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 27 May 2019 be confirmed as a true and accurate record.**

#### **Attachments**

---

1 [!\[\]\(73002692dd5e7a64e60946be3158e719\_img.jpg\)](#). Council Meeting Minutes - 27 May 2019    53

## **DECLARATIONS OF INTEREST**

## **MAYORAL MINUTE**

### **MM-1 MAYORAL MINUTE - APPOINTMENT OF ACTING DEPUTY MAYOR**

**Summary:** The purpose of this report is to seek leave of absences and to facilitate the election of an Acting Deputy Mayor during the period of time when the Mayor and Deputy Mayor will be attending the Historisches Stadtmauerfest 2019 - Historic Wall Festival in Nördlingen.

### **Recommendation**

That Council:

- a grant a leave of absence for Mayor, Councillor G Conkey OAM from the 2 September to 23 September 2019 (inclusive)
- b grant a leave of absence for Deputy Mayor, Councillor D Tout from the 20 August to 14 September 2019 (inclusive)
- c elect a Councillor as Acting Deputy Mayor for the period 20 August to 14 September 2019 (inclusive).
- d conduct the election of the Acting Deputy Mayor by the voting method determined by Council

### **Report**

At the 11 February 2019 Council Meeting it was resolved for the Mayor and General Manager to lead an official delegation to our Sister City, Nördlingen in September 2019.

Both the Mayor and Deputy Mayor are part of the official delegation, which will leave a vacancy in the position of Mayor for the period 2 - 14 September 2019 and the Deputy Mayor from 20 August to 14 September 2019.

There is no specific provision within the NSW Local Government Act to appoint an acting Mayor. It is therefore recommended that Council utilise the provisions under Section 231 to appoint a Deputy Mayor for the period of Councillor Tout's absence. Below is an extract of Section 231:

#### *231 Deputy Mayor*

- (1) *The councillors may elect a person from among their number to be the deputy mayor.*
- (2) *The person may be elected for the mayoral term or a shorter term.*
- (3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

The Acting Deputy Mayor will assume the role of Mayor during both mine and Councillor Tout's absence from 2 September to 14 September 2019 (inclusive). Councillor Tout will then assume the role of Mayor for the period 15 September to 23 September 2019 (inclusive).

### **Election of Acting Deputy Mayor**

Having regard to the above, Councillors are required to determine the method of voting for the election of the Acting Deputy Mayor. The method of voting options available to Councillors are the following of which one (1) is to be chosen:

- Open Voting
- Ordinary Ballot
- Preferential Ballot

The procedure to be followed for the election of Mayor (and Deputy Mayor) is outlined in Schedule 7 of the Local Government (General) Regulation 2005, and is reproduced hereunder:

### **Part 1 - Preliminary**

#### ***Returning Officer***

1. The General Manager (or a person appointed by the general manager) is the returning officer.

#### ***Nomination***

2.
  - (1) A Councillor may be nominated without notice for election as Acting Deputy Mayor.
  - (2) The nomination is to be made in writing by two (2) or more Councillors (one (1) of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
  - (3) The nomination is to be delivered or sent to the Returning Officer.
  - (4) The Returning Officer is to announce the names of the nominees at the council meeting at which the election is to be held.

#### ***Election***

3.
  - (1) If only one (1) Councillor is nominated, that Councillor is elected.
  - (2) If more than one (1) Councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
  - (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
  - (4) In this clause:  
"ballot" has its normal meaning of secret ballot.  
"open voting" means voting by a show of hands or similar means.



## **Part 2 - Ordinary ballot or open voting**

### ***Application of Part***

4. This Part applies if the election proceeds by ordinary ballot or by open voting.

### ***Marking of ballot-papers***

5. (1) If the election proceeds by ordinary ballot, the Returning Officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

### ***Count-2 candidates***

6. (1) If there are only two (2) candidates, the candidate with the higher number of votes is elected.
- (2) If there are only two (2) candidates and they are tied, the one elected is to be chosen by lot.
7. (1) If there are three (3) or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If three (3) or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, three (3) or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only two (2) candidates remain.
- (4) A further vote is to be taken of the two (2) remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the two (2) remaining candidates had been the only candidates.
- (6) If at any stage during a count, under subclause (1) or (2), two (2) or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

## **Part 3 - Preferential Ballot**

### ***Application of Part***

8. This Part applies if the election proceeds by preferential ballot.

### ***Ballot-papers and voting***

9. (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.

- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

### **Count**

10.
  - (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
  - (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
  - (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one (1) candidate has received an absolute majority of votes. The latter is elected.
  - (4) In this clause, "**absolute majority**", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.
11.
  - (1) If, on any count of votes, there are two (2) candidates in, or remaining in, the election and the numbers of votes cast for the two (2) candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
  - (2) If, on any count of votes, there are three (3) or more candidates in or remaining in the election and the numbers of votes cast for two (2) or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

## **Part 4 - General**

### **Choosing by lot**

12. To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

### **Result**

13. The result of the election is:
  - (a) to be declared to the Councillors at the council meeting at which the election is held by the Returning Officer

---

## Financial Implications

---

There are no financial implications for this appointment as per Section 249 of the Local Government Act which states the following:

*A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.*

The additional allowance paid to both the Deputy Mayor and Acting Deputy Mayor will be deducted from the Mayor's annual allowance.

---

## Policy and Legislation

---

Local Government Act 1993

---

## Link to Strategic Plan

---

### Community Leadership and Collaboration

Objective: We have strong leadership

Outcome: We have leaders that represent us

---

## Risk Management Issues for Council

---

N/A

## **COUNCILLOR REPORT**

### **CR-1          SMALL BUSINESS FRIENDLY COUNCILS CONFERENCE MAY 2019**

**Author:**        The Mayor, Councillor Greg Conkey OAM

#### **Recommendation**

---

That Council receive and note the report.

#### **Report**

---

I attended the Small Business Friendly Councils conference organised by the Small Business Commissioner in Sydney on 16 - 17 May 2019. In attendance were delegates from more than 60 councils around Australia.

There are more than 700,000 small businesses in NSW, that employ more than 1.4M people.

A highlight of the conference was an address by demographer, Mark McCrindle.

Mark spoke about Australia 10 years ago when WiFi could only be accessed in certain locations, smart phones as we know them today didn't exist and there were few tablets.

He said the future involved driverless trains, drone delivery, and even faster content delivery.

He said that 65 percent of children enrolled in schools today will end up working in jobs that currently do not exist, with robots, automation, and outsourcing globally to be the norm.

Mark also stated:

- Australia's population now stands at 25.4M people, up four million since the 2011 census;
- Australia's population in 2051 is now forecast to be 42m, which is far higher than that forecast in 1990;
- Our population is growing at 1.6 percent, Sydney is growing at a rate of 1.81 percent and Melbourne at 2.51 percent;
- Australia is the most culturally diverse country in the western world with 29 percent of our residents born overseas and 21 percent of households speaking English as their second language;
- Australians are living longer;
- Gen Z (people aged from 10 to 24) will have on average 17 jobs in their lifetime and have three different careers;

- Small business is the backbone of Australia's economy with 69 percent being micro businesses employing one to four people;
- The two biggest inhibitors for small business is red tape and regulations;
- YouTube is the biggest search engine, far bigger than Google;
- Businesses needs to be more innovative, more responsive and be collaborative.

The Mayor of Parkes, Ken Keith, and the General Manager of Bland Shire, Ray Smith, gave presentations on the Elvis Festival and the Bland Festival respectively.

The Elvis Festival attracts 26,000 visitors and injects \$13M into the regional economy. It has been going for 27 years but took "10 years to become an overnight success."

Parkes' message re festivals is to keep it simple, work closely with the community, realise you will never please everyone, believe in what you are doing and build strong partnerships.

Parkes provides temporary accommodation to the vast numbers of people attending the festival including temporary caravan parks, home hosting and has strong relationships with neighbouring councils.

Ray Smith spoke about Bland's decision to join with other local government centres in the US and Europe (the towns of Boring and Dull) which has generated great publicity.

A US brewing company has also launched their product (the logo being it's anything but bland) in West Wyalong which has generated 44M hits.

West Wyalong now has a festival around spicy food which has even attracted a recipe from the Prime Minister, Scott Morrison.

Other presentations were given on ePlanning, Disaster Planning (preparing for the long recovery period after a disaster), Behavioural Insights (on how to word letters and emails to get a better outcome), and the major concerns of small businesses when dealing with local government (parking changes, road work disruptions, changing pedestrian crossing locations, red tape, competition from malls and events that draw shoppers away from the centre of towns/cities).

One App that was recommended was a parking App that showed "live" parking information in CBDs.

---

### **Financial Implications**

N/A

---

### **Policy and Legislation**

Code of Meeting Practice

POL 025 Payment of Expenses and Provision of Facilities to Councillors Policy

---

## **Link to Strategic Plan**

---

### **Community Leadership and Collaboration**

Objective: We have strong leadership

Outcome: We have leaders that represent us

## **REPORTS FROM STAFF**

### **RP-1          WAGGA WAGGA INLAND WATER SAFETY MANAGEMENT PLAN**

**Author:** Peter Cook  
**Director:** Natalie Te Pohe

**Analysis:** For Council to consider the public submissions received and adopt the draft Wagga Wagga Water Safety Management Plan.

#### **Recommendation**

That Council:

- a note the submissions received relating to the draft Wagga Wagga Water Safety Management Plan 2019
- b adopts the Wagga Wagga City Council Water Safety Management Plan 2019
- c approve the budget variation as detailed in the budget section of the report
- d endorse staff working with other agencies to seek future funding for the implementation of the plan

#### **Report**

At the November 2018 Ordinary Meeting of Council it was resolved:

*That Council:*

- a endorse the draft Wagga Wagga City Council Inland Water Safety Management Plan and place on public exhibition for a period of 55 days from 1 December 2018 until 24 January 2019, and invite public submissions until 6 February 2019 on the draft Plan*
- b receive a further report following the exhibition and submission period:*
  - i addressing any submission made in respect of the draft Wagga Wagga City Council Inland Water Safety Management Plan*
  - ii recommending funding options for the Plan's implementation*
  - iii proposing adoption of the Plan unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period*
- c lobby for the construction of high-level water offtakes in Burrinjuck and Blowering dams with a view to increasing water temperature in downstream waterways*

This report is response to point “b” of the above resolution.

During the public exhibition period one public submission and one letters of support from stakeholders were received (Attachments 2-3).

The issues identified in the submission and letters of support were:

Issue	Response
Not supportive of an emergency services only river access point at the western end of Wagga Beach due to concerns over fluctuating water levels and use by unauthorised water craft.	This item was specifically requested by the local SES Controller who has been required to respond to incidents in and around the Wagga Beach area.  The fluctuating water level and unauthorised usage issues would be addressed as a part of the detailed design of the proposed access point.
Access to defibrillator at the Wagga beach.	It is proposed that defibrillators be included in the vandal proof water rescues cabinets identified in Recommendation 6.
Water Safety Management approaches are being enhanced by emerging technologies.	Change Recommendation 7 to:  Wagga Wagga City Council staff access the appropriate level of knowledge and training to enable correct monitoring of all water safety treatments, including emerging technologies, with regard to Council managed waterways.
Increased focus on water safety awareness for multicultural communities.	Change Recommendation 11 to:  Wagga Wagga City Council partner with relevant stakeholders to promote Inland Waterway Safety messaging and initiatives annually across the Wagga Wagga LGA in support of relevant peak body organisations. All Water Safety messaging should reflect the multicultural identity of the Wagga Wagga LGA community and visitors to our inland waterways.

Following a review of these issues the draft Wagga Wagga City Council Inland Water Safety Management Plan was updated. The Plan is now presented to Council to consider its adoption.

## Financial Implications

A number of the recommendations listed in this report require financial commitments that are currently unfunded. The recently adopted Capital Works Reset Report has resulted in an increased investment portfolio balance. This is due to a large number of projects not proceeding this financial year with expenditure to be incurred in a future financial year. Based on this, there will be additional income received for the 2018/19 financial year in interest on investments. It is proposed that \$50,000 of this additional interest be moved to a water safety initiative budget in the 2019/20 financial year to allow the implementation of the plan. Initial tasks would include the design of the emergency access boat ramp.



In addition, it is also proposed that partnership funding and other grants will be sought to allow implementation of all recommendations.

## Policy and Legislation

Recreation, Open Space and Community Strategy and Implementation Plan 2040  
Australian Water Safety Strategy 2016 – 2020  
Office of Local Government - Practice Note 15 – Water Safety

## Link to Strategic Plan

### Safe and Healthy Community

Objective: We are safe

Outcome: We create safe spaces and places

### Risk Management Issues for Council

The Wagga Wagga City Council Water Safety Management Plan is aimed at reducing the community risk of drowning or near drowning incidents.

There will be some risks associated with implementing specific recommendations that relate to process, cost, environmental, WHS and contractor performance. These risks will be addressed as part of Council's project management and contractor performance management systems.

### Internal / External Consultation

Targeted external stakeholder consultation was undertaken with Royal Lifesaving NSW and NSW SES.

Broader community feedback was sought via Council's webpage, Council News and via Council's social media channels.




Individual meetings have also been held with Council officers and Councillors.

	Mail			Media				Community Engagement						Digital			
	Rates notices	Direct mail	Letterbox drop	Council news	Council News	Media releases	TV/radio	One-on-one	Your Say website	Community	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
<b>TIER</b>																	
<b>Consult</b>								<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<b>Involve</b>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>								
<b>Collaborate</b>								<input checked="" type="checkbox"/>									

---

## Attachments

---

- 1  WWCC Inland Water Safety Plan - Provided under separate cover
- 2  Public Submission
- 3  Letter of support - Royal Lifesaving NSW

**Creighton, Ben**

---

**From:**  
**Sent:** Friday, 21 December 2018 4:36 PM  
**To:** City of Wagga Wagga  
**Subject:** Public Exhibition Submission

Hi, you have received a public exhibition submission.

**Details**

**Name of document on public exhibition:** WAGGA W AGGA CITY COUNCIL INLAND WATER SAFETY MANAGEMENT PLAN DRAFT 1 November 2018

**Name:** Bruce Graham

**Address:**

**Email:**

**Submission:** Note regarding Recommendation 4 Recommendation 4: In consultation with the State Emergency Services and Volunteer Rescue Association, construct an emergency services only river access point at the western end of Wagga Beach (Cabarita Park). Capital Cost: \$150,000 (Wiradjuri Boat Ramp replacement cost as a guide) Annual Operational Cost: \$0 This idea was previously "canned" in favour of the Wiradjuri Beach boat ramp due to the issues with the drastic change in river height and flows on the western (City) side at the northern (downstream) end of the Wagga Beach. Also by the time any alarm is raised for a missing person at the Beach, access by boat from Wiradjuri boat ramp will be just as quick to find someone in the river as would accessing the river at Wagga Beach. Furthermore, should there be an access point near the Beach it would be almost certain that "non-emergency rescue craft" (such as jet-skis) would attempt to launch or embark at this site. As a separate issue, there are currently NSW grants to subsidize purchase of defibrillators for public locations/access. I would think locating a unit at the Caravan Park Office (with sign/s at the Beach) would be a better expenditure of the \$150,000.00 and would be close enough in an emergency and would be less likely to be vandalised. Presumably, WWCC will take over this building in 2020 and could be responsible for servicing and maintaining access to a defibrillator unit at this location.. I am happy to be contacted to discuss these issues and other proposals in the plan in person (details below). Bruce \_\_\_\_\_ Bruce Graham

EVERYONE CAN BE A LIFESAVER



Peter Thompson  
General Manager  
Wagga Wagga City Council  
PO Box 20  
Wagga Wagga NSW 2650

Dear Peter

The Royal Life Saving Riverina Office has had a long association with the Wagga City Council as a partner in the promotion, delivery and support of lifesaving programs and services.

RLS Riverina is pleased to have been involved in the preliminary discussions with Council representatives on the Inland Water Safety Management Plan and will be more than happy to accommodate and be involved in future discussions with Council on outcomes and strategies.

The Riverina Regional Office of RLS NSW supports and endorses the Inland Water Safety Management Plan Nov 2018 and the thirteen (13) recommendations identified within the document.

We take this opportunity to thank Wagga City Council in their endeavours to assist in creating and managing safe aquatic environments for all potential users.

With Regards

A handwritten signature in blue ink, appearing to read "Michael Dasey".

Michael Dasey

Riverina Regional Manager RLS NSW

## RP-2 OUTSTANDING DEBTORS DEEMED UNRECOVERABLE - PROPOSED WRITE OFF LIST

**Author:** Carolyn Rodney  
**Director:** Natalie Te Pohe

**Summary:** This report lists the outstanding debtor accounts whereby Council officers have undertaken all available debt recovery methods and are now deeming them unrecoverable. Council officers are now recommending for these accounts to be written off.

### Recommendation

That Council:

- authorise, in accordance with Clause 131 of the Local Government (General) Regulation 2005, the write-off of outstanding debtor accounts totalling \$27,440.26
- note the \$3,307.02 total for outstanding accounts under \$1,000 which are also to be written off under the General Manager's delegation
- approve the budget variations as detailed in the Financial Implications section of the report

### Report

Council raises in excess of \$26 million in user charges and fees each financial year.

The below table illustrates the user charges and fees raised, the amount outstanding at financial year end, and also the percentage outstanding.

	2017/18	2016/17	2015/16	2014/15	2013/14
User Charges and Fees Collectible - \$'000	26,322	23,807	24,195	23,432	21,114
User Charges and Fees Outstanding - \$'000*	1,062	1,063	1,206	1,440	2,612
User Charges and Fees Percentage Outstanding*	4.03%	4.47%	4.98%	6.15%	12.37%

*\*NB: The User Charges and Fees Outstanding shown in Council's annual financial statements have been adjusted to exclude user charges and fees raised during the June month that were not yet due.*

As can be seen from the above table, Council is continuing to be proactive in managing debt levels using a variety of debt recovery methods. Unlike the rates and charges outstanding where the last avenue for recovery is the sale of property, for user charges and fee debts, when all available debt recovery methods have been exhausted, at times the only practical option in certain cases is to write the debt off.

Pursuant to Clause 131 (4) of the Local Government (General) Regulation 2005:

*An amount of rates or charges can be written off under this clause only:*

- (a) if there is an error in the assessment, or*
- (b) if the amount is not lawfully recoverable, or*
- (c) as a result of a decision of a court, or*
- (d) if the council or the general manager believes on reasonable grounds that an attempt to recover the amount would not be cost effective.*

The following outstanding amounts appear in Council's general debtors ledger and as mentioned earlier, all normal avenues of debt recovery have been exhausted in respect to these accounts.

See Attachment A for detailed information on each debtor, both for accounts over \$1,000 each, and under \$1,000 each.

**Outstanding accounts over \$1,000 each – Council resolution required for write-off:**

<b>Debtor Type</b>	<b>Number</b>	<b>Amount</b>
Cemetery Fees	1	\$2,843.14
Property Fees	1	\$21,625.83
Regulatory Fees	2	\$2,971.29
<b>Total Over \$1,000 each – Council Resolution Required</b>	<b>4</b>	<b>\$27,440.26</b>

**Outstanding amounts under \$1,000 each – General Manager write-off under Delegation**

The General Manager, under Delegation 1.56 has authority to write-off individual amounts under \$1,000. A review of outstanding accounts under \$1,000 that Council is unlikely to recover totals \$3,343.02. A summary by charge type is provided below:

<b>Debtor Type</b>	<b>Number</b>	<b>Amount</b>
Cemetery Fees	1	\$799.00
Abandoned Vehicle	1	\$212.00
Food Inspections	2	\$569.40
Skin Penetration	1	\$194.55
Construction Certificates	4	\$389.30
Airport Fees	15	\$1,142.77
<b>Total Under \$1,000 each – General Manager Delegation</b>	<b>25</b>	<b>\$3,307.02</b>

**Total Write Off 2018/19:**

Proposed accounts over \$1,000 each to be written off	\$ 27,440.26
Accounts under \$1,000 each written off	<u>\$ 3,307.02</u>
<b>Total write off 2018/19</b>	<b>\$ 30,747.28</b>

**Update on Other Outstanding Debtors:**

Please see attached a confidential report by Outstanding Collections, Council's external debt collection providing an update on one of Council's outstanding debtors.

**Financial Implications**

The amounts recommended to be written off which total \$30,747.28 will be funded from:

- \$13,139.09 from the General Fund provisions for doubtful debts allowed for at the end of 2017/18
- \$1,142.77 from the Airport provisions for doubtful debts allowed for at the end of 2017/18
- \$16,465.42 from various small operational budget savings across Council

**Policy and Legislation**

Clause 131 of the Local Government (General) Regulation 2005

**Link to Strategic Plan****Community Leadership and Collaboration**

Objective: We have strong leadership

Outcome: We are accountable and transparent

**Risk Management Issues for Council**

No specific issues identified

**Internal / External Consultation**

Council's Community Engagement Strategy and IAP2 considers the community to be "any individual or group of individuals, organisation or political entity with an interest in the outcome of a decision...."

The Finance Division has consulted with the appropriate areas of the organisation, where required, in determining those amounts to write-off.

**Attachments**

1. Attachment A - Proposed Write Offs 2018/19

*This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: personnel matters concerning particular individuals.*

2. Outstanding Collections Report on Geoff Pettit

*This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: personnel matters concerning particular individuals.*



## **RP-3            ADOPTION OF CODE OF CONDUCT AND ADMINISTRATIVE PROCEDURES FOR THE CODE OF CONDUCT**

**Author:** Ingrid Hensley  
**General Manager:** Peter Thompson

**Summary:** | The draft Code of Conduct and Administrative Procedures are presented to Council for adoption following placement on public exhibition.

### **Recommendation**

---

That Council:

- a note that there were no public submissions received during the exhibition period of the draft Code of Conduct and Procedures for the Administration of the Code of Conduct
- b adopt the Code of Conduct and Procedures for the Administration of the Code of Conduct as exhibited

### **Report**

---

Council, at its meeting of 29 April 2019, resolved:

*That Council:*

- a *endorse the draft Code of Conduct and draft Administrative Procedures for the Code of Conduct, that is to be placed on public exhibition for a period of 28 days from 30 April 2019 to 27 May and invite public submissions until 27 May on the draft Code of Conduct and Administrative Procedures*
- b *receive a further report following the exhibition and submission period:*
  - i *addressing any submission made in respect of the draft Code of Conduct and draft Administrative Procedures for the Code of Conduct*
  - ii *proposing adoption of the Code unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period*

This Code of Conduct and Administrative Procedures were placed on public exhibition from 30 April 2019 until 27 May 2019. No public submissions were received during this period. Accordingly, it is recommended to Council that the Code of Conduct and Administrative Procedures be adopted as exhibited.

### **Financial Implications**

---

As previously reported, there will be costs incurred in delivering training to all staff, Councillors and council officials, including engaging an external provider to deliver face-to-face training to councillors, executive staff and those with designated complaints handling and other roles. The estimated costs for this training are anticipated to be between \$3,000 and \$4,500 (plus GST) and will be jointly funded from within Councillors Professional Development budget (\$18,000 annual budget) and from Council's overall staff learning and development budget allocation.

Council's Code of Conduct Administrative Procedures provide that Council is to report Model Code of Conduct complaint statistics to the Office of Local Government (OLG) within three months of the end of September each year. Part of that reporting includes the total cost of dealing with the code of conduct complaints made about councillors and the general manager within the period. The costs for the last three reporting periods are as follows.

1 September 2015 – 31 August 2016	\$5,000
1 September 2016 – 31 August 2017	\$3,000
1 September 2017 – 31 August 2018	\$0

## **Policy and Legislation**

---

*Local Government Act 1993 (NSW)*

*Local Government (General) Regulation 2005*

*Model Code of Conduct for Local Government Councils in NSW (December 2019)*

Section 440 of the Act requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code of Conduct sets the minimum standards of conduct for council officials and enhances public confidence in local government. It is prescribed by regulation to assist council officials to understand and comply with the standards of conduct that are expected of them; enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence.

The Report tabled at the Ordinary Council Meeting held on 29 April 2019 proposed to rescind the Gifts and Benefits Policy (POL 107) at this meeting in conjunction with the adoption of the new Code of Conduct. This proposal was subsequently tabled at the Audit, Risk and Improvement Committee (ARIC) meeting on 9 May 2019 and the Audit Office of NSW also participated in that discussion. The ARIC recommended that Council further consider continuing to have a separate policy. The benefits discussed included the Policy being an educational tool and enabling gifts & benefits provisions, in particular rules governing the acceptance of gifts, including mandatory reporting, to be more accessible in a separate document. Therefore, a recommendation to rescind the current Gifts and Benefits Policy has not been included at this time and will form part of a separate report to Council at a future meeting.

## **Link to Strategic Plan**

---

### **Community Leadership and Collaboration**

Objective: We have strong leadership

Outcome: We are accountable and transparent

## **Risk Management Issues for Council**

---

Council's current Code of Conduct remains in place until the new Code is adopted.

If a council fails to adopt a new Code of Conduct and Procedures based on the new Model Code of Conduct and Procedures within six months of their prescription, the provisions of the new Model Code and Procedures will automatically override any

provisions of a council's adopted code of conduct and procedures that are inconsistent with those contained in the Model Code and Procedures through the operation of sections 440(4) and 440AA(4) of the Act (unless the inconsistent provisions of a council's adopted code of conduct are more onerous than those contained in the Model Code).

There is a risk that failure to adopt a new Code of Conduct by 14 June 2019 may lead to confusion in relation to the provisions that apply to Councillors, staff and delegates from that date. To mitigate this risk, it is sought that Council endorse, publicly exhibit and adopt a new Code of Conduct prior to 14 June 2019.

### Internal / External Consultation

Following the release of the revised Model Code of Conduct and Administration Procedures the Model Code of Conduct a workshop was held with Councillors and Executive staff on 4 March 2019, to provide an overview of the key changes and provide information about the intention of those changes.

Although the Code is mandatory and there are no provisions in the Act relating to the public exhibition of a draft Code of Conduct prior to adoption by Council, there was support in the Workshop for giving public notice of the draft code and exhibiting it publicly. Therefore, Council's Code of Conduct was placed on public exhibition for a period of 28 days during which submissions were able to be made to the Council.

The draft Code and Administrative Procedures were also reviewed by a cross-section of staff across the organisation through the Corporate Review Committee.

The Office of Local Government NSW reviewed the draft Code and Procedures, particularly in relation to their extension to in-house volunteers and wholly advisory committee members. Although it is noted the Office of Local Government is not in a position to endorse a council's code of conduct or procedures, as it is ultimately up to Council to adopt a code and procedures that comply with the requirements under sections 440 and 440AA of the Act.



The draft Code of Conduct and draft Administrative Procedures for the Code of Conduct, was placed on public exhibition for a period of 28 days from 30 April 2019 to 27 May with public submissions invited until 27 May 2019. No submissions were received.

	Mail			Media				Community Engagement						Digital			
	Rates notices	Direct mail	Letterbox drop	Council news	Council News	Media releases	TV/radio	One-on-one	Your Say	Community	Stakeholder workshops	Drop-in	Surveys and feedback forms	Social media	Email	Website	Digital
TIER																	
Consult																✓	
Involve																✓	
Collaborate																	

---

## Attachments

---

- 1  Draft Code of Conduct - Provided under separate cover
- 2  Draft Code of Conduct and Administrative Procedures - Provided under separate cover

**RP-4 ADOPTION OF CODE OF MEETING PRACTICE****Author:** Ingrid Hensley**General Manager:** Peter Thompson

**Summary:** | The Code of Meeting Practice is presented to Council for adoption following placement on public exhibition.

**Recommendation**

---

That Council:

- a note the public submissions received during the exhibition period
- b receive and note the petition
- c adopt the draft Code of Meeting Practice as amended

**Report**

---

Council at its meeting of 29 April 2019 resolved:

*That Council:*

- a endorse the draft Code of Meeting Practice that is to be placed on public exhibition for a period of 28 days from 30 April 2019 to 27 May and invite public submissions until 10 June 2019 on the draft Code of Meeting Practice*
- b receive a further report following the exhibition and submission period:*
  - i addressing any submission made in respect of the Draft Code of Meeting Practice and to be presented at the 11 June 2019 Ordinary Council Meeting*
  - ii proposing adoption of the Code unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period*

**Proposed amendments following Exhibition Period and Meeting on 29 April 2019**Notice of business

There was discussion at the meeting on 29 April 2019 in relation to the definition of 'days' in Clause 3.7, which is a mandatory clause. The definitions section, which is also a mandatory provision within the Code, provides the following clarity: "*day means calendar day*".

The *Interpretation Act* 1987 (NSW) contains a section on 'reckoning time'.

- (1) If in any Act or instrument a period of time, dating from a given day, act or event, is prescribed or allowed for any purpose, the time shall be reckoned exclusive of that day or of the day of that act or event.

For Council meetings this means that, for example, if the meeting is on Monday, 8 April then to meet the 3 calendar days requirement notice of the meetings would need to be sent on the Friday 5 April at the latest (as the 3 days excludes the day of the event, i.e. the day of the Council meeting).

During debate at the meeting on 29 April 2019 there was discussion in relation to strengthening the time period in Clause 3.7, to change 'three days' (i.e. 'three calendar days') to three business days.

For Council meetings this proposed change means that, for example, if the meeting is on Monday, 8 April then to meet the 3 business days requirement, notice of the meeting would need to be sent on Wednesday 3 April at the latest (as the 3 days excludes the day of the event, i.e. the day of the Council meeting and also excludes the Saturday and Sunday but includes the day the papers are distributed). Councils may impose more onerous requirements under their adopted Code of Meeting Practice than those prescribed under the Model. Therefore, Clause 3.7 has been amended to '3 business days' as this does not dilute the standards prescribed under the Model, but rather strengthens it by increasing the notice period and is consistent with Council's current practice. This approach was verbally confirmed with the Office of Local Government NSW.

The suggestion was made that an example, similar to the above, be provided within the Code of Meeting Practice itself. This has not been included in the document as the term is clearly defined. For the purposes of considering this report the abovementioned example has been provided and can be referred to as required, and forms part of the record of the meeting.

### Webcasting

In relation to webcasting of meetings, Clause 5.23 of the Code of Meeting Practice currently proposes to retain a recording of each meeting of the Council and committee of the Council on the Council's website for two (2) years. Discussion at the meeting on 29 April 2019 on this issue included extending this timeframe to four (4) years, to reflect the term of Council. Following a subsequent review of Council's storage capacities, including any associated increase in costs, Clause 5.23 has been amended to extend the timeframe to four (4) years.

The General Retention and disposal authority: local government records are approved under section 21(2)c of the *State Records Act 1998* following prior approval by the Board of the State Records Authority of New South Wales in accordance with section 21(3) of the Act. The recording of the Council Meeting would be retained as required by that Authority. Following from that, Authority GA39 reference number 13.6.2 provides that records relating to the preparation of meetings and production of minutes include draft minutes, transcripts and audio-visual records must be retained until the minutes of the meeting have been confirmed and then they may be destroyed. Until this time the recording is classified as open access information under the *Government Information (Public Access) Act 2009* (NSW). Therefore, Council is able to amend Clause 5.23 as proposed in relation to retaining webcasting recordings of Council meetings.

### **Submissions**

The Code of Meeting Practice was placed on public exhibition from 30 April 2019 until 27 May 2019, with a submission period until Monday, 10 June 2019.

280 submissions were received between Tuesday, 30 April 2019 and Tuesday, 4 June 2019. All submissions have been provided to Councillors. Any further submissions received from Tuesday, 4 June 2019 until Monday, 10 June 2019 will be separately provided to Councillors to enable them to be considered prior to the meeting on Tuesday, 11 June 2019.

All submissions received during the exhibition period were in relation to the Prayer at the start of Council. 275 submissions supported keeping the Prayer as part of the Order of Business. 5 submissions sought a change to the Order of Business, including deferring consideration of this issue or replacing the Prayer with an Affirmation and/or Inclusive Statement.

### The Prayer

The majority of submissions received were in support of continuing to include the prayer, in its current form, as part of the Order of Business.

The following is a summary of the suggestions / comments received as part of the submissions process in support of the current Order of Business and its inclusion of the Prayer:

1. Judeo-Christian principles and values which include prayers at other important public occasions and the historical context of this
2. Australia's Christian heritage
3. Although the current Prayer is one of Christianity it can be said by people of any faith and still have meaning and relevance
4. The current prayer should not be altered or "watered down"
5. A prayer of guidance may be beneficial in enhancing decision making
6. A prayer is valued by other non-Christian faith groups
7. That Council forward another motion that expands the practice of a prayer before meetings so that the prayers reflect the broad diversity of religions in the Wagga Wagga area. Furthermore, as an expression of acknowledgement of the many diverse religions in the area, Council could invite representatives from various religions to offer a suitably appropriate prayer before each monthly Council meeting
8. 2016 Census data identifying that over 50% of Australians identify as Christian

The following is a summary of the suggestions / comments received as part of the submissions process which consider alternatives to retaining or removing the current Prayer within the Order of Business:

1. Take this issue to the next Council Elections
2. Retain the current Prayer or change it to "The Lord's Prayer", as a symbolic part of democratic history
3. Retain the current Prayer and also recite an "Inclusive Statement" as part of a two-fold approach that meets Council's objectives in relation to diversity and inclusiveness towards various faith and non-faith communities
4. Suggestion for replacing the Prayer with an Affirmation. That the Affirmation not exclude Christian prayer, or the prayers of any other religion. That the Affirmation enable Councillors to acknowledge their responsibilities and seek guidance from their own individual belief systems. Suggested wording for an Affirmation of that nature is provided by the Multicultural Council of Wagga Wagga within their written submission

The following is a summary of the suggestions / comments received as part of the submissions process, in support of a change to the current Order of Business and, in particular, the removal of the Prayer:

1. Holding the faith of Councillors and citizens and the right to practice it in high regard and proposing a way of beginning Council meetings that includes a right for individuals to pray as they think fit.
2. A Christian Prayer at the commencement of Council meetings not being supportive of the vibrant multiculturalism of the City of Wagga Wagga and supporting inclusiveness within Council and committee meetings
3. Beginning Council meetings with a prayer to a particular God is exclusionary and discriminatory
4. Wagga Wagga is a city of 112 nationalities, speaking 107 languages, 60% of new residents during the past 5 years are from overseas and 63 different faiths are worshiped
5. Potential for alienation and marginalisation of those who are not in a specific Christian or Catholic faith system
6. 2016 Census data identified that 30% reported having “no religion”
7. Suggestion to remove the Christian prayer or to allow all faiths to be represented in order to reflect the diversity of the City
8. Separation of ‘State and religion’, with an emphasis instead on good governance and administration of local government. Reference to Section 116 of The Commonwealth of Australia Constitution Act – “The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance...” and the opportunity for Council to reflect those sentiments

The author of one submission specifically identified they were a youth of the community. That submission expressed the view the current Prayer said at meetings no longer aligns within the community that the Council represents. They considered that a single denominational prayer does not reflect the diversity of the community and is divisive rather than unifying. The submission supported a non-denominational alternative as supporting unity and goodwill within the community, regardless of personal views in a way that is not exclusive of some community members.

In addition, Council has received a petition containing 29 signatures. The petition was received on the 27 May 2019. The submission has been submitted in accordance with POL 086 Petitions Management Policy and a response to the petition is provided in this report. The petition requests *“Council to remove or dismiss the motion to remove the prayer from Council meetings”*.

No submissions were received in relation to any other aspects of the Code of Meeting Practice.

#### Options

A list of options for opening the meeting were distributed to Councillors as part of the Workshop Outcomes, and considered in the report to Council on 29 April 2019, a summary of which included:

1. Australian National Anthem
2. Non-Denominational Prayer
3. Civic Statement / Opening Declaration
4. Oath or Affirmation
5. Reflection
6. Prayer or Reflection



### Alternate Motion

Below is some suggested wording for an amendment if Councillors would like to replace the prayer with an alternative option:

That Council:

- a note the public submissions received between during the exhibition period
- b receive and note the petition
- c replace the Prayer under the Order of Business with <insert option>
- d adopt the Code of Meeting Practice, as amended in (c) above
- e have a Workshop to finalise the wording of <insert option>

### **Financial Implications**

Training on the new Model Code of Meeting Practice will be considered for Councillors and would be funded from within Councillors Professional Development budget (\$18,000 annual budget).

It is a requirement that all meetings of the Council and committees of the Council be webcast on Council's website.

Livestreaming of the Council meetings requires certain equipment and services. Included in Council's draft 2019/29 Long Term Financial Plan is an annual budget allocation of \$24,000 for livestreaming Council's ordinary meetings utilising an external livestreaming provider.

### **Policy and Legislation**

---

*Local Government Act 1993 (NSW)*

*Local Government (General) Regulation 2005*

*Model Code of Meeting Practice for Local Councils in NSW 2018*

### **Link to Strategic Plan**

---

#### **Community Leadership and Collaboration**

Objective: We have strong leadership

Outcome: We are accountable and transparent

### **Risk Management Issues for Council**

---

The draft Wagga Wagga Council Code of Meeting Practice provides a regulatory and decision-making framework for Council meetings to promote the accessibility, accountability and transparency of Council decisions.

Under the transitional provisions, Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after the date of the next ordinary elections. However, from 14 June 2019 any provisions of Council's adopted code that is inconsistent with a mandatory provision of

the Model Meeting Code will automatically cease to have effect to the extent it is inconsistent with the mandatory provisions.

---

### **Internal / External Consultation**

---

Following the release of the revised Model Code of Meeting Practice a workshop was held with Councillors and Executive staff on 4 March 2019, to provide an overview of the key changes and provide information about the intention of those changes. In addition, the suggested draft Model Code was reviewed, with a particular focus on the non-mandatory provisions and those provisions which are specific to the needs of Council, including those contained within Council's current Code.

Before adopting a new Code of Meeting Practice, under section 361 of the Act, Councils are required to exhibit a draft of the code of meeting practice for at least 28-days and provide members of the community at least 42 days in which to comment on the draft code.

This consultation aims to ascertain the community's views on the new Draft Code of Meeting Practice. Specifically, Council was seeking community feedback on the non-mandatory and supplementary provisions incorporated into the Draft Code in order to ascertain the level of support for these provisions and evaluate whether any amendments are required prior to the adoption of the Code of Meeting Practice.

The draft Code of Meeting Practice, was placed on public exhibition for a period of 28 days from 30 April 2019 to 27 May with public submissions invited until 10 June 2019. 280 submissions were received between Tuesday, 30 April 2019 and Tuesday, 4 June 2019. Any further submissions received from Wednesday, 5 June 2019 until Monday, 10 June 2019 will be separately provided to Councillors to enable them to be considered prior to the meeting on Tuesday, 11 June 2019.

The exhibition and submission period was promoted through Council's website and on social media in addition to a Councillor Column (Council News). No comments were received on Council's social media posts. A separate Council News article also provided information on the Code of Meeting Practice and invited comments on the draft document and, in particular, sought community feedback in relation to the continued inclusion, or otherwise, of the current Prayer within the Order of Business for meetings. Submissions were received in various formats, including online submissions, letters and emails.

Following from the above, media coverage, particularly *The Daily Advertiser*, focussing on the Order of Business, further made the community aware of the matter before Council and the corresponding opportunity to have their say on how Council meetings are conducted. Those articles were then subject to further comment on third party news and social media platforms, expressing a diversity of opinion, and which are publicly available.

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
<b>TIER</b>																	
<b>Consult</b>									✓								
<b>Involve</b>														✓		✓	
<b>Collaborate</b>																	

## Attachments

1. [📎](#) Draft Code of Meeting Practice - Provided under separate cover
2. Submissions - Code of Meeting Practice

*This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: personnel matters concerning particular individuals. - Provided under separate cover*

**RP-5 WAGGA WAGGA CITY COUNCIL RECONCILIATION ACTION PLAN**

**Author:** Madeleine Scully  
**Director:** Janice Summerhayes

**Summary:** Council's draft Reconciliation Action Plan (RAP) outlines the organisation's commitment to our First Nations Peoples towards Reconciliation. A RAP is a strategic document that supports the organisation's business planning processes. This draft RAP has been reviewed and benchmarked by Reconciliation Australia to ensure Council aligns with national best practice standards in the planning and development of a RAP.

---

**Recommendation**

That Council:

- a endorse the draft Reconciliation Action Plan and place on public exhibition for a period of 28 days from 13 June 2019 and invite public submissions until to 10 July 2019 on the draft document.
- b receive a further report following the public exhibition and submission period:
  - i. addressing any submissions made in respect of the draft Reconciliation Action Plan
  - ii. proposing adoption of the Plan unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period

---

**Report**

Reconciliation Action Plans (RAP's) are recognised across Australia as contemporary best practice in working with First Nations Peoples and have been developed by multiple council's, businesses and organisations to demonstrate their planned commitment. A RAP is a strategic document that supports the organisation's business planning processes. RAPs also support an organisation to strengthen funding opportunities where government agencies and funding bodies are seeking a clear demonstration of commitment to Aboriginal and Torres Strait Islander communities.

In December 2016, following initial consultation with representatives from Reconciliation Australia, Wiradjuri and Aboriginal Elders, community members and staff, it was determined that Wagga Wagga City Council would develop an Innovate RAP. An Innovate RAP is the second-tier plan within the RAP framework and includes a two-year action plan of deliverables for the 19/20 and 20/21 financial years. There are four tiers of RAPs as determined by Reconciliation Australia. It was considered that Wagga Wagga City Council's was well placed in terms of resources and commitment to Reconciliation to develop an Innovate RAP.

An Innovate RAP focuses on developing and strengthening relationships between the Aboriginal and Torres Strait Islander community and Council through the inclusion of a clear accountability framework being the two-year action plan. This action plan assists Council to understand and resource the identified priorities for action based on consultation and input from the Aboriginal and Torres Strait community. This draft RAP has been developed in close consultation with a RAP working group consisting of

Wiradjuri and Aboriginal Elders, community members and staff. There have been multiple reviews of this draft RAP undertaken by Reconciliation Australia, who have provided extensive advice and approval throughout the development of this draft RAP to ensure that it aligns with the values of Reconciliation.

Wagga Wagga City Council made a public commitment to First Nations Peoples in the development of the Statement of Commitment to Aboriginal Australians in 2003. Since then the City's Aboriginal population has grown from 3.3% (2001 census) to 5.6% of our City's total population (2016 census). Between the 2011 and 2016 census the local population of Aboriginal and Torres Strait Islander people increased by 23% or 835 people.

In Wagga Wagga, Aboriginal and Torres Strait Islander people are less likely to obtain a bachelor's degree (6.3% against 14.5% general population currently). Local Aboriginal and Torres Strait Islander people are twice as likely to be earning a weekly household income of between \$150 – \$299 (4.3% compared to 2.2% of the general population) and almost half as likely to be earning an income of \$3000 - \$3499 (2.2% compared to 3.9% in the general population). Aboriginal and Torres Strait Islander people are also over represented in the criminal justice system, have a higher likelihood of suicide and on average a shorter life expectancy due to poverty, health related issues and general disadvantage.

This draft RAP details Council's commitment and ambition to ensure we achieve our community's vision which is based on four key principles outlined in the draft RAP being: *Thriving, Innovation, Connected and Inclusive*. A commitment to these four principles will support the development of positive and deeper community relationships and the provision of equitable opportunity for participation and service provision for all Aboriginal and Torres Strait Islander community members.

It is anticipated that an annual evaluation report on the progress and impact of the Innovate RAP will be presented to Council and the community.

---

## **Financial Implications**

All actions detailed in the draft RAP have been considered for inclusion in Council's operational and delivery plans going forward in the 2019/20 and 2020/21 financial years. Staff will continue to identify funding opportunities to support any unfunded action items over the 2019/20 and 2020/21 financial years, including funding that will support the increase of employment opportunities for Aboriginal and Torres Strait Islander people.

---

## **Policy and Legislation**

Community Strategic Plan 2040 Outcome: we have leaders that represent us, measure Acknowledge the traditional custodians of the land as leaders in our community and Outcome: we promote our city and villages. Measures Showcase the cultural heritage of the Wiradjuri People

---

## **Link to Strategic Plan**

### **Community Place and Identity**

Objective: We are proud of where we live and our identity

Outcome: We value our heritage

## Risk Management Issues for Council

Risk management will be managed against each action when implemented.

## Internal / External Consultation

An initial RAP consultation was held in late 2016 and included Wiradjuri and Community Elders and Aboriginal community members, Council staff and representatives from Reconciliation Australia (RA). Further meetings took place with Council teams and Councillors in 2017 to determine the way forward and a RAP working group was established. The RAP working group consists of Aboriginal Elders and community members and Council staff, meetings took place in 2017 and 2018 and were scheduled quarterly. Meetings will recommence following the endorsement of the RAP. Community meetings in a drop-in format took place in late 2017 at the Tolland Community Centre and at Council to engage the wider Aboriginal community. Councillors were invited to attend these sessions. Further stakeholder workshops were held to ensure operational staff could deliver the items included.

Throughout 2019 the plan has been in transition between Reconciliation Australia (RA) and Council to ensure all content complies with best practice Reconciliation Action Plans and to secure the ability for RA to include their logo on Wagga Wagga City Council's RAP. During this time one on one meetings have also taken place when items have been raised for further consideration and / or where RA have requested items change. During the public exhibition period Council's social planning team will ensure that there is community notice across a range of public engagement platforms to ensure a wide community understanding and opportunity to respond. This will include the now established Mawang Gaway consultative group.

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
<b>TIER</b>																	
<b>Consult</b>								<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
<b>Involve</b>					<input checked="" type="checkbox"/>												
<b>Collaborate</b>																	

## Attachments

1. City of Wagga Wagga Innovate Reconciliation Action Plan June 2019 - June 2021 - Provided under separate cover

**RP-6 MOBILE FOOD VENDING TRIAL EXTENSION****Author:** Dominic Kennedy**Director:** Natalie Te Pohe

**Summary:** For Councillors to extend the Mobile Food Vending Trial until Thursday 15 August 2019 to allow vendors to continue to operate beyond 11 June and provide Council staff time to prepare a final report for Councillor consideration.

**Recommendation**

---

That Council:

- a note the Mayor's decision made on 28 May 2019, in accordance with Section 226 (d) of the *Local Government Act 1993*, to extend the Mobile Food Vending Trial until Monday 11 June 2019
- b further extend the Mobile Food Vending Trial until Thursday 15 August 2019 pending a formal decision from Council as to whether a permanent arrangement should be implemented
- c continue to communicate with the representative groups identified in the consultation section in the body of this report and include their feedback in the report back to Council advising the outcomes of the trial

**Report**

---

At the 26 November 2019 meeting, Council resolved (Minute 18/440) the following:

*That Council:*

- a *authorise the General Manager or their delegate, to undertake an Expression of Interest Process for Mobile Food Vending Trial to be conducted allowing vehicles to operate on public land in the Wagga Wagga local government area according to the following conditions:*
  - i *vendors can only operate between 6am and 10pm*
  - ii *vendors cannot operate within 200 metres of a food and drink premise or boundary of an event licensed or approved to occur on Council land (this includes sporting group canteens)*
  - iii *vendors cannot operate within the Central Business District (CBD exclusion zone as outlined in the report)*
- b *authorise the General Manager or their delegate, after assessment of the submissions, to conduct the Trial from 1 January 2019 to 30 May 2019 with the successful vendors*
- c *receive a report following the Trial that:*
  - i *outlines how the Trial met the objectives outlined within this report*
  - ii *considers options for late night trading*
  - iii *recommends whether or not to make the Trial permanent, in which case, a Policy and a Fee and Charge may be proposed*

- d continue to communicate with the representative groups identified in the consultation section in the body of this report and include their feedback in the report back to Council advising the outcomes of the trial.*

Following this meeting, Council commenced the Mobile Food Vending Trial on 1 January 2019 with the key objectives being:

- identify opportunities for food vending businesses within the Wagga Wagga local government area
- understand the current demand for mobile food vending in the Wagga Wagga local government area
- investigate and trial locations identified by food vendor businesses as preferred locations to sell
- understand the impacts of food vendor businesses in relation to:
  - \* how they activate open space
  - \* the environment
  - \* the community
  - \* entrepreneurialism; and
  - \* existing food businesses
- understand the potential issues that may arise as a result of food vending operations

Nine vendors were selected to participate with food offerings ranging from ice pops, through to coffee and burgers. Five of those vendors have been active. Further information on this matter will be provided at the workshop proposed to provide Councillors with an overview of the feedback and outcomes against the key objectives.

As an early indication, a survey was initiated on 12 May 2019 to collect direct feedback from the community stakeholders (customers, mobile food vendors and competitors). As of 21 May 2019, staff had received responses from 186 customers, two mobile food vendors and one local business owner. To date, 185 of the customer responses indicated that they would like to see the Trial continued. The one business owner response was opposed to the Trial on an unfair competition basis. Five separate comments from business owners have also been received by staff related to the Mobile Food Vending Trial. These were primarily related to concerns about the proximity of vendors to their business.

Close to the end of the Trial, several of the Mobile Food Vendors expressed concern about not being able to operate for up to 3 months while a decision on a permanent Mobile Food Vending program is being made. They reported having expended significant time and resources to establish a market presence and loyal customer base that they fear will be negatively impacted if they cannot continue to operate.

Based on this feedback, survey data available at the time, and after receiving support from some Councillors; on 27 May 2019 the Mayor authorised an initial extension of the Trial period to 11 June 2019. This decision was made in accordance with Section 226(d) of the Local Government Act 1993, which states that the role of the Mayor includes:



- (d) *to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council*

To allow Council staff time to consolidate responses, workshop these and the key outcomes with Councillors, develop a report and potential draft Policy without negatively impacting Mobile Food Vendors, a further extension of the Trial is being proposed to 15 August 2019. This date was identified so that the formal decision of Council could be communicated after a Council meeting. Depending on the outcome of the August meeting, if Councillors do determine that a permanent arrangement be made, it is likely that there will require a further extension to the Trial pending public exhibition and adoption of a formal Council Policy.

### Financial Implications

N/A

### Policy and Legislation

Local Government Act 1993, Section 226(d)

### Link to Strategic Plan

### Growing Economy

Objective: We are a hub for activity

Outcome: We have vibrant precincts

### Risk Management Issues for Council

N/A

### Internal / External Consultation

Community stakeholders will be consulted through surveys, workshops and meetings as part of the final report to Council. The three primary groups will be Mobile Food Vendors, customers and competitors (brick & mortar businesses).

TIER	Mail			Media				Community Engagement					Digital				
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
								☒			☒		☒				

**RP-7 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE**

**Author:** Scott Gray  
**General Manager:** Peter Thompson

**Summary:** | This report is to provide responses to Questions/Business with Notice arising from previous Ordinary Council Meetings.

**Recommendation**

---

That Council receive and note the report.

**Report**

---

The following is in response to Questions/Business raised at the 27 May 2019 Ordinary Council meeting.

Councillor P Funnell requested that a letter of congratulations be sent from the Mayor to the Prime Minister, The Hon Scott Morrison MP and Member for Riverina, The Hon Michael McCormack MP on their recent election win.

*Response provided by the Governance Directorate*

Letters have been written and sent to the Prime Minister, The Hon Scott Morrison MP and Member for Riverina, The Hon Michael McCormack MP.

Councillor D Hayes asked if a request was put forward to Council regarding line marking for the parking bays located on Morgan Street between Murray and Thorne Street.

*Response provided by the Commercial Operations Directorate*

Council was not in receipt of a request at the time of this Question with Notice. Staff will work with Councillor Hayes to get a better understanding of the request.

Councillor K Pascoe asked for an update to be provided in the next available Councillor Bulletin regarding the Pomingalarna Reserve and Cycling Complex.

*Response provided by the Commercial Operations Directorate*

A response was provided to Councillors in the Bulletin dated 31 May 2019.

**Financial Implications**

---

N/A

**Policy and Legislation**

---

Code of Meeting Practice

---

## **Link to Strategic Plan**

---

### **Community Leadership and Collaboration**

Objective: We have strong leadership

Outcome: We have leaders that represent us

### **Risk Management Issues for Council**

---

N/A

### **Internal / External Consultation**

---

N/A

**COMMITTEE MINUTES****M-1 TRAFFIC COMMITTEE - 9 MAY 2019****Author:** Bill Harvey**Director:** Caroline Angel**Summary:**

The Local Traffic Committee met on 9 May 2019. At this meeting, Traffic Committee considered six reports.

The Minutes of the meeting are attached for Councillors' reference.

**Recommendation**

That Council:

- a receive the minutes of the Traffic Committee Meeting held on 9 May 2019
- b endorse the recommendations of the Traffic Committee

**Report**

The table below provides a summary of each item's risk and budget implications in particular:

No.	ITEM	UNMITIGATED RISK RATING	ESTIMATED COST	FUNDING SOURCE	APPROVAL
RP1	ANZAC Day – On-Street Event	<i>High</i>	\$10,824	Road Closures Budget	Approved under staff delegation
RP2	Butch Menz Memorial Road Cycling Race – On-Street Event	<i>High</i>	<i>Nil</i>	Event Organiser	Approved under staff delegation
RP3	Little Hammond Lane Parking Restriction	<i>Medium</i>	\$600	Lines and Signs Budget	Seeking Council endorsement
RP4	Macleay Street and Grandview Avenue – Edge Line Treatment	<i>Medium</i>	\$400	Lines and Signs Budget	Seeking Council endorsement
RP5	Morgan Street Service Road – Revised Traffic Controls	<i>High</i>	\$2,000	Lines and Signs Budget	Seeking Council endorsement

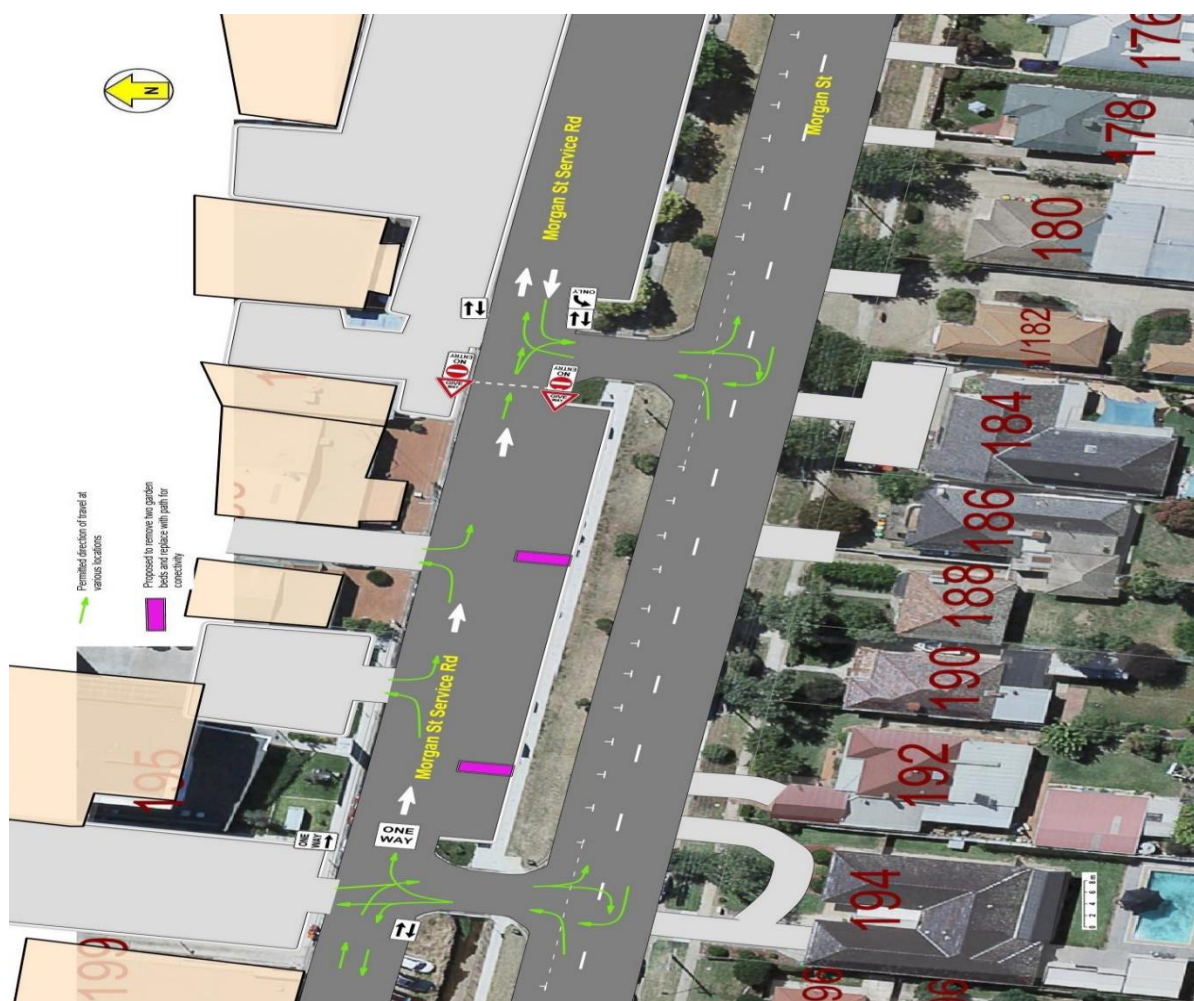
No.	ITEM	UNMITIGATED RISK RATING	ESTIMATED COST	FUNDING SOURCE	APPROVAL
RP6	Line Marking on Koorungal Road Between Plumpton Road and Lake Albert Road	Nil	Nil	RMS to undertake work	Seeking Council endorsement

### Items of Particular Interest

## RP-5 Morgan Street Service Road – Revised Traffic Controls

Traffic Committee agreed that part of the original recommendation that appeared in the Business Paper may not be necessary. In lieu of the NO RIGHT TURN controls from the two driveway connections, Traffic Committee members favoured a staged response that commences with marking a continuity across the face of the driveways. The intent is to provide drivers who are leaving the driveways with an absolute indication as to how far forward they are able to move without entering the path of cross traffic that is on Morgan Street. The additional response of installing NO RIGHT TURN signs can be taken if this option does not reduce the incidence of near misses.

A revised diagram that depicts the proposed treatment for the location follows.



## RP-6 Line Marking on Koorungal Road Between Plumpton Road and Lake Albert Road

While this matter originated from a request from Roads and Maritime Services, through a contractor, for permission to mark an E1 edge line on Koorungal Road to facilitate the operation of a mobile speed camera, Traffic Committee acknowledged that any delineation on a street has the effect of enhancing safety. In this case an edge line will define a 2.3 metres wide parking lane and a 3.1 metre wide east bound travelling lane.

As a condition of the issue of any Section 138 permit that would permit a contractor to mark an edge line in this location, Council Officers will require that the line be extended from Plumpton Road through to Lake Albert Road and that the contractor remark the existing centre line and edge line on the southern side of the street so that all line marking is fresh and equal in definition.

### Financial Implications

The below table shows the budget required, and the current available budget for the proposed funding source for each of the items requiring funding:

Item	Total Budget Required	Proposed Funding Source	Current Proposed Funding Source Budget	Current Funding Source Expenditure including commitments as at 27/05/2019	Current Available Budget
RP1	\$10,824	Road Closures Budget	\$40,000	\$28,920*	\$11,080
RP3, RP4, RP5,	\$600 \$400 <u>\$2,000</u> <b>\$3,000</b>	Lines & Signs	\$348,125	\$342,131	\$5,994

\*Due to the timing of the event, this includes the Anzac Day event expenditure.

### Policy and Legislation

N/A

### Link to Strategic Plan

#### Safe and Healthy Community

Objective: We are safe

Outcome: We create safe spaces and places

### Risk Management Issues for Council

N/A

---

**Internal / External Consultation**

---

The Traffic Committee consists of a Councillor, NSW Police, Roads and Maritime Services and a representative of the Local Member. Representatives from Council's Infrastructure and Planning staff provide advice to the Committee. Representatives from other agencies and entities may be invited to attend meetings as required.

---

**Attachments**

---

- 1 [!\[\]\(e662c6fdc679f154c0e75d901761d894\_img.jpg\)](#). Traffic Committee Meeting - Minutes - 9 May 2019

---

**MINUTES** of the **TRAFFIC COMMITTEE** held on **Thursday 9 May 2019**.

---

**APOLOGIES**

Councillor Dan Hayes

**PRESENT**

Mr Fazlul Hoque	(RMS)
Sgt Steve Bloomfield	(NSW Police)
A/Sgt Jamie Mooney	(NSW Police)

**IN ATTENDANCE**

Council's Senior Traffic Officer	Mr Bill Harvey
Council's Infrastructure Administration Coordinator	Maree Ingram - Minute Taker

The meeting of the Traffic Committee commenced at 9.15am.

**ACKNOWLEDGEMENT OF COUNTRY**

I would like to Acknowledge the Traditional Custodians of this Land, on which this meeting takes place and to pay my respects to Elders past and present.

**CONFIRMATION OF MINUTES****CM-1      CONFIRMATION OF MINUTES - 14 MARCH 2019*****Recommendation:***

On the Motion of Mr F Hoque and Mr B Harvey

That the Minutes of the proceedings of the Traffic Committee Meeting held on 14 March 2019 be confirmed as a true and accurate record.

**CARRIED**

**DECLARATIONS OF INTEREST**

Nil Declarations of Interest received.



MINUTES of the **TRAFFIC COMMITTEE** held on Thursday 9 May 2019.

---

## **REPORTS**

### **RP-1 ANZAC DAY - ON-STREET EVENT**

#### ***Recommendation:***

On the Motion of Mr F Hoque and Mr B Harvey

---

That Traffic Committee note that the following matter was distributed to members by email on 29 March 2019 with members replying in favour of the event.

That Traffic Committee endorse the conduct of the ANZAC Day Dawn Service at 5:30am and the parade and commemorative service at 10:00am on 25 April 2019 in the Victory Memorial Gardens and on Baylis Street, Morgan Street and Morrow Street subject to the following conditions:

- a Road closures for the event to commence from 6:00pm on 24 April 2019 to permit set up in Baylis and Morrow Streets around the Victory Memorial Gardens.
- b The event is to be conducted as per the location and times that are stipulated in the application documents.
- c A certified and approved Traffic Control plan to be implemented by authorised personnel from Wagga Wagga City Council prior to and throughout the event.
- d No vehicular movement in the nominated areas during the event except for those vehicles that are used as part of the parade.
- e Organisers and event participants obey all Police directions.
- f Organisers and event participants obey any direction from a Wagga Wagga City Council Officer.
- g Morgan Street, from Berry Street to Baylis Street, is to be opened to normal use by the non-event community once the parade has completely cleared that section of road and the street can safely be opened.
- h Baylis Street, from Morgan Street to the northern side of the intersection with Thompson Street is to be opened for normal use by the non-event community once the parade has cleared that section of road and the street can be safely opened to traffic.
- i No event participant is to occupy a position on a road that is outside of the closed area.
- j Failure to comply with any condition immediately voids approval for the event and traffic regulation and restriction will apply from that time.

**CARRIED**

MINUTES of the **TRAFFIC COMMITTEE** held on Thursday 9 May 2019.

---

Points of Discussion

No issues raised.

**RP-2 BUTCH MENZ MEMORIAL ROAD CYCLING EVENT - ON STREET EVENT**

***Recommendation:***

On the Motion of Mr F Hoque and Mr B Harvey

---

That Traffic Committee note that the following matter was distributed to members by way of email on 1 April 2019 with members responding in favour of the recommendation.

That Traffic Committee endorse the conduct of the Butch Menz Memorial Bicycle Race, starting and finishing at Collingullie on Sunday 2 June 2019, subject to the following conditions:

- a The arrangements regarding route, timing and other issues that are set out in the application documents are adhered to,
- b All provisions of Road Transport Legislation are complied with,
- c Any direction given by a member of the NSW Police that is pursuant to Road Transport Legislation or Work Health and Safety Legislation is to be promptly complied with,
- d Any reasonable direction that is given by an Officer of Wagga Wagga City Council is to be promptly complied with,
- e Authorised Traffic Control Plans to be implemented, monitored and removed by a person who holds the appropriate level of 'Traffic Control at Worksites' certification,
- f Responsibility for sourcing signs, barriers and witches hats, required for implementation of the traffic control plans, lays with Wagga Wagga Cycling Club,
- g The race is to be run in accordance with NSW Bicycle Federation rules,
- h Approval pursuant to section 115 of the Road Transport Act, 2013 being given by the Commissioner of Police or his delegated officer.
- i Consent for the portion of the race that is in Lockhart Local Government Area being given by Lockhart Council,
- j Failure to comply with any of these conditions will immediately void approval for the event.

CARRIED

MINUTES of the **TRAFFIC COMMITTEE** held on Thursday 9 May 2019.

---

Points of Discussion

Sgt Steve Bloomfield – Application has been processed by NSW Police however an updated insurance policy is still required.

**RP-3 LITTLE HAMMOND LANE PARKING RESTRICTION**

***Recommendation:***

On the Motion of Mr B Harvey and Mr F Hoque

---

Traffic Committee recommends that an 84 metre length of NO STOPPING zone, using standard R5-400 series signs, be installed on the southern side of Little Hammond Lane, from the intersection with Koorringal Road, towards the west, as per the diagram that is attached to the report.

**CARRIED**

Points of Discussion

No issues raised

**RP-4 MACLEAY STREET AND GRANDVIEW AVENUE - EDGE LINE TREATMENT**

***Recommendation:***

On the Motion of Mr B Harvey and Mr F Hoque

---

Traffic Committee recommends the following initiatives in Macleay Street between the intersections with Grandview Avenue and Sunshine Avenue:

- a the remarking of the BB (double unbroken) centre line
- b marking an E1 (edge) line on the western side of the street that extends past the intersection with Grandview Street, establishing a parking lane that is at least 2.7m wide as per the diagram that is contained in the report.

**CARRIED**

Points of Discussion

Mr B Harvey – Defining the left edge of the northbound travelling lane in Macleay Street will help to direct drivers around the back of the angle parked vehicles that are north of the intersection with Grandview Avenue as well as showing drivers who are entering from Grandview Avenue how far forward they can move without being in the

MINUTES of the **TRAFFIC COMMITTEE** held on **Thursday 9 May 2019**.

path of a vehicle that is on the intersecting street. The double unbroken centre line is very faded and needs to be remarked.

**RP-5 MORGAN STREET SERVICE ROAD - REVISED TRAFFIC CONTROLS**

***Recommendation:***

On the Motion of Mr F Hoque and Mr B Harvey

Traffic Committee recommends the implementation of the following controls at and between Morgan Street and the Morgan Street Service Road at the western end of Morgan Street between Docker Street and Murray Street:

- a Mark a longitudinal continuity line on the northern side of Morgan Street, across the face of both driveway connections, that is on the line of the outer edge of the parking lane as defined by the 'T' and 'L' marks.
- b Install a single 'A' size R2-2(R) (ONE WAY) sign on the northern side of the service road opposite the western entry driveway.
- c Mark the words ONE WAY on the service road immediately on the eastern side of the western driveway connection.
- d Install a single 'A' size R2-11 (TWO WAY) sign on the southern side of the service road immediately west of the western connection driveway.
- e Install duplicated 'A' size R1-2 (GIVE WAY) signs on the service road, facing east bound traffic, immediately on the western side of the eastern driveway connection to Morgan Street.
- f Mark a TB (GIVE WAY) line across the service road in conjunction with the signs that are mentioned at point 'f'.
- g Install duplicated 'A' size R2-4 (NO ENTRY) signs on the reverse side of the signs that are mentioned at point 'f', facing west bound traffic in the service road.
- h Install duplicated 'A' size R2-11 (TWO WAY) signs on both sides of the service road, facing east bound traffic, immediately on the eastern side of the eastern driveway connection.
- i Install a single 'A' size R2-14(L) (Left arrow / ONLY) sign on the southern side of the service road, facing west bound traffic, on the reverse side of the sign that is mentioned at point 'i'.
- j Mark white painted arrows on the service road as per the diagram that is attached to the report.

**CARRIED**

Points Of Discussion

Bill Harvey – Cr Hayes requested further advice on treatments for the driveways. RMS have opposed no right turn from eastern driveway. Cr Hayes has suggested the installation of a continuity line at each driveway as a stepped approach that might be



**MINUTES of the TRAFFIC COMMITTEE held on Thursday 9 May 2019.**

employed before going to the extreme measure of imposing a prohibition on right turn movements.

Fazlul Hoque – has Council considered removing parking bays to improve sightlines?

Bill Harvey – Two spaces have already been removed on the western side of both driveway connections and with parking being fully utilised in this area on a daily basis, Council is opposed to removing any further spaces.

B Harvey – Issues could be address through the use of a mixture of treatments. Including running a continuity line outside the edge of the parking bays as well as no right turn out of the western driveway with no turning restrictions on the eastern driveway.

Fazlul Hoque – A mixture could be done.

Bill Harvey – Response could be stepped. Initially trial continuity lines at both driveways, if they don't work then introduce restrictions.

Sgt Bloomfield – Is the issue traffic getting out of the service area?

Bill Harvey – Yes, have had problems at the eastern driveway – numerous near misses and one reported crash. Near misses are reported anecdotally at the western driveway.

Bill Harvey – Suggested that points *a* and *b* are removed from the recommendation and a new point included referring to the installation of a continuity line at each driveway. All other points of the recommendation to remain as documented.

All committee members agreed to the above approach with the new recommendation to be distributed to committee members for review and comment prior to the publication of the committee minutes.

**RP-6 LINE MARKING ON KOORINGAL ROAD BETWEEN PLUMPTON ROAD AND LAKE ALBERT ROAD**

***Recommendation:***

On the Motion of Mr F Hoque and Mr B Harvey

**Traffic Committee recommends:**

- a** marking an E1 (unbroken) edge line on the northern side of Koorungal Road between the intersections with Lake Albert Road and Plumpton Road with appropriate returns at the intersection with Cochrane Street. The edge line should define a parking lane that is at least 2.3 metres wide.
- b** this work to be undertaken by Workforce Road Services (RMS contractor) at their own cost and to appropriate standards.

**CARRIED**

---

**MINUTES of the TRAFFIC COMMITTEE held on Thursday 9 May 2019.**

---

**Points of Discussion**

Bill Harvey – Cr Hayes requested further information in respect to safety aspects associated with this matter. The response is that installing any delineation enhances safety. In this case an E1 edge line will guide drivers to the travelling lane which is 3.1 metres wide through this section with a 2.3 metre wide parking lane.

Fazlul Hoque – Questioned the impact on parking lane and travelling lane widths.

Bill Harvey – A 2.3 metre wide parking lane is generally the narrowest that should be employed in NSW under all but exceptional circumstances. The 3.1 metre wide travelling lane, while not overly generous, exceeds the normal minimum travelling lane width of 2.9 metres.

**QUESTIONS WITH NOTICE/BUSINESS WITH NOTICE****BWN-1      Henwood Avenue Parking Review**

This Matter was raised by Senior Traffic Officer, Mr Bill Harvey as a possible future report to Traffic Committee

**BWN-2      Request for a pedestrian crossing at Lake Street, Lake Albert**

This Matter was raised by Senior Traffic Officer, Mr Bill Harvey as a possible future report to Traffic Committee

**BWN-3      Macleay Street/Railway Street Resident's Safety Concerns**

This Matter was raised by Senior Traffic Officer, Mr Bill Harvey as a possible future report to Traffic Committee

The Traffic Committee rose at 10.00am.

## **QUESTIONS/BUSINESS WITH NOTICE**

## **CONFIDENTIAL REPORTS**

### **CONF-1      RFT2019-26 FRENCH FIELDS AMENITIES CONSTRUCTION**

**Author:** Sylvester Otieno

**Director:** Caroline Angel

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) (i) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.



## **PRESENT**

The Mayor, Councillor Greg Conkey OAM  
Councillor Yvonne Braid OAM  
Councillor Paul Funnell  
Councillor Dan Hayes  
Councillor Vanessa Keenan  
Councillor Rod Kendall  
Councillor Kerry Pascoe

## **IN ATTENDANCE**

General Manager	(Mr P Thompson)
Director Corporate Services	(Mrs N Te Pohe)
Director Community	(Mrs J Summerhayes)
Director Commercial Operations	(Ms C Angel)
Manager Finance	(Mrs C Rodney)
Manager City Strategy	(Mr T Kell)
Manager Executive Support	(Mr S Gray)
Manager Technical & Strategy	(Mr P Ross)
Senior Project Manager	(Mr D Woods)
Land and Real Property Coordinator	(Ms D Wright)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mr J Lang)
Governance Officer	(Ms B King)
Audit, Risk and Governance Officer	(Mrs S Karpanen)

## **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**

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of this Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Community members present.

## **APOLOGIES**

An apology for non-attendance was received and accepted for Councillor D Tout on the Motion of Councillors P Funnell and D Hayes.

### **LEAVES OF ABSENCE**

Council note that a leave of absence was granted to Councillor T Koschel (13 May 2019 to 27 May 2019 inclusive).

### **CONFIRMATION OF MINUTES**

#### **CM-1      ORDINARY COUNCIL MEETING - 13 MAY 2019**

##### **19/168      RESOLVED:**

On the Motion of Councillors D Hayes and P Funnell

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 13 May 2019 be confirmed as a true and accurate record.**

**CARRIED**

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

##### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

##### Against the Motion

### **DECLARATIONS OF INTEREST**

Councillor K Pascoe declared a Pecuniary Interest in RP- 3 INDEXING AND APPLICATION OF CONTRIBUTION RATES OF THE CITY OF WAGGA WAGGA SECTION 94 CONTRIBUTIONS PLAN 2006 - 2019 AND THE CITY OF WAGGA WAGGA S94A LEVY CONTRIBUTIONS PLAN 2006 the reason being that he currently has a development application submitted to Council and vacated the chamber during its consideration.

## **MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

### **NOM-1 NOTICE OF MOTION - FLOOD MODELLING SOFTWARE**

#### **19/169 RESOLVED:**

On the Motion of Councillors V Keenan and D Hayes

That a report be presented to the next Ordinary Meeting of Council outlining the capacity and current use of Council's waterRIDE flood modelling software with an identified budget for potentially increasing Council's use of the program through the consideration of a permanent dedicated resource with high level training, software upgrades or increased licences as part of the discussion for the 2019/20 budget.

**CARRIED**

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

#### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

#### Against the Motion

## **PROCEDURAL MOTION - ENGLOBO**

#### **19/170 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

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-1, RP-2, RP-4 to RP-8, M-1, CONF-2, CONF-3, CONF-5 and CONF-6, be adopted as recommended in the business papers

**CARRIED**

## **REPORTS FROM STAFF**

### **RP-1 PLANNING PROPOSAL TO AMEND THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 - GUMLY GUMLY**

#### **19/171 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

#### **That Council:**

- a note the submissions and results of the cumulative flood impact study**
- b support the revision of two planning proposals for Gumly Gumly to amend the Wagga Wagga Local Environmental Plan 2010**
- c revise and submit the two planning proposals to the Department of Planning and Environment for Gateway Determination**
- d prepare an amendment to the Wagga Wagga Development Control Plan 2010 to be exhibited alongside the planning proposal, addressing development concerns outlined in the report**
- e receive a further report after receiving the revised Gateway Determinations from the Department of Planning and Environment, and the subsequent public exhibition period:**
  - i addressing any submissions made in respect of the planning proposals**
  - ii proposing adoption of the planning proposals unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**

**CARRIED**

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

#### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

#### Against the Motion

**RP-2 DRAFT PLANNING PROPOSAL LEP18/0012 - ADJUSTMENT OF ZONE BOUNDARIES AT LOT 1 DP 605970 AND INCREASE TO MINIMUM LOT SIZE CONTROL TO PART LOT 1 DP 605970 ON HOLBROOK ROAD**

**19/172 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a support the planning proposal LEP18/0012 prepared to amend the Wagga Wagga Local Environmental Plan 2010**
- b submit a planning proposal to the Department of Planning and Environment for Gateway Determination**
- c receive a further report after the public exhibition period;**
  - i addressing any submissions made in respect of the planning proposal**
  - ii proposing adoption of the planning proposal unless there are any recommended amendment deemed to be substantial and requiring a further public exhibition period**

**CARRIED**

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

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

Against the Motion

**RP-3 INDEXING AND APPLICATION OF CONTRIBUTION RATES OF THE CITY OF WAGGA WAGGA SECTION 94 CONTRIBUTIONS PLAN 2006 - 2019 AND THE CITY OF WAGGA WAGGA S94A LEVY CONTRIBUTIONS PLAN 2006**

Councillor K Pascoe declared a Pecuniary Interest and vacated the chamber, the time being 6.08pm.

**19/173 RESOLVED:**

On the Motion of Councillors D Hayes and R Kendall

**That Council:**

- a authorise the General Manager or their delegate to make amendments to the City of Wagga Wagga Section 94 Contributions Plan 2006 – 2019 and the City of Wagga Wagga S94A Levy Contributions Plan 2006, which will change the indexation of contributions payable from quarterly to annually effective from 1 July 2019**
- b note that for clarity, an additional amendment will be made to the City of Wagga Wagga Section 94 Contributions Plan 2006 – 2019 to ensure that all development applications, complying development certificates and planning proposals determined before 1 July 2019, and any subsequent amendments of these will be required to pay the contributions under this Plan**
- c note that Council staff are lobbying IPART to make the appropriate changes in legislation and the Guidelines to allow utilisation of the Local Government Cost Index within contribution plans in preference to the requirement to use the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall

Against the Motion

Councillor K Pascoe re-entered the chamber, the time being 6.09pm.

**RP-4 ROAD CLOSURE - COUNCIL ROAD WITHIN LOT 2 DP 631591, BORAMBOLA**

**19/174 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a note that the Crown Land Legislation Amendment Act 2017 has changed the process for closure of Council public roads**
- b propose the closure of the unnamed, unformed and unmaintained road within Lot 2 DP 631591 at Borambola**
- c provide public notice of the proposal as per the Roads Act 1993 (as amended by the Crown Land Legislation Amendment Act 2017, schedule 3)**
- d delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

Against the Motion

**RP-5      PROPOSED LICENCE TO TARCUTTA MENSHEd - 8 BENT STREET, TARCUTTA**

**19/175      RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

**That Council**

- a      enter into a licence agreement with Tarcutta Men's Shed Incorporated upon the following terms**
  - i      Location - former Tarcutta RFS shed at 8 Bent Street, Tarcutta (Lot 136 DP 757255)**
  - ii     Period - one (1) year commencing 1 July 2019**
  - iii    Licence fee – in accordance with Council's minimum community licence fee adopted for the 2019/2020 financial year**
- b      undertake public notice advertising of the intention to grant a licence under in accordance with s47A and s47 of the Local Government Act 1993**
- c      authorise lodgement of a development application for change of use to community purposes**
- d      delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of the Council**
- e      authorise the affixing of Council's common seal to all relevant documents as required**
- f      delegate authority to the General Manager, or their delegate to renew the licence for a further period of one (1) year on 1 July 2020 at the discretion of Council**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

Against the Motion



**RP-6 FINANCIAL PERFORMANCE REPORT AS AT 30 APRIL 2019**

**19/176 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a approve the proposed 2018/19 budget variations for the month ended 30 April 2019 and note the balanced budget position as presented in this report**
- b provide \$300 financial assistance to the South Wagga Anglican Church in accordance with Section 356 of the Local Government Act 1993**
- 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 details of the external investments as at 30 April 2019 in accordance with section 625 of the Local Government Act 1993**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

Against the Motion

**RP-7 WAGGA WAGGA MAIN CITY LEVEE BANK - PROJECT UPDATE**

**19/177 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a note the contents of the report**
- 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

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

### Against the Motion

## RP-8 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

### 19/178 RESOLVED:

On the Motion of Councillors D Hayes and K Pascoe

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

**CARRIED**

## RECORD OF VOTING ON THE MOTION

### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

### Against the Motion

## COMMITTEE MINUTES

## M-1 AIRPORT ADVISORY COMMITTEE MEETING - 1 MAY 2019

### 19/179 RESOLVED:

On the Motion of Councillors D Hayes and K Pascoe

**That Council receive the minutes of the Airport Advisory Committee Meetings held on 1 May 2019.**

**CARRIED**

## RECORD OF VOTING ON THE MOTION

### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

### Against the Motion

## QUESTIONS/BUSINESS WITH NOTICE

1. Councillor P Funnell requested that a letter of congratulations be sent from the Mayor to the Prime Minister, The Hon Scott Morrison MP and Member for Riverina, The Hon Michael McCormack MP on their recent election win.
2. Councillor D Hayes asked if a request was put forward to Council regarding line marking for the parking bays located on Morgan Street between Murray and Thorne Street. Director Commercial Operations will provide an update to Councillor D Hayes directly.
3. Councillor K Pascoe asked for an update to be provided in the next available Councillor Bulletin regarding the Pomingalarna Reserve and Cycling Complex.

## CLOSED COUNCIL

### **19/180 RESOLVED:**

On the Motion of Councillors D Hayes and V Keenan

**That the Council now resolve itself into a Closed Council, the time being 6.12pm.**

**CARRIED**

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

## **CONFIDENTIAL REPORTS**

### **CONF-1 2018/19 LOAN FACILITY**

#### **19/181 RESOLVED:**

On the Motion of Councillors R Kendall and D Hayes

#### **That Council:**

- a utilise an internal loan from the Livestock Marketing Centre Reserve for \$1,328,319 to be repaid over a 5-year term to fund the projects identified as part of Tranche 1 in the body of the report**
- b authorise the General Manager or their delegate to enter into a Loan Facility with the Commonwealth Bank of Australia for up to \$2,276,773 to fund the projects identified as part of Tranche 2 in the body of the report**
- c utilise an internal loan from the Livestock Marketing Centre Reserve for up to \$2,328,021 to be repaid over a 10-year term to fund the projects identified as part of Tranche 3 in the body of the report**
- d authorise the affixing of Council's Common Seal to all necessary documents as required**

**CARRIED**

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

#### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

#### Against the Motion

**CONF-2 ASHMONT RISING MAIN - PROPOSED ACCESS LICENCE AND ACQUISITION FOR EASEMENT**

**19/182 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

**That Council:**

- a delegate authority to the General Manager or their delegate to acquire an easement to drain sewage within 64 Pearson Street, Ashmont (Lot 1 DP 798753) as outlined in the body of this report**
- b delegate authority to the General Manager or their delegate to enter into an access licence, if required, to facilitate constriction of infrastructure**
- c delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council**
- d authorise the affixing of Council's common seal to all relevant documents as required**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

Against the Motion

### **CONF-3 RFQ2019-535 SUPPLY OF ONE WATER TRUCK**

#### **19/183 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

#### **That Council:**

- a accept the offer of Wagga Trucks Pty Ltd for one Volvo FM11 Water Truck for the amount of \$262,461.00 excluding GST**
- b authorise the General Manager or their delegate to enter into a contract with Wagga Trucks Pty Ltd for the supply of one Volvo FM11 Water Truck unit for the amount of \$262,461.00 excluding GST**
- 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

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

#### Against the Motion

### **CONF-4 PROPOSED ACQUISITION OF LAND**

#### **19/184 RESOLVED:**

On the Motion of Councillors K Pascoe and V Keenan

#### **That Council:**

- a delegate authority to the General Manager or their delegate to negotiate the purchase of land identified in the body of the report in accordance with the terms outlined in the body of this report**
- b delegate authority to the General Manager or their delegate to enter into a contract for the acquisition of land on behalf of Council**
- c delegate authority to the General Manager or their delegate to execute any necessary agreements on behalf of Council**
- d authorise the affixing of Council's common seal to all relevant documents as required**
- e upon acquisition classify the land as operational land in accordance with the provisions of Section 31 of the Local Government Act 1993**

- f delegate authority to the General Manager or their delegate to seek Ministerial approval in accordance with the requirements of Section 410 of the Local Government Act 1993, and as outlined within this report**
- g approve the budget variations as detailed in the Financial Implications section of the report**

**CARRIED**

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

### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

### Against the Motion

## **CONF-5 PROPOSED EXPANSION OF SUB-LEASE AREA - ENCORE AVIATION PTY LTD**

### **19/185 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

### **That Council:**

- a agree to vary the existing sub-lease agreement with Encore Aviation Pty Ltd to include an additional lease area as per the terms set out in the body of this report**
- b delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of the Council**
- c authorise the affixing of Council's common seal to all 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

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

### Against the Motion

## **CONF-6 WAGGA WAGGA AIRPORT REVIEW**

### **19/186 RESOLVED:**

On the Motion of Councillors D Hayes and K Pascoe

#### **That Council:**

- a note the recommendation from the Airport Advisory Committee**
- b approve the proposal from the airport consultant to undertake a review of Wagga Airport, including the additional scope item to benchmark depreciation**
- c approve the budget variations as detailed in the Financial Implications section of the report**

**CARRIED**

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

### For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
K Pascoe

### Against the Motion



**REVERSION TO OPEN COUNCIL**

**19/187    RESOLVED:**

On the Motion of Councillors V Keenan and D Hayes

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 6.36pm.**

**CARRIED**

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 6.39pm.

.....  
MAYOR